



te kaunihera ā-rohe o
matamata-piako
district council

General Policies

Reserve Management Plan



2019

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Part 1

Introduction

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1. Background

Matamata-Piako District Council administers a diverse portfolio of land managed as reserves.

The Reserves Act 1977 provides for the preservation and management of reserves for the benefit and enjoyment of the public.

The Act requires the development of reserve management plans to establish the desired mix of use and protection for reserves and to provide the community with certainty about the function and management of each reserve. Council adopted various reserve management plans in 2009 and 2010.

Reserve management plans should be reviewed to take into account new information and changing circumstances. There have been some changes over the past few years including:

- changes to legislation;
- changes to Council's structure;
- changes in the way people participate in sport and recreation activities;
- demographic changes;
- greater cultural awareness; and
- greater environmental awareness.

A review of the General Policies Reserve Management Plan was undertaken.

- A call for submissions on the draft plan was made on 20 February 2019;
- The period for submissions closed on 22 April 2019;
- A hearing was held in Te Aroha on 15 May 2019 to consider the submissions;
- The plan was adopted with amendments on 15 May 2019
- The plan is operative with effect from 1 July 2019.

The General Policies Reserve Management Plan 2019 sets objectives and policies that are common to all reserves administered by Matamata-Piako District Council. These objectives and policies will not be repeated in specific reserve management plans that apply to an individual reserve or group of reserves.

Specific reserve management plans are intended to address site-specific or category-specific issues, which may require a particular management approach that differs from the norm. For example, the General Policies Reserve Management Plan might strictly regulate the operation of aircraft from reserves but the management plan for our aerodrome may have very different policies because the primary purpose of the aerodrome is to provide for aviation-related activities. In the same way, policies affecting Nature Parks, which are intended to protect the natural environment, might be more restrictive than those for Sports Parks which are primarily provided for sport and recreation.

We intend reviewing our specific reserve management plans over the next few years.

2. Purpose

2.1 Purpose of this plan

Reserve management plans provide direction for the day-to-day management of parks and reserves. They are intended to establish the desired mix of use and protection for reserves and provide the community with certainty about the function and management of each reserve.

The Reserves Act 1977 requires that a reserve management plan:

- ensures that the principles that apply to a reserve of the relevant classification in the Reserves Act are complied with
- provides for the use, enjoyment, maintenance, protection and preservation of the reserve as the case may require
- provides for development of the reserve (as appropriate) for the purpose for which the reserve is classified.

The General Policies Reserve Management Plan sets generic policies that are common to all reserves and parks administered by Matamata-Piako District Council. This is to ensure a consistent approach to management decisions and compliance with Reserves Act requirements. It also removes the need for generic policies to be repeated in the management plan for individual reserves or groups of reserves.

2.2 Relationship with other reserve management plans

This document contains policies that apply to all reserves and parks administered by Matamata-Piako District Council.

In the past our reserves and parks were divided into 'active' and 'passive' reserves. Active Reserves included all the sports parks while Passive Reserves included virtually every other type of park or reserve.

Since the adoption of the Open Spaces Strategy 2013, each park or reserve has been assigned to a park management category that is based on the main purpose of the park or reserve. These categories were reviewed and modified by the development of the Parks and Open Spaces Strategy 2021-51. The park management categories and their main functions are as follows:

- **Community Parks** are developed and used primarily for informal recreation and sporting activities, play and family centered activities, and social and community activities.
- **Heritage Parks** protect the built cultural and historical environment and/or provide for heritage conservation, education, commemoration, mourning and remembrance.

- **Sports & Recreation Parks** are set aside and developed for organised sport and recreation activities, recreation facilities and buildings, often multiple-use.
- **Nature Parks** protect and enhance natural areas and to and to provide opportunities for people to experience nature.
- **Recreation & Ecological Linkage Parks** are open space linkages and corridors, often linear and associated with waterways and transport corridors. They may cater for walking and cycling activities and active transport linkages and/or provide for environmental protection, wildlife corridors and access to waterways.
- **Outdoor Adventure Parks** are developed and used primarily for recreation and sporting activities and associated built facilities that require a large scale, forested, rural or peri-urban environment. Due to their large size these parks may also include natural or heritage areas that may require special management or conservation
- **Amenity Parks** are areas set aside for beautification and landscape purposes. Usually mown grass with trees and/or gardens they may include rest areas, public toilets and other visitor facilities.
- **Special purpose parks** include areas such as golf courses, aerodromes and leased areas that are not immediately available for public use

The new management categories are more specific than the previous 'active' and 'passive' classification and the reserve management plan structure will be realigned to match the new categories.

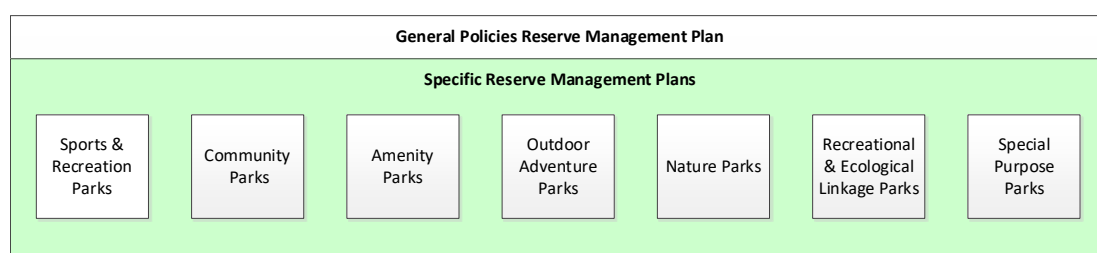


Figure 1 Potential relationship between General Policies and other RMPs

The Passive Reserves RMP will be split into separate plans specific to each park management category. We may therefore have separate, more focussed, reserve management plans for Community Parks, Amenity Parks, Outdoor Adventure Parks, Nature Parks and Linkage Parks. The Active Reserves RMP will be reviewed and renamed the Sport and Recreation Parks RMP. Some individual parks may need to have their own standalone management plans due to unique or special characteristics.

The General Policies Reserve Management Plan contains policies that apply to all reserves. This eliminates the need to repeat common policies in each specific management plan. If an issue is addressed in both the General Policies RMP and a

reserve management plan for a specific reserve, or type of reserve, then the policies in the specific management plan will however take precedence over the General Policies RMP.

The General Policies are often high level, generic statements while the specific management plans may add more detail as appropriate to a particular reserve or group of reserves. For example, the General Policies will provide guidelines around the provision of park furniture (such as park benches) while the management plan for a particular park may specify particular bench designs or colours are to be used at that park.

If a specific reserve management plan is silent on a matter, the General Policies RMP shall apply. The General Policies RMP also applies to any reserves or parks that are not covered by a specific management plan (such as newly acquired reserves).

2.3 Relationship with other Council documents and legislation

This management plan provides general policy guidance for reserves and parks managed under the provisions of the Reserves Act. Other council documents and legislation can also impact on the management of reserves.

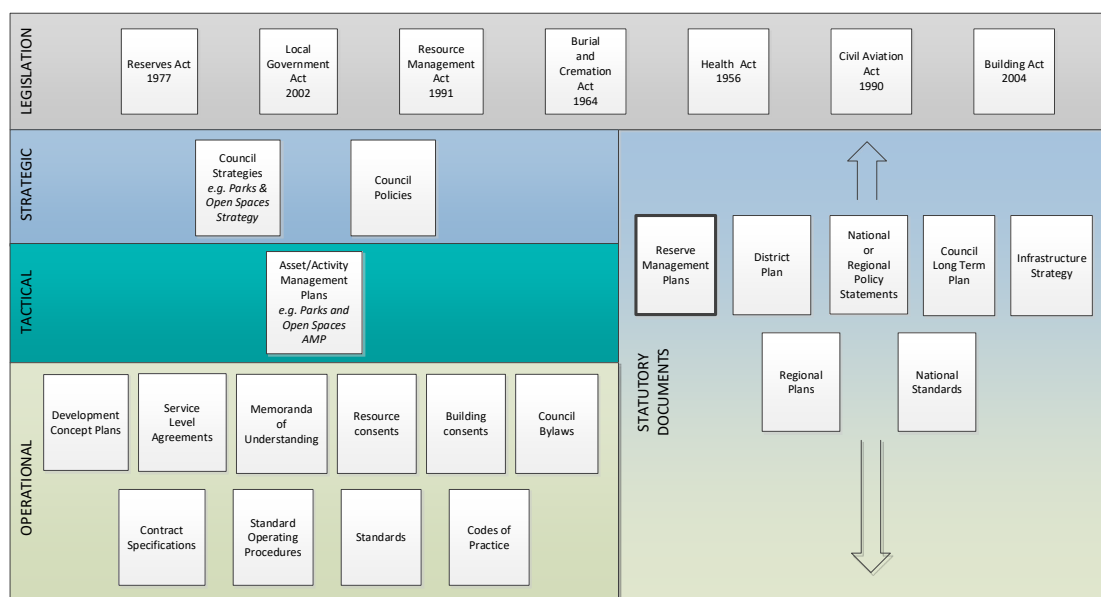


Figure 2: Strategic context of reserve management plans and related documents

2.3.1 Resource Management Act

It is important to note that the provisions of the Resource Management Act 1991 and the District Plan also apply to reserves.

Often, if an activity is anticipated in the reserve management plan, resource consent for that activity may not be required. This is not always the case however. The fact that an activity has been contemplated in the management plan does not necessarily mean that consent will not be required from the territorial authority. Often, more than

one District Plan rule is relevant to an activity and while the activity itself may be allowed for in the reserve management plan the detail or scale of the activity may trigger the need for consent under a different rule. For example, the RMP may contemplate that a carpark is to be built at the reserve in future but the District Plan may have rule that requires consent for all public carparks or the carpark may involve earthworks of a scale that triggers consent requirements.

2.3.2 Building Act

The provisions of the Building Act 2004 also apply to reserves and building consent is required for any building regardless of whether or not it is contemplated in the management plan.

2.3.3 Local Government Act

2.3.3.1 Purpose of local government

The Local Government Act 2002 defines the purposes of local government. One of the key purposes of local government is 'to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future'. Good management of Reserves can contribute to achieving this purpose in a variety of ways.

2.3.3.2 Bylaws

The Local Government Act empowers Council to make bylaws. Bylaws are a tool that Council uses to regulate behaviour. Matters such as dog control or conduct in public places are often addressed through bylaws. Where appropriate, references are made to relevant bylaws in the reserve management plan rather than repeating the bylaw requirements in full.

2.3.3.3 Long Term Plan and Annual Plan

Council prepares a Long Term Plan (LTP) every three years and an Annual Plan in the intervening years.

The LTP identifies community outcomes and allocates funding towards major projects and programmes over a ten year period.

The reserve management plans and activity management plans inform the Long Term Plan and Annual Plan processes about potential issues, projects and programmes but just because something is mentioned in the RMP does not necessarily mean there is a commitment by Council to fund the work.

2.3.4 Walking Access Act

The Walking Access Act 2008 seeks to provide the public with free, certain, enduring, and practical walking access to the outdoors. Among other things, the Act provides for the creation of enduring public walkways which can be a useful tool when walkways or cycleways cross over multiple parcels of land that have different owners and land status. In some cases, it may be appropriate to use the Walking Access Act

when developing new walkways (as opposed to acquiring land as reserves) or to ensure the protection of walkways that cross over reserves and private land.

2.3.5 Electricity Act

This Electricity Act 1992 regulates the supply of electricity. Part 3 of the Act protects existing electricity supply infrastructure on land not owned by the electricity operator and regulates access and maintenance of such electrical assets. Part 3 protects existing electricity network assets on Reserves. Proposed new electricity assets should be dealt with under the policies outlined in Part 4 of the General Policies Reserve Management Plan.

2.3.5.1 *Electricity (Hazards from Trees) Regulations 2003*

The purpose of these regulations is to protect the security of the supply of electricity as well as the safety of the public. The Regulations:

- prescribe distances from electrical conductors within which trees must not encroach;
- set rules about who has responsibility for cutting or trimming trees that encroach on electrical conductors;
- assign liability if those rules are breached; and
- provide an arbitration system to resolve disputes between works owners and tree owners about the operation of these regulations.

2.3.6 Public Works Act

The Public Works Act 1981 provides for the acquisition of private land for public works either by agreement or through compulsory acquisition. The Public Works Act can be used to acquire land for Reserve purposes. The Act also regulates the disposal of land no longer required for public works. If considering the revocation and potential disposal of Reserve land it is important to confirm whether the land was acquired through the Public Works Act and whether the offer back provisions of the Act apply to the land.

2.3.7 Parks and Open Spaces Strategy 2021-51

The Parks and Open Spaces Strategy was adopted in 2021 following public consultation. It replaced the Open Spaces Strategy 2013.

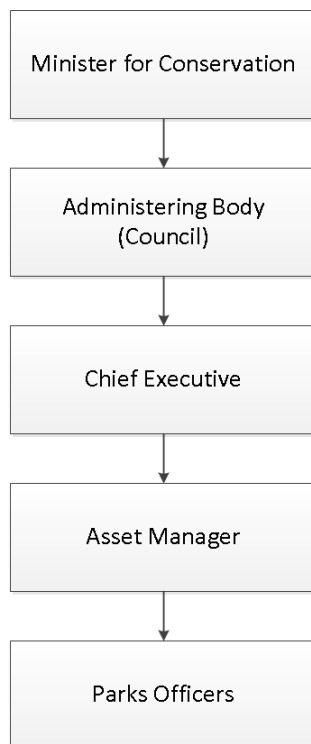
The Strategy:

- set the vision for long term Parks and Open Spaces provision
- analysed current and future demand for Parks and Open Spaces
- provided decision-making guidelines
- introduced park management categories

- provided for consistent service delivery standards by park category
- provided development standards for each park category
- provided the framework for collating the reserve management plans according to the park management categories.

The structure of our reserve management plans is in the process of being realigned with the new park management categories. Guidelines and standards from the Open Space Strategy are being incorporated into the reserve management plans as they are reviewed.

2.3.8 Delegations



The Minister for Conservation has delegated several powers to Council as the Administering Body of various Reserves. These delegations are to the Council as a whole (i.e. the elected members) and cannot be delegated to staff. Decisions under delegations of this nature usually involve a Council Resolution and sometimes require public consultation as well.

There are also some powers under the Reserves Act that Council can delegate to Council Staff. These powers tend to be more operational or administrative in nature (for example managing licences).

An interpretation section has been added to this document to help clarify whether particular powers sit with the Council itself or with Council staff.

Before exercising any powers under this management plan, Council staff are to ensure that they have the necessary delegated authority to do so. Details of staff delegations and appointments are recorded in Council's Delegations Register.

Figure 3: Delegation hierarchy

3. Scope

The policies within this document apply to all reserves and parks administered by Matamata-Piako District Council regardless of:

- whether (or not) they have been classified as Reserves under the Reserves Act 1977
- whether (or not) they are covered by an existing reserve management plan.

We manage a variety of land for parks and recreation purposes. This includes:

- land that has the legal status and protection of a Reserve under the Reserves Act 1977. The Reserves Act regulates the management of these areas.
- land that does not have Reserve status under the Reserves Act but has been acquired or used principally for community, recreational, environmental, cultural, or spiritual purposes. The Local Government Act 2002 defines this type of land as a 'Park' and provides a degree of protection for such parks by requiring a public consultation process prior to any disposal of the land. It does not however provide the same level of protection for the land or to flora and fauna on the land that the Reserves Act does.

For the sake of consistency, the policies in this management plan will be applied to parks that are not Reserves in terms of the Reserves Act (they will however not technically be part of this reserve management plan as they have not been declared as reserves or classified in accordance with the Reserves Act 1977). Council intends to review these sites and to formally classify them under the provisions of the Reserves Act 1977.

Park users and visitors are seldom aware of the actual legal status of the land parcel that they are visiting and tend to be more interested in what activities and opportunities the land offers from a sport or recreation viewpoint. This document is primarily about guiding the management, use, protection, and development of these areas in a consistent manner.

Where any issue is addressed in both the General Policies RMP and a reserve management plan for a specific reserve, or specific category of reserve, then the policies in the specific management plan will take precedence over the General Policies RMP.

Where a specific reserve management plan is silent on a matter, the provisions of the General Policies RMP shall apply.

The General Policies RMP shall also by default apply to any reserves or parks that are not covered by a specific management plan.

4. How to use this plan

The General Policies Reserve Management Plan is intended to be the first point of reference for reserve-related policies.

If trying to establish whether an activity is anticipated by a reserve management plan (RMP) this plan should be read in conjunction with any specific RMP that might apply to that reserve as specific RMPs may include site specific objectives or policies that differ from the General Policies.

If there is no specific reserve management plan that applies to the reserve then this document is considered to be the management plan that applies to that reserve.

This plan has been divided into seven parts for ease of reference:

Part 1	Introduction	Explains the purpose and scope of the document, assists with interpretation, and outlines the overall goal and objectives of the plan.
Part 2	Development	Includes objectives and policies about the acquisition and development of reserves such as the provision of different types of assets and changes to the landscape.
Part 3	Use	Includes objectives and policies affecting various activities that might occur at reserves. This part identifies reserve uses that are allowed as well as ones that need permission from Council. It also outlines what matters Council/Council staff need to consider when making decisions about the use of reserves.
Part 4	Occupation	Deals with the occupation of reserve land and legal agreements such as leases and licences.
Part 5	Neighbours	Sets objectives and policies for Council's relationship with reserve neighbours.
Part 6	Administration	This chapter sets objectives and policies for a range of administrative issues. It outlines several processes and matters that Council/Council staff need to consider when making decisions about the management of reserves.
Part 7	Appendices	This part includes additional supporting information including records of updates and amendments to the document.

5. Interpretation

5.1 Parks and Reserves

The terms 'Park' and 'Reserve' often cause confusion and people often have different opinions on what defines a 'Park' or 'Reserve'. Generally, the terms are used interchangeably however they can sometimes have specific legal meanings.

Section 2 of the Reserves Act 1977 includes a fairly broad and lengthy definition of 'Reserve' which may be summarised as "any land set apart for any public purpose". The Reserves Act regulates the acquisition, management and disposal of reserves. The Act provides for a formal classification system that includes Recreation, Scenic, Local Purpose and various other classes of reserve. Through a formal process, that includes notices published in the New Zealand Gazette, a land parcel can be classified as Reserve under the Reserves Act. Such land parcels are sometimes referred to as 'Gazetted Reserves' due to the process involved. Reserves that have been classified in this way are protected by the Reserves Act. The extent of protection varies depending on the classification (e.g. a Scenic Reserve has a much higher level of protection than a Local Purpose Reserve).

The District Plan also identifies lands that are designated as 'Reserve' or 'Proposed Reserve' as well as lands that fall within a Reserve Overlay. These land parcels may not necessarily be gazetted as Reserve under the Reserves Act 1977.

Local authorities often administer a diverse portfolio of land types for recreational or conservation purposes. This often includes areas of land that have no protection under the Reserves Act but which have been developed into public recreation areas.

Section 138 of the Local Government Act 2002 provides a degree of protection for land "acquired or used principally for community, recreational, environmental, cultural, or spiritual purposes" that is not held as a Reserve under the Reserves Act 1977. It defines such lands as 'Parks'.

The name which a particular site has historically been given may not necessarily reflect its legal status (e.g. Howie Park is legally-speaking a Reserve).

For the sake of simplicity and consistency, the terms 'Park' and 'Reserve' are therefore to be considered interchangeable when applying the policies in this document, except in where the context refers to specific Reserves Act classifications or where 'Park' or 'Reserve' form part of the official name of the site.

5.2 Defined terms

Asset Manager refers to the person (or position title) who has been delegated by the Chief Executive to act as Asset Manager for the purposes of the Reserve Management Plan.

Authorised Officer means any person appointed or authorised by the Council or Chief Executive to act on behalf of Council and with its authority.

Certified self-contained, in relation to a motor vehicle, means that the vehicle has a valid certificate of self-containment issued in accordance with section 87U(3)(d) of the Plumbers, Gasfitters, and Drainlayers Act 2006 (but see subpart 1 of Part 1 of Schedule 1AA of the Freedom Camping Act 2011 for the meaning of self-contained during the transitional period).

Chief Executive shall refer to the Chief Executive Officer of the Matamata-Piako District Council appointed pursuant to section 42 of the Local Government Act 2002 (or an officer officially acting as the Chief Executive in their absence).

Corrections are changes to the management plan document to correct inadvertent errors such as typographical, spelling or grammatical errors.

Council Decision shall refer to a resolution of the elected members of Matamata-Piako District Council.

Major Amendment means a significant change to the management plan document that changes its meaning or intent.

Minor Amendment means a minor change to the management plan document. They are typically due to changes in legislation or regulations affecting the plan.

Parks Officer shall refer to the persons (or position titles) who have delegated authority from the Chief Executive to act as Parks Officers for the purposes of the Reserve Management Plan.

Park Management Category refers to the management categories as per Council's adopted Parks and Open Spaces Strategy e.g. Sports and Recreation Park, Community Park, Nature Park, Heritage Park, etc.

Ranger shall refer to any person warranted and appointed as a Ranger in terms of Section 8 of the Reserves Act 1977.

Reserve Classification refers to the classifications under Section 16 of the Reserves Act 1977 e.g. Recreation Reserve, Local Purpose Reserve etc.

Specific Reserve Management Plan means a management plan for a specific reserve or group of reserves.

Updates are necessary changes to the management plan document in order to keep it current. Updates tend to be driven by factors such as minor changes to legislation, changes to the names of agencies or places etc.

6. Goal and objectives

6.1 Goal

To administer, manage and develop the District's parks and reserves in accordance with the principles of the Reserves Act 1977 to facilitate appropriate use of the District's parks and reserves.

6.2 General objectives

- A. To preserve and protect the district's parks and reserves for the enjoyment of the general public and in consideration of the needs of future generations.
- B. To encourage and facilitate the use of parks and reserves for the health, welfare and enjoyment of the public.
- C. To provide areas within our parks and reserves network for a variety of sporting, recreational, ecological, historic and cultural activities while having due regard to the public's right to access to reserves and the purposes for which reserves are classified.
- D. To have regard for the views of the present and future users of parks and reserves as well as the wider community.

Part 2

Development Policies

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7. Development Policies

7.1 Acquisition

There are a number of ways that Council might acquire a new reserve to manage:

- A new reserve could be vested in Council through a subdivision process;
- Council could be appointed to control and manage a reserve that is owned by the Crown; or
- Council may acquire land by purchase.

The Parks and Open Spaces Strategy includes land acquisition guidelines that are based on the nature and distribution of our current reserves network and forecasted demand over a thirty year timeframe.

Objectives

- A To ensure that the acquisition of additional reserve land aligns with Council's adopted Parks and Open Spaces Strategy.
- B To ensure that if reserve land is acquired it is in an appropriate location and of an appropriate size, shape and condition for its intended use.

Policies

1. The land acquisition guidelines in Council's adopted Parks and Open Spaces Strategy will be considered prior to acquiring any additional reserve land.
2. Council may develop a more detailed policy to guide reserve acquisition.

7.2 Buildings and structures

It is important to ensure that buildings and structures do not compromise the recreational or open space values of the reserve, unless the provision of buildings and structures supports the use and enjoyment of the reserve.

The District Plan regulates buildings on public reserves and should be consulted if a building or structure is contemplated. Buildings are also regulated by the Building Act. Structures that are not buildings may or may not require resource or building consent depending on the nature and scale of the structure.

Objectives

- A To ensure that the design and scale of any new buildings or structures are appropriate to the character and purpose of the reserve.
- B To facilitate public recreation and enjoyment in keeping with the purpose of the reserve.
- C To optimise the use of existing buildings where practicable.

Policies

7.2.1 Buildings and structures in general

- 1. Buildings may be provided for the specific proven needs of the users where this does not detrimentally affect the appearance or utilisation of the park.
- 2. Where practicable existing buildings should be utilised.
- 3. New buildings will only be allowed if it is not practicable or suitable to use an existing building; modify an existing building; or share existing facilities with other users.
- 4. New buildings should only be located where:
 - a. The new building (and any associated car parking) does not unduly restrict use of the remaining area for outdoor recreation.
 - b. The new building does not obstruct entrances or exits to the reserve.
 - c. The new building does not detract from the open nature of the park, especially as seen from surrounding properties and roads.

5. The design of all buildings and structures proposed to be erected shall be referred to Council or its delegated representative for approval prior to construction.
6. All new buildings and structures shall be of a size and design that:
 - a. Is appropriate to the purpose of the reserve;
 - b. Is appropriate to the character of the reserve; and
 - c. Is of an appropriate architectural standard for a public building or structure.
7. Structures which do not require resource or building consent shall only be installed if they have been approved in writing by the Asset Manager (or their delegated representative).
8. Buildings shall be designed or modified to facilitate multi-purpose use and adaptation wherever practicable.
9. Existing buildings that have become surplus to requirements shall, where practicable, be removed from the reserve prior to the construction of new buildings.
10. Buildings that are occupied or intended to be occupied by third parties shall be subject to an appropriate occupation agreement (see Occupation section).

7.2.2 Donated or memorial structures

See 11.6 Donated assets and memorials

7.3 Carparking

Recreational activities often generate demand for parking spaces near or within reserves.

Occasionally groups demand exclusive use of carpark on reserves for events. While temporary exclusive use can be legitimate, especially when it applies to carpark that are also used by groups other than reserve users, the exclusive users obtain a benefit greater than the public at large.

While carpark on reserves are primarily provided for reserve users, members of the wider public may also use these carpark. Use of carpark by the wider public can sometimes be to the detriment of reserve users. Apportioning the costs of carpark provision can sometimes be difficult.

The District Plan regulates the development of public carpark and should be consulted if any new public carpark are contemplated.

Objectives

- A To provide and maintain carpark, where appropriate, to a level which is adequate for servicing the usual activities carried out within the reserve.
- B To recover some of the costs of carpark provision from identifiable beneficiary groups.

Policies

- 1. The parking of vehicles on areas other than recognised carpark or in any way that causes damage to the reserve is prohibited.
- 2. Carpark on reserves are for primarily intended for vehicles associated with recreation and other legitimate uses of the reserve.
- 3. Regular overnight and long-term parking is not permitted.
- 4. Overnight or long-term parking may be permitted in special circumstances if:
 - a. written approval is obtained from the Asset Manager; or
 - b. the parking arrangement was approved for an event under a resource consent granted for that event; or
 - c. the parking was approved by an Authorised Officer acting under the Bylaws.

5. Where gates are locked or unlocked at specific times, any person requiring the gates to be opened outside of this time may be charged a fee in accordance with Council's adopted Fees and Charges.
6. Parking in areas other than recognised parking areas may be permitted if:
 - a. written approval is obtained from a Parks Officer; or
 - b. the parking was approved for an event under a resource consent granted for the event; or
 - c. the parking was approved by an Authorised Officer under the Bylaws.
7. Carparking areas shall be provided on reserves where there is a proven requirement directly related to the use of the reserve, and it is both physically and financially feasible to provide a car parking facility.
8. Reserve occupiers may be asked to contribute to the provision of carparking on reserves where their occupation is a clear and significant factor in the need for carparking.
9. Exclusive use of car parks may be allowed for special sporting and recreation events. Council may set charges for exclusive use.

7.4 Development Plans

Historically, many reserves have been developed in an ad hoc manner, often in response to demands of a particular user group or groups at various times. A piecemeal approach to development of major parks can easily lead to future conflict or development constraints.

A development plan is a site-specific development proposal for a reserve which provides a visual plan of future enhancements. It is more detailed than a reserve management plan and focuses on specific development issues, such as the location of sportsfields, buildings, play equipment, walkways, gardens etc.

A development plan can be of value where a significant development or redevelopment is planned for a reserve. It can also identify future funding requirements.

A development plan is not necessarily required for each reserve. Larger reserves with multiple uses (such as a major sports park) or high profile sites are most likely to benefit from a development plan. For the development or redevelopment of smaller or less complex reserves, a simple landscape plan may be sufficient (See also: 7.5 Landscaping).

Objectives

- A To ensure that the design and scale of any major development of redevelopment is appropriate for the reserve environment.
- B To facilitate public recreation and enjoyment in keeping with the purpose of the reserve.
- C To future-proof our facilities and facilitate successful multiple-use of our reserves.

Policies

1. Council may prepare development plans for reserves where significant development or redevelopment is planned.

Note: The Parks and Open Spaces Strategy contains development guidelines for each park category.

2. When preparing development plans, Council will consult with park users and the local community.

Note: The Parks and Open Spaces Strategy also contains guidelines for engagement with tangata whenua.

3. Council may decide on the nature and duration of the consultation based on the significance of the plan.

4. Development plans are to show key features in the reserve, including but not necessarily limited to:
 - a. tracks and/or paths;
 - b. trees;
 - c. gardens;
 - d. sportsfields;
 - e. play equipment;
 - f. park furniture;
 - g. buildings;
 - h. structures;
 - i. lighting; and
 - j. any other features that are considered necessary.
5. Approval of development plans shall be a Council Decision.
6. Approved development plans are to be used to guide development at the reserve to which they apply.
7. Council may from time to time review Development Plans in response to changing circumstances.
8. Council will consult with park users and the local community when reviewing development plans.

7.5 Landscaping

Appropriate landscaping can improve the appearance and enjoyment of a reserve.

Poor landscape design and practice can however cause on-going maintenance issues (such as encroachment onto footpaths and tracks) or safety concerns (such as vegetation affecting sightlines or providing cover for inappropriate activities).

Proposed landscaping should take into account the purpose and character of the reserve. Some plant species or styles of garden may for example be appropriate for some sites but not others. The type of planting that is appropriate at a Nature Park (where nature conservation is the primary purpose) may be quite different from that which is appropriate at an Amenity Park (where beautification may be the main aim) or a Premier Park (which could have a historical theme where gardens of a certain style are more appropriate).

The following policies apply to the development of new landscaping features including (but not necessarily limited to) activities such as contouring, earthworks, gardens, retaining walls, new garden areas and specimen trees. The policies also apply to any significant alteration to existing landscaping (such as the relocation or removal of garden beds for example).

Major landscaping works involving earthworks or the removal of vegetation can trigger the need for resource consent. It is important that the District Plan is consulted when planning such projects.

Major redevelopment of high profile, high use parks may however best be achieved through a Development Plan process.

Objectives

- A To ensure that the design and scale of any new landscaping features are appropriate for the reserve environment.
- B To facilitate public recreation and enjoyment in keeping with the purpose of the reserve.

Policies

1. A landscape plan shall be developed for prior to any significant landscaping alterations or developments.
2. A landscape plan developed under the preceding Policy is to be approved by Council's Asset Manager or their delegated representative prior to any landscaping works commencing. An approval process for landscape plans is to be incorporated in Council's quality management system.

7.6 Lighting

Lighting can sometimes improve the perceived safety of reserves, extend the period that they can be used for sport or recreation activities, or simply to enhance the appearance of the reserve or features within it.

Good lighting design can significantly improve the safety, use and appearance of reserves and minimise the impact of lighting on neighbours and the environment.

The purpose and use of the reserve or facility will influence whether lighting is required and what type of lighting may be appropriate.

Some facilities, in particular, indoor recreation facilities, often need to operate in the evening or at night. The use of facilities at night created demand for carpark and access lighting in particular. Some sports (especially winter sports) also require lighting to enable evening sports practices and fixtures to occur.

Council may allow the installation of lighting at sportsfields and courts where appropriate and demand is justified. In such cases the groups that require the lighting are generally required to fund installation and maintenance of the lighting as well as the ongoing electricity charges.

Proposals involving new lighting should be assessed in accordance with Crime Prevention Through Environmental Design (CPTED) principles. In some cases, safety issues cannot be addressed solely by improving lighting. Sometimes additional lighting may actually have a detrimental effect by encouraging people to enter a reserve at times when it may not be safe to do so. Council actively discourages people from using some reserves by ensuring gates are closed and locked at night.

Specific reserve management plans may also include policies about lighting specific to a particular reserve or group of reserves.

Objectives

- A To provide lighting at Council-owned or operated facilities to facilitate night time access and use where appropriate.
- B To allow reserve occupiers or user groups to provide and operate lighting for sports fields, playing surfaces, carparks, accessways, and facilities, where appropriate.
- C To minimise adverse effect of lighting on neighbours and the environment.
- D To remove lighting that is either unsafe or no longer required for its intended purpose

Policies

1. Council will only fund lighting on land owned or managed by Council and where there is clear public benefit in terms of public use and/or safety.
2. Council will not contribute to lighting on land that is not owned or managed by Council unless:
 - a. A Council-owned or operated facility occupies the land; or
 - b. It will provide a clear and significant public benefit to the community.
3. The purpose and use of a reserve or facility will be considered when determining whether lighting is required and what type of lighting is appropriate.

Example:

It may be appropriate to provide lighting at a Sports Park that is regularly used in the evening or to showcase a particular feature at a Heritage or Community Park but it may not be appropriate to install lighting at a remote Nature Park that is not intended to be used at night.

4. The installation of lighting by reserve occupiers or user groups is subject to approval by Council's Asset Manager.

Note:

In some cases, the installation of certain types of lighting may also require resource consent under the District Plan.

5. Any approval granted by the Asset Manager may include conditions to minimise potential adverse effects of the lighting.
6. Any application from a reserve occupier or user group wishing to install lighting must be made in writing and should contain the following information:
 - a. an explanation of the need for lighting;
 - b. a description of any relevant safety issues, including consideration of alternative options to mitigate risks;
 - c. a description of the level of public use of the facilities concerned; and
 - d. the ability of the applicant to secure funding from other sources.
7. Any lighting installed or operated by a reserve occupier or user group must at all times meet the relevant lighting requirements, electrical safety standards, as well as any District Plan, Reserve Management Plan or other legislative requirements that are applicable.

8. Reserve occupiers or user groups will be expected to meet or substantially contribute towards the capital cost of any lighting that will largely benefit the occupier or user group.
9. Where an identifiable beneficiary of reserve, accessway, carpark, sports surface or facility lighting exists, the full operational and maintenance costs may be recovered from the beneficiary.
10. Where Council owns a facility that is occupied by another group on the basis of a landlord/tenant arrangement, it is the tenant's responsibility to provide and maintain the lighting.
11. Cables for light fixtures shall be underground where possible and shall be laid at a depth of 600mm below ground.
12. The use of adaptive lighting controls (such as sensors and timers) to limit the timing and intensity of light output are to be encouraged.
13. Where practicable and appropriate to the character of the site, the use of proximity sensors or similar devices to control security lights is to be encouraged.
14. Energy efficiency and operating costs should be considered when planning new lighting or major upgrades to existing lighting.
15. The use of energy efficient lighting systems should be encouraged where practicable.

Example:

Replacing conventional tungsten filament bulbs with light emitting diodes (LED) where appropriate can significantly reduce operating and maintenance costs.

7.7 Park furniture

The placement of park furniture such as seats, tables, barbeques, litter bins and drinking fountains both supports the use of reserves as well as encourages people to congregate at certain places within parks.

The donation of park furniture is popular way for communities and individuals to contribute to their local park or commemorate individuals and events that have an association with the reserve. Donated assets and memorials are discussed in 11.6.

Unmanaged, the haphazard installation of park furniture can add to visual clutter, unforeseen maintenance costs and can sometimes pose a safety risk.

Development Standards for the various park management categories were developed as part of the Parks and Open Spaces Strategy and provide guidelines for capital and renewal work in conjunction with the policies contained within the reserve management plans.

The purpose, character, use and location of the reserve all influence what type of park furniture is appropriate for the site. For example, high quality Victorian or Edwardian-style furniture may be appropriate at with a Heritage Park or high profile Community Park that has a historic theme; contemporary designs may be more appropriate at Community Parks or Amenity Parks and simple, hard-wearing designs may be more appropriate at Nature and Outdoor Adventure Parks.

Using park furniture of the same design within a locality helps mitigate visual clutter, and reduces the cost for supply and repair.

Objectives

- A To provide sufficient seats, picnic tables, barbeques, litter receptacles and other furniture of a design and location appropriate to the park to facilitate public use and enjoyment.
- B To ensure that the design and quality of park furniture reflects the character of the site.
- C To minimise the range of designs and styles of park furniture in order to minimise maintenance costs.
- D To allow the donation of park furniture where such furniture is required and where the design and construction meets Council's requirements.

Policies

7.7.1 Park furniture in general

1. Council may install furniture where there is a demonstrated need and where the furniture is appropriate to the purpose, character, use and location of the reserve.
2. The development standards in the Parks and Open Spaces Strategy are to be used as guidelines for park furniture provision (see Appendix 1).
3. Specific reserve management plans may dictate that particular designs, materials or finishes are to be used at particular parks or groups of parks.
4. Council may remove furniture where:
 - a. the condition of the furniture is below an acceptable standard; or
 - b. the furniture is not in keeping with purpose, character, use or location of the reserve; or
 - c. a particular style/design has been discontinued; or
 - d. a particular style/design or finish has been adopted for the reserve, or
 - e. there is no longer a demonstrated need for the furniture; or
 - f. the furniture has been installed without permission.
5. Park furniture shall generally be of standardised designs as approved by the Asset Manager (or their delegated representative).
6. The Asset Manager may develop (and from time to time review) a park furniture policy which may provide guidelines and/or more detailed prescriptions about furniture designs and finishes.
7. Park furniture shall be appropriately located in reserves and parks.
8. New park furniture will only be installed if there is a clearly demonstrated need.
9. The location of any existing underground utilities (e.g. power cables, water mains etc.) is to be considered prior to installing furniture.

10. Park furniture that has come to the end of its useful life, or has been vandalised beyond repair, will only be replaced if there is a clearly demonstrated need for that type of furniture and it meets the same criteria as set for new park furniture of that type.

7.7.2 Seating

1. Seats or benches will only be installed (or replaced) if:
 - a. There is a demonstrated need for seating; and
 - b. It will provide for viewing an established vista; or
 - c. It is near a playground or play equipment; or
 - d. It is adjacent to a picnic area (as identified in a reserve management plan); or
 - e. It is near a track or cycleway and provides a rest stop along the track or cycleway.

7.7.3 Tables

1. New tables will only be installed (or replaced) if:
 - a. There is a demonstrated need for a table; and
 - b. It is adjacent to a picnic area (as identified in a reserve management plan); or
 - c. It is adjacent to a barbeque facility.

7.7.4 Barbeques

1. Barbeques will only be installed (or replaced) if:
 - a. There is a demonstrated need for a barbeque; and
 - b. The barbeque is adjacent to a picnic area that is likely to be used by visitors from throughout the district.
2. Where barbeque facilities are provided or replaced they shall generally be gas-operated rather than open-fire barbeques.

Note:

Exceptions may be permitted by the Asset Manager if a gas barbeque would be out of character at the reserve and provided that fire-related risks can be appropriately minimised.

7.7.5 Bicycle racks

1. Bicycle racks will only be installed (or replaced) if:
 - a. There is a demonstrated need for a bicycle rack; and
 - b. The location for is near a picnic area, playground, or other community facility located on the reserve that may require bicycles to be left unattended for an extended period of time.

7.7.6 Rubbish and recycling bins

See also 11.19 Waste Management.

1. Council may develop and review guidelines on the provision of rubbish and recycling bins by park management category. The approval of such guidelines will be a Council Decision.

Example: It may be appropriate to provide rubbish and recycling bins at high profile, high use sites like Sports Parks but not at remote or relatively undeveloped reserves. The provision guidelines may be included as an amendment to this plan, or be included in the Parks and Open Spaces Strategy, or form part of the asset management plan for example.

2. Council may develop and review guidelines on the provision of dog waste bag dispensers and disposal bins. The approval of such guidelines will be a Council Decision.

Example: Council may chose only to provide dog waste bag dispensers at dog exercise areas.

3. Specific reserve management plans may contain objectives or policies relating to rubbish and/or recycling bins.

Example: The management plan for a historic reserve might require a particular type or style of bin unique to that reserve.

4. Requests for additional rubbish and/or recycling bins should be considered against:
 - a. The provision statements for the park category as per the adopted Parks and Open Spaces Strategy;
 - b. Whether there is a clearly demonstrated need for a bin;
 - c. Whether it is appropriate to the purpose and character of the specific reserve;
 - d. The Waste Minimisation objectives and policies of this plan [see 11.19].

- e. Council's corporate Waste Minimisation Policy;

7.7.7 Donated park furniture

See 11.6 Donated assets and memorials

7.8 Public Art

Public art includes sculptures, murals, street-art, paintings, or installations of an artistic nature that are located in public places such as parks and streetscapes. It is often the most visible and accessible form of art.

In reserves, public art has traditionally been limited to the occasional memorial (such as the statue of Sir William Herries in Herries Memorial Park or the cenotaph in Howie Park). Since the 2000s decorative murals have also been introduced at some of our parks to discourage graffiti.

There has been more interest in public art recently, especially street art in our main towns. These projects have also sparked interest in in our reserves as potential locations for public art.

Potentially, public art can:

- improve the amenity and use of open space
- contribute to the distinctive character of a place or community
- provide opportunities to showcase local artistic talent
- commemorate the historical or cultural significance of a place
- encourage tourists to visit.

Public art can sometimes also be used to reduce vandalism and graffiti provided there is an adequate sense of ownership and pride within the community.

Art is open to interpretation which is often linked to personal beliefs and preferences and often attracts a wide range of reactions. This is especially the case with public art which is by nature highly visible and accessible. If public art is located in the wrong place it can cause conflict with the purpose of the reserve or the way that it is able to be used. The ownership of public art can also become an issue, especially if it requires maintenance or replacement. These policies aim to minimise the risks associated with public art in reserves.

Objectives

- A To allow for the installation of public art in reserves where it is appropriate to the purpose and character of the reserve.
- B To clarify ownership and maintenance responsibilities for public art in reserves.

Policies

1. Anyone wishing to install public artwork in a reserve shall make an application in writing to a Parks Officer.
2. The application should:

- a. Include a brief description or concept drawing(s) of the proposed artwork
 - b. Identify the preferred location(s) for the artwork
3. As part of the application process, Council may require a landscape assessment or traffic assessment to be done depending on the nature, scale, or location of the artwork.
4. Council is not bound to accept any proposal for public art in a reserve.
5. Public art may only be installed in reserves once it has been:
 - a. approved by the Chief Executive; or
 - b. approved through a resource consent process.
6. When deciding on applications, Council will consider whether the proposed public art:
 - a. Is appropriate to the purpose and character of the reserve;
 - b. Contributes to a sense of place or local identity;
 - c. Will not unduly impact on the use of the reserve; and
 - d. Will not unduly impact on the operations and maintenance of the reserve.
7. If the public art is intended to be a memorial or monument, the proposal is to be assessed in terms of the relevant requirements of Council's Donated Assets and Memorial Policy as well as the requirements of the reserve management plan.
8. Specific reserve management plans may identify areas that are suitable for the display of public art.
9. Specific reserve management plans may prescribe guidelines around what types of art may be appropriate to that reserve or group of reserves.
10. If public art on a reserve is owned by Council it is to be recorded in Council's asset register and managed as a Council asset.
11. If public art on a reserve is not owned by Council, ownership and responsibility for maintenance details are to be recorded in a formal agreement between Council and the party responsible for the installation and maintenance of the artwork.

12. Council will be under no obligation to replace a donated artwork at the end of its useful life or if it has been vandalised beyond repair.
13. A register of public art on reserves is to be maintained by Council.

7.9 Play equipment

Reserves provide areas of open space for children and teenagers to play. There are many learning and development benefits associated with play activities. Besides grass areas and other natural features reserves may also provide specific play equipment.

Play equipment includes items specifically provided for outdoor play such as swings, slides, roundabouts, modular play equipment etc.

New play equipment is often expensive to install. The costs and benefits therefore need careful consideration. Play equipment also require on-going maintenance to ensure that safety standards are maintained.

The Parks and Open Spaces Strategy found that playground provision in our towns is currently adequate but identified the need for more playgrounds in some areas over the next thirty years depending on growth.

Objectives

- A To provide a range of play opportunities across the district.
- B To provide playground equipment in reserves where it is appropriate to the purpose, use and character of the reserve.

Policies

1. The development standards for the park management category will be used as a guideline for playground equipment provision (Appendix 1).
2. Before developing new playgrounds the following should be taken into account:
 - a. the park management category and development standards
 - b. the level of demand for playground equipment
 - c. the level of playground provision by other local providers (e.g. schools)
 - d. the current demographics of the area (e.g. the 0-15 year age grouping)
 - e. forecasted demographic trends (if available)
 - f. the target age group that the equipment is intended for
 - g. community preferences (e.g. surveys, submissions, complaints etc.)
 - h. play equipment usage trends

- i. CPTED principles
 - j. costs and benefits.
- 3. All new playground equipment and safety surfaces shall be designed, constructed, installed, and maintained to the appropriate New Zealand Standard (currently NZS 5828:2015).

7.10 Signage

Signs play an important role in identifying reserves and emphasising their status. Signs are also essential for providing direction and identifying hazards. Interpretive signage may also be appropriate at sites that are of particular historical, social, cultural or ecological significance. Signage can also be an effective way of acknowledging significant contributions towards projects or programmes. Signage should however be carefully planned and managed.

Council adopted a Signage Strategy that describes Council's long term vision for signage at Council's parks and facilities. The Strategy uses principles and key actions to provide the roadmap for how the vision will be achieved.

To help achieve the vision of the Signage Strategy, a Signage Manual has been developed. The manual contains detailed rules and guidelines about different types of signage at reserves.

From time to time, reserve users may wish to install signs at reserves. The Signage Strategy and Signage Manual provide principles and policies for multiple branding and sponsorship signs. Specific reserve management plans may also contain policies about signage.

For example, if a reserve has a particular historical theme signs of a style to match that theme may be appropriate. Signs that are not permitted by the Signage Manual or reserve management plan may require resource consent.

Objective

- A Signage at reserves will be in alignment with Council's adopted Signage Strategy.

Policy

7.10.1 Official signs installed by Council

1. All new signs must comply with Council's current Signage Manual.
2. Specific reserve management plans may also contain policies about signage.
3. The location of any existing underground utilities (e.g. power cables, water mains etc.) is to be considered prior to installing signage.

7.10.2 Signs installed by others

1. Specific reserve management plans may include policies about signage at a specific reserve or group of reserves.

2. Anyone wishing to install a sign on a reserve shall make an application to a Parks Officer.
3. No permanent sign may be installed on a reserve without the approval of the Asset Manager (or their delegated representative).
4. No temporary sign may be installed on a reserve without the approval of a Parks Officer.
5. Applications shall be assessed against the Signage Strategy, Signage Manual, relevant Reserve Management Plan and District Plan requirements.
6. Policies 2 to 5 above do not apply to signs required by legislation or signs permitted by an approved resource consent.

Examples: An electricity provider is not required to seek permission for safety signage on transformers as they are required by law. The holder of a resource consent for a new building on a reserve is not required to get permission if the signage associated with the building has been included in the approved resource consent.

7. The location of any existing underground utilities (e.g. power cables, water mains etc.) is to be considered prior to installing signage.
8. An Asset Manager or Parks Officer is under no obligation to approve any application and may impose such conditions as appropriate on any approval that has been granted.

7.11 Toilets

Public toilets were historically often located on reserves. In some cases they may simply have been built on a particular reserve out of convenience because Council already owned the land. A range of factors should however be considered before locating a new toilet on a reserve. In some cases locating a public toilet on a reserve is desirable while in other cases a toilet may be better placed along the streetscape or within a public building such as a library or event centre.

A decision to install a toilet should not be made lightly. As with any building, toilets can impact on the visual character and use of the reserve. The capital cost of installing a new public toilet can be substantial as they are subjected to much higher usage than residential toilets and also need to be resistant to vandalism. Public toilets also require regular cleaning and maintenance which all comes at a cost.

Objectives

- A To provide public toilets for reserve users where appropriate.
- B To discourage the location of public toilets on reserves if the toilets are primarily not intended for users other than reserve users.

Policies

1. Any new toilet building shall be of a size and design that is:
 - a. appropriate to the purpose of the reserve;
 - b. appropriate to the character of the reserve;
 - c. of an acceptable architectural standard for a public toilet;
 - d. vandal-resistant; and
 - e. easy to clean and maintain.
2. When assessing the need for a new toilet the following are to be considered:
 - a. the park management category and associated Development Standards in Council's adopted Parks and Open Spaces Strategy.
 - b. the level of demand and use in the area (current and forecasted future demand);
 - c. the proximity and nature of toilets provided by others in the area (e.g. schools, service stations, libraries etc.);
 - d. whole-of-asset life costs (i.e. capital costs as well as maintenance and operational costs and savings over the expected life of the building).

3. Specific reserve management plans may prescribe specific design styles or finishes for toilets.

7.12 Track and path development

This section deals with the development of new tracks and footpaths on reserves. For policies regarding the use of existing tracks and paths please see Section 8.14.

Tracks and paths can provide recreation opportunities for a variety of different users. The Open Spaces Strategy describes Council's long term vision for parks and open spaces. It includes Development Standards which provide guidelines on track provision for each park management category. The Track Strategy includes objectives to achieve Council's vision for tracks. A track classification system and associated track standards are included in the Track Strategy.

Objectives

- A To develop tracks and paths in accordance with the Parks and Open Spaces Strategy

Policies

1. The Development Guidelines for the park management categories in the Parks and Open Spaces Strategy provide guidance on the provision of tracks and paths on reserves.
2. When planning new tracks or paths the main users that it is intended for should be identified and considered in the design process.
3. Tracks will be developed in accordance with Council's adopted Parks and Open Spaces Strategy.
4. Tracks, trails, and paths will be maintained to appropriate standards in accordance with Council's adopted Parks and Open Spaces Strategy.
5. Specific reserve management plans may contain particular policies regarding tracks or paths for specific reserves or groups of reserves.
6. Where tracks provided by others (such as the Department of Conservation) adjoin our tracks we will endeavour to coordinate track standards where practicable.

7.13 Tree planting

Council recognises:

- the importance of tree planting in achieving a high quality landscape;
- the need to maintain and enhance the amenity, landscape, historical, cultural and botanical value of trees on reserves; and
- the need to avoid, mitigate or remedy adverse effects of trees on reserves.

This section deals specifically with tree planting on reserves.

Other sections of this management plan that are relevant to tree planting include:

7.4 *Development plans*

7.5 *Landscaping*

10.6 *Donated assets and memorials*

For the management of existing trees please refer to section 11.16.

Objectives

- A To maximise the benefits of trees on reserves while avoiding, minimising or mitigating any adverse effects of trees on reserve users and neighbours.

Policies

1. The following factors will be considered before planting trees on reserves:
 - a. The purpose and character of the reserve;
 - b. The suitability of the genus/species to the site;
 - c. The potential effects the trees will have on reserve users and neighbours.
2. Specific reserve management plans may include objectives or policies about tree planting on a reserve or group of reserves.

Part 3

Use Policies

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8. Use

8.1 Aircraft

This section deals primarily with conventional aircraft (including fixed-wing, helicopters, hot air balloons, parachutes and paragliders). For remotely piloted aircraft systems (RPAS), such as model aircraft and unmanned aerial vehicles, see 8.15.

Aircraft can negatively impact on reserve users and neighbours due to noise, use of space or the potential for injury. Safe operation of aircraft at appropriate locations can however provide positive recreational opportunities for the community.

The Waharoa (Matamata) Aerodrome provides a dedicated venue for aviation-related recreational pursuits. The Aerodrome has its own specific management plan.

Aircraft may at times wish to use reserves other than the aerodrome. Requests for operating hot air balloons or helicopters at major events such as A&P shows tend to be the most common. The Public Safety Bylaw currently regulates the operation of any aircraft in a public space other than the aerodrome (this includes reserves).

Objectives

- A. To regulate the temporary use of reserves (other than the aerodrome) for aviation-related activities.

Policies

1. To promote the use of the aerodrome for recreational aviation activities.
2. Aircraft operators wishing to land on, take-off from, or operate aircraft over reserves (other than the aerodrome) must apply for permission to do so.
3. Applications will be considered by the Asset Manager (or their delegated representative) on a case-by-case basis in accordance with the Public Safety Bylaw.
4. The Asset Manager (or their delegated representative) is under no obligation to approve any application and may impose such conditions as appropriate on any approval that has been granted.
5. The Asset Manager (or their delegated representative) may develop and review administrative procedures for assessing and processing requests to land, take-off, or operate aircraft over reserves and may charge a fee to cover reasonably expenses incurred.

8.2 Alcohol

Reserve occupiers, such as sports clubs, often consider the sale of alcohol as a means of raising funds for their activity. The consumption of alcohol can however have adverse effects on people and reserve assets. Potential adverse effects include inappropriate behaviour, litter, broken glass, unreasonable noise, violence and vandalism. These negative effects not only diminish the amenity values of a reserve but also increase maintenance costs.

The Sale and Supply of Alcohol Act 2012 regulates licenced premises.

The Public Safety Bylaw 2014 (as amended 2016) controls the possession of and consumption of alcohol in public places, including reserves.

Objectives

- A To minimise alcohol-related harm to people or assets at reserves.
- B To allow alcohol consumption within licenced premises located on reserves.
- C To avoid unnecessary duplication of policies and procedures concerning the possession or consumption of alcohol at reserves.

Policies

8.2.1 Licenced premises

1. Premises that are licenced to sell and supply alcohol under the Sale and Supply of Alcohol Act 2012 shall be allowed to do so within the confines of the licenced area.

Example:

A sports club is licenced to sell and supply alcohol within its clubrooms that are located on a reserve. The club is allowed to sell and supply alcohol within the clubroom and club members may consume alcohol within the clubroom but not on the rest of the reserve which is not covered by the licence.

2. In considering support or opposition to the granting of a liquor licence for premises located on reserves, or special licences for one-off events, support will generally be offered where:
 - a. granting permission is consistent with the purpose of the reserve and the adopted Local Alcohol Policy;
 - b. the effects on the reserve, reserve users and neighbours can be avoided, mitigated or minimised;
 - c. there is no history of non-compliance from the applicant;

- d. the Asset Manager (or their delegated representative) may require that no glass be permitted and/or that appropriate time limits be imposed.

8.2.2 Consumption of alcohol on reserves

1. The Public Safety Bylaw 2014 (as amended 2016) controls the possession of and consumption of alcohol in public places, including reserves.

8.2.3 Alcohol ban areas

1. The Public Safety Bylaw 2014 provides for the designation of specified Public Places as Alcohol Ban areas for the possession or consumption of alcohol. A number of reserves fall within the designated Alcohol Ban areas.
2. Event organisers may apply to Council for a waiver, dispensation or Licence to do or refrain from doing anything which otherwise would be in breach of an Alcohol Ban. The application process is described in the Public Safety Bylaw 2014.

8.3 Animals

People have been involving animals in recreational activities since ancient times (dogs and horses in particular).

Many people like to use public open space like reserves to exercise their dogs. Dogs that are not under control can however be a safety hazard. The Dog Control Bylaw regulates dogs in public spaces including reserves. Dogs are allowed on most reserves provided they are on a leash. The Dog Control Bylaw identifies dog exercise areas where dogs are allowed to be off leash as well as areas where dogs are not allowed (usually near playgrounds).

Reserves can provide open space for informal recreation with animals (such as dog walking) or formal sporting activities (such as polo or horse racing). New Zealand also has a tradition of Agricultural and Pastoral shows involving a variety of animals on public display, often at a local reserve.

Section 94 of the Reserves Act 1977 lists various offences involving animals on reserves. These include allowing any cattle, sheep, horses, or other animals of any kind whatsoever to trespass on any reserve or to liberate any animal on any reserve without the approval of the administering body.

Allowing animals on reserves can provide opportunities for people to interact with animals in a positive way. If not properly managed however it can lead to conflict with other reserve users or pose a risk to people or property.

Objectives

- A To provide opportunities for recreational activities involving animals where appropriate.
- B To minimise health and safety risks posed by animals on reserves.
- C To minimise damage to property and assets by animals on reserves.

Policies

8.3.1 Animals in general

1. Specific reserve management plans may contain policies regarding animals on the reserve (or group of reserves).
2. Individual reserves may be developed mainly for the benefit of a particular sport or recreation activity involving animals in order to minimise conflict with other activities.

Examples: equestrian activities at a racecourse reserve or a dogs at a dedicated dog exercise park.

3. Animals (other than native wildlife and dogs¹) are not allowed on reserves and tracks unless:
 - a. it is permitted in a specific reserve management plan; or
 - b. written approval has been obtained from a Parks Officer; or
 - c. it has been approved as part of an organised event (such as an A&P Show) under Council's event approval process; or
 - d. it has been approved by a resource consent granted under the Resource Management Act 1991; or
 - e. it has been approved under a grazing lease or licence granted under the Reserves Act 1977.

8.3.2 Dogs

1. The Dog Control Bylaw regulates dogs on reserves and identifies where dogs are:
 - required to be on a leash;
 - allowed to be off leash; or
 - prohibited.
2. Signage will identify reserves where dogs are prohibited.
3. Signage will identify reserves where dogs are allowed to be off leash.
4. As the majority of reserves are "on leash" areas, signage reflecting this will not necessarily be required. The requirement for "dogs on leash" signage may be considered on a case-by-case basis taking into account factors such as
 - a. the purpose and character of the reserve;
 - b. the level of use (e.g. is it a known dog walking area);
 - c. whether there have been problems with dogs off leash at the reserve; and
 - d. the likely cost and benefit of the signage.

¹ Dogs are regulated under the Dog Control Bylaw.

8.3.3 Horses

1. Horses are not allowed on reserves and tracks unless:
 - a. it is permitted in a specific reserve management plan; or
 - b. written approval has been obtained from a Parks Officer; or
 - c. it has been approved as part of an organised event (such as an A&P Show) under Council's event approval process; or
 - d. it has been approved by a resource consent granted under the Resource Management Act 1991 or a concession under the Conservation Act 1987; or
 - e. it has been approved under a grazing lease or licence granted under the Reserves Act 1977.

8.4 Camping

Camping can have positive effects by providing an affordable accommodation option that allows people to experience nature and appreciate their environment.

From time to time community groups and youth training organisations wish to erect tents or camp on parks or reserves. Such activities usually involve a training element focussed on fieldcraft, environmental responsibility and good citizenship.

Camping can however potentially also lead to issues such as littering/dumping, potential damage to facilities and public health concerns.

Since the introduction of the Freedom Camping Act 2011 there is a perception among many people that camping is allowed as of right in any public place. This has led to an increase in freedom camping and has caused issues in many places throughout the country. The Freedom Camping Act 2011 does not apply to reserves. Section 10 of the Freedom Camping Act 2011 allows freedom camping “in any local authority area unless (a) it is restricted or prohibited in accordance with a bylaw made under section 11; or (b) under any other enactment”. Section 10(b) of the Freedom Camping Act 2011 applies to reserves as their use is regulated by another enactment, namely the Reserves Act 1977. Section 44 of the Reserves Act prohibits camping at reserves except in designated camping grounds and areas that are provided for by a reserve management plans. Council adopted a Freedom Camping Bylaw in 2023. When consulting on the proposed bylaw, Council also consulted on amending reserve management plans in order to align with the bylaw.

We wish to facilitate responsible camping behaviour while at the same time regulating camping at our reserves and parks to minimise any negative effects.

Objectives

- A To regulate camping at reserves to ensure that adverse effects of camping can be avoided, remedied or mitigated.
- B To provide suitable areas for camping in self-contained motor-caravans.

Policies

8.4.1 Camping in general

1. Anyone wishing to camp at a reserve shall apply in writing to do so. For the avoidance of doubt, this does not apply to self-contained campervans camping in an area that has been identified in a reserve management plan as an area where camping in self-contained campervans is allowed.
2. A Parks Officer may approve an application to camp and issue a camping permit if they are satisfied that the proposed camping activity is in keeping with the purpose of the reserve and that any adverse effects of camping can

be avoided, remedied or mitigated.

3. A Parks Officer may impose conditions on the camping permit including limitations regarding the reserve (or part of the reserve) where camping will be permitted, the maximum number of people allowed to camp, the type of camping equipment to be used, the duration of camping and such other conditions that may be appropriate to the reserve.

8.4.2 Self-contained campervans

1. Areas where camping in certified self-contained motor caravans is allowed on reserves are to be identified in the relevant reserve management plans.
2. At areas where camping in certified, self-contained motor caravans is allowed, it shall be limited to no more than four consecutive nights at the same reserve (unless indicated otherwise in a specific reserve management plan).
3. Council may from time to time review the effectiveness of these areas set aside for certified self-contained campervans (*for example in response to changing circumstances or complaints*).
4. If Council wishes to alter or remove an area set aside for camping by certified self-contained motor caravans the following process shall be followed:
 - a. A Council Decision is made to potentially remove or alter an area set aside for camping in self-contained campervans.
 - b. Notice is placed on Council's website and in a newspaper circulating in the town or District where the reserve is located. The notice should:
 - 1) identify the reserve or part of the reserve by name;
 - 2) describe the proposed removal or alteration of the area set aside for camping in self-contained campervans; and
 - 3) specify a reasonable period in which Council shall receive and consider public submissions.
 - c. A Council Decision is made to retain, remove or alter the area set aside for camping in self-contained campervans having given consideration to the submissions received.
 - d. Relevant reserve management plans are updated to reflect any changes as a result of this process.

8.5 Circuses and side-shows

From time to time requests are received from operators of circuses, side-shows, gypsy fairs and the like for use of reserves. These particular forms of use can have effects that are greater than those of other forms of temporary use.

Events of this nature can provide short-term entertainment opportunities for local communities but can also have adverse effects such as soil compaction, rutting, loss of grass cover and temporary loss of playing/training areas for organised sport. Depending on the type of event there may be various potential safety hazards that need to be managed as well as specific regulatory requirements (e.g. licences, consents etc.).

Objectives

- A To allow the occasional use of reserves for circuses, side-shows, fairs and similar events, where appropriate, provided that it does not unduly impact on other reserve users.
- B To manage the use of reserves for circuses, side-shows, fairs and similar events to ensure it is appropriate to the purpose and character of the reserve.

Policy

1. Specific reserve management plans may identify reserves, parts of reserves, or groups of reserves that are suitable for circuses, side-shows and similar events.
2. The Asset Manager (or their delegated representative) may develop and review administrative procedures for assessing and processing requests for circuses, side-shows, fairs and similar events.
3. Circus and sideshow operators must make an application in writing at least ten working days before to the proposed start date of the event.
4. A Parks Officer may approve an application if they are satisfied that:
 - a. the proposal meets the relevant reserve management plan requirements;
 - b. the proposal is in keeping with the purpose and character of the reserve;
 - c. any adverse effects of camping can be avoided, remedied or mitigated;
 - d. any applicable regulatory requirements have been met (e.g. building consent, resource consent, food licences, animal welfare legislation, etc.).

5. A Parks Officer may impose such conditions on the approval as necessary to protect public safety and reserve values and assets.
6. Council may fix fees and charges for circuses, sideshows and similar events.
7. Council may require a bond for circuses, sideshows and similar events.

8.6 Dump stations

Effluent disposal points or dump stations are important to ensure that human waste from motor caravans is disposed of appropriately. Ideally, dump stations should not be located on reserves. While the location of a dump station on a reserve may be justified in rare cases, care should be taken that any adverse effects on reserve values and public enjoyment of the reserve is minimised.

Objectives

- A To provide dump station facilities that meet the need of camping ground users.
- B To encourage the use of areas other than reserves for dump station locations.

Policies

1. To only allow dump station facilities on reserves if:
 - a. there is a clearly demonstrated need; and
 - b. the reserve contains a camping ground; or
 - c. all practical alternative locations have been investigated and been found to be unsatisfactory for reasons other than cost.
2. Existing dump stations located on reserves will be removed at the end of their useful life and the areas reinstated, unless the requirements of the preceding policy statement are met.

8.7 Easements

See Part 4 Occupation

8.8 Events

Public events can enhance the public use and enjoyment of reserves as well as add to the vibrancy and diversity of the community. Some reserves are very suitable for large public events while others may only be suitable for small-scale events.

Events with large visitor numbers and a range of activities can have significant adverse effects. These can include health and safety risks to people, physical damage to the reserve or its assets, temporary unavailability of areas for sport or recreation, unreasonable noise, litter, vandalism, and impacts on traffic safety.

Proposals for major events require careful consideration in terms of public safety, the likelihood and potential scale of damage to the reserve and the effects on reserve users and neighbours.

Some larger or more complex events may trigger additional regulatory requirements, such as resource consent, building consent, food licences etc. It is important that event organisers contact Council as soon as possible to ascertain what requirements may apply to their event.

Objectives

- A To allow the use of reserves for events, where appropriate, provided that it is in keeping with the purpose and character of the reserve and does not unduly impact on other reserve users.
- B To manage the use of reserves for events to ensure it is appropriate to the purpose and character of the reserve.

Policy

1. Events (such as sports tournaments, concerts, weddings, religious gatherings, functions, exhibitions, rallies and markets) may be allowed on reserves, provided that any adverse effects on the reserve, other reserve users, lessees, licencees, and adjoining landowners can be avoided, mitigated or remedied.
2. Specific reserve management plans may identify reserves, parts of reserves, or groups of reserves that are suitable for events in general or particular types of events.
3. The Asset Manager (or their delegated representative) may develop and review administrative procedures for assessing, processing and deciding on requests to hold events on reserves.
4. Anyone wishing to hold an event on a reserve must first make an application in writing in accordance with Council's event application procedures.

5. A Parks Officer may approve an event application if they are satisfied that:
 - a. the proposal meets the relevant reserve management plan requirements;
 - b. the proposal is in keeping with the purpose and character of the reserve;
 - c. any adverse effects of the event can be avoided, remedied or mitigated;
 - d. health and safety requirements can be met; and
 - e. any other regulatory requirements that may be applicable to the event have been met (e.g. building consent, resource consent, food licences, animal welfare legislation, traffic management requirements etc.).
6. A Parks Officer may impose such conditions on the approval as necessary to minimise potential conflict between reserve users and to protect public safety, reserve values and assets.
7. Council may fix fees and charges for events. These will be detailed in Council's Fees and Charges Schedule.
8. Council may require a bond for events. These will be detailed in Council's Fees and Charges Schedule.
9. Council may require public liability insurance for events.
10. The Asset Manager may develop and review administrative policies and procedures regarding public liability insurance requirements.
11. Where necessary for the maintenance or protection of the reserve, or for the safety of park users, part or all of the reserve, may be closed for public access, subject to the provisions of the Reserves Act 1977. Any costs associated with the closure (including the cost of any public notices) are to be borne by the event organizer.

8.9 Fireworks

Groups occasionally wish to use reserves for fireworks displays. These organised displays are controlled by legislation other than the Reserves Act 1977 and require the permission of Worksafe New Zealand before proceeding. As long as the adverse effects of firework displays on park values are avoided, remedied or mitigated, fireworks displays can be legitimate use of reserves.

Objectives

- A To allow fireworks displays on reserves where appropriate provided that adverse effects can be avoided, remedied or mitigated.

Policies

1. Specific reserve management plans may identify areas suitable for fireworks displays.
2. The Asset Manager (or their delegated representative) may develop and review administrative procedures for assessing and processing requests for fireworks displays on reserves.
3. Event organisers must make an application in writing prior to the event in accordance with Council procedures. The application must be supported by:
 - a. proof of public liability insurance; and
 - b. evidence that the fireworks operator is suitably qualified and experienced in public fireworks displays;
 - c. a copy of the relevant approved handler's test certificate for outdoor pyrotechnic displays;
 - d. a copy of the test certificate for the pyrotechnic display itself.
4. A Parks Officer may approve an event application if they are satisfied that:
 - a. the proposal meets the relevant reserve management plan requirements;
 - b. the proposal is in keeping with the purpose and character of the reserve;
 - c. any adverse effects of can be avoided, remedied or mitigated; and
 - d. any applicable regulatory requirements have been met (e.g. test certificates etc.).
5. A Parks Officer may impose such conditions on the approval as necessary to protect public safety and reserve values and assets.

6. A Parks Officer is under no obligation to approve an application.
7. Council may fix fees and charges for events. These will be detailed in Council's Fees and Charges Schedule.
8. Council may require a bond for events. These will be detailed in Council's Fees and Charges Schedule.
9. Where necessary for the maintenance or protection of the reserve, or for the safety of park users, part or all of the reserve, may be closed for public access, subject to the provisions of the Reserves Act 1977. Any costs associated with the closure (including the cost of any public notices) are to be borne by the event organizer.

8.10 Hunting and Fishing

Sometimes reserves provide access to waterways for hunters and anglers. These activities tend to happen in or on the water and not on the land administered by Council. Hunting and fishing in waterways is regulated by the Fish and Game Council.

While hunting is a legitimate recreational activity, most of the reserves managed by Council are not suitable for hunting due to their location, size, or the incompatibility of hunting with other established forms of recreation. The Department of Conservation does however administer large areas of land in our district and neighbouring districts that provide plenty of opportunities for hunting.

Hunting and trapping are not permitted on reserves administered by Matamata-Piako District Council except if it is done as part of an approved pest control programme [See: Pest Control section]..

Objectives

- A To enable access to hunting and fishing areas where appropriate.
- B To ensure hunting and fishing activities do not pose a hazard to reserve users or reserve values.

Policies

1. Specific reserve management plans may contain policies regarding hunting and fishing activities.

Example: The proposed Linkage Parks Reserve Management Plan could potentially allow for the hunting of game birds at certain esplanade reserves.
2. Hunting and trapping are not permitted on reserves administered by Matamata-Piako District Council except if it allowed by a specific reserve management plan; or if it is done by a government agency or pest control contractor as part of an approved pest control programme [See: Pest Control section].

8.11 Gardening

See: Part 4 Occupation

8.12 Grazing

See: Part 4 Occupation

8.13 Recreational activities

Reserves provide areas of open space for a variety of informal and formal recreational activities.

Some recreation activities have very little impact on reserves while others can have significant negative impacts if not well managed. Some recreation activities are very compatible with others while some require exclusive use of an area to be safe or effective. Reserve management plans may therefore regulate particular types of recreation at a reserve or group of reserves.

As there may be competing demands to use a particular reserve (or part of it) for recreational activities, reserve users are encouraged to use Council's booking system to ensure the availability of particular sites. For policies regarding events at reserves please see Section 8.8.

Objectives

- A To encourage physical and social activities that contribute to the health and wellbeing of our community.
- B To facilitate the use of reserves for recreational activities appropriate to the purpose and character of the reserve.
- C To promote cooperation and minimise conflict between reserve users.
- D To encourage use of Council's booking system.

Policies

1. Specific reserve management plans may include policies regarding recreation activities at a reserve or group of reserves.
2. The Asset Manager may develop and review administrative procedures regarding a booking system for reserves or specific parts of reserves.
3. The Asset Manager may allow reserves (or parts of reserves) to be made available to the public for temporary use via Council's Booking System.
4. Recreation clubs and others requiring temporary exclusive use of reserves or parts of reserves are to use the Council's Booking System.

8.14 Sports

Spaces for organised sport activities are mainly provided by our Sports and Recreation Parks. Other reserves may sometimes also provide space for particular sporting activities. In such cases it is important to ensure that sport use does not detract from the primary purpose of the reserve or adversely affect other reserve users.

We intend developing a specific reserve management plan for our Sports and Recreation Parks in the near future.

As far as our other reserves are concerned, areas that are suitable for particular kinds of sporting activity may be identified through the management plan process for those reserves.

There are several groups who use reserves for sporting activities on a regular basis. Council intends to formalise regular reserve use arrangements with sports groups to ensure a consistent approach, appropriate levels of service, and to record the responsibilities of the parties involved. This is likely to involve greater use of written agreements (such as a Memorandum of Understanding) between Council and sports clubs.

Use of Council's booking system by regular users is to be actively encouraged. There are many advantages associated with a booking system. It benefits sports users by providing certainty about the availability of particular fields or facilities and helps minimise potential conflicts. The booking system also provides a measure of the frequency of use and different types of use at a reserve. Information about usage can help Council with future planning and funding for the reserves. The use data can also help community groups such as sports clubs if they are applying for funding.

Objectives

- A To encourage sporting activities that contribute to the health and wellbeing of our community.
- B To facilitate the use of reserves for sporting activities where appropriate to the purpose and character of the reserve.
- C To promote cooperation and minimise conflict between sporting codes and other reserve users.
- D To encourage use of Council's booking system.

Policies

1. Specific reserve management plans may contain specific policies regarding sporting activities for specific reserves or groups of reserve.

2. The Asset Manager may develop and review administrative procedures including a booking system for sportsfields and other reserve areas used for sporting activities.
3. Sports clubs and others requiring temporary exclusive use of sportsfields and related facilities (e.g. sports fixtures, practice sessions, tournaments and the like) are to use the Council's Booking System.

Example: If a rugby club wishes to use a rugby field for weekly practices every Wednesday night from 6 pm to 8 pm they need to make a booking through Council's booking system to ensure they have exclusive use of the rugby field for that period of time.

4. To formalise regular use of reserves by regular user groups through written agreements (such as a memorandum of understanding between Council and a sports club) where appropriate.

8.15 Tracks and paths

This section regulates the use of tracks and paths. For track and path development policies see section 7.10.

Tracks and paths can provide recreation opportunities for a variety of different users.

Multiple use of tracks and paths can be cost-effective as one track or path can potentially fulfil the needs of a variety of users.

Some uses are however more compatible than others. In some cases shared paths can lead to conflict or safety issues. Walkers and cyclists can often share the same track provided it is wide enough and has good sightlines. Walkers can sometimes share mountain bike tracks but not always. If the mountain bike track is relatively flat, wide enough and has good sightlines it may be suitable for sharing but if it is steep, narrow and has many corners it may not at all be suitable for shared use. Horses also tend to require dedicated trails although sharing with walkers can sometimes be practicable (such as the use of former forestry roads or routes through open pasture).

It is important that track/path use is regulated to minimise potential conflicts and promote public safety and enjoyment.

Objectives

- A To regulate the use of tracks and paths on reserves.

Policies

1. Specific reserve management plans may contain policies regarding the use of tracks or paths at particular reserves or groups of reserves.

Example: Walkers have the right of way over cyclists may at most reserves but it may not necessarily be appropriate for a downhill mountain bike track at an Outdoor Adventure Park.

2. The Asset Manager may temporarily restrict the use of certain tracks or paths to particular activities and authorise the installation of the appropriate regulatory signage.

Example: A track may be damaged by a weather event and no longer be suitable for a particular type of use until it is repaired.

3. The Asset Manager may develop and review administrative procedures concerning temporary restrictions and regulatory signage.

4. Unless indicated otherwise by a specific reserve management plan, the following policies shall apply to tracks and paths on reserves:
5. Cyclists are allowed on tracks on reserves unless indicated otherwise by a specific reserve management plan, a bylaw, or official signage authorised by the Asset Manager.
6. On shared tracks walkers have right of way over runners, cyclists, wheelchairs or mobility scooters, unless indicated otherwise by a specific reserve management plan, a bylaw, or official signage authorised by the Asset Manager.
 - a. Motorcycles are prohibited from tracks unless:
 - b. permitted by a specific reserve management plan; or
 - c. written approval has been obtained from a Parks Officer.
7. Dogs on leashes are allowed on tracks on reserves unless specifically prohibited by a sign, specific reserve management plan, or bylaw.
8. Horses are prohibited from tracks unless:
 - a. permitted by a specific reserve management plan; or
 - b. written approval has been obtained from a Parks Officer.
9. Anyone wishing to use tracks or paths for races and similar organised events must make an application in writing to a Parks Officer. [See 8.8 Events].

8.16 Remotely-piloted aircraft systems (including UAVs/Drones)

Reserves can provide convenient areas of open space for flying remotely-piloted aircraft systems (RPAS). These can be legitimate recreational activities in reserves but can also lead to safety and privacy concerns.

Historically the aerodrome and some sports and recreation parks have been used for organised events involving traditional model aircraft.

The use of unmanned aerial vehicles (commonly referred to as UAVs or drones) is becoming more common due to technological advances and reduced acquisition costs. As it involves relatively new technology, many UAV enthusiasts currently operate independently of a club or organisational structure. This makes it more challenging to address issues regarding UAVs.

Since 1 August 2015, RPAS operators (including UAVs) are required to comply with Civil Aviation Rules. One of new rules that apply to all RPAS is that operators need permission from the property owner or person in charge of the area they want to fly above.

The uncontrolled use of remotely-piloted aircraft systems can cause negative effects on other park users and neighbours. Personal safety and a temporary loss of recreation space can affect other park users. Neighbours are more likely to be concerned about privacy (especially cameras on UAVs) as well as any potential risks to themselves and their property.

Objectives:

- A To set aside suitable areas for recreational activities involving remotely piloted aircraft systems (such as model aircraft and drones).
- B To regulate the use of remotely-piloted aircraft systems to ensure public safety at reserves and minimise potential conflicts with other reserve users.

Policies:

1. Specific reserve management plans may include rules about remotely-piloted aircraft systems.
2. A Council Decision may identify areas at reserves where operating remotely-pilot aircraft systems will be allowed without the need to apply to Council for permission.
3. Council may impose restrictions on any area approval under the preceding policy statement. Restrictions may include, but are not necessarily limited to, the following:
 - a. the type of remotely-piloted aircraft system that may be used;

- b. mass limits for remotely-piloted aircraft;
 - c. times of operation;
 - d. altitude range.
- 4. Areas at reserves where the operating of remotely-piloted aircraft systems is allowed shall be identified by signage that includes any conditions or restrictions that may apply.
- 5. Council may from time to time review the effectiveness of areas identified under Policy 2 above. Any decision to remove or alter such areas will be a Council Decision. Council's Significance and Engagement Policy may be used as guideline to determine whether consultation is appropriate and what form of consultation may be appropriate when undertaking such a review.
- 6. Operating a remotely-piloted aircraft system on any reserve is prohibited unless:
 - a. it is permitted by a specific reserve management plan; or
 - b. it is an area set aside for that purpose under Policy 2 above;
 - c. written approval has been obtained from a Parks Officer; or
 - d. approval has been granted by an Authorised Officer under the bylaws; or
 - e. it has been approved as part of an organised event under Council's event approval process.
- 7. Operators of remotely-piloted aircraft systems shall be responsible for ensuring that they comply with Civil Aviation Rules.

8.17 Vehicles

Inappropriate use of motor vehicles can cause damage to reserves and assets as well as pose a danger to people. It is therefore important to ensure that vehicles drive and park in appropriate places and that vehicle access to other parts of reserves is restricted.

Vehicle access should generally be restricted to authorised uses (such as park maintenance or authorised events) and emergency services. Recreational activities involving motor vehicles, such as go-carting, four-wheel driving or rallying may however be appropriate in some reserves.

Section 110 of the Reserves Act 1977 deals with the removal and disposal of abandoned vehicles on reserves.

Rules about speed limits, parking and similar issues are often set in bylaws.

- The Land Transport Bylaw 2008 regulates roads, footpaths, and parking throughout the District.
- The Public Amenities Bylaw 2014 which applies to any cemetery, public library, swimming pool, aquatic centre, park, reserve, recreational, cultural or community centre, museum, or hall under the ownership or control of Council, also has rules about vehicles.

Objectives

- A To promote responsible use of motor vehicles at reserves.
- B To restrict the off-road use of vehicles on reserves to authorised and emergency uses only.

Policies

1. Motor vehicles must use designated roads and carparks and no off-road use is permitted unless:
 - a. permitted by a specific reserve management plan; or
 - b. it is an emergency services vehicle responding to an emergency; or
 - c. written approval has been obtained from a Parks Officer; or
 - d. approval has been granted by an Authorised Officer under the bylaws; or
 - e. it has been approved as part of an organised event (such as an A&P Show) under Council's event approval process; or
 - f. it has been approved by a resource consent granted under the Resource Management Act 1991; or

- g. it has been approved under a grazing lease or licence granted under the Reserves Act 1977; or
 - h. it is an authorised vehicle (such as a Council or contractor vehicle engaged in reserve maintenance or other official duties).
- 2. Conditions may be attached to any approval that is granted under the preceding policy.
- 3. Council may set and charge a bond for any permission granted for vehicle access over a reserve.
- 4. Damage caused by unauthorised use of motor vehicles may be repaired by Council and the costs recovered from the offender.
- 5. Abandoned vehicles may be dealt with in accordance with the provisions of Section 110 of the Reserves Act 1977 which provides for the removal of abandoned vehicles, the recovery of costs, and the potential disposal of the vehicle.
- 6. The Asset Manager may authorise the installation of traffic safety or speed control mechanisms at roads or carparks at reserves to protect public safety and reserve values.

8.18 Water-based activities

A number of reserves are adjacent to watercourses or have watercourses running through them. Some reserves may contain bodies of water such as ponds, dams, or lakes.

The demand for recreational use of watercourses and bodies of water within reserves needs to be balanced with the need to protect reserve values and public safety.

Specific reserve management plans may include objectives and policies regarding water-based activities such as boating, kayaking, swimming etc.

Objectives

- A To address demand for recreational use of watercourses and water bodies within reserves.
- B To ensure that water-based activities do not compromise reserve values and public safety.

Policies

- 1. Specific reserve management plans may include objectives and policies regarding water-based activities such as boating, kayaking, swimming etc.

Part 4

Occupation Policies

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9. Occupation

This Part of the General Policies Reserve Management Plan deals with occupation agreements for reserves.

Occupation agreements are a common form of authorisation granted by Council to a person or organisation that is occupying a reserve (or part of a reserve) on a relatively long term basis.

The Reserves Act 1977 provides for different forms of occupation agreement that could potentially apply to a reserve. Matters such as the reserve classification, whether the reserve is vested in Council, the detail of any appointment to control and manage a reserve that is not vested in Council, the purpose and duration of the occupation, and whether the occupation confers exclusive use or not all affect what the most appropriate agreement may be.

Occupation agreements may include compliance with any one of the following sections of the Reserves Act 1977:

Table 9.1 Sections of the Reserves Act 1977 that may apply to occupation agreements

Section of Reserves Act 1977	Topic covered by the relevant section of the Reserves Act 1977
Section 48	Easements
Section 48A	Communications stations
Section 54	Lease or licence of Recreation Reserve (various purposes)
Section 56	Lease or licence of Scenic Reserve (various purposes)
Section 58A	Lease or licence of Historic Reserve (various purposes)
Section 61	Lease or licence of Local Purpose Reserve (various purposes)
Section 73	Lease of Recreation Reserve (farming, grazing, afforestation)
Section 74	Temporary licence to occupy (grazing, gardening, flax)

Leases, licences and easements are among the most common forms of occupation agreement. Terms like 'lease' and 'licence' are often used colloquially but under the Reserves Act they can have very specific meanings and applications. It is important that the correct occupation agreement is made under the provisions of the correct section of the Reserves Act.

Where the term 'occupation agreement' is used in the RMP it is intended to include all the relevant forms of occupation agreement that could apply to a particular case.

Occupation agreements for all land held under the Reserves Act will be subject to the provisions of the Act as to rights of occupation, and where relevant in the form of the lease or licence prescribed by the Act.

Objectives

- A To grant, where appropriate, occupation agreements that are consistent with the requirements of the Reserves Act 1977.
- B To avoid, mitigate or minimise any adverse effects of reserve occupation.
- C To permit occupation arrangements that align with the objectives of the relevant reserve management plan, Council strategies, policies and bylaws
- D To require compensation for temporary or permanent effects on reserve values caused by rights of way, easements, network utilities and similar forms of occupation agreement.

9.1 Leases

Irrespective of the reserve classification, occupation agreements for all land held under the Reserves Act will be subject to the provisions of the Act as to rights of occupation, and where relevant in the form of the lease or licence prescribed in Schedule One of the Act.

Policies

9.1.1 General

1. Any long term, exclusive use of a reserve, part of a reserve, or building on a reserve, shall be subject to a Lease.
2. The following matters are to be considered when deciding whether (or not) to grant a lease:
 - a. The purpose and character of the reserve;
 - b. The requirements of the Reserves Act, including the leasing powers of the Council with respect to the reserve;
 - c. The requirements of the relevant reserve management plan;
 - d. The alignment of the proposed lease with other relevant Council policies, strategies, plans and bylaws;
 - e. The effects of the proposed lease on reserve values and users;
 - f. The ability of the lessee to avoid, mitigate or minimise any adverse effects of the reserve occupation;
 - g. The costs and benefits of the proposed lease.

9.1.2 Policies and procedures

1. Leases shall be subject to the appropriate provisions of the Reserves Act 1977, except if the nature of Council's tenure of the land requires otherwise.
2. Lease terms shall be consistent with the requirements of the Reserves Act that apply to the class of Reserve and type of lease.

Example: The Reserves Act prescribes a maximum lease term of 33 years for most types of leases but for afforestation leases it prescribes a maximum term of 40 years. Council may not agree to a longer lease term than what the Act allows.

3. The Asset Manager may develop and review administrative procedures to ensure that occupation agreements comply with the relevant public notification requirements of the Reserves Act 1977.
4. Lease documents shall where necessary incorporate or otherwise reference the policies in this General Policies document, any specific reserve management plan, and any other Council policy documents that may be applicable.

Example:

If a Lease involves a not-for-profit community group, Council's Community Group Leases and Licences Policy should also be referenced in the document or if the lease relates to a resource consent then the resource consent should also be referenced in the lease document.

5. Council may develop and review policies regarding rental charges for:
 - a. Not-for-profit community groups
 - b. Commercial entities
6. Council may set fees and charges relating to the preparation and administration of leases in its Fees and Charges Schedule.
7. Subletting of leased areas shall not be allowed unless the prior approval of Council has been obtained.

9.1.3 Lease of Recreation, Historic or Scenic Reserve

1. Public notice is required to be given (in the manner described by Section 119 of the Reserves Act 1977) for the Lease of a:
 - a. Recreation Reserve under Section 54;
 - b. Scenic Reserve under Section 56;
 - c. Historic Reserve under Section 58A;unless the lease:
 - (1) is in conformity with and contemplated by the approved management plan for the reserve; or
 - (2) is made following the granting of a resource consent under the Resource Management Act 1991 where the application for the consent was publically notified;
2. If a Recreation, Historic or Scenic Reserve is not vested in Council, approval of the lease shall be sought from the Minister of Conservation in accordance with Reserves Act requirements.

9.1.4 Lease of Local Purpose Reserve

1. Council may lease any Local Purpose Reserve (or part of it) that is vested in Council for any of the following purposes (Section 61, Reserves Act 1977):
 - a. community building, playcentre, kindergarten, plunket room, or other like purposes:
 - b. farming, grazing, cultivation, cropping, or other like purposes.
2. A lease granted under the preceding policy shall be subject to the provisions of Section 61(2)(A) of the Reserves Act 1977 and:
 - a. shall be for a term not exceeding 33 years, with or without a right of renewal for the same or any shorter term;
 - b. the lease shall include a condition that the land leased shall be used solely for such purposes as are specified in the lease
 - c. shall be on such other conditions as Council determines.
3. Council is not required to give public notice of its intention to Lease a Local Purpose Reserve under Section 61.

9.1.5 Grazing or gardening of undeveloped reserves

See also 9.2.2 Grazing, farming, gardening and similar licences

1. Grazing or gardening on undeveloped Recreation or Local Purpose Reserves shall generally be subject to a Licence under Section 74(2) of the Reserves Act 1977 rather than a lease. (See: 9.2 Licences).
2. Council may consider granting a grazing Lease for an undeveloped Recreation Reserve (under Section 73) or Local Purpose Reserve (under Section 61(2A)) if it is satisfied that particular circumstances warrant entering into a Lease rather than a Licence. This shall be a Council Decision.
3. Public notice is required to be given (in the manner described by Section 119 of the Reserves Act 1977) for the Lease of a Recreation Reserve under Section 73.

9.2 Licences

A licence to occupy grants a non-exclusive right to use a reserve (or part of a reserve) for a specific purpose.

Council owns or manages reserves that have not been developed for recreation or other purposes. Management of these areas can be expensive. Grazing, gardening and similar purposes can provide an alternative management tool as well as a potential source of revenue. Grazing licences are the most common form of licence that applies to our reserves.

If not managed appropriately grazing, gardening and similar activities can have negative impacts on reserves such as the spread of weeds and the degradation of native vegetation, soil or water quality.

The Reserves Act also provides for licencing of communication stations (Section 48A) and associated works as well as licences for trades and businesses at some types of reserve.

A temporary licence to occupy under Section 74 of the Act may be held for up to ten years. Some types of licences (under Section 54(1)(d) and 56(1)(b) may be held for up to 33 years).

9.2.1 General

1. The following matters are to be considered when deciding whether (or not) to grant a licence:
 - a. The purpose and character of the reserve;
 - b. The requirements of the Reserves Act, including the powers of the Council to grant licences with respect to the reserve;
 - c. The requirements of the relevant reserve management plan;
 - d. The alignment of the proposed licence with other relevant Council policies, strategies, plans and bylaws;
 - e. The effects of the proposed licence on reserve values and users;
 - f. The ability of the licensee to avoid, mitigate or minimise any adverse effects of the reserve occupation;
 - g. The costs and benefits of the proposed licence.
2. The Asset Manager may develop and review administrative procedures to ensure that occupation agreements comply with the relevant public notification requirements of the Reserves Act 1977

9.2.2 Grazing, farming, gardening and similar licences

1. Grazing or farming licences may be allowed on undeveloped provided that there are no adverse effects on reserve values.
2. Grazing or gardening on undeveloped Recreation or Local Purpose Reserves shall generally be subject to a Licence under Section 74(2) of the Reserves Act 1977.
3. Public notice is required to be given (in the manner described by Section 119 of the Reserves Act 1977) for any Licence for grazing, gardening or similar activities as provided for by Section 74 of the Reserves Act, unless the Licence:
 - a. concerns a Local Purpose Reserve (in which case public notice shall not be required); or
 - b. public notice has been given under any other provision of the Reserves Act 1977;
 - c. or the reserve is vested in the Crown (in which case the concession process under the Conservation Act 1987 shall apply).
4. Licence terms and conditions shall make provision for public access where it is consistent with the purpose of the reserve.
5. Licence terms and conditions shall ensure that livestock are excluded from watercourses and other environmentally or culturally sensitive or significant areas.
6. The term of a Licence granted under Section 74 of the Reserves Act 1977 shall not exceed ten years¹.

¹ Section 74(4), Reserves Act 1977

9.2.3 Business, trade or occupation

1. Public notice is required to be given (in the manner described by Section 119 of the Reserves Act 1977) for any Licence for the carrying on of any trade, business, or occupation on any specified site within a Reserve, unless the Licence:
 - a. is in conformity with and contemplated by the approved management plan for the reserve; or
 - b. is made following the granting of a resource consent under the Resource Management Act 1991 where the application for the consent was publically notified.

9.3 Easements

An easement grants a specific right to use land belonging to someone else for a specific purpose. Easements are registered against the title to the land or a Gazette Notice for the land.

On some reserves, neighbours or utility companies occupy or use parts of reserves to access their properties or to lay infrastructure. Examples include: rights-of-way, stormwater discharges and utility services (such as sewer lines or power cables).

Subject to the requirements of Section 48 of the Reserves Act 1977, Council may, as the administering body of a reserve, grant rights of way or other easements for:

- any public purpose; or
- for providing access to an area included in an agreement, lease, or licence;
- the distribution or transmission by pipeline of gas, petroleum, biofuel, or geothermal energy; or
- an electrical installation or work; or
- the provision of water systems; or
- providing or facilitating access or the supply of water to any other land not forming part of the reserve; or
- providing or facilitating the drainage of any other land not forming part of the reserve; or
- for any other purpose connected with any other land not forming part of the reserve.

An easement that authorises a limited degree of occupation of the reserve is permissible provided it does not grant a right to joint or exclusive possession.

Easements can have negative effects on reserve values. This is especially the case with above ground assets. Council may therefore decline to grant easements where suitable alternatives exist (e.g. underground pipeline vs. above ground pipeline) or where the negative impact on the reserve is considered unacceptable.

Any easements granted by Council will have limited timeframes (e.g. limited to the life of a building or activity).

Compensation may be required from the person benefitting from the easement. Council may however choose not to seek compensation if by granting the easement, negative effects of an existing situation on the reserve will be substantially reduced.

Conditions about the reinstatement and/or protection of the site (at any time) may also be included with any permission that is granted.

Reserve values can be protected by not granting easements in perpetuity and by requiring protection and/or reinstatement of the site.

9.3.1 Easements for privately-owned utility assets

Property owners are often responsible for maintaining utility assets (such as stormwater, wastewater, sewerage, water, gas pipes, electrical, or telecommunication cables) between their property and a network utility operator's network. Where network utility operators are not responsible for such connecting facilities, the owner of the private property being serviced by these assets is responsible for the maintenance of those assets and any reinstatement or protection of any reserve land affected by the maintenance of those assets.

Easements or permissions granted for such privately-owned assets may be subject to conditions and compensation.

It is important for Council to know the location and ownership of private utility assets crossing reserves so that their location can be taken into consideration when development/enhancement or maintenance work is being planned or carried out on reserves.

If there is no easement in place, maintenance may not know where private utility assets (such as pipelines) are located. This can potentially lead to damage to the assets or maintenance equipment. Private utility assets can also affect reserve values and development options. For example, an underground pipeline could affect where a playground, track, sportsfield or building can be built on the reserve.

Reserves are set aside for public recreation, relaxation and the protection of ecological, landscape, heritage and cultural values. Council needs to be assured that it receives adequate compensation for the diminution of these values when negotiating easements.

Policies

1. An easement (or other formal agreement as specified in legislation) will be required for any approved privately-owned utility asset (e.g. pipe, cable, or discharge) onto or through a reserve.
2. Applications for privately-owned utility assets (such as pipes, cables, discharges, or drainage rights) must be made in writing, to the Asset Manager and should include:
 - a. Details of alternative locations, options and costs considered;
 - b. An explanation as to why alternative options are not considered practicable;
 - c. An explanation of how negative effects on the reserve will be avoided, mitigated or managed; and
 - d. A plan or concept design of the proposed works.

3. The Asset Manager may develop and review administrative procedures regarding the application process and the assessment of effects on the reserve.
4. Before granting a right of way or an over any part of a reserve vested in it, Council shall give public notice in accordance with Section 119 of the Reserves Act 1977, specifying the right of way or easement intended to be granted, and shall give full consideration, to all objections and submissions received in respect of the proposal².
5. The public notice requirement shall not apply³ in cases where:
 - a. the reserve is vested in Council and is not likely to be materially altered or permanently damaged; and
 - b. the rights of the public in respect of the reserve are not likely to be permanently affected by the establishment and lawful exercise of the right of way or other easement.
6. It shall be a Council Decision whether or not to grant an easement.
7. The applicant or beneficiary of the easement shall be responsible for the cost of any physical works, including protection, maintenance, and reinstatement work associated with the easement.
8. All legal costs associated with the easement are to be met by the applicant or beneficiary of the easement.
9. Council may seek compensation for the benefit derived from a private utility asset located on a reserve.
10. Council may decide not to seek compensation if:
 - a. by granting the easement, negative effects of an existing situation on the reserve will be substantially reduced; or
 - b. the rent value is minimal and the cost of collecting it is likely to outweigh the revenue derived from it.
11. Upon the completion of the physical works the applicant or beneficiary of the easement shall supply an as-built plan of the assets to Council's Asset Manager.

² See Section 48(2) Reserves Act 1977

³ See Section 48(3) Reserves Act 1977

12. If privately-owned utility assets are no longer required, the beneficiary of the easement must inform the Asset Manager in writing to this effect and the area reinstated to the satisfaction of Council's Asset Manager.

9.3.2 Easements for utilities assets owned by network utility operators

1. An easement (or formal agreement as specified in legislation) will be required for any approved utility asset owned by a network utility operator (NUO) (e.g. pipe, cable, or discharge) onto or through a reserve.
2. Applications for utility assets owned by a NUO must be made in writing, to the Asset Manager and should include:
 - a. Details of alternative locations, options and costs considered;
 - b. An explanation as to why alternative options are not considered practicable;
 - c. An explanation of how negative effects on the reserve will be avoided, mitigated or managed; and
 - d. A plan or concept design of the proposed works.
3. The Asset Manager may develop and review administrative procedures regarding the application process and the assessment of effects on the reserve.
4. Before granting a right of way or an over any part of a reserve vested in it, Council shall give public notice in accordance with Section 119 of the Reserves Act 1977, specifying the right of way or easement intended to be granted, and shall give full consideration, to all objections and submissions received in respect of the proposal⁴.
5. The public notice requirement shall not apply⁵ in cases where:
 - a. the reserve is vested in Council and is not likely to be materially altered or permanently damaged; and
 - b. the rights of the public in respect of the reserve are not likely to be permanently affected by the establishment and lawful exercise of the right of way or other easement.
6. It shall be a Council Decision whether or not to grant an easement.

⁴ See Section 48(2) Reserves Act 1977

⁵ See Section 48(3) Reserves Act 1977

7. The NUO that is the beneficiary of the easement shall be responsible for the cost of any physical works, including protection, maintenance, and reinstatement work associated with the easement.
8. All legal costs associated with the easement are to be met by the applicant or beneficiary of the easement.
9. Council may charge an annual rental for the benefit derived from the utility asset located on a reserve.
10. Council may decide not to charge annual rental if:
 - a. by granting the easement, negative effects of an existing situation on the reserve will be substantially reduced; or
 - b. the rent value is minimal and the cost of collecting it is likely to outweigh the revenue derived from it.
11. Upon the completion of the physical works the applicant or beneficiary of the easement shall supply an as-built plan of the assets to Council's Asset Manager.
12. If the network utility assets are no longer required, the beneficiary of the easement must inform the Asset Manager in writing to this effect and the area reinstated to the satisfaction of Council's Asset Manager.

9.3.3 Occupation of reserves by Council-owned utilities assets

1. The Asset Manager may develop and review administrative procedures regarding the application process and the assessment of effects on the reserve for requests to install Council-owned utilities infrastructure on reserves.
2. Prior to any physical works starting, approval for Council-owned utilities assets on, over or under a reserve shall be sought from the Asset Manager.
3. An application must be made in writing, to the Asset Manager and should include:
 - a. Details of alternative locations, options and costs considered;
 - b. An explanation as to why alternative options are not considered practicable;
 - c. An explanation of how negative effects on the reserve will be avoided, mitigated or managed; and
 - d. A plan or concept design of the proposed works.
4. The Asset Manager (or their delegated representative) may impose conditions on any approval granted with respect to utilities assets on, over or under reserves.
5. As-built diagrams are to be provided to the Asset Manager upon completion of any approved utilities installations on reserves and stored in Council's record system.

9.4 Multiple-use of facilities

There are currently a number of buildings and other facilities located on reserves.

Sharing of facilities prevents unnecessary duplication and the associated costs. Sharing should be encouraged where practicable. Unnecessary duplication, expansion or development of facilities not only reduces the amount of open space available at reserves but also increases costs.

Even if facilities on reserves are funded by community groups, there is always a degree of risk to Council, as buildings and other improvements built by community groups tend to revert to Council ownership if the community group ceases to exist. If facilities have not been maintained to an appropriate standard, Council may be faced with the expense of repairing or removing the facility. The sustainable use of facilities is therefore to be encouraged.

The use of buildings and facilities on reserves ought to be consistent with the purpose and character of the reserve.

In some cases it may be appropriate to consider ancillary uses not directly associated with sport or recreation (e.g. café, museum, youth development organisation, etc.) provided that they support and promote use of the reserve and do not detract from the purpose and character of the reserve.

Objectives

- A To encourage the sharing of existing facilities to prevent unnecessary duplication or expansion of facilities.
- B To support the use of buildings and facilities on reserves where such use is consistent with the purpose and character of the reserve.

Policies

1. The multiple use of buildings and other facilities by sports, recreation, and community groups shall be encouraged.
2. To permit the occupation of buildings and other facilities by ancillary uses where such use:
 - a. is consistent with the purpose and character of the reserve; and
 - b. is likely to support and encourage use of the reserve.

9.5 Abandonment of facilities

Sports clubs and other community groups may be affected by declining membership or participation levels which can lead to dissolution, amalgamation or a state of recess. This often leads to an abandonment of facilities such as clubrooms, playing surfaces, etc.

Abandonment of facilities poses a degree of risk to Council as there may be a degree of community expectation for Council to 'bale out' a struggling club or to repair and continue to provide the facility. Even if there is no need to continue to provide the facility, there are likely to be costs involved in either removing or repairing and repurposing the facility.

The Compensation for Improvements clause in Schedule 1 to the Reserves Act 1977 prescribes how abandoned facilities are to be dealt with where a lease or licence is place.

Objectives

- A To ensure that buildings and facilities that are of benefit to reserve users are retained where practicable.
- B To consider multiple-use, repurposing or relocation of surplus buildings where practicable.
- C To minimise risk to Council by entering into appropriate occupation agreements concerning buildings or facilities on reserves.
- D To ensure that the owner or occupier of a building or facility remains responsible for its maintenance and security until disposal has occurred.

Policies

1. The Asset Manager may develop and review administrative procedures for dealing with the abandonment of facilities on reserves.
2. Where a building or structure is no longer required by a lessee the provisions of the Compensation for Improvements Clause in Schedule 1 to the Reserves Act 1977 shall apply and the land with all improvements thereon, shall revert to the lessor without compensation payable to the lessee otherwise.

Part 5

Neighbours

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10. Neighbours

10.1 Encroachment

Encroachment is the unauthorised use or development of part of a reserve. This includes, but is not limited to, structures, earthworks, gardens, or accessways that have been installed on reserves without Council permission.

Neighbours are known to sometimes extend their gardens or yards and associated structures onto adjacent reserves. This can either be due to a mistaken understanding of where property boundaries are or with the knowledge that they are encroaching. If a neighbouring property encroaches onto a reserve it could look as if the property is larger than it actually is, potentially making it more marketable.

Encroachments can reduce the area of the reserve that is effectively available for recreation or development. Resolving encroachments can also be costly.

Where the encroachment is on a gazetted reserve, Council is unable to lease or licence the encroached area if it is inconsistent with the purposes of the Reserves Act 1977. In such cases Council must enforce the removal of the encroachment and the reinstatement of the reserve.

In some cases, there may be a legitimate need for neighbours to use part of a reserve such as to enable access their property or to allow them to garden or graze an undeveloped reserve. Part 4 of this plan deals with legitimate forms of reserve occupation and the relevant legal instruments available under the Reserves Act.

Objectives

- A To prohibit any new encroachments on reserves.
- B To seek the removal of all existing encroachments.

Policies

1. No new encroachments will be allowed on reserves.
2. Council will require encroachments to be removed by the encroaching property owner including reinstatement of the reserve to the satisfaction of Council's Asset Manager.
3. Consideration may be given to formalising existing encroachments, through appropriate occupation agreements, provided that they are consistent with the purposes of the Reserves Act 1977 and have minimal detrimental impact on reserve values.
4. Encroachments will be assessed on a case-by-case basis. The following criteria should be considered:

- a. Whether the type encroachment is consistent with the provisions of the Reserves Act;

Example:

The Reserves Act makes provision (under particular circumstances) for leases or licences to be granted for certain activities on reserves, such as gardening and grazing. It may therefore be possible to legalise such an encroachment through a licence, lease or easement under the Reserves Act.

- b. Whether the encroachment detracts from the recreation, landscape, ecological, cultural and utility values of the reserve;
 - c. Whether the encroachment poses a health or safety risk;
5. Whether (or not) to formally allow the encroachment will be a Council Decision.
 6. The provisions of the Reserves Act 1977 shall apply to any form of occupation agreement made to formalise any encroachment.
 7. Occupation agreements for encroachments, such as leases or licences, shall not be granted in perpetuity.
 8. Any costs involved in formalising an existing encroachment, removing an encroachment, or reinstating a reserve following the removal of encroachment, shall be borne by the encroaching landowner.
 9. Exchanges of land, in order to correct historical encroachments, may be considered on a case by case basis provided that:
 - a. the reserve land is owned by Council and has not been derived from the Crown;
 - b. there is a clear public benefit;
 - c. it is impractical to correct the encroachment by other means.
 10. Any land exchange shall follow the provisions of Section 15 of the Reserves Act 1977 and any relevant delegation from the Minister of Conservation to the local authority in force at the time.
 11. All reasonable costs associated with land exchanges shall be borne by the applicant.

10.2 Fencing

Fences or barriers may be required to improve safety, to prevent damage to reserves or reserve assets, or to provide physical barriers between incompatible activities.

The design and location of fences can influence the use and appearance of reserves. In some cases planting vegetation can achieve the same outcomes as a fence would.

Fences and barriers also need to be maintained and potentially replaced in future. It is therefore important to consider whether a fence is the most appropriate solution to an issue.

The Fencing Act 1978 regulates boundary fences. Generally adjoining landowners are required to share the costs of an adequate boundary fence. An 'adequate fence' means a fence that, as to its nature, condition, and state of repair, is reasonably satisfactory for the purpose that it serves or is intended to serve.

The Fencing Act does not apply to esplanade reserves.¹

The Fencing Act also makes provision for fencing covenants² that protect a local authority from liability to contribute towards any work on a fence between a public reserve vested in (or administered by) the local authority and any adjoining land. This is to minimise the cost to ratepayers of contributing towards boundary fences and recognises that fences along reserve boundaries are not always required. Before agreeing to boundary fencing it is important to check whether a fencing covenant applies.

Objectives

- A To erect fences or barriers where necessary to protect reserve values.
- B To erect fences or barriers to ensure safe use of the reserve.
- C To erect fences or barriers where necessary to avoid, mitigate or minimise adverse effects of reserve use on neighbours.
- D Where necessary to erect fences or barriers to define reserve boundaries
- E To allow fences or boundaries to demarcate exclusive use areas where appropriate.
- F To minimise Council's responsibility for providing and maintaining boundary fences on reserves.

¹ See: Section 3(1)(e) of the Fencing Act 1978

² See: Sections 5 to 7 of the Fencing Act 1978

Policies

10.2.1 Fencing covenants

1. Council will seek fencing covenants to be placed on the title of subdivisions adjacent to reserves in accordance with the provisions of the Fencing Act 1978.

10.2.2 Boundary fencing

1. Where fencing covenants are not in place, Council shall meet its boundary fencing obligations under the Fencing Act 1978, by meeting up to a half share of the costs of boundary fences.
2. Council is under no obligation under the Fencing Act 1978 to fence esplanade reserves but may consider fencing such reserves or contributing towards the fencing of such reserves in order to protect reserve values where appropriate
3. Specific reserve management plans may include provisions regarding particular styles or types of fencing to be used at a reserve or group of reserves.
4. Council's Asset Manager (or their delegated representative) shall determine the type of fence that is appropriate to the purpose, character, and use of a reserve.
5. If an adjoining landowner wants a non-standard boundary fence and the Council's Asset Manager considers that a standard fence is adequate, then the adjoining landowner shall contribute to any costs in excess of the cost of a standard fence.
6. If Council's Asset Manager is of the opinion that a boundary fence of a higher standard or specialised nature is necessary due to the normal recreational use of the reserve, any costs in excess of the cost of a standard boundary fence shall be borne by the Council.

10.2.3 Pedestrian gates in boundary fences

1. Pedestrian gates in boundary fences may be considered on a case-by-case basis. Applications for pedestrian gates in boundary fences shall be made in writing to a Parks Officer.
2. In considering applications for pedestrian gates in boundary fences, the following shall be taken into account:

- a. the likely effect of use of the gate on park values; and
 - b. the likely effect of the gate on the health and safety of park users.
3. Applications for pedestrian gates in boundary fences shall be decided by the Asset Manager (or their delegated representative).
4. The Asset Manager (or their delegated representative) may include such conditions as necessary on any approval granted for a pedestrian gate in a boundary fence.
5. Council shall not be liable to contribute towards the cost of pedestrian gates in boundary fences.

10.2.4 Internal fences

1. Any occupier wishing to fence part of a reserve shall make application in writing to a Parks Officer.
2. No reserve occupier shall erect any fences unless authorised by a Parks Officer.
3. If an occupier of a reserve seeks the enclosure of its facilities, the cost of erecting and maintaining the fences shall generally be borne by the occupier.

Part 6

Administration and Management Policies

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11. Administration and Management

11.1 Access

Reserves are generally freely available for use by individuals and groups on a casual basis. There are however some exceptions.

Sometimes it is necessary to limit public access to a reserve (or a part of a reserve) to protect public safety or prevent damage to reserve assets. Typical examples of when it may be necessary to temporarily close off part of a reserve include:

- to allow construction or maintenance work to be done safely
- closing sports fields so they can recover after periods of poor weather
- protecting significant wildlife or wildlife habitat
- safety risks due to storms or other natural disasters
- structures or equipment have been damaged and are no longer safe.

It is sometimes also necessary to limit free public access where some form of exclusive use of a reserve (or part of a reserve) has been granted. Typical examples include:

- a sports club leasing part of a reserve to build a clubroom for their members
- a café operating from a building on a reserve
- an approved event (such as an A&P Show)
- a swimming pool complex located on a reserve.

Providing access for people with disabilities is an important consideration when designing new buildings and facilities or when upgrading existing facilities. We aim to provide a range of reserves and associated facilities to meet the needs of a broad spectrum of the community. It is however not always practicable to provide facilities at reserves that meet the specific needs of all potential users.

Objectives

- A To provide free access to reserves for casual use where appropriate.
- B To enable access to reserves it is appropriate and cost-effective to do so.

Policies

1. It shall generally be free of charge for the general public to access and use reserves on a casual basis unless:
 - a. there is some form of exclusive use that restricts public access to a reserve or part of a reserve (such as an approved event or an occupation agreement); or

- b. where specific types of uses incur additional development, operational or maintenance costs and a degree of cost-recovery through user fees and charges is appropriate.
- 2. Council may set and adopt fees and charges for particular types of reserve use and associated services. Such fees will be published in Council's adopted Fees and Charges Schedule.
- 3. Access to reserves may be enabled or improved where:
 - a. it consistent with the purposes for which the land is managed;
 - b. there is a demonstrated need;
 - c. significant benefits can be gained for the community; and
 - d. it is cost-effective.
- 4. Specific reserve management plans may identify and prioritise future improvements to access to a specific reserve or group of reserves.
- 5. Council may close reserves, or parts of reserves, to the public where there are unacceptable risks to reserve users, adjoining landowners, reserve assets, natural or cultural values.
- 6. Any new structures or buildings on reserves shall not unnecessarily restrict pedestrian access to reserves.
- 7. Providing access for people with disabilities shall be considered in the design of new buildings and facilities and in upgrades to existing facilities.

11.2 Amendments and updates

Section 41(4) of the Reserves Act requires the Council to keep the management plans for the reserves that it administers under continuous review. This is so that the plans can be adapted to changing circumstances or increased knowledge. As such, a reserve management plan is a “living document” that may need to be updated from time to time in response to issues or to ensure that objectives are being adequately met. It is considered good practice to comprehensively review management plans at least every ten years.

The Reserves Act requires that comprehensive reviews of management plans be treated in the same way as the compilation of a new plan and be subject to public consultation. Council does have a degree of discretion about consulting on amendments that are not comprehensive. Council's Significance and Engagement Policy provides guidelines on deciding the significance of a matter and determining the appropriate form of consultation.

From time to time matters arise that require amendments or updates to be made to the management plan.

Updates and corrections do not change the intent of the plan and tend to be administrative in nature such as the names of places, organisations or job titles changing. For the sake of efficiency, updates to the plan may be made without public consultation as they do not change the intent or meaning of the document.

Minor amendments are small changes to the document. They may be required from time to time due to changes in legislation or regulations affecting the plan.

Major amendments that include any substantive changes to the document that change its meaning or intent should be approved by Council and be subject to public consultation if the matter is significant.

For transparency, a record of updates and amendments will be maintained as an appendix to this document.

Objectives

- A To ensure the document remains current and is able to respond efficiently and effectively to changing circumstances.
- B To ensure legislative compliance.

Policies

Updates and corrections

1. The Asset Manager may approve updates or corrections that do not change the intent or meaning of the document.

Example: If the name of a government agency changes or the name of a reserve is changed following the Reserves Act process, the plan may be updated to reflect these changes as they do not affect the intent or meaning of the plan.

2. A record of any updates or corrections shall be maintained as an Appendix to the document.

Minor amendments

3. Minor amendments to the document must be approved by a Council Decision.

Example: If the Reserves Act were amended by Parliament and the amendment affects a policy in the management plan the plan may be amended to comply with the new legislation without going out for public consultation.

4. A record of amendments shall be maintained as an Appendix to the document.

Major amendments

5. Amendments that include any substantive changes to the document that change its meaning or intent must be approved by a Council Decision and be subject to public consultation.
6. If the amendment is significant, Council may need to consult the public about the amendment.
7. A record of amendments shall be maintained as an Appendix to the document.

11.3 Affected party approvals

As the administering body of a reserve, Council may, from time to time, be considered to be an affected party to a resource consent application on land adjoining or near to a reserve.

Some activities on reserves may require resource consent under the District Plan and/or building consent under the Building Act. If reserve users require resource consent or building consent for a proposed activity or building on a reserve, they require approval from Council, in its capacity as administering body for the reserve, before they are able to lodge their consent application.

Approvals for some activities on reserves are also required under Council's bylaws.

Whenever Council is an affected party to a consent application or is affected as the landowner or land manager, the likely effects of a proposed activity on the reserve must be carefully considered.

Objectives

- A To consider the potential effects of proposed activities on the development, use, and management of reserves.
- B To avoid, remedy or mitigate adverse effects of proposed activities on reserves.

Policies

1. Council may delegate the authority to approve affected party approvals, landowner approvals and the like to the Chief Executive who in turn may delegate authority to specific officers employed by Council.
2. The Asset Manager may develop and review administrative procedures for processing and assessing affected party approval requests.
3. The potential effects of any proposed activity affecting a reserve to which Council is an affected party shall be assessed in terms of:
 - a. the purpose of the reserve;
 - b. the relevant reserve management plan;
 - c. any other Council strategies or plans that are relevant to the reserve or the proposal;
 - d. whether (and to what degree) potential adverse effects can be avoided, remedied or mitigated.

11.4 Community consultation

Consulting the community about their values and aspirations has many benefits when developing plans and policies for reserves.

Consultation requirements and processes are often legislative requirements. The Reserves Act, for example, provides a statutory process for consulting the community when developing or reviewing reserve management plans. The Local Government Act also requires public consultation regarding the development and review of bylaws.

Consultation processes can potentially incur significant costs that are ultimately borne by our ratepayers. Where there is no statutory requirement for consultation the costs and benefits of consultation need to be considered carefully.

Council has adopted a Significance and Engagement Policy that provides guidelines on the types of issues that Council will consult the community on and provides guidance on appropriate tools for consultation. Sometimes it may be appropriate to consult on choices or options for a major issue, sometimes it may be appropriate to only consult on the effects of an activity, and at other times it may be sufficient simply to inform people of an activity or event.

The Parks and Open Spaces Strategy was adopted in 2021 following public consultation. The Parks and Open Spaces Strategy sets the vision for park provision for the next thirty years and includes development guidelines and levels of service for the various park categories.

It is not considered necessary or cost-effective to consult on issues that have recently been consulted on, unless there is a significant or compelling reason why consultation should be undertaken again.

As an administering body of a reserve Council is empowered by the Reserves Act to do various things in connection with the day to day management and administration of the reserve that do not require public consultation.

Reserves are often established for specific purposes and it is important that people buying or occupying land near reserves recognise the potential range of activities that might reasonably be expected to occur at the reserve without the need for them to be consulted.

Objectives

- A To comply with the relevant consultation requirements of the Reserves Act.
- B To consult with the community on significant issues affecting reserves.
- C To consider the benefits and costs of consultation
- D To avoid unnecessary and costly replication of consultation processes.

Policies

1. Reserve management plan policies will outline statutory public consultation requirements where applicable.

Note:

The Reserves Act 1977 prescribes a number of circumstances when public notice is required to be given and/or submissions are to be sought from the public. For example, Section 41(6) of the Act requires consultation on draft reserve management plans. Section 119 of the Act outlines the procedure to be followed in cases where the Act requires public notice to be given.

2. If there is no statutory requirement to consult on a matter, Council's Significance and Engagement Policy may be used as guideline to determine whether consultation is required and what form of consultation may be appropriate.
3. It is not considered necessary or cost-effective to consult on issues that have recently been consulted on, through a formal process, unless there is a significant or compelling reason why consultation should be undertaken again.

See also 10.2 Amendments and updates

11.5 Crime prevention

Reserves provide spaces sport, recreation and relaxation. Members of the public are more likely to visit, use and enjoy reserves if they feel safe. Poorly-designed spaces and facilities can provide opportunities for criminal and anti-social behaviour. Poorly maintained assets can also contribute towards a perceived lack of safety.

Objectives

- A New reserves and associated facilities designed to minimise criminal activity and anti-social behaviour.
- B Existing reserves and facilities are monitored and crime prevention improvements are made where practicable.
- C The community feels safe at our reserves.

Policies

1. Crime Prevention Through Environmental Design (CPTED) principles are to be considered when designing new reserves or facilities.
2. Where practicable, Crime Prevention Through Environmental Design (CPTED) principles are to be incorporated in reserve management plans and development plans.
3. Activity management planning shall address monitoring, maintenance and auditing regimes for reserve assets.
4. Maintenance and monitoring programmes are to ensure that park assets are maintained to appropriate standards and that damage (such as vandalism and graffiti) is repaired as soon as practicable.

11.6 Donated Assets and Memorials

Council often receives requests from individuals or groups wishing to donate assets. Donated items are often intended to serve as a memorial of some kind.

Memorial furniture and structures are a popular means of commemoration. A memorial that also has a practical purpose is an idea that appeals to many people. It is also relatively easy to attach a commemorative plaque to an item of furniture or a structure. It is important to ensure that the furniture and structures are installed in appropriate locations and that designs are appropriate to the purpose and character of the reserve. The maintenance and operating costs associated with the donated item also need to be considered.

Memorial or commemorative planting can gain heritage value and become part of the unique character of a reserve. It is therefore important to adequately record, manage and protect commemorative plantings. Ongoing maintenance costs and demands also need to be considered. It is important to ensure that any plantings are of suitable species and in appropriate locations.

From time to time requests are received about the scattering of ashes or the burial of placenta in reserves.

It is understandable that some people may wish to scatter the ashes of a deceased person at a reserve that had a particular association or meaning to the deceased or their family. It can however be upsetting to people using or working at the reserve if they inadvertently disturb someone's ashes. The inappropriate scattering of ashes can also adversely affect some plants.

The burial of placenta on reserves can cause park management issues. Families who have buried placenta may be concerned that the site might be disturbed by reserve activities or future development. It can also be upsetting to people using or working at the reserve if they inadvertently discover a placenta burial place.

Objectives

- A To ensure that the design and scale of any donated asset and/or memorial is appropriate for the reserve environment.
- B To ensure that donated assets and/or memorials do not detract from the purpose or character of the reserve.
- C To maintain appropriate records of donated assets and memorials located on our reserves.
- D To minimise the potential costs of maintaining donated assets and/or memorials on reserves.

Policies

11.6.1 Donated or memorial furniture

1. Council may develop and review corporate policies and procedures for donated assets and memorials that may apply to reserves.
2. Council may delegate decision-making to Council staff in the policy referred to in 7.2.2 (1) and may review such delegations from time to time.

Example: The Donation of Assets and Memorials Policy 2018 delegates the authority to Council staff to approve donated assets and memorials up to a value of \$5,000. Donated assets/memorials worth more than \$5000 must be approved by a Council Decision.

3. Individuals or groups wishing to donate park furniture (such as park benches or picnic tables) must submit a proposal to a Parks Officer for consideration.
4. The proposal should include:
 - a. A brief description of the type of structure to be donated;
 - b. The approximate value of the donation (if known);
 - c. The preferred location(s) for installation;
 - d. The reason for the donation;
 - e. Any supporting information that the applicant considers to be relevant.
5. The proposal will be assessed to determine whether the proposal meets reserve management plan requirements and Council's corporate policies about asset donations and memorials.
6. Proposals to donate park furniture will only be approved if:
 - a. there is a clearly demonstrated need for that type of furniture;
 - b. it meets the same criteria as for new park furniture of that type; and
 - c. it is appropriate to the purpose, character, use and location of the reserve.
7. The proposal may only proceed if approval has been granted in accordance with Council's corporate Donation of Assets and Memorials Policy.

Note: The Donation of Assets and Memorials Policy 2018 delegates the authority to Council staff to approve donated assets and memorials up to a value of \$5,000. Donated assets/memorials worth more than \$5000 must be approved by a Council Decision

8. A plaque or sign may be installed on or near the donated item. The wording and design of the plaque or sign must be approved by Council's Asset Manager or their delegated representative prior to installation.
9. Donated structures are to be identified as such in Council's asset register.
10. Any terms or conditions regarding a donated asset may be recorded in a written agreement in accordance with the requirements of the Donation of Assets and Memorials Policy.

11.6.2 Donated or memorial structures

1. Council may develop and review corporate policies and procedures for donated assets and memorials that may apply to reserves.
2. Council may delegate decision-making to Council staff in the policy referred to in 7.2.2 (1) and may review such delegations from time to time.

Example: The Donation of Assets and Memorials Policy 2018 delegates the authority to Council staff to approve donated assets and memorials up to a value of \$5,000. Donated assets/memorials worth more than \$5000 must be approved by a Council Decision.

3. Individuals or groups wishing to donate structures (such as picnic shelters or play equipment for example) must submit a proposal to a Parks Officer.
4. The proposal should include:
 - a. A brief description of the type of structure to be donated;
 - b. The approximate value of the donation (if known);
 - c. The preferred location(s) for installation;
 - d. The reason for the donation (especially in the case of memorials and commemorative items)
 - e. Any supporting information that the applicant considers to be relevant.
5. The proposal will be assessed against reserve management plan requirements and Council's corporate policies about asset donations and memorials.
6. Proposals to donate structures at Reserves will only be approved if:
 - a. there is a clearly demonstrated need for that type of structure;
 - b. the proposed structure is appropriate to the purpose, character, use and location of the reserve.
 - c. the requirements of Council's Donation of Assets and Memorials Policy are met.
7. The proposal may only proceed if approval has been granted in accordance with Council's corporate Donation of Assets and Memorials Policy.

Note: The Donation of Assets and Memorials Policy 2018 delegates the authority to Council staff to approve donated assets and memorials up to a

value of \$5,000. Donated assets/memorials worth more than \$5000 must be approved by a Council Decision. Structures are often likely to exceed the \$5000 threshold and require a Council Decision.

8. A plaque or sign may be installed on or near the donated structure. The wording and design of the plaque or sign must be approved by Council's Asset Manager or their delegated representative prior to installation.
9. Any terms or conditions regarding a donated asset may be recorded in a written agreement in accordance with the requirements of the Donation of Assets and Memorials Policy.
10. Donated structures are to be identified as such in Council's asset register.

11.6.3 Memorial trees and plantings

1. Individuals or groups wishing to donate trees or establish plantings must submit a proposal to a Parks Officer.
2. The proposal should include:
 - a. A brief description of the type, quantity and size of plants to be donated;
 - b. The approximate value of the donation (if known);
 - c. The preferred location(s) for the planting;
 - d. The reason for the donation;
 - e. Any supporting information that the applicant considers to be relevant.
3. The proposal will be assessed by a Parks Officer to determine whether the proposal meets reserve management plan requirements.
4. Proposals to donate trees or other plants will only be approved if:
 - a. there is a clearly demonstrated need for that type of plant; and
 - b. it is appropriate to the purpose, character, use and location of the reserve.
5. The proposal may only proceed if approval has been granted by Council's Asset Manager or their delegated representative.
6. A plaque or sign may be installed on or near the donated item. The wording and design of the plaque or sign must be approved by Council's Asset Manager or their delegated representative prior to installation.
7. Council will be under no obligation to replace the donated tree or plantings at the end of its life or if it has been vandalised beyond repair.
8. Commemorative trees are to be identified as such in Council's asset register.

11.6.4 Scattering of ashes

1. The scattering of human ashes on reserves shall generally be prohibited.
2. Specific reserve management plans may include objectives or policies regarding the scattering or other internment of human ashes at specific reserves. This may include providing special areas for the scattering of ashes.

11.6.5 Burial of placenta

1. The burial of placenta on reserves shall generally be prohibited.
2. Specific reserve management plans may include objectives or policies regarding the burial of placenta at specific reserves.

11.7 Fire

The Reserves Act requires that any fires lit on reserves must be in established fireplaces at picnic areas or campgrounds. Section 97 of the Reserves Act 1977 outlines penalties for lighting fires on reserves.

Fire Bans (where open fires are not allowed) or Restricted Fire Seasons (where a permit is required to light an open fire) are often in place during the summer months. It is the responsibility of reserve users to ensure that they are aware of and comply with all relevant legislation and bylaws in this regard.

The purpose of this section is not to create policies about the enforcement of fire restrictions nor is it simply to restate the statutory duties and powers of fire authorities. These matters are covered by specific legislation and bylaws.

This section will mainly deal with measures Council will take to minimise fire-related risks and fire damage to reserves.

Objectives

- A To provide suitable access for fire appliances and emergency services where practicable.
- B Fire risk and potential damage from fire at reserves is to be minimised.
- C Council will co-operate with emergency services and appropriate agencies in the prevention and control of fires on reserves.

Policies

1. Council shall take reasonable measures to ensure that reserves are kept free of hazards that may pose a fire risk to the reserve, reserve users or neighbours.
2. Council shall co-operate with Fire and Emergency New Zealand to provide for the prevention, detection, suppression and control of fire within a reserve.
3. In times of high fire danger, the Asset Manager may temporarily close a reserve or part of a reserve to prevent public access.
4. Where barbeque facilities are provided or replaced they shall generally be gas-operated rather than open-fire barbeques. Exceptions may be permitted by the Asset Manager if a gas barbeque would be out of character at the reserve and provided that fire-related risks can be appropriately minimised.

11.8 Graffiti

Graffiti generally causes reserves to appear untidy, unsafe, or poorly maintained. Graffiti is costly to remove and is therefore discouraged in reserves. It is important that graffiti is minimised and that incidences of graffiti are responded to as soon as practicable.

Objectives

- A To minimise graffiti and its impact on reserves.

Policies

1. Crime Prevention Through Environmental Design (CPTED) principles are to be considered when designing new reserves or facilities. [See: 10.4]
2. Graffiti-resistant materials and finishes are to be used on buildings, structures and furniture where practicable.
3. Graffiti is to be discouraged by supporting initiatives that prevent or reduce graffiti.

Examples:

Educational programmes, community group initiatives, decorative murals where appropriate etc.

4. Graffiti is to be removed as soon as practicable. Council may from time to time set performance targets around graffiti removal.

11.9 Hazardous substances

Hazardous substances such as herbicides and pesticides may, in some circumstances, need to be used at reserves. It is important to assess and manage the risks associated with hazardous substances and to minimise any potential adverse effects on reserve users and neighbours.

This section deals with hazardous substances in general. Please also refer to the Pest Control and Weeds sections of this plan.

Objectives

- A To ensure that hazardous substances are only used on reserves where it is necessary for the effective and efficient management of the reserve.
- B To ensure that, where the use of hazardous substances on reserves is considered necessary, potential risks to reserve users and neighbours are minimised.
- C To ensure that where herbicides, pesticides, and other hazardous substances are used on reserves, they are used in a safe, effective and efficient manner.

Policies

- 1. Hazardous substances shall only be used where alternative methods are not considered practicable, cost-effective or efficient.
- 2. Council may from time to time consider the effectiveness, practicality and cost-efficiency of alternative control methods to the use of hazardous substances.
- 3. Where hazardous substances are to be applied at reserves, such work shall be undertaken in accordance with legislative requirements, in particular the Hazardous Substances and New Organisms Act 1996 and Health and Safety at Work Act 2014.
- 4. Anyone applying hazardous substances shall be required to be suitably trained to undertake the work and shall be required to wear the appropriate personal protective equipment.
- 5. Herbicide application shall be undertaken in accordance with the Agrichemical User Code of Practice.

6. Where hazardous substances are used on a reserve, consideration shall be given to the time of application, weather conditions, and methods to ensure that any risk to reserve users and neighbours is minimised.
7. Appropriate temporary signage shall be installed where hazardous substances have been applied. Such signage shall also be promptly removed once no longer relevant.
8. The Asset Manager may develop and review guidelines, specifications, or administrative procedures regarding the application of hazardous substances at reserves.

11.10 Heritage (historic & cultural)

A number of reserves are located on heritage sites, contain historic features, or are regarded as being of cultural significance.

It is important to recognise and retain heritage features as they provide physical evidence of historic events and can add to visitor experiences. Retention and interpretation of heritage features should be encouraged.

The District Plan includes a list of heritage and wāhi tapu sites and regulates land use in the vicinity of such sites.

The Heritage New Zealand Pouhere Taonga Act 2014 promotes the identification, protection, preservation, and conservation of the historical and cultural heritage of New Zealand¹.

Heritage New Zealand² administers the Act and maintains the New Zealand Heritage List/Rārangi Kōrero. The purpose of the list is:

- to inform members of the public about historic places, historic areas, wāhi tūpuna, wāhi tapu, and wāhi tapu areas
- to notify the owners of historic places, historic areas, wāhi tūpuna, wāhi tapu, and wāhi tapu areas, as needed, for the purposes of this Act
- to be a source of information about historic places, historic areas, wāhi tūpuna, wāhi tapu, and wāhi tapu areas for the purposes of the Resource Management Act 1991.

The New Zealand Heritage List/Rārangi Kōrero identifies historic places as one of two categories. Category 1 includes places of special or outstanding historical or cultural heritage significance or value. Category 2 covers places of historical or cultural heritage significance or value. Several buildings on our parks are listed on the New Zealand Heritage List. Heritage NZ must be consulted when new activities are proposed for historic buildings.

The Heritage New Zealand Pouhere Taonga Act also provides for a list of places of outstanding national heritage value, to be known as 'National Historic Landmarks /Ngā Manawhenua o Aotearoa me ōna Kōrero Tūturu'. The purpose of the Landmarks list is to promote an appreciation of the places of greatest heritage value to the people of New Zealand.

Objectives

- A To ensure that sites of heritage significance are identified, recorded, and afforded an appropriate level of protection.

¹ The Heritage New Zealand Pouhere Taonga Act 2014 replaced the Historic Places Act 1993

² Formerly known as the Historic Places Trust

- B To maintain heritage features for the education and enjoyment of future generations.
- C To work with the community in site restoration and interpretation.

Policies

1. Council will maintain records identifying sites of heritage value at reserves.
2. Specific reserve management plans may include objectives and policies relating to heritage items on a reserve (or group of reserves).
3. Sites of heritage significance at reserves shall where practicable be protected and maintained.
4. Work on historic structures shall be done in accordance with the principles of the ICOMOS³ New Zealand Charter for the Conservation of Places of Cultural Heritage / Te Pumanawa o ICOMOS o Aotearoa Hei Tiaki I Nga Taonga Whenua Heke Iho o Nehe.
5. Heritage New Zealand is to be consulted prior to any major earthworks or infrastructure work on reserve areas that are likely to have heritage value.
6. Interpretation signage or materials may be provided to increase public awareness and appreciation of sites of heritage significance within reserves,

³ ICOMOS = International Council on Monuments and Sites

11.11 Naming of parks, reserves and facilities

The benefits of having a distinctive name for a reserve include:

- making it easier to identify the reserve;
- making it easier for visitors or emergency services to find the reserve;
- highlighting heritage features of the site;
- recognising contributions made by residents, families or organisations;
- identifying prominent ecological or geographic features;
- reinforcing the purpose or principal use of the reserve.

Historically reserves have acquired names through a variety of means including common usage, by resolution of the local authority or at the request of a donor.

Many of our reserves do not have official names (i.e. names that have been published in the *New Zealand Gazette*) but have at some point been given a practical name in order to distinguish them from other reserves. Often these names were related to the nearest street or river.

The availability of technology for trip planning and navigation has increased substantially over the past decade. Many people use free mapping software (such as Google Maps). As the cost of in-vehicle navigation systems (e.g. NavMan, TomTom, etc.) has decreased, use of these devices has become more common. These systems tend to rely on official data and therefore having official names for reserves can make them easier to find when using technological navigation aids.

Sections 16 (10) & (10A) of the Reserves Act 1977 prescribe the process for formally naming a reserve. There are subtle procedural differences between reserves vested in the local authority and those that are vested in the Crown. As Council controls and manages some reserves that are vested in the Crown it is important to first establish the status of the land to ensure the correct naming procedures are followed. Council has the authority to name (or change the name) of a reserve that is vested in Council. Authority to change the name of reserve that is vested in the Crown rests with the Minister for Conservation.

Objectives

- A Reserve names will reflect our natural, cultural and historical heritage.
- B Reserve names will be locally and regionally appropriate.

Policies

1. All reserves vested in, or administered by, Matamata-Piako District Council shall have an appropriate formal name.
2. The following factors shall be considered when naming a reserve:
 - a. the purpose and character of the reserve;
 - b. the history of the site including any historic names;
 - c. prominent natural or geographic features in the area;
 - d. the potential for duplication or confusion (especially confusion with other reserves in the district or within adjoining districts that have the same or similar names);
 - e. whether dual-naming may be appropriate;
 - f. the expressed wishes of donors;
 - g. the expressed wishes of Iwi;
 - h. public submissions.
3. The following process shall be followed to name, or the change the name of, a reserve vested in Council:
 - a. A Council Decision shall establish a proposed name or short list of names for the reserve.
 - b. The proposed name (or list of names) shall be publicly advertised.
 - c. The public shall be given twenty working days in which to make submissions on the proposed name(s).
 - d. Council shall give due consideration to the submissions received.
 - e. Council may seek comment from the New Zealand Geographic Board.
 - f. A Council Decision shall be made to select the preferred name.
 - g. Notice shall be placed in the *New Zealand Gazette* in accordance with Section 10 of the Reserves Act 1977.
 - h. Following publication in the *New Zealand Gazette* the relevant reserve management plan shall be updated to reflect the new name.

11.12 Natural heritage

Reserves can play an important role in the protection and enhancement of natural features, including native plants and animals.

The Reserves Act 1977 rates the protection of the natural environment (including native flora and fauna, biological associations and intrinsic worth) highly for a number of reserve types. The Act also regulates certain activities such as the destruction or removal of native vegetation at different reserve classes.

Council's park management categories include Nature Parks where nature conservation is the primary management objective. It is intended that a specific reserve management plan be developed for our Nature Parks. Parks that fall into other park management categories may of course also have conservation-related management objectives.

The District Plan also contains provisions for the protection of the natural environment. This includes the Kaitiaki Zone where development is strictly regulated. A number of reserves fall within the Kaitiaki Zone. The District Plan also includes various development and land use controls aimed at protecting and enhancing the natural environment.

Council has an opportunity to demonstrate good practice in ecological restoration and the protection and enhancement of the environment through the way it manages its reserves.

Some sites have over time been highly modified from their natural state, either through historic land use practices or natural events. It may not always be feasible or cost-effective to restore particular sites. Restoration efforts should be directed towards projects or programmes that aim to protect or restore high value areas, are practicable and have a good likelihood of success.

Objectives

- A To ensure that existing areas of significant natural value within our reserves are conserved.
- B To improve biodiversity values, ecological integrity and ecological connections in our reserves where practicable.
- C To restore degraded natural areas on reserves where it is practicable and in keeping with the purpose and character of the reserve.
- D To support or partner with other agencies and community groups on nature conservation and restoration projects that benefit our reserves.

Policies

1. Specific reserve management plans may include objectives and policies for protecting and/or enhancing natural features at a particular reserve (or group of reserves).
2. Native forests on reserves are to be conserved and managed in accordance with the requirements of the Reserves Act 1977.
3. Significant wetlands on reserves are to be conserved and managed in accordance with relevant legislation and the purpose and character of the reserve.
4. Council shall where practicable encourage or support projects and/or programmes at reserves that:
 - a. facilitate the natural regeneration of native plants or involve restorative planting of native plants along watercourses or within native forest environments; or
 - b. encourage native wildlife habitat; or
 - c. improve ecological linkages between natural areas.
5. Priority support is to be given to natural heritage improvement projects or programmes at reserves that have significant natural values or contain threatened native plant or animal species.
6. Conservation work undertaken by Council, the Department of Conservation, the Waikato Regional Council and the Fish and Game Council shall generally be allowed at reserves. The detail of such work shall be subject to the approval of the Asset Manager (or their delegated representative).

Note: See also: 11.14 Pest Control and 11.20 Weeds.

7. The sourcing of seeds and cuttings from Recreation or Local Purpose Reserves may be allowed for restoration purposes (i.e. eco-sourcing) subject to the approval of the Asset Manager (or their delegated representative) and may be subject to a permit or licence to undertake such activities.
8. The collection of exotic plant material for scientific research or educational purposes may be allowed subject to the approval of the Asset Manager (or their delegated representative).
9. The release of any domestic or non-native animals into reserves is prohibited.

11.13 Park categories

The concept of park management categories was introduced in 2013 and the categories we use were reviewed in 2021 as part of the Parks and Open Spaces Strategy.

While the Reserves Act 1977 provides a classification system for reserves, it is primarily concerned with levels of protection for land, flora and fauna and has little effect on the day-to-day planning and management of individual reserves. Not all parks are necessarily gazetted as reserves or classified in terms of the Reserves Act either. Park management categories were developed by the parks sector to try to address these issues.

Management categories provide a practical way of categorising parks and reserves based on their character, purpose and levels of service.

The management categories are intended to provide:

- development standards for each park category against which asset renewals or new capital projects can be objectively assessed.
- a framework for consistent service delivery appropriate to the different park categories.

The park categories are independent of the legal status of the land and can be applied to any land used as a park, regardless of whether it is a gazetted reserve or not, or what it may be classified as under the Reserves Act.

Two parks may both for example have the legal status of a Recreation Reserve under the Reserves Act. One of the parks may be a highly developed and popular site located in the centre of town while the other may be a largely undeveloped reserve in a remote location that is infrequently used. While both have the same legal status under the Reserves Act, Council may want to take a different approach to the development and management of the two parks. Park management categories allow for this.

Park management categories are determined based on the following factors:

- (a) Character (i.e. what the park looks like);
- (b) Purpose (i.e. what the park is used for); and
- (c) Desired levels of service (i.e. standard of development and maintenance).

It is recognised that most parks have multiple uses and values. No classification system will perfectly cover every park type. To determine the appropriate category for each park, the primary purpose of that park should be considered.

The Parks and Open Spaces Strategy provides the framework for collating reserve management plans according to park management categories. In the past, our reserve management plans were generally grouped together as 'Active' or 'Passive' reserves. Active Reserves were those where traditional sports were the primary purpose while Passive Reserves were those where sport was not the main focus. The new park management categories are more specific.

Objectives

- A To implement the park management categories as per the Parks and Open Spaces Strategy 2021-51.
- B To align our reserve management plans with the park management categories.
- C To provide for the categorisation of newly acquired reserves.
- D To provide for changes in the categorisation of existing reserves where appropriate.

Policies

1. Each reserve shall be assigned to an appropriate park management category.
2. The following factors shall be taken into account when determining the appropriate park management category for a reserve:
 - a. The character of the reserve;
 - b. The purpose of the reserve;
 - c. The desired levels of service for reserve;
 - d. The category descriptions in the Parks and Open Spaces Strategy 2.
3. Reserve management plans may be bundled together based on park management category.

Example:

All Nature Parks may be bundled together in a Nature Parks Reserve Management Plan; all sports parks in a Sports Parks Reserve Management Plan; etc.

4. Newly-vested reserves shall be assigned to an appropriate park management category by a Council Decision taking into account the criteria listed in Policy 2 above.
5. Once a park management category has been assigned to a newly-vested reserve a minor amendment shall be made to the relevant reserve management plan for that park category to include the newly vested reserve.

6. Council may review the park management category assigned to a particular reserve and may by resolution allocate it to a different management category.
7. If considering a proposed change in park management category, Council shall take into account:
 - a. The reasons for the proposed change;
 - b. The likely impact of the proposed change;
 - c. The significance of the proposed change;
 - d. Whether or not any consultation should be undertaken regarding the proposed change;
 - e. The scope and form of any consultation to be undertaken.
8. When re-allocating an existing reserve to a new park management category, Council shall apply the same criteria as specified in Policy 2 above.

11.14 Pest control

Pest control refers to the eradication or control of animal and invertebrate pests. It includes controlling invertebrates that damage plants, vermin such as mice and rats through to larger pests like possums and goats. For pest plants, refer to the Weeds section of this plan.

Pests typically cause damage to vegetation and can sometimes also pose a health hazard.

Objectives

- A To control or eradicate pests on reserves where practicable and cost-effective.
- B To cooperate with other agencies (such as regional council, Department of Conservation, Ministry for Primary Industries) regarding pest control on reserves.

Policies

1. Specific reserve management plans may contain objectives and policies regarding pest control, including but not limited to, specific pests to be targeted, priorities and methods of control.
2. Pest control undertaken by government agencies (such as regional council, Department of Conservation, Ministry for Primary Industries) or their contractors is permitted on reserves provided that approval has been granted by the Asset Manager (or their delegated representative).
3. Pest control by Council staff or contractors engaged by Council is permitted on reserves provided that approval has been granted by the Asset Manager (or their delegated representative).
4. When considering approval under Policy 2 or 3 above, the Asset Manager (or their delegated representative) shall take into consideration:
 - a. The requirements of the relevant reserve management plan;
 - b. The purpose of the reserve;
 - c. The likely effects of the proposal on the reserve;
 - d. The likely effects of the proposal on the use of the reserve; and
 - e. In the case of the use of vertebrate toxins, whether the relevant consents have been obtained (e.g. Medical Officer of Health consent).

5. The Asset Manager (or their delegated representative) may impose conditions on any approval given under Policies 2 or 3 above.

11.15 Smoke-free

Reserves provide for the physical welfare and enjoyment of the public. The negative health effects of smoking are well known. Many people do not consider smoking in public to be an acceptable practice. There is an increasing expectation among members of the public especially that playgrounds and parks should be smoke-free.

Objectives

- A Providing safe and healthy spaces for reserve users.

Policies

1. Council may develop a smoke-free policy or bylaw that also applies to reserves.
2. Specific reserve management plans may include smoke-free objectives or policies.

Explanation: At the time of writing, Council was considering developing a smoke-free policy or Bylaw and did not wish to duplicate this process as part of the RMP. This section provided for smoke-free issues to be addressed in specific management plans as an alternative to a policy or bylaw. Council adopted a Smokefree Outdoor Areas Policy which came into effect on 1 March 2020 and applies to parks and reserves as well.

11.16 Tree Management

Council recognises:

- the importance of tree planting in achieving a high quality landscape;
- the need to maintain and enhance the amenity, landscape, historical, cultural and botanical value of trees on reserves; and
- the need to avoid, mitigate or remedy adverse effects of trees on reserves.

Trees are a living resource and, as such, their care requires ongoing decisions regarding maintenance, replacement, renewal, or removal. Careful planning is also required to minimise the potential for future problems as the trees grow.

Council adopted its Tree Strategy in 2010 to guide the management of trees on Council managed land. The Tree Strategy contains policies to ensure consistency in methods of tree evaluation and decision-making on the management of trees on land controlled by Council.

Section 42 of the Reserves Act 1977 regulates the cutting or destruction of trees and bush on reserves. Trees on reserves may generally only be removed or destroyed if it is necessary:

- for the proper management or maintenance of the reserve; or
- in the interests of the safety of reserve users or adjoining properties; or
- to preserve other trees and bush; or
- to harvest trees specifically planted for revenue purposes.

A permit may also be required from the Department of Conservation in some cases.

In some circumstances, the District Plan may require resource consent to be obtained prior to tree removal and/or ancillary works.

If considering major tree work or tree removal it is important to be aware of both the status of the reserve under the Reserves Act and the status of the land and trees under the District Plan before any work starts.

See also the following sections:

7.4 *Development plans*

7.5 *Landscaping*

11.6 *Donated and memorial assets*

Objectives

- A To maximise the benefits of trees on reserves while avoiding, minimising or mitigating any adverse effects of trees on reserve users and neighbours.

- B To maintain and protect trees that are appropriate to the purpose and character of the reserve.
- C To ensure compliance with Council's legal obligations under the Reserves Act 1977 concerning trees on reserves.

Policies

1. A specific reserve management plan may contain objectives and policies regarding particular trees or groups of trees on a reserve (or group of reserves).
2. Council may develop and review strategies and/or policies regarding the management of trees on reserves.
3. Any strategy or policy developed by Council affecting trees on reserves shall be consistent with the provisions of the Reserves Act that apply to the trees.
4. Trees or reserves will only be removed if the removal is in accordance with the particular requirements of the Reserve Act that apply to that class of reserve.

11.17 Vandalism

Vandalism can create health and safety risks, increase maintenance costs and decrease the useful life of assets. It can also cause reserves to appear untidy, unsafe, or poorly maintained.

It is therefore important that vandalism is minimised and that incidences of vandalism are responded to in a timely manner..

Objectives

- A To minimise vandalism and its impact on reserves.

Policies

1. Crime Prevention Through Environmental Design (CPTED) principles are to be considered when designing new reserves or facilities. [See: 10.4]
2. Vandal-resistant materials and finishes are to be used on buildings, structures and furniture where practicable.
3. Vandalism is also to be discouraged by supporting initiatives that encourage good citizenship in our community and by encouraging people to report vandalism to Council.
4. Incidences of vandalism are to be responded to as soon as practicable especially vandalism that poses a health and safety risk. Council may from time to time set performance targets around the response to vandalism.

11.18 Volunteers

Volunteers can provide a source of free labour which can result in cost savings and can greatly assist in the achievement of projects or programmes.

There are however, duties, obligations and costs involved in utilising volunteers.

In some cases, volunteer community groups have become actively involved in the development or maintenance of reserves or particular assets on reserves. Where volunteers are involved in reserve development or maintenance on a long-term or ongoing basis, a written agreement can help clarify and record roles and responsibilities of the parties.

It is also important to ensure that Council meets its statutory obligations under the Health and Safety at Work Act 2015 towards volunteers and volunteer workers.

Objective

- A To facilitate successful partnerships between Council and volunteer community groups involved in the reserve development or maintenance.
- B To meet Council's obligations towards volunteer workers under the Health and Safety at Work Act 2015.

Policy

1. Council shall, where practicable, encourage or support volunteer projects or programmes at reserves where they align with the purpose and character of the reserve and the relevant reserve management plan.
2. Where volunteer community groups are actively involved in the on-going development or maintenance of a particular reserve or reserve asset, Council and the group are to record their respective duties and responsibilities in writing by way of a Memorandum of Understanding, Service Level Agreement or similar document.
3. Council may develop and review health and safety policies regarding volunteer workers at reserves.

11.19 Waste management

The provision of rubbish and recycling bins at reserves enable convenient waste disposal for reserve users.

The provision of bins can however also have negative effects including:

- The cost of providing, emptying and maintaining bins
- The visual effect of bins and potential overflows during events or peak times
- Attracting wasps, rodents and other pests
- Potential for contamination of recycling bins with non-recyclable materials.

The bulk of waste disposed of in reserves consists of food, drinks and related packaging. Many agencies are encouraging visitors to take their litter home with them for appropriate disposal. This is known as the 'carry in/carry out' approach. This approach helps reduce waste to landfill and reserve operating costs. It may however not always be practicable to expect visitors to 'carry in/carry out'. For example it may be reasonable to expect local residents at a neighbourhood park to take their drink bottles home with them rather than providing bins but it may not necessarily work at a sports park used for large events or at a highly visited tourist attraction.

Many dog walkers now carry bags to dispose of dog waste and rubbish bins at reserves are often used to dispose of these.

Objectives

- A Clean and tidy reserves that our community can be proud of.
- B. Encouraging the removal of waste from reserves by reserve users for appropriate recycling or disposal.
- C. Reducing litter and the cost of managing waste at reserves.

Policies

1. The 'carry in/carry out' approach to litter will be encouraged.
2. Park users and occupiers will be encouraged to reduce/recycling waste.
3. Council may develop and review guidelines on the provision of rubbish and recycling bins by park management category.

Example: It may be appropriate to provide rubbish and recycling bins at high profile, high use locations such as Sports Parks but not at remote or relatively undeveloped reserves. The provision guidelines may be included as an amendment to this plan, or be included in the Parks and Open Spaces Strategy, or form part of the asset management plan for example.

4. Council may develop and review guidelines on the provision of dog waste bag dispensers and disposal bins.
5. Reserve users are responsible for the lawful disposal of any waste or refuse that they generate or bring onto a reserve.
6. Where reserves are used for events including (but not limited to) practice sessions and tournaments, the user groups or event organisers shall be responsible for the collection and lawful disposal of any waste or refuse associated with the event.
7. Council may set Fees and Charges for the provision of additional waste disposal facilities such as additional rubbish bags or bins and recycling bins related to event bookings.
8. Council may recover the cost of the collection or disposal of litter left after events from the event organisers if they have failed to adequately dispose of waste relating to an event.

Example:

If a sports club neglects to leave a sportsfield in an acceptable condition after a practice or tournament, Council may charge that club for any costs associated with collecting and disposing of the litter.

9. Council may develop and review bylaws relating to litter and waste that also apply to reserves.
10. Council may exercise its powers under the Reserves Act to issue infringement notices and recover fines for various offences provided for in the Act including littering and related offences.

11.20 Weeds

This section concerns the eradication, control and management of weeds on reserves.

In the simplest sense, weeds are plants that are grow in the 'wrong' places. Weeds smother desirable vegetation and can sometimes also pose a health hazard.

A distinction is often made between 'common' weeds and 'noxious' weeds (also known as 'pest plants'). The latter tend to be particularly invasive, exotic species that are often difficult to control and are in some cases also toxic. The control of noxious weeds/pest plants is regulated by legislation such as the Biosecurity Act. The Regional Pest Management Strategy (RPMS) identifies which plants are considered to be pest plants within the region and imposes duties and responsibilities on landowners for the eradication, containment or management of particular pest plant species.

There are of course also 'common' weeds that are desirable to control from an aesthetic, utilitarian or ecological view without any statutory obligation to do so.

Objectives

- A To control or eradicate noxious weeds (pest plants) on reserves where practicable and cost-effective.
- B To cooperate with other agencies (such as regional council, Department of Conservation, Ministry for Primary Industries) regarding weed control at reserves.

Policies

1. Council may develop a strategy to deal with noxious weeds / pest plants on reserves.
2. Specific reserve management plans may contain objectives and policies regarding weed control, including but not limited to, specific pest plants to be targeted, priorities and methods of control.
3. Weed control undertaken by government agencies (such as regional council, Department of Conservation, Ministry for Primary Industries) or their contractors is permitted on reserves provided that approval has been granted by the Asset Manager (or their delegated representative).
4. Weed control by Council staff or contractors engaged by Council is permitted on reserves provided that approval has been granted by the Asset Manager (or their delegated representative).

5. When considering approval under Policy 3 or 4 above, the Asset Manager (or their delegated representative) shall take into consideration:
 - a. The requirements of the relevant reserve management plan;
 - b. The purpose of the reserve;
 - c. The likely effects of the proposal on the reserve;
 - d. The likely effects of the proposal on the use of the reserve; and
 - e. In the case of physical plant removal, whether any District Plan may requirements apply (e.g. resource consent may be required for some activities).
6. The Asset Manager (or their delegated representative) may impose conditions on any approval given under Policies 2 or 3 above.
7. Council shall, where practicable, encourage or support community-driven projects or programmes that aim to eradicate, control or manage weeds at reserves.

See also section 11.18 Volunteers and 11.12 Natural Heritage.

Part 7

Appendices

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Appendix 1. - Development Standards

Development Standards by Park Category as per the Parks & Open Spaces Strategy 2021-51:

Amenity Parks

Services and Facilities	Development Standard
Transport parking provision	Not generally required.
Toilets	Not generally required, but dependent on size and location.
Tracks and paths	Walking and mountain bike tracks provided as appropriate – otherwise generally not required. Higher use walking tracks sealed and graded appropriate to usage.
Furniture & structures	Not generally required except for in beautification areas in built up pedestrian zones – otherwise standard quality furniture, fencing and structures provided. Lighting not generally required.
Visitor information	Standard name and control signage not usually required, except where appropriate due to location or significance.
Tree planting	Opportunities to establish specimen trees will be maximised to provide shade, shelter and enhance amenity values.
Gardens	High quality gardens in beautification areas – otherwise gardens will not be provided.
Play equipment	Not required unless the Amenity Park can also function as a Neighbourhood Park.

Heritage Parks

Services and Facilities	Development Standard
Transport provision	Off-street car parking may be provided on the street frontage. Cemeteries - sealed roadway provided through the cemetery for public, burial and maintenance access.
Toilets	Heritage sites – not generally provided unless high use site – medium quality provided Cemeteries - medium quality toilets provided at main sites.
Trails	Walking tracks and access pathways provided as appropriate. Otherwise generally not required.
Furniture and structures	Not generally required except for high use areas. Cemeteries - standard quality seats and refuse bins. Water taps provided for public use, at convenient locations throughout the cemetery.
Visitor information	Entrance name sign and site/lot location map.
Tree planting	Each site will be reviewed to establish specimen trees to provide shade, shelter and enhance amenity values.
Gardens	High quality gardens in beautification areas – otherwise gardens will not be provided. Cemeteries - shrub gardens will be developed at the main sites that enhance amenity values and provide an attractive and peaceful environment.
Buildings	Maintenance buildings may be provided where appropriate. Historic buildings/structures conserved as appropriate. Any new buildings or structures to be sympathetic to the nature and purpose of the park.
Historic features	Historic sites identified and conserved as appropriate.

Linkage Parks

Services and Facilities	Development Standard
Transport parking provision	Not generally required.
Toilets	Not generally required, but dependent on size and location.
Tracks and paths	Walking and mountain bike tracks provided as appropriate – otherwise generally not required. Higher use walking tracks sealed and graded appropriate to usage.
Furniture & structures	Not generally required except for in beautification areas in built up pedestrian zones – otherwise standard quality furniture, fencing and structures provided. Lighting not generally required.
Visitor information	Standard name and control signage not usually required, except where appropriate due to location or significance.
Tree planting	Opportunities to establish specimen trees will be maximised to provide shade, shelter and enhance amenity values.
Revegetation	If additional revegetation is required, a native planting and weed control programme will be undertaken. This will aim to re-create ecosystems characteristic of the original ecology. Eco-sourcing of plant materials will be used where practicable.
Play equipment	Not required unless the Linkage Park can also function as a Neighbourhood Park.

Natural Parks

Services and Facilities	Development Standard
Transport provision	Off street car parking provided at high use sites only. Metalled surface or sealed at high use areas.
Toilets	Standard toilets to be provided at entranceway/car park area, or other gathering points throughout the park, where user stays of over 1 hour are envisaged or for high use sites.
Tracks and paths	Walking and mountain bike tracks provided as appropriate. Higher use walking tracks metalled and graded appropriate to usage. NZS HB 8630:2004 used to categorise tracks.
Furniture & structures	Limited furniture such as picnic tables provided at carparks/ picnic areas. Seats provided at key viewing or rest points. Where it is appropriate to provide litter bins, they shall be recycling bins. Shelters may be provided at high use sites.
Visitor information	Signage to be provided to identify the park and provide directional/control information. Additional signage and visitor info as appropriate: Interpretation signs provided at historic sites Map sign provided at entrance to larger sites with multiple tracks Directional signage at path junctions
Revegetation	If additional revegetation is required, a native planting and weed control programme will be undertaken. This will aim to re-create ecosystems characteristic of the original ecology. Eco-sourcing of plant materials will be used where practicable.

Sports and Recreation Parks

Services and Facilities	Development Standard
Transport provision	Developed off street car parking where possible, with hard paving. Size of carpark will be dependent on site usage.
Toilets	Standard quality toilets to be provided on site - either standalone or as part of clubrooms. May only be accessible during times of sports play.
Tracks and paths	Tracks and paths will not generally be required unless the park is providing a linkage route
Furniture & structures	Standard quality furniture, fencing and structures provided. Lighting may be provided around carpark/clubroom areas. Floodlighting of sports fields permitted.
Visitor information	Standard name and control signage
Tree planting	Opportunities to establish specimen trees as appropriate to the site and location will be maximised. Typically these will be on the boundary to create a sense of enclosure and shelter and to minimise impact on the area's use for sports fields
Gardens	Little or no garden development
Play equipment	Playground not generally provided unless the park also provides dual neighbourhood use function.
Drainage & irrigation	Field drainage and irrigation will be provided on the premier sports turf fields where conditions require this.

Outdoor Adventure Parks

Services and Facilities	Development Standard
Transport provision	Sealed entry road. Sealed carparks at high use sites. Metalled secondary roads and low use carparks.
Toilets	Standard toilets to be provided at entranceway/carpark area and at gathering points throughout the park as required
Tracks and paths	Metalled or natural walking paths dependent on category and level of use. MTB tracks to be graded to a standard dependent on intended usage. Apply NZS HB 8630:2004 category system. Apply recognised MTB grading system e.g. Kennett Brothers.
Furniture & structures	Seats provided at key viewing or rest points on walking tracks. Vehicle barriers along roads to control vehicle access as required. Shelters, picnic facilities.
Visitor information	High quality signage at entrance to identify the park. Interpretation & map signs provided at major entry areas. Control and safety signage provided as required. Directional signage at path entries/junctions.
Tree planting	Opportunities to establish specimen trees will be maximised to provide shade, shelter and enhance amenity values
Recreation facilities	Dependant on intended purpose and use, development of recreation facilities such as adventure playgrounds, rope challenge courses, climbing walls, etc
Amenity grass and landscaping	Mown amenity grass and landscaping may be provided at picnic areas and site entrances.
Re-vegetation	If additional re-vegetation is required a native planting and weed/pest control programme will be undertaken to protect and add to existing values.
Buildings	Generally buildings will not be provided.

Community Parks – Level 1

Services and Facilities	Development Standard
Transport provision	Developed off-street car parking where possible, with hard paving.
Toilets	High quality toilets to be provided on site.
Tracks and paths	Developed dual use (min 2.5 m width) pathways on main routes. Main routes to be hard paved or fine metal surface used appropriate to the nature of the park and level of use.
Furniture & structures	High quality furniture, fencing, lighting and structures provided. Seats, bins, tables, lights etc. to be of a consistent brand /style. Use of specifically themed or quality furniture & structures above that normally used in other parks to be used where possible. Unless park is closed at night, pedestrian standard lighting provided along main routes. May include statues and sculptures.
Visitor information	Comprehensive signage to be provided that includes as appropriate: Interpretation panels describing history and special values or features. May include: <ul style="list-style-type: none"> • Map of the park • Guided trail(s) • Information and control signage at all entrances • Directional signage at path junctions • Educational information and plant labels
Tree planting	Extensive general and specimen trees as appropriate to the site and location to create a sheltered and protected environment and to add interest and colour.
Gardens	High quality gardens will be developed that may include mixed shrubs, roses, perennials or annuals as appropriate.
Play equipment	Depending on the purpose and use of the park, development of high quality playground will be undertaken to standard above that normally provided at Neighbourhood Parks. Play equipment suitable for pre-school, junior and senior children's play may be provided.
Water features	Depending on the nature or topography of the park opportunities for the development of water features such as lakes, ponds, streams or fountains may be included.
Buildings	Facilities for sport and recreation, cafés, restaurants and visitor centres may be provided as well as maintenance buildings, as appropriate to the character and use of the park. If historic heritage buildings or are present they will be conserved and managed appropriately.

Community Parks – Level 2

Services and Facilities	Development Standard
Transport provision	Pedestrian and cycle access. On site car parking not generally required unless recreation/community buildings provided. Street side parking bays for larger sites.
Toilets	Not usually provided although may be considered on larger, well used sites.
Tracks and paths	Dual use paved pathways that provide linkages between roads and access to play equipment.
Furniture & structures	Provision of seating and litter bins. Standard quality furniture, fencing and structures provided. Lighting not generally provided other than along walkway routes.
Visitor information	Standard name and control signage.
Tree planting	Opportunities to establish specimen trees will be maximised to provide shade, shelter and enhance amenity values.
Gardens	Low maintenance shrub gardens will generally be developed to create an attractive landscaped environment.
Play equipment	Playground equipment provided to meet local community needs. To include a minimum of three items of play equipment aimed at junior children. Where the Community Park is large enough, or well used, it shall also contain play equipment suitable for senior children.
Vehicle barriers	Provision of vehicle barriers as required to create a visual boundary to the park and to prevent vehicle access.
Buildings	Facilities for sport and recreation, cafés, restaurants and visitor centres may be provided as well as maintenance buildings, as appropriate to the character and use of the park. If historic heritage buildings or are present they will be conserved and managed appropriately.

Appendix 2. - Amendments

Amendments to Draft

Date	Section of RMP	Brief description of amendment
In response to Hearing held on 15 May 2019	2.3.5	Insert 'Electricity Act 1992' and a brief outline of the Act's relevance to Reserves
	2.3.5.1	Insert 'Electricity (Hazards from Trees) Regulations 2003' and a brief explanation of its relevance to Reserves
	2.3.6	Insert 'Public Works Act 1981' and a brief outline of the Act's relevance to Reserves
	7.7.1 (9)	Insert 'The location of any existing underground utilities...to be considered...'
	7.10	Insert 'The location of any existing underground utilities...to be considered...'
	7.10 (6)	Added for clarification. Approval process not required if the sign is required by law or permitted by resource consent.
	9.3.1 (7)	Removed 'Easements shall not be granted in perpetuity...'

Subsequent Amendments

Date	Section of RMP	Brief description of amendment
December 2023	5.2	Updated the definition of certified self-contained within section 5.2 Defined Terms to ensure alignment with the definition of self-contained within the Freedom Camping Act 2011.

Appendix 3. - Updates

Updates to Draft following Hearing

Date	Section of RMP	Brief description of update
In response to Hearing held on 15 May 2019	Quality Information	Insert dates for submission period and Hearing
	1	Insert details of submission period, Hearing and operative date

	All	Remove 'Draft' from title and insert '2019'
	2.3.3.1	Updated to reflect recently enacted changes to the Local Government Act. Removed reference to 'Section 11A' and 'Core services' as this section has been repealed. Replaced with reference to the purpose of local government as inserted by the amendment to the Act.
	8.4.2 (4)	'Campervan' changed to 'motor caravan' to be consistent with previous sections.

Updates following the adoption of the Parks and Open Spaces Strategy 2021-51 which superceded the Open Spaces Strategy 2013 with effect from 1 July 2021.

Date	Part	Section	Brief description of update
5 November 2021	1	2.2	Changed 'Neighbourhood Parks' and 'Premier Parks' to 'Community Parks' and added 'Recreational and Ecological' to 'Linkage Parks' to reflect the category names in the Parks and Open Spaces Strategy 2021-51. Updated Figure 1 to reflect current category names as per Parks and Open Spaces Strategy 2021-51.
		2.3	Updated box in Figure 2 to say 'Parks and Open Spaces Strategy'
		2.3.7	Updated to reference the 'Parks and Open Spaces Strategy 2021-51' and explain that it replaced the Open Spaces Strategy 2013.
		5.2	Updated park management category examples to reflect the Parks and Open Spaces Strategy 2021-51
	2	7.1	Updated to reference the 'Parks and Open Spaces Strategy 2021-51'
		7.4	Deleted 'Premier Parks' example as this category is no longer in use. Updated to reference the 'Parks and Open Spaces Strategy 2021-51'.
		7.6	Example under Policy 3 updated to reflect current park management categories.
		7.7	Updated to reference the 'Parks and Open Spaces Strategy 2021-51'. Park category examples in the narrative changed to reflect current category names.

		7.7.1	Updated to reference the 'Parks and Open Spaces Strategy 2021-51'.
		7.7.6	Park category examples changed to reflect current category names.
Date	Part	Section	Brief description of update
5 November 2021	2	7.9	Updated narrative to refer to the 'Parks and Open Spaces strategy 2021-51' and 'twenty years' changed to 'thirty years' to reflect the revised strategy's timeframe.
		7.11	Updated to reference the 'Parks and Open Spaces Strategy 2021-51'.
		7.12	Removed references to the 'Track Strategy' and replaced with reference the 'Parks and Open Spaces Strategy 2021-51' which superceded it. Editorial updates to refer to the 'Parks and Open Spaces Strategy 2021-51' where appropriate. Added 'trails' to wording of Policy 4 to be consistent with terminology used in the 'Parks and Open Spaces Strategy 2021-51'.
	6	11.4	Updated narrative to refer to the 'Parks and Open Spaces strategy 2021-51'
		11.13	Updated narrative to refer to the 'Parks and Open Spaces strategy 2021-51'
		11.15	Explanatory note updated to include reference to the Smokefree Outdoor Areas Policy that came into effect on 1 March 2020
	Appendix 1		Development standards updated to reflect those in the Parks and Open Spaces Strategy 2021-51.
	Appendix 3		Updated change log

Subsequent Updates

Date	Section of RMP	Brief description of update
December 2023	8.4	Updated the introductory section under 8.4 Camping to include reference to now having a Freedom Camping Bylaw (effective 21 December 2023).
	Appendix 5	Updated delegations to Parks Officers to reflect current job titles.

Appendix 4. - Ministerial Delegation to Council

RESERVES ACT 1977

INSTRUMENT OF DELEGATION FOR TERRITORIAL AUTHORITIES

1. PURSUANT to section 10 of the Reserves Act 1977 I, NICK SMITH Minister of Conservation, DELEGATE to all territorial authorities (as defined in this Instrument of Delegation) such of my powers, functions and duties under the Reserves Act 1977 as are set out in the following Schedule subject to the Limitation of Powers in the Schedule and to the conditions in paragraph 2 of this Instrument.
2. The delegations in this Instrument apply only where the territorial authority is the administering body of the relevant reserve (i.e. affected by the decision to be made) by virtue of a vesting or an appointment to control and manage.
3. This Instrument replaces the previous Instrument of Delegation dated 10 March 2004, which is hereby revoked.

Definitions:

"Administering body" – means an administering body under the Reserves Act 1977.

"Territorial authority" – means a local authority and a unitary authority as defined in section 5 Local Government Act 2002.

"Vested reserve" – means a reserve vested in a territorial authority (not in the Crown).


SCHEDULE

SECTION	SUMMARY OF POWERS	O	LIMITATION OF POWERS
6(3)	Revoke a Gazette notice and issue a fresh notice or amend the original notice		Only applies to notices in the Gazette given by the territorial authority
14(4)	Gazette resolution to declare vested land to be reserve. <u>Note:</u> it is, therefore, no longer necessary to consult the Commissioner in terms of sec 14(3) of the Act.		



SECTION	SUMMARY OF POWERS	O	LIMITATION OF POWERS
24(5)	To form an opinion that the change in the classification of a historic reserve is justified.		
25(1)	Upon revocation of the reservation of any public reserve (or part of one) pursuant to section 24 Reserves Act, dispose of that land in such manner and for such purpose as the Minister specifies. [Note this is intended to allow Territorial Authorities to decide how and for what purpose the land may be disposed of].		The delegation only applies where the title to the reserve was not derived from the Crown, or is deemed not to be derived from the Crown in terms of s.25(4) or (5).
41(1)	To approve reserve management plans.		
42(1)	Give or decline to give express written consent to the cutting or destruction of trees and bush on any historic, scenic, nature, or scientific reserve. Determine terms and conditions subject to which written consent is given.		
44(1)	To consent to the use of a reserve for temporary or permanent personal accommodation.		
44(2)	To consent to any vehicle caravan, tent or removable structure remaining on a reserve during the period 1 November to 31 March.		
45	Give or decline to give prior approval to administering body to erect, or authorise any voluntary organisation or educational institution to erect shelters, huts, cabins, lodges etc., on any recreation or scenic reserve.		



SECTION	SUMMARY OF POWERS	O	LIMITATION OF POWERS
48(1)	Consent or refuse consent to administering body granting rights of way and other easements over any part of a vested reserve for any of the purposes specified in section 48(1). Impose such conditions as it thinks fit in giving the consent.		
48A(1)	Consent or refuse consent to administering body granting a licence over a vested reserve to any person or department of State - (a) To erect, maintain and use buildings, dwellings, masts and other structures, and plant and machinery; and (b) To construct, maintain, and use tracks and engage in other works - for any of the purposes specified in section 48A(1).		
48A(3)	Approve terms and conditions determined by the administering body.		
49	Grant or decline to grant in writing any qualified person a right to take specified specimens of flora or fauna or rock mineral or soil from a reserve for scientific or educational purposes. Form opinion as to whether qualified person has the necessary credentials. Impose conditions on the grant in writing.		With regard to fauna, the delegation is for exotic fauna which are not protected under the Wildlife Act 1953.
50(1)	Authorise or decline to authorise any person to take and kill any specified kind of fauna that may be found in any scenic, historic, nature or scientific reserve. Authorise or decline to authorise the use of firearms, traps, nets or other like objects within reserve for the foregoing purposes.		The delegation is for non-protected exotic fauna only. 

SECTION	SUMMARY OF POWERS	O	LIMITATION OF POWERS
51(1)	<p>Authorise or decline to authorise in writing an administering body to introduce indigenous flora or fauna or exotic flora into any scenic reserve for any of the purposes referred to in section 51(1).</p> <p>Impose conditions on the giving of the authorisation.</p>		
52(1)	<p>Declare by Gazette notice that any 2 or more reserves, or parts of 2 or more reserves, or parts of one or more reserves and the whole of one or more other reserves, are to be united to form one reserve.</p>		<p>All affected reserves or parts of reserves must have the same administering body and must all either be vested in that body or all held under an appointment to control and manage.</p>
53 (1)(d)	<p>To consent to an increase in the number days the public shall not be entitled to have admission to a reserve.</p>		
53 (1)(e)	<p>To approve the fixing of charges generally or with respect to any specified occasion or event.</p>		
54(1)	<p>Give or decline to give prior consent to administering body, in the case of a recreation reserve vested in it, to grant leases for any of the purposes specified in paragraphs (a), (b), (c) and to grant a lease or licence for any of the purposes specified in paragraph (d) and to exercise all powers of the Minister referred to in the First Schedule that pertain to leases under s.54(1)(a), (b), (c) and (d).</p>		



SECTION	SUMMARY OF POWERS	O	LIMITATION OF POWERS
	Give or decline prior consent to administering body permitting, in a lease, the erection of buildings and structures for sports, games or public recreation not directly associated with outdoor recreation.		
	Consent or decline consent to variations or amendments to leases and consent to the carrying out of any other necessary actions arising out of the leases consistent with the First Schedule, Reserves Act.		
55(2)(a) (d), (e) (f) and (g)	<p>In the case of a scenic reserve to give or decline to give consent to :-</p> <ul style="list-style-type: none"> the enclosure and grassing or grazing of open parts of the reserve; the setting apart of areas for other purposes; the erection of buildings and other structures and amenities; such things considered necessary for the public to obtain the benefit of the reserve; the setting apart of sites for residences and other buildings and structures necessary for the management of the reserve. 		Must be satisfied that the facilities, amenities, buildings or structures are necessary and cannot readily be provided outside or in close proximity to the reserve.

SECTION	SUMMARY OF POWERS	O	LIMITATION OF POWERS
56(1)	<p>Give or decline prior consent to administering body, in the case of a scenic reserve vested in it, to grant leases or licences for the purposes set out in s.56(1) and to exercise all powers of the Minister referred to in the First Schedule that pertain to leases under s.56(1)(a) and (b).</p> <p>Consent or decline consent to variations or amendments to leases and licences, and consent to the carrying out of any other necessary actions arising out of the leases and licences consistent with the First Schedule, Reserves Act.</p>		
56(2)	Give public notice in accordance with section 119 of the Reserves Act and give full consideration in accordance with section 120 to all objections and submissions.		
58(b)	Set apart and use part of a reserve as a site for residences and other buildings.		
58A(1)	<p>Give or decline prior consent to administering body, in the case of an historic reserve vested in it, to grant leases or licences for any of the purposes specified in that subsection.</p> <p>Consent or decline consent to variations or amendments to leases and licences and consent to the carrying out of any other necessary actions arising out of the leases and licences, consistent with the First Schedule, Reserves Act.</p>		



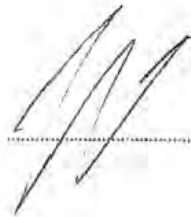
SECTION	SUMMARY OF POWERS	O	LIMITATION OF POWERS
59A(1)	In accordance with Part IIIB Conservation Act 1987, grant or refuse a concession in respect of any reserve controlled or managed by an administering body under s.28 Reserves Act so that the administering body may apply Part IIIB as if references in that Part to a conservation area were references to such a reserve and references to the Minister of Conservation and to the Director-General of Conservation are references to an administering body.		
67(1)(b)	Consent or decline consent to lease of recreation reserve set apart for race course purposes, to a racing club.		
72(1)	To enter into and agree the terms of a lease or other agreement for the farming of a recreation or local purpose reserve.		Note sec 72(3) applies.
73(1)	Consent or decline prior consent to an administering body granting a lease of recreation reserve in the circumstances specified in s.73(1), where the reserve is vested in the administering body, and consent or decline prior consent to an administering body granting a lease in the circumstances specified in section 73(1) in all other cases. Exercise all powers of the Minister referred to in the First Schedule that pertain to leases under s.73(1).		



SECTION	SUMMARY OF POWERS	O	LIMITATION OF POWERS
73(2)	Consent or decline prior consent to an administering body granting a lease of recreation reserve for afforestation where the reserve is vested in the administering body, and consent or decline prior consent to an administering body granting a lease of recreation reserve for afforestation purposes in all other cases.		
	Exercise all powers of the Minister referred to in the First Schedule that pertain to leases under s.73(2).		
73(3)	Form opinion as to whether recreation reserve is not likely to be used for purposes of a recreation reserve.		Note: The provisions of Part IIIB Conservation Act apply (s.73(3A)(b))
	Consent or decline consent to administering body granting leases of whole or part of reserve vested in administering body.		Note: s.73(3A) (a) applies.
	Grant or decline to grant leases of whole or part of a reserve held under an appointment to control and manage.		
	Exercise all powers of the Minister referred to in the First Schedule that pertain to leases under s.73(3).		
73(5)	Consent or decline consent in writing to a member of an administering body becoming the lessee of any land under the control of that body.		
73(6)	Consent or decline consent to surrender of lease.		Only exercisable where the original approval for the lease was given by the territorial authority under this delegation.
74(1)(b)(ii) (proviso)	Consent or decline consent to granting of a licence to occupy a historic, scenic or scientific reserve.		

SECTION	SUMMARY OF POWERS	O	LIMITATION OF POWERS
75(1) and (2)	Consent or decline to consent to the afforestation of a recreation or local purpose reserve.		
121	Where under the provisions of the Reserves Act consent or approval is required, give consent or approval subject to such conditions as are thought fit.		Only exercisable in respect of matters delegated under this Instrument of Delegation.

SIGNED at Wellington this)
 (27th day of Jul . 2013)
 by NICK SMITH)
 Minister of Conservation)



Appendix 5. - Staff Delegations

The following table summarises delegations made by the Chief Executive to various Council staff roles for the purpose of this management plan.

Defined role (Section 5.3 of Plan)	MPDC Position Title(s) delegated to the defined role	Section(s) of RMP that delegation applies to
Asset Manager	Asset Manager Strategy & Policy	All sections
Parks Officer	Parks Operations Manager Parks and Facilities Planning Team Leader Parks Advisor	All sections
Parks Officer	Customer Services Manager Events Coordinator	8.5 Circuses etc. 8.8 Events 8.9 Fireworks
Parks Officer	Property Services Officer	10.2 Fencing