

**Fernleigh Avenue Reserve &
Newsome Park
Management Plan**

Prepared by the Mount Roskill Borough Council and approved operative by the Mount Roskill Borough Council by way of resolution in terms of sections 41(13) and 41(16) of the Reserves Act 1977 on the 30th day of August 1983.

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A electronic version of this document is available from www.akcity.govt.nz

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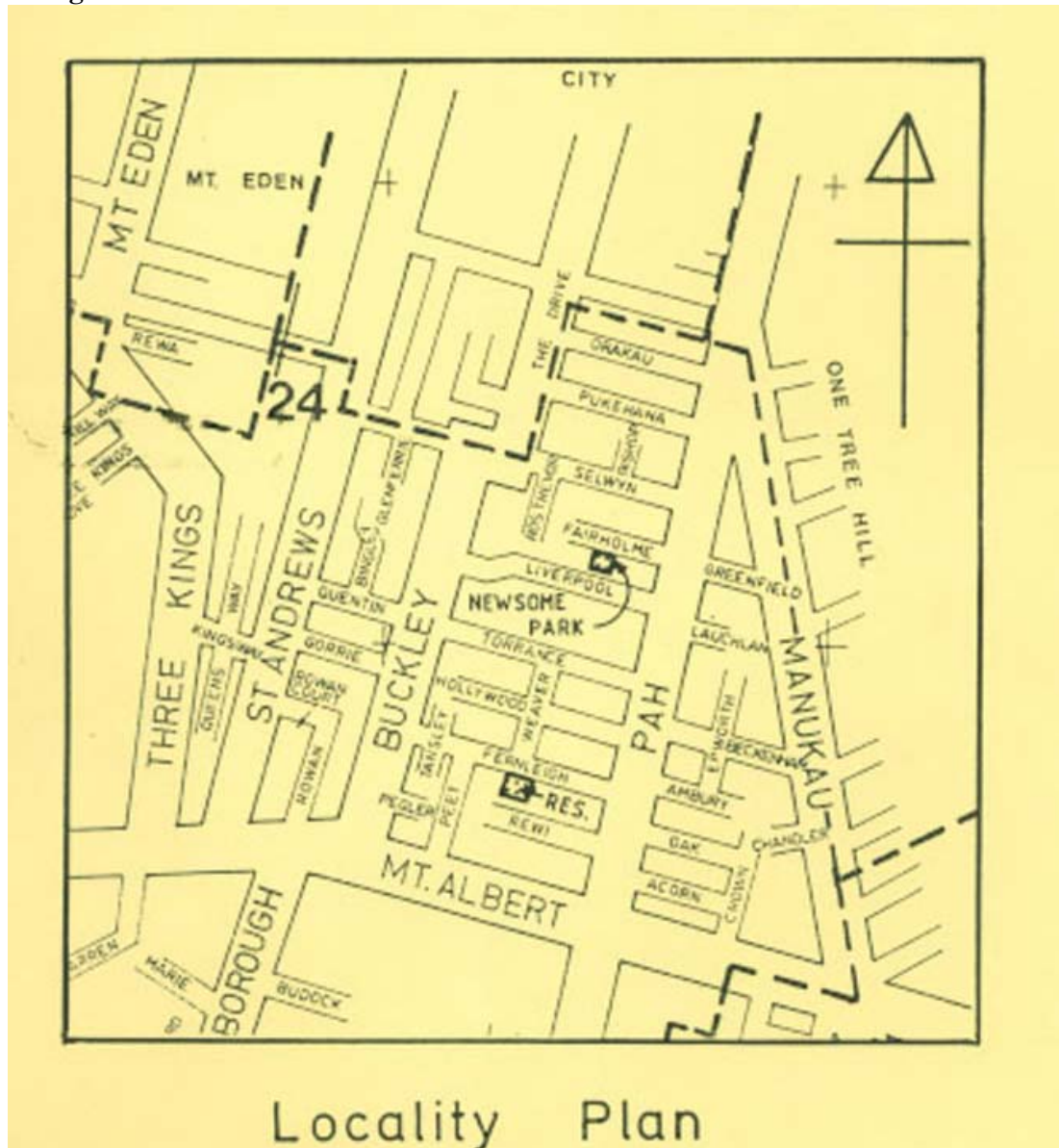
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1.0 Newsome Park

Background Information



1.1 Legal Description

Lot 41 DP 15865 Pt CT 44/283 1765 sq. meters

1.2. Location and Access

Newsome Park is in Fairholme Avenue with direct frontage to that street. Residential properties, zoned Residential R.1 surround the reserve.

1.3. Zoning and Classification

Zoning under the operative District Scheme is Recreation Rec. 2.

The reserve is classified as Recreation.

Section 17 of the Reserves Act 1977 states that recreation reserves shall have the general purpose of "providing areas for recreation and sporting activities and the physical welfare and enjoyment of the public..."

1.4 History

The land was vested in the Crown as a recreation reserve in 1922. In 1930 it was brought under Part II of the Public Reserves and National Parks Act 1928 as part of the Mt Roskill Domain. (NZ Gazette 1930, p2840).

The land was leased to Fairholme Tennis Club, an incorporated body of local residents, and two tennis courts constructed.

The original lease was for a term of 21 years. The current lease was signed in 1968 and runs until 1989. No provision for renewal is included.

The name Newsome Park was given to the reserve in 1976 in recognition of the work for Mr W Newsome, a long term member of the Fairholme Tennis Club.

1.5 Uses

The reserve is fully developed with two loose chip tennis courts, a volley board and small wooden clubhouse.

Under the terms of the current lease, the Club is responsible for maintenance of the grounds, courts, buildings and fences. The lease provides the right for the public to use the courts on payment of a fee, except on 5 competition days per year.

2.0 Fernleigh Ave Reserve

Background Information

2.1 Legal Description

Lot 77 and Lot 89 DP 732 CT 535/115 2757 sq. metres

2.2 Location and Access

The reserve is in Fernleigh Avenue with direct frontage to that street. Residential properties, zoned Residential R.1 surround the reserve.

2.3 Zoning and Classification

Zoning under the operative District Scheme is Recreation Rec. 1. The reserve is classified as Recreation.

2.4 History

In 1924 Lot 77 was vested in the Crown as a recreation reserve and in 1930 brought under Part II of the Public Reserves and National Parks Act 1928 as part of the Mt Roskill Domain (NZ Gazette 1930 p2840).

In 1931 the land was leased for a token rental to the Waiata Tennis Club, an incorporated body of local residents for a term of 21 years.

Lot 89 was vested in the Crown as Road Reserve from 1924 until 1949 when it was included in the Mt Roskill Domain (NZ Gazette 1949 p2469). A new lease was signed in 1949 including this additional land in the Tennis Club site. This lease expired in 1969 and was replaced by the current lease with a term of 21 years, which expires in 1989.

2.5 Uses

The reserve is fully developed with four sealed and floodlit courts surrounded by 3.5 meter high post and wire mesh fencing. A two sided wooden pavilion adjoins the rear boundary of the site.

The site is leased to the Waiata Tennis Club Inc. Under the terms of the lease the Club is responsible for the maintenance of the courts, buildings, grounds and fences.

The lease provides for the public to use the tennis courts for a fee of 10 cents per serve on 5 days a year during which the Club has exclusive use for competition.

The tennis courts were upgraded and resealed in 1980. Council approved of this subject to satisfactory screening on the road frontage.

3.0 Objectives

- To encourage and facilitate the used of the reserve for tennis, while protecting residential properties in the vicinity from the unreasonable intrusion of noise, traffic and floodlights.
- To recognise the needs and contributions of the tennis club while protecting the rights of the public to use the reserve on a casual basis.
- To maintain the reserve as attractive open space in a built-up environment.

4.0 Policies

4.1 Buildings

- A) Additional buildings or additions to existing buildings to provide additional social facilities are not considered appropriate by Council in view of the proximity of residential properties and the lack of off street parking.

An application for proposed buildings of additions, except as specified in part b) of this section, will be considered by Council as a notified planning application under the following criteria:-

- i) the scale, design and appearance of the proposed building or addition;
 - ii) the extent to which nuisance arising from noise and traffic generation is likely to increase; and
 - iii) satisfying the policies of the operative District Scheme for the Recreational Rec.2 Zone.
- B) Additions up to 10 sq. metres to enlarge changing rooms/toilet facilities will be permitted, subject to Council approval of design and appearance and compliance with the bulk and location requirements for recreation zones and the requirements of Section 91 of the Town and Country Planning Act 1977. Any additions under this Section that satisfy Section 91 but do not comply with the bulk and location requirements for the Recreation Rec.2 Zone

will have to be considered in terms of Section 76 of the Town and Country Planning Act 1977.

- C) Council will require buildings to be maintained to a high standard.

4.2 Signs

The entrance to the reserves will be sign posted with Council's standard sign.

The lessee club will provide a sign indicating that the Courts are available for public use and the fee to be paid and in the case of the Newsome Park Courts where a key to the Courts will be held and the deposit payable for the key.

4.3 Leases

- A) Council will grant new leases of the reserve to the incumbent tennis club subject to the provisions of the Reserves Act 1977 on expiry of the present lease in 1989 or earlier.
- B) In the even of the incumbent Incorporated Society ceasing to exist or failing to comply with the Conditions of Lease, Council will resume control of the reserve.
- C) Any new lease will be for a term of 21 years.
- D) Any new lease will allow the Club forty (40) days per year exclusive use of the reserve and will specify a reasonable charge per set for non-members for play on all other days.
- E) Any new lease will prohibit the lessee from applying for an ancillary liquor licence.
- F) Any new lease will prohibit the use of flood lighting after 10:00pm.
- G) Non-members of the Club will be permitted to use the playing facilities on the payment of (reasonable fees) on any occasion when playing facilities are open for play and the lessee is not exercising any rights of exclusive use for all or any such facilities as are provided for in clause 4.3(d) above or as otherwise provided for in terms of the Reserves Act 1977 or its amendments.

In the case of the Newsome Park Tennis Club, as well as the general provision specified above, members of the public who wish to use the courts when they are not being used by members of the club can, on the payment of a deposit, collect a key from the Council offices and use the courts. On the return of the key the deposit will be refunded. However, alternative arrangements to the above may be agreed between the Club and the Council should the above prove unworkable or cumbersome.

4.4 Administration

The operative District Scheme provides that any use shown in an operative Management Plan is a predominant use. Any proposal for further development will be dealt with as a conditional use, as indicated in Policy 1. Any such application will be dealt with by a combined Parks Committee and Town Planning Hearings Committee in order to streamline administrative procedures while retaining public rights of objection and appeal.

This Management Plan will be review at five yearly intervals.