



Horowhenua 
DISTRICT COUNCIL

Parks and Reserves General Policy

April 2016

PREFACE

The purpose of the Parks and Reserves General Policy Document is to provide clear and consistent direction and guidance for how Council's parks and reserves across the District should be used, managed and developed in the future. The General Policy Document provides a generic policy framework for reserve management issues that are common to reserves throughout the District, while recognising that the preparation of individual or combined site specific Reserve Management Plans can address the individual character of these reserves and where necessary provide a site specific response to reserve management issues.

The Parks and Reserves General Policy Document has been prepared in accordance with the requirements of the Reserves Act 1977 and involved a review of the former Parks and Reserves General Policy Document (February 2000) and the preparation of the new Parks and Reserves General Policy Document.

Informal consultation was also undertaken with neighbours, reserve users and interested parties prior to the formal consultation commencing. The informal consultation was used to inform the preparation of the Draft Parks and Reserves General Policy Document. Following the public notification of the Draft Parks and Reserves General Policy Document on 9 April 2014, the public were formally invited to send written submissions to the Council stating their support, objection and/or suggestions for the Draft Parks and Reserves General Policy Document or specific parts of it. The closing date for submissions was 9 June 2014 and Council received four (4) submissions on the Parks and Reserves General Policy Document. Submissions were analysed and where appropriate they have been incorporated into this Plan.

<p>This Parks and Reserves General Policy Document is to be read in conjunction with the individual and combined site specific Reserve Management Plans. Not all policies outlined in this General Policy Document will be relevant to each individual reserve. This document has been prepared in accordance with the Reserves Act 1977.</p>

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1. Introduction & Background

1.1 WHAT IS A RESERVE MANAGEMENT PLAN?

A Reserve Management Plan is a document prepared under the Reserves Act 1977. It contains objectives, policies and actions relating to the use, management and future development of a reserve.

Council's Reserve Management Plans act as a guide for Council Officers in making both day to day decisions as well as the long term decisions about how reserves and open spaces under Council's control are to be used, managed or developed.

1.2 LEGISLATIVE REQUIREMENT

As an administering body Horowhenua District Council has the responsibility of preparing policies for the management of the reserves it controls. All reserves that have been gazetted and classified as reserves under the Reserves Act, require a Reserve Management Plan to be prepared for their management and development (section 41(1)). Once a Reserve Management Plan is adopted, the Reserves Act (section 41(4)) requires that the Plan needs to be subject to continuous review to address new issues and opportunities as they arise for each reserve.

1.3 WHAT IS THE PARKS AND RESERVES GENERAL POLICY DOCUMENT?

The Horowhenua District Council has over 60 reserves and areas of open space that it owns or manages within the district. The majority of these reserves and open spaces are gazetted as reserve and classified under the Reserves Act. There are also a number of areas of open space, recognised and managed by Council as reserve land, which currently do not hold formal reserve status under the Reserves Act.

The Reserves Act envisages that a Reserve Management Plan will be prepared for each reserve within the District. With Council having responsibility for over 60 reserves there is the potential for a significant level of duplication of information as a result of the majority of reserves sharing common management issues.

The purpose of the General Policy Document is to provide objectives and policies that address the issues common to most reserves and open spaces throughout the Horowhenua District, including those not vested or classified as reserves under the Reserves Act. This will ensure consistency in the management of reserves across the District and also reduce unnecessary repetition in the individual reserve management plans.

The Parks and Reserves General Policy Document has been prepared in accordance with the Reserves Act 1977 and is intended to be read in conjunction (or as an extension) of the individual or combined site specific Reserve Management Plans.

1.4 WHAT RESERVES DOES THE PARKS AND RESERVES GENERAL POLICY DOCUMENT COVER?

The reserves to be covered by this General Policy Document are all those Council owned or administered reserves that have an approved Reserve Management Plan. Providing guidance for all these reserves regardless of their reserve type can help ensure consistency in reserve planning across the District.

The General Policy Document is not designed or intended to apply to other reserves that do not have the primary purpose of providing for recreation or open space for public enjoyment, such as road reserve or reserves used to provide service functions (e.g. drainage strips).

1.5 STRUCTURE OF THE PARKS AND RESERVES GENERAL POLICY DOCUMENT

This General Policy Document addresses issues that apply across multiple reserves. The Document addresses each reserve management topic or issue individually, providing a description of the issues and opportunities associated with the reserve topic. Objectives, policies and (where relevant) actions are identified for the reserve management topic followed by an overall explanation.

1.6 RELATIONSHIP OF PARKS AND RESERVES GENERAL POLICY DOCUMENT TO INDIVIDUAL OR COMBINED RESERVE MANAGEMENT PLANS

The Council has prepared individual and combined Reserve Management Plans for the reserves it manages or administers throughout the District. The site specific Reserve Management Plans address the relevant management issues for each reserve.

The General Policy Document is generic by nature and addresses management issues common to reserves across the District. In some situations it is appropriate for a site specific Reserve Management Plan to provide a targeted response for an issue which might also be addressed in this General Policy Document. The management provisions in a site specific Reserve Management Plan take precedence over the General Policy Document provisions where they relate to the same issue and will need to be compiled with.

1.7 RESERVE MANAGEMENT PLAN REVIEW PROCESS

The process for preparing a Reserve Management Plan begins with Council publicly advertising its intention to prepare a Reserve Management Plan for an identified reserve or group of reserves. This triggers the beginning of an informal consultation process where the public are invited to provide comments and suggestions for how the Council's parks and reserves should be managed now and in the future.

Although the Reserves Act sets out a prescribed process there is some flexibility around how the Council engages with the community during this stage of the process. Under section 41(5A) Council does have the ability to resolve that written suggestions on the proposed plan would not materially assist the preparation of the Plan and bypass this part of the process. Council will typically hold a series of public meetings or open days to enable members of the community to discuss ideas with Council Officers. Written suggestions and discussions during this phase inform the drafting of the Reserve Management Plan.

Following the preparation and public notification of the draft Reserve Management Plan, the formal consultation phase commences. Public submissions are received and summarised by Council Officers. Following the close of the submissions period, a Council hearing is held to consider the submissions and submitters can have the opportunity to speak to their submission. A final Reserve Management Plan incorporating decisions from the hearing is prepared and the finalised Reserve Management Plan is adopted. The finalised the Reserve Management Plan is submitted to the Minister of Conservation for approval. This concludes the Reserve Management Plan Review process.

2. Statutory Context

2.1 NATIONAL STATUTORY CONTEXT

The Reserves Act 1977, the Local Government Act 2002, Conservation Act 1987 and the Resource Management Act 1991 set out the core regulatory functions of local authorities in managing reserve land. Reserve Management Plans require the consideration of these statutory documents.

Reserves Act 1977

The Reserves Act 1977 is the key piece of legislation for administering public reserves. The Reserves Act sets out how reserves are to be managed by administering bodies in accordance with the general purpose of the Reserves Act as set out in Section 3 of the Act, summarised as follows:

- providing for the preservation and management of areas for the benefit and enjoyment of the public
- ensuring, as far as possible, the survival of all indigenous species of flora and fauna
- ensuring, as far as possible, the preservation of access for the public
- providing for the preservation of representative samples of all classes of natural ecosystems and landscape
- promoting the protection of the natural character of the coastal environment and the margins of lakes and rivers.

Resource Management Act 1991

The Resource Management Act 1991 (RMA) is the key piece of legislation for managing environmental resources in New Zealand. The purpose of the RMA is to promote the sustainable management of natural and physical resources. Council as an administering body and owner of reserve land is required to comply with provisions in the RMA and documents prepared under the RMA such as Regional and District Plans.

Local Government Act 2002

The Local Government Act 2002 enables and directs general administrative processes for local authorities in managing reserves and engaging the community.

Conservation Act 1987

The Conservation Act 1987 was developed to promote the conservation of natural and historic resources in New Zealand. The Conservation Act has a number of functions including the management of land for conservation purposes and fostering recreation activities on conservation land, providing the use is consistent with the conservation of the resource. This is relevant to the management of reserves as the administering body of this piece of legislation, the Department of Conservation, is involved in the management and maintenance of reserves classified under the Reserves Act 1977.

Treaty of Waitangi

The Reserves Act 1977 is required to be interpreted and administered so as to give effect to the principles of the Treaty of Waitangi. Reserve Management Plans in the Horowhenua District context will therefore, take into account the following principles:

- Tino Rangatiratanga
- Active Participation
- Partnership (Mutually Beneficial Relationship)
- Active Protection
- Iwi & Hapu Development

Reserve Management Plans seek to recognise and provide for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.

2.2 REGIONAL STATUTORY CONTEXT

One Plan

Horizons Regional Council's One Plan is a document that contains the Regional Policy Statement and Regional Plan for the Manawatu-Wanganui Region. As a district council, Horowhenua District Council is required to comply with the requirements of the One Plan in managing their reserves and protecting regionally significant natural features.

Regional Pest Plant Management Strategy and Regional Pest Animal Management Strategy

The purpose of these strategies is to address and remedy the degradation to environmental values caused by invasive plant and animal pests. Under these strategies Council is required to carry out plant and animal pest management pursuant to any Strategy rule on reserve land. These strategies identify pest species and outline the objectives, aims, means of delivery, monitoring and outcomes for each species as well as rules for implementing the strategic direction.

2.3 LOCAL STATUTORY CONTEXT

Horowhenua District Plan

Prepared as a requirement of the Resource Management Act 1991. Under the Horowhenua District Plan (2015) Council's parks and reserves are zoned Open Space. Issues, objectives and policies have been developed for the Open Space Zone that provide a framework for managing the types of activities and structures that are typical to parks and reserves in the District. The District Plan also contains rules for each zone which include the bulk and location requirements for future development.

Designations

A number of reserves in the District have also been designated in the District Plan. The effect of the designation is that it overrides the underlying zone's rules within the District Plan for that site where the activity or development is consistent with the designation purpose and any specified conditions.

Horowhenua Long Term Plan

The Long Term Plan is prepared as a requirement of the Local Government Act 2002. The Long Term Plan is a comprehensive document containing Council's financial policies, the activities and projects that Council intends on undertaking, the levels of service Council plans to provide, the prioritised capital projects, financial details and rating impact on the District for the next ten years.

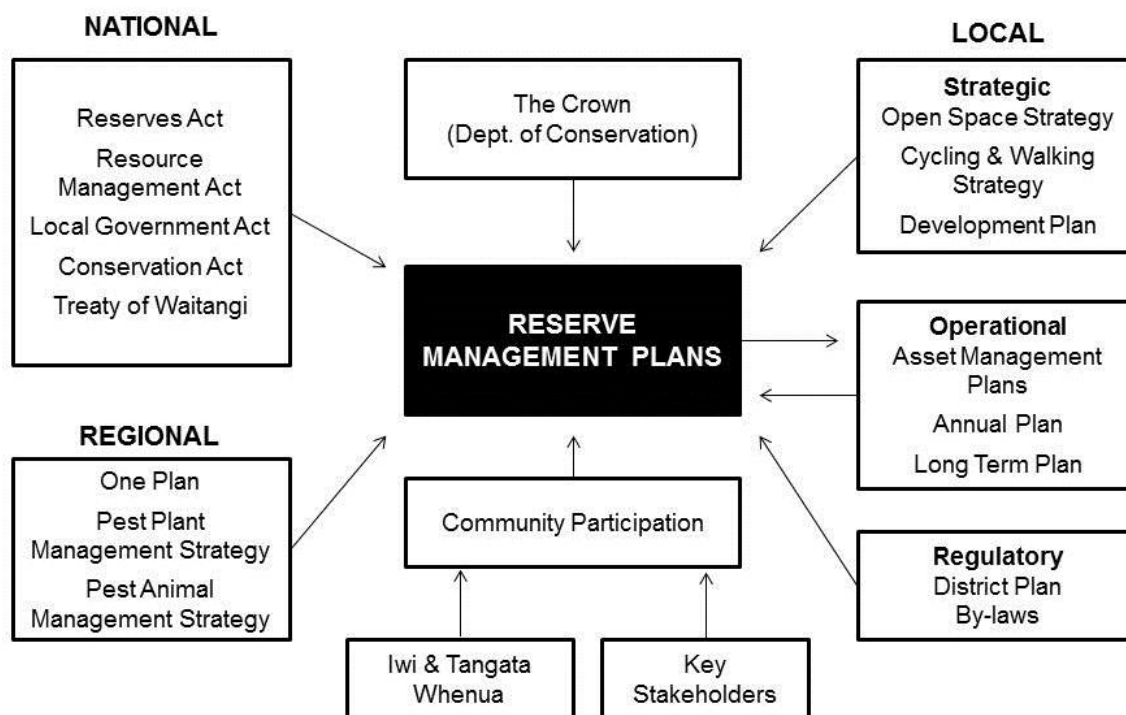
Horowhenua Open Space Strategy

This Strategy provides a strategic vision for open space within the Horowhenua District. It takes a long-term view of the future of open space in the District and proposes a large number of specific actions within a strategic framework. The implementation of this Strategy will be through a range of other Council plans including Reserve Management Plans, Asset Management Plans and the District Plan.

2.4 STATUTORY CONTEXT DIAGRAM

The following diagram details the statutory context set out above for Reserve Management Plans. The diagram also identifies the linkages and relationships that need to be considered and taken into account when reviewing or preparing Reserve Management Plans.

It is important to note that the examples listed in the diagram are not intended to be an exhaustive list, for instance other legislation at the National level can also be relevant (e.g. Heritage New Zealand Pouhere Taonga Act 2014). Also highlighted by this diagram are the different roles and functions that Horowhenua District Council (HDC) have in relation to the management of parks, reserves and open space.



3. Reserve Context

3.1 RESERVE CLASSIFICATIONS

The Reserves Act 1977 applies to all public land that has been vested or gazetted under the Act. If a reserve is vested under the Reserves Act 1977 it must be classified based on its primary purpose and each reserve be managed in accordance with this purpose.

Section 16 of the Reserves Act 1977 identifies that it is mandatory for reserves to be classified and gazetted based on their primary purpose. The Reserves Act 1977 provides for the following seven different reserve classifications, as defined in sections 17 to 23:

- Recreation Reserve
- Historic Reserve
- Scenic Reserve
- Nature Reserve
- Scientific Reserve
- Government Purpose Reserve
- Local Purpose Reserve.

Reserves may be vested under the Reserves Act with more than one classification, particularly if the values requiring protection vary from one part of the reserve to another. To achieve a dual classification the land area needs to have been surveyed to define the boundary and provide separate land parcels between the lands requiring different classifications.

4. Reserve Management

4.1 IWI AND TANGATA WHENUA

Issues/Opportunities

Many of our local reserves have a level of cultural importance to local Iwi and Tangata Whenua. The cultural values and importance of these reserves can relate to both the features and natural resources within the reserve and the historical activities that occurred at these sites.

Council must consult with and have regard to the views of Iwi or hapu before undertaking action and making decisions about reserves for which it is the administering body.

It is important that this Reserve Management Plan makes allowance for Iwi and Tangata Whenua to exercise their responsibilities provided for in the Treaty of Waitangi in a way that is consistent with the Treaty principles.

In this context the expectation is that Council and Iwi/Tangata Whenua will actively participate, work together as a partnership and act in good faith.

In the Horowhenua context there are four Iwi with rohe within the Horowhenua District. These are

- Muaupoko
- Ngati Apa
- Ngati Raukawa
- Rangitane

Council currently has in place Memorandum of Partnerships with:

- Muaupoko Tribal Authority
- Rangitane O Manawatu
- Ngati Tukorehe
- Te Kotahitanga o Te Iwi o Ngati Wehi Wehi

In addition to the above, Council is currently developing a formal relationship with Ngati Whakatere.

Each of these Iwi has their own identity, values and associations within Horowhenua. Each Iwi have associated marae and hapu that can have their own specific values and associations.

The challenges surrounding consultation include;

- understanding when to consult, who to consult and how to best consult
- appreciating the cultural differences to consultation
- exchanging information in a timely manner
- ensuring that the information exchanged is accurate
- recognising the costs of consultation and the capacity of Iwi and Tangata Whenua to respond to consultation requests.

Effective engagement with Iwi/Tangata Whenua will ensure that barriers to their participation in reserve management processes are minimised.

Objectives

- 4.1.1 That consultation with Iwi/Tangata Whenua occurs in a timely manner to enable relevant cultural values and interests to be identified and considered in the decision making process of reserve management.
- 4.1.2 That cultural values are maintained and protected as a result of consultation and the active participation of Iwi/Tangata Whenua in the reserve management process

Policies

- 4.1.3 Encourage on-going engagement and consultation between the Council and Iwi/Tangata Whenua over reserve management issues of concern.
- 4.1.4 Ensure that Council has regard to the relevant cultural interests and values of Iwi/Tangata Whenua in the reserve management decision making process where these are identified to Council.
- 4.1.5 Ensure that Council actively recognise and give effect to the principles of the Treaty of Waitangi.

Actions

- In consultation with Iwi/Tangata Whenua establish a register of reserves that have specific cultural interests and values so that these values and interests can be included in the relevant Reserve Management Plans as they are reviewed and updated.
- In developing or reviewing Council's Memorandum of Partnerships with Iwi consider whether specific consultation processes for reserve management consultation should be included.

Explanation

Council has been active in formalising partnerships with Iwi and currently has Memorandum of Partnerships with several local Iwi Authorities and marae. These Memorandum of Partnerships include expectations around consultation. While future consultation will often be undertaken with the Iwi Authorities there will be occasions where consultation is undertaken with Tangata Whenua. Consultation processes will be determined on a case by case basis.

Discretion is provided to Council as an administering body under the Reserves Act to be able to act without undertaking the consultation where it is satisfied that it has sufficient information and that a better decision would not be reached through consultation. There may be occasions where Council determines it is appropriate to act without undertaking consultation.

Council will consult on reserve management matters in accordance with its statutory requirements, in particular the Reserves Act 1977 and Conservation Act 1987.

4.2 CONSULTATION

Issues/Opportunities

The legislative requirements for consultation regarding Reserve Management Plans are primarily driven by the Reserves Act 1977. Although other legislation such as the Resource Management Act, Local Government Act and Conservation Act together with obligations of the Treaty of Waitangi also influence the consultation undertaken.

The formal consultation process involves public notification and two stages where submissions can be made. The first stage being before a Reserve Management Plan is drafted and the second stage being once a draft Reserve Management Plan has been prepared. This process has in the past proved to be confusing for submitters as they often do not realise that they have a second opportunity to make a submission and do not have to be limited to just a submission at the pre-draft phase.

Typically Council consultation has followed traditional methods of engagement (e.g. public notices and public meetings). While these methods generally attract some participation from the community they can also deter a number of people or create barriers to others being involved. In an age where everyone seems to be short of time, capturing people's attention, making them realise that it is worthwhile having their say and reducing barriers to them getting involved are going to be important challenges that Council needs to overcome in most areas of its business not just in relation to Reserve Management Plans.

Some reserves are enjoyed by a wide range of users, the activities undertaken are not always complimentary. Consultation on the reserve management issues can lead to differing aspirations and opinions about how a reserve is to be managed or developed. Council will not always be able to satisfy the expectations of all those it consults with.

The Reserves Act (section 41(5A)) provides the option for Council to pass a resolution to skip the notification and consultation process, where it considers that written suggestions on the proposed plan would not materially assist the preparation. It is recognised that reserve users will often be the best source of information about the day to day issues and in some cases the history of a reserve, due to the closer relationship they enjoy with the reserve, than Council Officers. Being able to ensure that there is engagement between these users and officers is vital to the cost optimised management of a reserve. Without this type of consultation, Council could invest in developing reserves in a way that is not supported by those using the reserve.

Objectives

- 4.2.1 That consultation on reserve management matters is undertaken in a timely, meaningful and cost optimised manner that minimises the barriers to public participation and is in accordance with the statutory requirements Council.

Policies

- 4.2.2 Encourage the use of a range of consultation methods and opportunities to minimise barriers to effective community and stakeholder participation.
- 4.2.3 Ensure that Council officers provide opportunities for regular informal consultation with reserve users and stakeholders outside the statutory consultation requirements.
- 4.2.4 Ensure that where Council is not the sole manager of a reserve, consultation is

undertaken with the appropriate administering body before any work is carried out which may significantly alter or change the reserve.

Actions

- Keep up-to-date registers of known reserve users groups to ensure that consultation can be undertaken.
- Review the effectiveness of consultation processes undertaken and seek feedback from those involved to identify areas for improvement.

Explanation

Community and public engagement is important in reserve management as it is often the local community as reserve users that will be the best source of historical knowledge and new ideas for a reserve. Regular and key users of the reserves have the potential to be able to provide valuable insights to Council, helping enable good management decisions to be made.

Council has statutory obligations to publicly notify any major developments or alterations to a reserve or its management. As part of these statutory requirements it is important to recognise through appropriate engagement the special status of Tangata Whenua and the special relationship that they have with the natural environment.

Council officers should not be limited to only fulfilling its statutory consultation obligations. Engagement with reserve users and stakeholders outside the formal consultation processes can be incredibly valuable helping to identify issues or opportunities early on and to develop positive working relationships.

Council officers will attempt to provide a variety of opportunities and methods for reserve users to become engaged and to minimise the potential barriers to engagement. Timely engagement with the community can help provide confidence to decision makers that the reserve is being developed and managed in alignment with the community aspirations.

Formal consultation under the Reserves Act can be confusing to those involved with the two stage approach (pre-draft and post-draft). Where Council officers can work closely with those involved in the submission process it can help ensure a smoother process and lead to a positive experience for the submitter.

It is recognised that consultation will not always lead to a consensus, there will be occasions where Council, as the decision maker or administering body, will need to make a decision despite there being a lack of consensus.

4.3 PARTNERSHIPS

Issues/Opportunities

In the management, development and use of reserves there are opportunities for partnerships between Council and reserve users and also between different reserve user groups.

A principle of the Open Space Strategy (2012) encourages multi-purpose facilities to enable these facilities to be shared by a range of users. Council seeks to encourage more efficient use and management of reserves and reserve facilities.

Where reserves and schools are located in close proximity (e.g. Playford Park and Waiopēhu College and Levin Intermediate and Donnelly Park) opportunities exist for partnerships between schools and Council for the provision and sharing of sports grounds, indoor gym facilities and play equipment. Such arrangements can avoid the need for facilities to be duplicated and can lead to a wider range of facilities being available to the community.

Historically local sports clubs have generally resisted efforts to share facilities or go into partnership arrangements. However declining membership numbers and limitations on the ability to build new clubrooms and facilities within reserves it is going to require more clubs and user groups to work together and share facilities if they are to be sustainable.

Partnership opportunities also exist for user groups or local residents to be actively involved in the management of a reserve. Whether this is informally through helping with one-off events such as a planting day at the reserve, or through more formal and ongoing arrangements like being responsible for locking up the reserve at the end of the day.

Objectives

- 4.3.1 That formal partnerships are used to encourage more efficient use and management of reserves and reserve facilities.

Policies

- 4.3.2 Ensure that partnerships are developed between reserve user groups where it is deemed to be in the best interests of the community and the reserve and would lead to sharing facilities and cost optimised management.
- 4.3.3 Encourage and support custodial arrangements which provide for local groups or individuals to assist Council with the management of reserves.
- 4.3.4 Ensure that new facilities developed within reserves make provision for shared and mixed use by different reserve user groups.

Actions

- Facilitate discussions between reserve user groups where there are potentially beneficial partnership opportunities.

Explanation

Formal partnerships provide opportunities for win-win situations for those involved. Council has already developed some successful partnerships which have led to the cost-optimised management and development of reserve facilities (e.g. the development of Playford Park in

conjunction with Waiopēhu College). Such partnerships can enable opportunities for reserve users that may not have been possible if it had been solely reliant on the Council providing the service (e.g. water based hockey turf at Donnelly Park).

Partnerships can be formed with many different groups and can be used to achieve a number of different purposes. This can include different sports clubs sharing the same clubroom facilities on a reserve during different times of the year. Over time it is likely that Council will work with certain sports codes to consolidate them at specific reserves. The sharing of facilities will be one way that clubs will be able to survive. Arrangements for sharing facilities between sports clubs that operate in different seasons (i.e. summer and winter) will be another form of partnership Council will be facilitating and encouraging.

4.4 MANAGEMENT AND MAINTENANCE

Issues/Opportunities

The management and maintenance of the parks and reserves within the Horowhenua District is carried out by a combination of Council Officers and external contractors. The maintenance of the parks and reserves is currently carried out by Contractors. The management of the reserves must take into account the objectives and policies of this General Policy Document and any relevant site specific Reserve Management Plan where this has been prepared. The primary mechanisms by which the provisions of the Reserve Management Plan will be implemented are through the Horowhenua District Council's Long Term Plan and more specifically the Asset Management Plans. These plans specify the works and actions which will be undertaken in each financial year and ultimately the levels of service to be provided.

The level of maintenance directly impacts on the aesthetics of the reserve. A challenge for Council exists in balancing the expectations of the community in relation to levels of service against the costs, the level of use and the hierarchy or profile of the reserve (how important and visible the reserve is in the context of the district).

The current levels of service vary across the District based on the location and type of reserve, in some reserves this level of service can be much higher compared to other reserves. The community generally take a lot of pride in the appearance and maintenance of their local reserves. In recent years Council has sought to reduce the levels of service such as the frequency of mowing in certain reserves. Finding the appropriate balance of service levels and affordability is an ongoing challenge.

Objectives

- 4.4.1 To manage and maintain the reserves of the District to a standard that maintains a safe environment for reserve users.
- 4.4.2 To maintain the reserves to a standard that reflects the type, hierarchy and usage of the reserve.

Policies

- 4.4.3 Maintain reserves in accordance with the standard outlined in the Council's maintenance contract.
- 4.4.4 Maintenance standards and specifications will reflect the hierarchy (importance, type, visibility and usage) of the reserve.
- 4.4.5 Management and maintenance of reserves shall be in accordance with the relevant Reserve Management Plan provisions.
- 4.4.6 Follow the diagram set out in Appendix 2 as a guide for making decisions about the management of the reserve where management issues arise that have not been specifically addressed in an individual or combined Reserve Management Plan or in the Parks and Reserves General Policy Document.

Actions

- Establish a Reserve Hierarchy for the District's reserves that considers each reserve's importance, type, visibility and usage. The Reserve Hierarchy can be used to develop overarching management principles and where appropriate set maintenance specifications and standards.

Explanation

Maintenance is an essential part of any reserve, as it specifically relates to the appearance and condition seen by the reserve users. Council needs to actively ensure that it provides reserves which are maintained to an agreed standard so that people are encouraged to use them, users have a sense of pride and ownership and users can safely undertake their recreational or leisure activities. It is recognised that there is a relationship between the maintenance and appearance of a reserve and how it is used and contributes to community pride.

The standard of maintenance can impact heavily on other areas of the reserve, such as if weeds are not controlled in one particular area of the reserve, they may cause problems in the future in other areas of the reserve and can create further costs. An integrated approach should be taken towards the maintenance of reserves to avoid an 'out of sight, out of mind' approach.

By using a reserve hierarchy that reflects the importance, type, visibility and usage of each reserve, maintenance specifications and standards can be set to levels which reflect the district context. This will become particularly important where decisions around reducing levels of service need to be considered.

On occasions a new management issue may arise that has not been contemplated in the Reserve Management Plan. It is important that a consistent process is followed for deciding how to address this new management issue. The diagram set out in Appendix 2 can be used as guide to ensure there is some consistency in the management decision making.

4.5 VANDALISM & GRAFFITI

Issues/Opportunities

The reserves within the District are generally used responsibly by residents and visitors, however there is a minority of people who choose to act anti-socially within reserves. Reasons for this can be due to the location and privacy of the reserves which are often away from active surveillance. Graffiti is a common problem throughout the district and often play equipment, signs and other structures on reserves are targets for graffiti. The presence of graffiti is a problem in that once it is present, if it is not removed it tends to attract more graffiti and anti-social behaviour. The effect of graffiti can also make a place seem unsafe or uninviting.

It is important the parks and reserves within the District remain safe and enjoyable for all. Vandalism within reserves particularly of furniture and play equipment can make it dangerous and unsafe for others to use.

The costs of removing graffiti and fixing acts of vandalism are costs which are difficult for Council to accurately budget for, however they become essential costs if the reserves are to be managed and maintained for the safe enjoyment of all users. Unfortunately repeated expenditure in specific reserves can see Council face difficult decisions about whether to remove the graffiti, and fix the vandalised equipment or whether to remove the equipment. The impact of this expenditure can undermine the amount to be spent on future development.

The challenge for Council in considering future development is to think about crime prevention at the design stage and try to design to minimise the opportunities for it to occur.

Objectives

- 4.5.1 To identify and manage potential safety hazards in a timely manner to minimise the danger to reserve users and Council's exposure to complaints, compensation claims and litigation.
- 4.5.2 To minimise the incidence of graffiti and vandalism to facilities, equipment and other structures within the reserves through good design (e.g. Crime Prevention Through Environmental Design (CPTED)).
- 4.5.3 To maintain the integrity and safety of structures by repairing vandalism as soon as possible.

Policies

- 4.5.4 Respond to significant or offensive graffiti and vandalism that could result in asset deterioration, personal injury or loss of convenience within 24 hours of an incident being reported to Council.
- 4.5.5 Ensure that CPTED principles are used to inform the design and location of new facilities to minimise the risk of vandalism and graffiti.
- 4.5.6 Council may offer a reward at the discretion of the Parks Manager to persons who report information which leads to the conviction of any offenders vandalising Council reserves.
- 4.5.7 Where vandals and taggers are apprehended, Council will seek reparation for the damage and repair.

- 4.5.8 Adhere to Horowhenua District Council Graffiti Vandalism Prevention Strategy.
- 4.5.9 Encourage public surveillance of reserves through the design and choice of boundary fencing and planting.
- 4.5.10 Where appropriate install security lights and cameras in problem locations to deter and help catch offenders.

Actions

- Develop Design Guidelines that incorporate CPTED principles relevant to the management of reserves.

Explanation

Through positive and proactive policies it is hoped that policies followed by action will overtime lead to a reduction of maintenance costs resulting from vandalism and graffiti. Proactive action through the design and location of facilities and equipment will be particularly important for new reserves or when new development is planned. Actively fighting graffiti through the prompt removal is a proven method for discouraging and disheartening taggers. Creating and promoting a sense of pride in the District's reserves especially by reserve users and neighbours can also assist through the increased monitoring and surveillance that results from this local pride.

A further emphasis on taking action against vandalism and graffiti through fines and prosecution will hopefully dissuade this type of behaviour. Rewarding those who report offenders will hopefully act as an incentive for others to be active in working against vandalism and graffiti.

4.6 RUBBISH

Issues/Opportunities

Rubbish if not appropriately managed can have a negative impact on the visual appearance of a reserve and the reserve user's level of enjoyment.

To maintain healthy and clean reserves rubbish needs to be removed on a regular basis before it results in a build-up of rubbish.

The attitude of some individuals means that regardless of how easy it is for people to have access to a rubbish bin, they will still choose not to use the receptacles provided.

By virtue of many reserves having vehicle access and often limited surveillance it means that reserves can be the target for dumping of household rubbish. For aesthetic, hygiene and cost reasons, there is the need to deter dumping of this rubbish on reserve land and in rubbish receptacles. It is recognised that convenience of receptacles can influence whether the receptacles are used.

The issue of rubbish in some reserves can be very seasonal with some of the more popular reserves in particular being heavily used over the summer months.

The cost of cleaning up dumped rubbish can be significant and the costs won't always be recoverable.

In some reserves Council has deliberately sought to establish a 'take in, take out' approach so no receptacles are provided. For remote reserves that can be driven by a desire to reduce costs and maintain or enhance the reserves natural values.

The challenge for Council is to improve the behaviours around rubbish disposal and find cost effective ways to manage waste on reserves without compromising the use, aesthetics and enjoyment of the reserve.

Opportunities exist to educate reserve users and to change behaviours through considered design and siting of rubbish facilities.

Objectives

- 4.6.1 To manage rubbish within reserves in a manner that does not detract from the aesthetic appearance of the reserve or the enjoyment of reserve users.

Policies

- 4.6.2 In reserves where there is an established need, provide rubbish receptacles in strategic locations (e.g. where people congregate) and in a way that does not compromise the use and enjoyment of the reserve.
- 4.6.3 Ensure that the rubbish collection service provided at reserves reflects the collection needs or seasonal demands so that the reserve's appearance is aesthetically maintained and does not become hazardous to the health of reserve users.

Actions

- Develop Design Guidelines that addresses rubbish bin design and siting.
- Erect 'No dumping' signs at any reserves where dumping regularly occurs.

- Erect “take home what you have taken in” type signs in reserves where this approach is to be encouraged.

Explanation

Rubbish is a problem anywhere and more so when it is left in the wrong place. The presence of rubbish in a reserve can severely compromise a user’s enjoyment of the reserve or the visual perception of a reserve. More often than not it will be the inconsiderate actions of a small number of people whose actions spoil the enjoyment of others. Through penalties and rewards the Council will hope to not only recover costs but also deter these inconsiderate and careless actions.

Information and education will be important tools for changing behaviours and encouraging appropriate litter disposal and clean reserves. As part of changing behaviours consideration shall be given to the design and location of rubbish bins and how frequently the bins are collected particularly over times of high reserve usage such as events or summer months. In some of the more remotely located reserves, a philosophy of “take home what you have taken in” should be encouraged and where appropriate promoted through signage.

4.7 ALCOHOL

Issues/Opportunities

The consumption of alcohol can both contribute to a reserve user's experience and enjoyment of the reserve but also can lead to a reduced level of enjoyment by others. A number of issues associated with alcohol on reserves can arise creating a challenge for Council of balancing enabling alcohol to be consumed but not wanting the associated problems such as anti-social or destructive behaviour.

In some cases the facilities on reserves (e.g. clubrooms) include a bar facility where alcohol is served to patrons. This can lead to alcohol being consumed outside the premises by those watching the sports activities. It is noted the license arrangements are unique for each facility but can include restrictions on where and when alcohol can be served.

Council reserves can be used for a number of different types of events and functions where the consumption of alcohol forms part of the event.

Objectives

- 4.7.1 That the consumption of alcohol on reserves does not compromise the use or enjoyment by other reserve users.

Policies

- 4.7.2 Enable lessees to apply for Special Licences under the Sale and Supply of Alcohol Act 2012 for special or one-off events at the discretion of the Park's and Property Manager.
- 4.7.3 Enable the consumption of alcohol in reserves where the Parks and Property Manager is satisfied that the safety and enjoyment of other reserve users is not compromised.

Actions

- Identify any specific reserves where the consumption of alcohol should be formally restricted.

Explanation

Alcohol laws currently allow alcohol to be consumed in a public place unless the Council has a specific by-law. It is acknowledged that consumption of alcohol on reserves can cause problems and should generally be discouraged.

In some cases the presence of alcohol can lead to further problems at reserves, such as vandalism, litter and noise. It is therefore important that where alcohol is permitted on a reserve that the safety and enjoyment of other users is not compromised.

There are however occasions where the consumption of alcohol may be appropriate (e.g. specific events). A number of sports clubs have their clubrooms and bar located on Council reserves. In these circumstances where alcohol is served it must comply with the terms of their liquor licensing agreement. The Sale and Supply of Alcohol Act 2012 influences the sale and supply of alcohol in the District and has introduced new criteria for the licensing process.

4.8 BARBEQUES/OPEN FIRES

Issues/Opportunities

Barbeques and eating outside are often part of a typical 'Kiwi Summer' experience. Within some Council reserves barbeque facilities are provided for use by reserve users. Provisions of barbeque facilities by Council can be an effective approach to controlling the location and potential danger from barbeques and cooking fires. Maintaining these barbeque facilities and ensuring they are hygienic and safe to use can be expensive.

In other reserves, visitors bring their own barbeques or create open fires to cook on in some cases ignoring fire ban areas. The use of barbeques and open fires can pose a danger to people, flora and fauna.

Even when open fires are managed well they can still lead to adverse effects in the reserve such as damage to trees and vegetation when users need extra firewood. If open fires get out of control then the damage can be widespread and can be a danger to reserve users and reserve facilities.

The challenge to Council is to balance the appropriateness of barbeques and open fires in reserves and weigh up the potential dangers of these as well as the ongoing costs of maintaining Council provided barbeque facilities.

Objectives

- 4.8.1 That the use of barbeques and open-fires in Council reserves does not result in damage to the reserve or compromise the safety of reserve users.
- 4.8.2 That barbeque facilities provided within Council reserves, are safe to use.

Policies

- 4.8.3 Prohibit open fires on all reserves, except controlled one-off special events under the control of the Fire Brigade or in accordance with accepted fire guidelines (permits).
- 4.8.4 Ensure that where barbeque equipment is provided in reserves it is gas operated.
- 4.8.5 Ensure that barbeque equipment provided on reserves is appropriately sited and maintained to a safe standard, to ensure their safe usability and the safety of reserve users.
- 4.8.6 Ensure that persons found to be lighting fires on reserves will be prosecuted and charged with any costs incurred.

Actions

- Create a register of reserves that have official Council provided barbeques.

Explanation

Fires pose a huge danger to many reserve environments, especially the river and bush reserves. The control of the type and place where barbeques can take place on reserves, is a major factor in the prevention of fires. The maintenance, design and location of barbeques within the reserves, influences the potential for fires to occur. Prevention should be the key focus in terms of fires, rather than remedial action.

4.9 CAMPING AND MOTOR HOMES

Issues/Opportunities

Overnight camping can provide a convenient and affordable way for visitors and locals to enjoy the District's reserves. Camping provides an opportunity to attract people to spend longer in the district rather than driving on through. However, if not managed correctly camping can negatively impact on the reserve and can compromise the enjoyment of other reserve users.

A challenge for Council is to balance providing freedom camping opportunities within certain reserves without compromising the economic viability of the Camping Grounds on Council land. If freedom camping is provided for in too many places, this may make it difficult for the Camping Grounds to attract customers. The camping grounds are provided with specific facilities for campers, while most reserves in the District have very limited facilities to support camping.

Camping in concentrated or fragile areas can lead to environmental health and hygiene concerns especially where specific facilities for camping are not provided. Camping in reserves can also impact on how others are able to use the reserve and can therefore compromise the enjoyment of other reserve users.

Where camping is provided it is important that it does not become permanent. It is therefore necessary to find a balance of what is an appropriate duration for short term camping.

Some reserves are not suitable for camping. This can be due to the location or fragile nature of the reserve or the lack of facilities on the reserve. As freedom camping increases Council can face added pressure to provide additional facilities (e.g. waste dumping stations) to manage the environmental effects of this activity. This can be at odds with the Council investment in the District's Camping Grounds where these facilities are specifically provided for this purpose.

In recent years there has been a significant increase in the use of self-contained campervans and custom fitted rental vans as a means of travelling through New Zealand. The full self-contained camper vans generally include showers, toilets and cooking facilities giving the users real freedom in where they stay each night. The main environmental effect of these vehicles is disposal of waste (both from the toilets and general solid waste/recycling). After pulling over for a night users will often want to be able to dispose of this waste before setting off for the next leg of their journey. The custom fitted vans typically are set up with basic cooking facilities but no shower or toilet facilities. While these vehicles also offer some flexibility about where they can pull over for the night, the users will generally want to stop where they have access to toilet and shower facilities. Reserves that offer toilet facilities and water can be targets for these types of travellers. Other districts have identified specific areas for these vehicles to stay and in some cases have provided security lights and cameras to give users greater security. This can increase the pressure and expectation on Council to also match these facilities.

Objectives

- 4.9.1 That where overnight camping in reserves occurs it shall not adversely affect the surrounding reserve environment or compromise the enjoyment of other reserve users.
- 4.9.2 That a balance is achieved between providing opportunities for freedom camping while still making it viable for camping grounds to operate.
- 4.9.3 That provision is made in specific reserves with appropriate facilities for camper vans and rental vans to stay overnight.

Policies

- 4.9.4 Overnight camping shall only be permitted within the reserves where this activity has been specifically identified within the reserve management plan for that reserve.
- 4.9.5 Where overnight camping is permitted ensure that appropriate facilities are provided to ensure that minimal damage is caused to the surrounding reserve environment.
- 4.9.6 Erect signs in prominent places on reserves advising where overnight camping is permitted and identifying where the designated camping areas are located.
- 4.9.7 Ensure where overnight camping is permitted on a reserve it is undertaken in the designated areas and that overnight camp sites are left in a clean and tidy state.
- 4.9.8 Erect signs in prominent places advising “No Camping” in known locations of reserves where unauthorised camping occurs.
- 4.9.9 Restrict overnight camping in non-specified reserves unless prior permission has been granted by the Parks Manager and that any necessary camping fee is paid.
- 4.9.10 Motor Homes shall be permitted to stay overnight within the reserves where this activity has been specifically identified within the reserve management plan for that reserve and the Motor Homes display proof of their appropriate certification for being self-contained. Black and grey water must be disposed of in a Council approved dump point.

Actions

- Identify reserves and the specific parts of those reserves that are suitable for camping.
- Undertake an analysis of overnight camping (including Motor Homes) within the District’s reserves, to understand the levels of usage, the impacts on the reserves and consider the necessity of additional facilities or services and the appropriateness of charging for overnight camping.

Explanation

There is a demand for camping sites at various reserves around the District, particularly the river reserves. There is a need to address the level of freedom camping provided in Council’s reserves to ensure that the opportunities do not jeopardise the viability of the camping grounds within the District.

Where camping is to occur, we need to understand the level of facilities and services that should be provided to ensure the health and safety of reserve users and the well-being of the reserve. It is necessary to recognise that different types of camping have different needs and that in identifying reserves suitable for camping it may be necessary to distinguish between these different types of camping.

Motor Homes (which are certified as being self-contained) are becoming an increasingly popular form of tourist accommodation. These vehicles are self-contained (do not require power, water, waste disposal) and can essentially park at will. By virtue of being self-contained they tend to have minimal impact on the reserve environment. Motor Homes can legally park as of right on any Road Reserve.

4.10 VEHICLES

Issues/Opportunities

Vehicle access to reserves in the District varies across the reserves, from those where there is no vehicle access provided to these reserves where vehicle access is enabled. In some cases there are reserves in the District with significant internal roads.

The use of vehicles within reserves raises safety concerns and can be damaging to the reserve. The potential for pedestrian and vehicle conflict increases where vehicles are not limited to the road or parking areas.

Vehicle access to reserves can cause a conflict with how the reserve is used. Vehicles on sports playing surfaces can cause an immense amount of turf damage especially during the winter months. There is however the need for service vehicles and emergency vehicles to be able to access the playing fields, so a balance needs to be achieved between enabling service and emergency vehicles yet restricting other vehicles. Physically restricting vehicles through fences or bollards can be effective ways of restricting vehicle access but it can reduce the visual amenity and sense of open space.

Council does have a few exceptions where vehicles are allowed to be used within a reserve (e.g. the Mackenzie trail within the northern dunelands of the Foxton Beach Coastal Reserve) and this is expressly provided for in the individual or combined Reserve Management Plan.

Where vehicles have access to reserves there needs to be an appropriate level of parking provided to minimise further effects from vehicles being parked inappropriately or from vehicles driving in areas that interfere with how the reserve is used.

Council reserves can on occasions attract abandoned vehicles resulting in reduced visual amenity and acts of vandalism (e.g. smashing vehicle windows and setting fire to the vehicle).

Objectives

- 4.10.1 That the use of vehicles within reserves is managed in a way that does not result in damage to the reserve or become a danger to reserve users.

Policies

- 4.10.2 Ensure that motorised vehicles other than maintenance and emergency service vehicles are prohibited from driving on reserves other than in areas designated as roadway or parking unless permission has been granted by the Park's and Property Manager for a one-off event or where the use of vehicles is provided for in the site specific Reserve Management Plan. In areas where general vehicle access is prohibited erect signs in prominent locations and where necessary use physical barriers to restrict access.
- 4.10.3 Ensure that adequate levels of car parking and safe vehicle access are provided where vehicles are permitted within a reserve.
- 4.10.4 Abandoned vehicles will be promptly removed from reserves.
- 4.10.5 Inappropriate vehicle parking at reserves shall be discouraged through signage and imposing financial penalties.
- 4.10.6 Encourage clubs and organisations using reserves to park off the reserve or in provided

car parks to retain the reserve open space for non-vehicle use.

- 4.10.7 To minimise the danger of vehicles to reserve users ensure that vehicles shall not exceed the speed limit set within the Council Bylaw in any part of the reserve.
- 4.10.8 Ensure that those found to be driving dangerously, exceeding the set speed limit, or driving in non-vehicle areas of the reserve are prosecuted and charged with all costs incurred.
- 4.10.9 Encourage clubs and groups using reserves to be proactive in managing vehicles on reserves through educating and informing club members and reserve users and monitoring the use of vehicles on reserves.

Actions

- For reserves where vehicles on sports ground are a problem, write to club officials at the start of each sports season setting out responsibilities and expectations for managing vehicles on reserves.

Explanation

Motorised vehicles can cause serious and expensive damage to turf, plantings and wildlife with reserves. It is necessary to weigh up the cost and visual impact of physical barriers to restrict vehicles on reserves against the benefits of preventing vehicles on the reserve. The frequency and the investment in the reserve vegetation will be influencing factors. While preventative steps and deterrents will be important, the prosecution of offenders who inappropriately use vehicles should be used as a further deterrent and to potentially recoup costs of repair.

In some reserves vehicle access is provided, however this creates the potential for pedestrian and vehicular conflict at many reserves which raises safety concerns for reserve users. There is a need to provide reserve users with adequate parking and access roads to minimise inappropriate use of vehicles within reserves where this vehicle use is provided.

The prompt removal of abandoned vehicles is important to stop it occurring and to reduce the risk of vandalism and fire. It is also important for safety and aesthetic reasons that they are removed as quickly as possible.

4.11 BOUNDARY FENCES

Issues/Opportunities

Council reserves typically adjoin private property. A boundary fence usually exists to identify the extent of the reserve and to give some privacy and security to the adjoining property.

The cost of fencing and maintaining fencing can be a significant cost to Council. The type of fence required will depend on the individual setting. A challenge can be where neighbouring property owners want a higher specification of fence.

In some cases where a new reserve forms part of a subdivision, the developer may seek or erect a higher than normal specification of fence in keeping with the character of the subdivision. This however becomes an ongoing expense for Council.

The purpose of the boundary fence can be compromised where a neighbouring resident creates their own private access onto the reserve.

Objectives

- 4.11.1 To ensure that reserve boundary fences provide clear delineation of the reserve boundary and are designed to be in keeping with their surroundings.

Policies

- 4.11.2 Maintain and replace where required existing boundary fences on Council reserves in accordance with the Fencing Act 1978 and Reserves Act 1977.
- 4.11.3 Where the legal boundary is a common boundary of any reserve the occupier of the adjoining land shall be liable for half the cost of erection and maintenance of a reasonable fence for the purpose required.
- 4.11.4 The provision for permanent or semi-permanent access from or to any reserve through any reserve boundary shall be prohibited.
- 4.11.5 Ensure the boundary fences at the frontage or entrance to a reserve are inviting and provide for suitable surveillance taking into account CPTED (Crime Prevention Through Environmental Design) principles.
- 4.11.6 Where new development occurs involving sites adjacent to a reserve, consider the use of private covenants to manage fencing obligations and expectations.

Actions

- Undertake monitoring of reserve boundary fences and restrict access where private access has been created.
- Develop Design Guidelines for fencing that take into account different reserve contexts and provides for a consistent approach to fencing.

Explanation

It is important that reserve boundary fences remain attractive, functional and in keeping with the character of the reserve. Fences are necessary to ensure clear delineation, protection from stock

and vehicles and to prevent ad-hoc access developing. The District Plan and Fencing Act 1978 specify the standards that reserve boundary fences must comply to.

Reserve boundary fences are to be designed to be functional and in keeping with the character of the surrounding area. This means that post and wire fence may be appropriate for a rural reserve boundary fence while a wooden close boarded fence will be more appropriate in a residential setting.

The design of fences at the frontage of a reserve are crucial in creating a safe and inviting entrance to the reserve and therefore warrant greater design treatment than side and rear boundary fences.

4.12 ACCESS AND ACCESSIBILITY

Issues/Opportunities

The physical access to and within reserves plays an important role in the safety of the reserve and its accessibility to users.

Reserves with good accessibility make it possible for as wide a range of people as possible to access the reserve. This includes access for those of different ages, those with different levels of mobility or those that might be reliant on baby buggies or mobility scooters to get around the reserve.

Achieving safe access also requires consideration of how reserve users will get to the reserve from the road or adjacent public space. This may require the provision of off-street parking to make safe access possible.

Access that is inviting is likely to encourage greater use of the reserve and help reserve users feel safer about using the reserve. Where reserve access is hidden, uninviting or unsafe the reserve is likely to attract and foster anti-social behaviour.

Making reserves more accessible needs to be balanced against limiting access to inappropriate users such as non-service vehicles.

Objectives

4.12.1 To provide safe and inviting access to reserves

4.12.2 To ensure that reserves are accessible to a wide range of legitimate users

Policies

4.12.3 Ensure that safe and easy access to and from reserves is provided through the considered siting and design of the lighting, signage and paths.

4.12.4 Ensure that reserves remain accessible to the public where there is no formal reason for excluding the public (i.e. maintenance or public safety).

4.12.5 Permanent and exclusive use of reserves shall be discouraged except where actual buildings or facilities are owned or leased by parties or the exclusive use is consistent with the requirements of the Reserve Act 1977.

4.12.6 Vehicle access should be designed to be safe and suitable to handle the traffic appropriate to the reserve (e.g. buses).

4.12.7 When providing new access to reserves Council shall design for those with accessibility limitations.

4.12.8 Ensure that appropriate signage is displayed where access within a reserve may or may not be suitable for all people.

Actions

- Erect accessibility signage where reserves have good levels of accessibility making them accessible to all users.

- Undertake audit of reserve entrances to assess levels of accessibility and identify opportunities for improvement.

Explanation

Access to reserves forms a vital part in determining the usage a reserve will get. An unattractive, dimly light narrow entrance is not going to entice as many passers-by into the reserve as a wide open and inviting entrance will. People need to be able to enter a reserve where they think it is convenient and need to feel safe using the entrance. Promoting and providing reserves is about making the reserves accessible to everyone and only allowing appropriate activities to occur.

Where reserves are being upgraded or developed it is important that the accessibility of the reserve is also addressed and where necessary it should be improved to make the reserve more accessible to legitimate reserve users.

Increased mobility scooter usage within the district warrants appropriate provision being made for these scooters within certain reserves (e.g. those close to the town centres).

4.13 TRACKS & WALKWAYS

Issues/Opportunities

Throughout the district's reserves there are a number of walkways and tracks that are provided to encourage movement within the reserve in specified directions. In some cases these are formalised tracks that have been formed (such as limestone paths) in other cases they are tracks that have simply become established over time through repeated use.

Where tracks and walkways are provided they need to take into consideration the topography of the area and the likely environmental effects of encouraging use. In reserves with sensitive environments such as the Bush reserves and Coastal foreshore reserves, there is the need to ensure that tracks and walkways are well defined, to limit the creation of ad-hoc tracks that can damage vegetation and potentially destabilise sand dunes.

The creation of private or ad-hoc walkways particularly from private properties adjacent to the reserve can be problematic particularly where they may have adverse environment effects or detract from the use of formal tracks and walkways.

The shared use of tracks and walkways can create potential conflicts between users such as walkers and cyclists. The danger is enhanced where the tracks enable cyclists to travel fast or where the sight lines do not give other path users much time to react to cyclists or other users passing them. In some cases this can be a result of poor design while in other cases it may be due to constraints by the topography and existing natural features.

Where tracks and walkways are not maintained it can create additional safety issues for reserve users. Trip hazards and slippery or unstable surfaces are hazards that can compromise user safety.

Tracks and walkways can be used to encourage more active use of reserves. A measured track for instance would potentially encourage greater use from those undertaking walking or running training or who simply enjoy the satisfaction of achieving a specific distance.

Objectives

- 4.13.1 To provide tracks and walkways within reserves that are safe and suitable for a wide range of reserve users.
- 4.13.2 To provide tracks and walkways that encourage use by reserve users and minimise the creation and use of informal or ad-hoc tracks.

Policies

- 4.13.3 Ensure that all current developed legal access ways are maintained to a safe standard.
- 4.13.4 Undertake regular monitoring of tracks and walkways to ensure they remain safe and functional.
- 4.13.5 Ensure that where new tracks are provided they are designed to be safe, functional and sensitive to the surrounding environment and the primary purpose of the reserve.
- 4.13.6 Ensure that well defined walkways are provided within sensitive reserve environments to minimise the adverse effects of ad-hoc access.

- 4.13.7 Use signs to encourage reserve users to use the provided tracks and walkways.
- 4.13.8 Encourage the use of tracks and walkways to connect reserve users to nearby reserves, sites of interest or lookout areas.
- 4.13.9 Encourage the provision of tracks and walkways that are suitable for a wide range users including those with baby buggies, mobility scooters, wheel chairs and walking frames.
- 4.13.10 Encourage the shared use of tracks and walkways through safe design and signage.

Actions

- Undertake an audit of the walkways and tracks on Council's reserves assessing the location, length, type and condition. Develop a hierarchy of walkways, cycleways and tracks so that a consistent management can be applied based on the walkway/track type, usage and location.
- Prepare a list of reserves that are user friendly for wheel chairs, baby buggies and mobility scooters.

Explanation

Tracks and walkways can significantly enhance a reserve and its usability. The provision of suitably formed tracks and walkways may make it possible for those with mobility limitations to use and visit reserves that would not otherwise be accessible.

In reserves with sensitive environments such as the Bush reserves and Coastal foreshore reserves, well defined tracks and walkways are crucial to minimise the adverse environmental impacts that can occur. These tracks and walkways make it possible for the reserve areas to be enjoyed and appreciated by reserve users.

4.14 LINKAGES BETWEEN RESERVES

Issues/Opportunities

The opportunity exists to see the reserves within the district as a network of interconnected open spaces. In some cases these reserves may be physically connected but this is not common. Reserves can gain increased and strengthened identities through unity and being linked.

The strategic location of some reserves makes it possible through future development for improved linkages between the reserves (e.g. Donnelly Park and Kowhai Park). There are a range of benefits that would potentially be delivered if and when linkages such as these are provided. Increased opportunities for people to move within the district without being reliant on the roading network would be one such benefit.

Reserves can also be viewed as an ecological network due to the presence of natural features such as the bush and habitat areas that follow the Ohau River or the pockets of vegetation that are present on the Levin reserves. Some reserves within the district have not been recognised as being important in this wider ecological network and therefore have not been developed with planting to contribute to and enhance this network.

In terms of people undertaking exercise the district's reserves provide ideal spaces for this where they can be free from potential dangers such as vehicles. There is an attraction of being able to move from reserve to reserve as part of undertaking exercise. The linkages between reserves are often not well defined and identified and some of these potential linkages are not maximised in terms of encouraging movement between the reserves. The opportunity exists to make reserve users more aware of these potential linkages where they exist.

Objectives

- 4.14.1 To ensure that reserves and open spaces within the District recognise existing or potential linkages and connections to other reserves and open space.
- 4.14.2 That reserves and the linkages between them are used to encourage movement within the district that is not solely reliant on the roading network.
- 4.14.3 That reserves positively contribute to ecological networks across the district.

Policies

- 4.14.4 Enhance and promote linkages between existing reserve through planting, walkways and signage.
- 4.14.5 Encourage consistent or themed features, planting, furniture and signage where linkages between reserves are present.
- 4.14.6 Ensure that the acquisition, disposal and development of reserves considers the role that the reserve may play as part of a wider open space or ecological network

Actions

- Erect signs within reserves to improve awareness of linkages to other reserves

Explanation

The Open Space Strategy (2012) identifies a number of principles that are based on developing and enhancing the connections between reserves (e.g. open spaces along river corridors, open spaces along the coast, connections between the ranges and the coast).

Often the linkages that exist between reserves are not overly visible at ground level and are more identifiable when looking at maps or aerial photographs. It is therefore important to help raise the awareness of these connections for reserve users and reinforce these connections.

In developing and enhancing reserves it is important that consideration is given beyond the current site so that potential linkages to other reserves or the role that a particular reserve plays within the wider reserve network are not overlooked.

4.15 HISTORIC HERITAGE

Issues/Opportunities

Historic heritage provides an important link to the past. Historic heritage features within the District are reminders of previous eras and will often evoke special memories. Historic heritage features within reserves can contribute to the value that a reserve may have to a local community.

The preservation of historic heritage features can however be costly and in some cases not practical (e.g. earthquake prone structures). The preservation can at times be at odds with the modern facilities or development of a reserve. In other cases iconic or historic structures and facilities may no longer be relevant to how a reserve is currently used. The absence of the activities previously supported by certain facilities may mean it is not viable to retain the facilities despite the historic associations they may hold.

Balancing the retention of historic heritage features while enabling the modern development and management of a reserve can be challenging and should be addressed on a case by case basis as each feature and reserve context will be different.

The identification of those areas or structures that hold historic significance is important so that the heritage values can be considered in any decisions that are made. This may include identification outside the regulatory framework of the District Plan, noting that those heritage features identified in the District Plan are subject to the District Plan rules.

Objectives

- 4.15.1 That historic heritage values within reserves are recognised and where appropriate are maintained for the benefit of the community.

Policies

- 4.15.2 Ensure that the management and future development of reserves takes into account the heritage values that contribute to the reserve.
- 4.15.3 Ensure that in reserves with heritage features any new development is complementary and sensitive to the historical context.
- 4.15.4 Recognise historical associations or events through reserve naming, informative or commemorative signs or plaques and interpretative material.
- 4.15.5 Ensure that historic heritage features within reserves that contribute to the local history or character and value of the reserve are preserved and maintained except where it is no longer safe or viable to do so.
- 4.15.6 Identify features that have historic heritage values within reserves.
- 4.15.7 Provide appropriate interpretative material about important heritage features to increase the public awareness any enjoyment of these features within reserves.

Actions

- Create and maintain a register of all historic heritage features present on Council Reserves.

- Identify historic heritage features or values within reserves that warrant providing interpretative information. Work with local groups (e.g. Historical Society) to develop the interpretative information.

Explanation

Historic heritage features can be important assets and points of interest within a district. While these should be protected and maintained, it is recognised that this will not always be a viable option due to the safety of reserve users or the maintenance costs.

While the physical reminders of a structure or feature may not be able to be preserved, there are a range of other ways in which the memories and historic associations can be maintained.

The identification of Historic heritage features should not be limited to those listed by New Zealand Historic Places Trust or those in the District Plan as this would not include structures and features that have historical importance in the context of the reserve (e.g. the Donald Duck features at Jubilee Park, Levin).

Understanding the heritage values would help decision makers understand the importance of whether or not the heritage feature should be retained in its historical form or could be modified or removed.

New development is a reality of most reserves, where this occurs in a reserve with heritage features the design should be complimentary and sensitive to the historical context. This can help strengthen and maintain the historic associations.

4.16 TREES AND VEGETATION

Issues/Opportunities

Reserves within the Horowhenua District contain vegetation which forms an important part of the environment. Trees and gardens contribute to the amenity value of the District as well as recreation value and in some cases, heritage value. The Council uses contract workers to maintain trees and gardens within reserves and also where removal or replacement plantings are necessary.

A number of reserves contain trees that are identified as Notable Trees. The Horowhenua District Plan contains a Schedule of Notable Trees that are protected under rules of the District Plan. This rule framework ensures that any works on these trees is carried out by a professional arborist and also ensures that no notable tree is removed unless it is dead, diseased or potentially hazardous.

There are a large number of trees and gardens within reserves which require ongoing maintenance. Maintenance may involve trimming, pruning and where absolutely necessary, removal. Trees and vegetation require ongoing maintenance to prevent potential issues. Dangerous branches are a potential issue if they are at risk of falling off and threatening the safety of reserve users and/or neighbouring properties. Specific species of plants may also be dangerous if they come into contact with people. Nuisance trees which hang over boundaries causing shading are another potential issue as well as the obstruction of road visibility sight lines and also visibility within reserves. Trees and vegetation must therefore be managed and maintained to ensure the safety of reserve users and neighbours and prevent any problems for adjacent properties.

The maintenance of vegetation comes at a cost to Council and it is therefore important that new or replacement plantings consider the maintenance cost of vegetation over time and that Council Officers will aim to select trees and plants which contribute to amenity values while not requiring significant investment.

Thought and care needs to be given to any future planting of vegetation in reserves, with regard to species selection and their placement. Wherever possible, Council should be ensuring the use of locally sourced plants that naturally occur in the District, which are well adapted to local conditions. Any planting, management or removal of any tree or vegetation should be consistent with Concept Plans prepared for specific reserves.

Objectives

- 4.16.1 To plant and establish appropriate trees and garden environments on reserves for the benefit and enjoyment of reserve users.
- 4.16.2 To protect and manage trees and vegetation that contribute to the ecological and amenity values of a reserve
- 4.16.3 To recognise the importance of reserves in providing ecological habitats in specific areas located throughout the District.

Policies

- 4.16.4 Ensure that new or replacement plantings on reserves are well suited to the conditions of the reserve to minimise maintenance costs while ensuring their survival.
- 4.16.5 Ensure that tree and vegetation selection is in keeping with the character and landscape

of the reserve and any relevant Concept Plan.

- 4.16.6 Encourage the planting of locally sourced plants on reserves where appropriate.
- 4.16.7 Encourage the planting of native species where it is seen to be in keeping with the character of the reserve.
- 4.16.8 Ensure that new or replacement plantings on reserves consider the air and water supply required for the ongoing health and survival of trees and plants.
- 4.16.9 Encourage individuals and community and interest groups to be involved in revegetation projects.
- 4.16.10 Ensure that trees and other vegetation are located and maintained or fenced off from public access, as not to endanger or compromise the safety of reserve users or neighbouring properties.
- 4.16.11 Prevent any planting, pruning, trimming or removal of trees and vegetation from reserves without the permission of Council or contractors working on behalf of Council.
- 4.16.12 Restrict the removal of trees unless the tree has been found to be dead or diseased, it is a health and safety hazard for reserve users or neighbouring properties, or it is inappropriate in the context of the reserve.
- 4.16.13 Encourage the replacement of trees or vegetation where removal has been necessary where appropriate.
- 4.16.14 Restrict unnecessary development and activity within the dripline of any tree within Council reserves so that natural regeneration can occur.

Actions

- Create a register of trees and vegetation which identifies species that are well suited to reserves across the district and specific areas.
- Identify appropriate locations for trees and vegetation in Reserve Concept Plans which consider air and water supply.
- Maintain contracts with professional arborists for tree and vegetation maintenance and where necessary removal on reserves.

Explanation

Vegetation is an important feature of reserves. Trees and gardens provide a green landscape which is valuable to a reserve in terms of both visual amenity and also natural value. It is for this reason that the trees and gardens that are planted are well suited to the environmental conditions to ensure survival and that the reserve landscape is maintained over time for use and enjoyment by the public.

Council must ensure that after the initial investment once the appropriate tree or plant is selected and planted in a reserve, that trees and plants are maintained to a high standard for user safety and to uphold amenity and natural values of the reserve.

4.17 PLANT AND ANIMAL PESTS

Issues/Opportunities

There are plant and animal pests within the District which if uncontrolled, can threaten the value and existence of native flora and fauna in Horowhenua reserves. Plant and animal pests must be effectively managed to maintain and protect the ecological values of reserves as well as the amenity, recreational and historical values of reserves.

The Council as the manager of reserve land, has obligations under the Horizons Regional Council Plant and Animal Pest Strategies. The purpose of these strategies is to address and remedy the degradation to environmental values caused by invasive plant and animal pests. Council is required to carry out plant and animal pest management pursuant to any Strategy rule on reserve land. These strategies identify pest species and outline the objective, aims, means of delivery, monitoring and outcomes for each species as well as rules for implementing the strategic direction.

While it is important to reduce the number of pests within reserves, it is an ongoing challenge for Council to prevent some of these pests (e.g. cats) that enter reserves from neighbouring properties without the implementation of extreme measures.

Objectives

- 4.17.1 To manage and control plant and animal pests identified in the Regional Plant and Animal Pest Management Strategies on all Council reserves.
- 4.17.2 To manage and control any other plant or animal species which threaten the values of reserves.

Policies

- 4.17.3 Monitor the presence of plant and animal species in reserve areas.
- 4.17.4 Encourage the removal or control plant and animal species as required by Regional Council Strategies.
- 4.17.5 Manage plant and animal pests in conjunction with Horizons Regional Council where it is the responsibility of the Territorial Authority.
- 4.17.6 Encourage the use of low impact pest control methods where possible.
- 4.17.7 Ensure that in the case where herbicides and pesticides are used for vegetation and pest control, they shall be used in accordance with relevant legislation and best practice standards.

Actions

- Create a register of all plant and animal pests that are identified by in Horizons Regional Council strategies.
- Identify specific areas where noxious weeds may pose a problem.
- Monitor the presence of pest species in reserves and the effectiveness of pest control methods.

- Identify non-chemical and chemical pest control methods which will be used by Council contractors.

Explanation

Plant and animal pests threaten the many qualities of reserves which make them an attraction and destination point for local users and visitors to the district. For this reason, effective measures need to be in place to identify pest species and reduce damage to reserves by pests. Such measures must be used with caution to ensure user safety and health of the reserve environment.

4.18 GOLF

Issues/Opportunities

Horowhenua's parks and reserves provide areas of open space for people to use for formal recreation such as soccer and cricket and informal recreation and leisure activities such as walking and kite flying. While parks and reserves, particularly sports grounds, are designed for recreation activities, golf is an activity which is restricted on Council parks and reserves.

The close proximity, openness and mowed grass areas of the larger Council's sports reserves such as Donnelly Park and Playford Park make for attractive places for locals to practice golf. What can seem an innocent activity of hitting golf balls across the reserve can however pose serious risks to other reserve users and the reserve itself.

Golf activities pose a safety threat to neighbouring properties. As sports grounds such as Playford Park are located within a residential area, golf balls being hit at speed could cause damage to buildings on adjoining properties and could cause harm to human health if a ball came into contact with a person. It is important that golfing is restricted on all Council parks and reserves so all reserve users and neighbouring properties can enjoy the shared space without risk of injury or damage to their property.

Golf activities can also degrade the quality of reserves specifically those used for organised sports events. The hitting of golf balls on sports turf (artificial or natural) has caused damage to the grounds which then compromises the experience of other reserve users.

Objectives

- 4.18.1 To protect Council parks and reserves from damage from golf activities.
- 4.18.2 To protect reserve users and properties adjacent to parks and reserves from golf activities.

Policies

- 4.18.3 Prohibit golf activities on all reserves, unless specifically provided for, to protect the reserve environment and amenities and the safety of reserve users.

Actions

- Erect signs on reserves to effectively communicate golf as a prohibited activity.

Explanation

Council parks and reserves are maintained to provide for a range of recreational activities. Many reserves, such as sports grounds are maintained for specific activities and some activities are not compatible with this specific use. In the case of golf, this type of activity is not compatible with typical use of reserves, especially those reserves maintained and managed as sports grounds with specific grounds conditions required. Golf also threatens the safety of reserve users and neighbouring properties. For these reasons, it is important that golf is restricted on reserves to protect the recreational values of reserves and that this message is clear to all people who use the reserve space.

4.19 Dogs

Issues/Opportunities

Parks and reserves in the Horowhenua District offer areas of open space which are attractive to people wishing to exercise their dogs. An issue with this is that dogs can pose a threat to natural values of reserves as well as threaten the health and safety of other reserve users.

Dogs on reserves have the potential to make other reserve users uncomfortable particularly if they have small children. Dogs can give the perception of being aggressive which can be threatening to other reserve users particularly where dogs are uncontrolled and not on a leash. For these reasons the use and enjoyment of the reserve may be compromised by the presence of dogs.

Many of Council's sports grounds such as Weraroa Domain, Playford Park and Easton Park, are used as thoroughfares. These unformed access ways through reserves can be attractive to dog owners in walking their dogs across the playing surfaces of a reserve. Where sports such as rugby or soccer are played and there is ground contact and the potential for open wound injuries, the presence of dog waste is a serious health risk. For this reason, dogs should be prohibited from all parks and reserves, unless there are specific dog exercise designated areas.

Objectives

4.19.1 To restrict dogs on all parks and reserves that do not have designated dog exercise areas.

4.19.2 To provide specific reserves within the District where dogs can be safely exercised within identified dog exercise areas.

Policies

4.19.3 Prohibit dogs from parks and reserves where dogs are restricted.

4.19.4 Allow dogs onto designated dog exercise areas on parks and reserves.

4.19.5 Ensure that where provision is made for dog exercise areas within a reserve, these areas are designed and developed to provide for safe, convenient and pleasant dog exercise opportunities.

4.19.6 Provide dog waste bins on parks and reserves where dog exercise is allowed.

4.19.7 Provide clear and prominent signage of dog provisions on parks and reserves.

Actions

- Consult the Dog By-law First Schedule to identify parks and reserves where dogs are prohibited and areas where dogs are allowed.
- Erect signs on reserves to effectively communicate dog walking as a prohibited activity.
- Take appropriate enforcement action in the case that a reserve user is found to be using the reserve for dog walking in accordance with the Dog By-law Third Schedule.

Explanation

Council parks and reserves provide areas of open space for recreational use and enjoyment. Dogs can threaten the recreational and natural value of the reserve as they can be a safety risk to other reserve users and they can produce waste which can be a health and safety risk to people (especially those playing sports involving ground contact) and the natural environment. It is therefore important that parks and reserves clearly display signs that prohibit dogs and that this is effectively policed for the enjoyment and use of the reserve by the community.

It is important that where dog exercise areas are provided within reserves that these meet the needs of those exercising dogs. If they are not conveniently located or do not offer the right dog exercise opportunities then people will not use these areas and are likely to revert to using other reserves and open spaces for their dog exercise.

4.20 HORSES AND LARGE ANIMALS

Issues/Opportunities

Parks and reserves in the Horowhenua District offer areas of open space which are attractive to people wishing to exercise not only dogs but larger animals such as horses. An issue with this is that larger animals can pose a threat to natural values of reserves as well as threaten the health and safety of other reserve users.

Animals such as horses on reserves have the potential to make other reserve users uncomfortable particularly if they have small children. Horses and other large animals may display behaviour that may be threatening to other reserve users particularly where the animal is uncontrolled and not contained by a rein or leash. For these reasons the use and enjoyment of the reserve may be compromised by the presence of horses and other large animals.

Some of Council's large reserves such as Weraroa Domain and the Railway Reserves, are wide areas of open space that may be seen as ideal spaces to exercise horses and other animals. Where sports such as rugby or soccer are played and there is ground contact and the potential for open wound injuries, the presence of animal waste is a serious health risk. For this reason, large animals such as horses should be prohibited from all parks and reserves, unless specifically provided for in an agreement with Council.

Areas of open space may also be used for sporting events and large animals such as horses can damage grassed areas or special turf which is designed specifically for sporting purposes. While reserve land is open to the public, it is important that reserve users do not undertake activities on reserves that could undermine or threaten the purpose and function of the reserve.

Objectives

- 4.20.1 To restrict horses and large animals on all parks and reserves unless specified in a formal agreement with Council.

Policies

- 4.20.2 Prohibit horses and large animals from parks and reserves.
- 4.20.3 Provide clear and prominent signage of animal restrictions on parks and reserves where necessary.

Actions

- Erect signs on reserves to communicate the animal restrictions where appropriate.

Explanation

Council parks and reserves provide areas of open space for recreational use and enjoyment. Horses and large animals can threaten the recreational and natural value of the reserve as they can be a safety risk to other reserve users and they can produce waste which can be a health and safety risk to people (especially those playing sports involving ground contact) and the natural environment. It is therefore important that parks and reserves clearly display signs that prohibit large animals and that this is effectively policed for the enjoyment and use of the reserve by the community.

4.21 GRAZING

Issues/Opportunities

Grazing can be an effective use of reserve land which is under-utilised in terms of the recreational purpose of the land. However, grazing also has the potential to threaten the amenity values of reserves while occupying land which has been identified specifically for recreational purposes.

Grazing provides a form of reserve maintenance in terms of keeping grass at a controlled length and also provides a form of recovering costs. Grazing also ensures that land which has been flagged for reserve purposes is not sold and is instead preserved for future reserve use. In this sense, grazing can be an effective use for reserve land in the short term.

A challenge for Council is to control grazing in terms of the form of grazing, the location, the extent and the duration of the activity. Grazing of equine and bull stock are not considered to be appropriate due to the nature of the grazing patterns of these activities. Sheep and cattle on the other hand, can graze without causing detrimental damage to reserve land. Grazing should only be a consideration if the reserve is not immediately required for recreational purposes and can be appropriately fenced and serviced to maintain the landscape. It is also important that the extent of the activity and the duration is monitored and controlled to ensure the reserve land is not degraded for the intended recreational purposes.

Objectives

- 4.21.1 To prevent grazing that has an adverse impact on the natural, amenity and recreational values of a reserve from occurring.
- 4.21.2 To allow for grazing to occur on reserve land subject to Section 74 of the Reserves Act 1977, as a method of maintenance and land utilisation.

Policies

- 4.21.3 Allow for grazing on reserves subject to Section 74 of the Reserves Act 1977.
- 4.21.4 Require a grazing license to be issued before grazing on reserve land can occur.
- 4.21.5 Control grazing through conditions on the grazing license including but not limited to provisions for fencing, weed control, drainage, trough installation, water supply, use of chemicals such as fertilisers and access.
- 4.21.6 Require an agreement for grazing of reserve land and that is be reviewed annually.

Actions

- Conduct a review of existing reserve land and identify where grazing may be appropriate.

Explanation

Council reserves may not always be fully utilised for recreation purposes. In these cases, it may be appropriate to consider grazing reserve land. Grazing can be an effective use of reserve land if it is appropriate for the reserve site and if it is managed well. The process for managing grazing of reserve land should therefore be a clear, transparent and fair process which is managed effectively by Council.

4.22 SIGNS

Issues/Opportunities

Signs can be an important feature on reserves which can assist with identifying sites, providing directions and also informing reserve users of historical, recreational and natural values of a reserve. Signs can also detract from the natural features and visual amenity of a reserve so it is important that signage is in keeping with the environment and is kept to a minimum.

Council reserves are often located in highly prominent locations and attract large numbers of people. This combination can mean that Council receives numerous requests from people wanting to erect signage on Council reserves for events, commercial advertising or public wellbeing and safety campaigns.

Public information and educational signage which serve a purpose and add value to the reserve user experience should be recognised for their function. Signage can also be important for safety reasons or for raising people awareness of the reserve.

While the signage may be for a good community cause, it creates a challenge for Council in determining what signage is appropriate without detracting from the amenity of the reserve and when the total number of signs on any given reserve is enough.

The District Plan also includes controls around the location, size and design of signage that can be erected.

Any other signage such as community welfare signs and advertising signage which does not directly relate to the reserve site, should be considered on a case-by-case basis given that different reserves may be more suited to these types of signage. All signage must comply with signage provisions in the District Plan which consider the location, size and design of signs.

Objectives

- 4.22.1 To ensure that all signs erected on parks and reserves are in keeping with the surrounding environment.
- 4.22.2 To ensure that there is consistency in size, content and design of all signs erected on parks and reserves.
- 4.22.3 To provide signage within reserves that is necessary and helpful information to reserve users while not detracting from the natural and amenity value of the park or reserve.

Policies

- 4.22.4 Require the approval of the Park's and Property Manager for the erection of any sign on a Council administered park or reserve.
- 4.22.5 Ensure that where appropriate, reserves have visible signs identifying the reserve name and any directional or other important information for reserve users to be aware of.
- 4.22.6 Ensure that signs are sited so they do not compromise the natural, amenity or recreational values of the reserve.
- 4.22.7 Discourage and restrict sponsorship signage on any park or reserve unless specifically approved by Council.

- 4.22.8 Ensure that all new signs shall comply with provisions in the District Plan or obtain resource consent where there is non-compliance.
- 4.22.9 Provide for sponsorship signage on sports grounds in accordance with the District Plan provisions.

Actions

- Adopt a clear and consistent Design Guide for signage on parks and reserves.
- Remove signs immediately if they do not meet the signage objective and policies.

Explanation

Parks and reserves require signage for naming purposes and to provide important information about the site. Other forms of signage such as advertising signage or community welfare signage, may be erected on reserves but should be kept to a minimum. Signage should not detract from the natural or amenity values of the reserve and careful controls are required to ensure that signage is sensitive and in keeping with the values of the reserve.

While the function of signs is to be seen, the siting of signs can have a significant impact on reserve values, ensuring that signage does not interfere with the root systems of trees or unduly block views into the reserve are matters that need consideration. Grouping signs together rather than having multiple single purpose signs can help reduce the visual intrusion of necessary signs.

Preparation of a Design Guide will help ensure consistent and well-designed signage.

It is recognised that different reserves will have different demands for signage. Reserves such as the Levin Domain will be able to justify and sensitively accommodate much more internal signage than one of the scenic or neighbourhood reserves.

4.23 TOILETS AND CHANGING FACILITIES

Issues/Opportunities

Council provides toilets and changing facilities on a number of parks and reserves where there is demand for such facilities. Council will continue to maintain, upgrade and enhance toilet and changing facilities to ensure they continue to meet the needs of reserve users and to ensure that they comply with appropriate legislation.

Facilities need to be located where they are visible and accessible. This ensures that reserve users of all abilities can enjoy the reserve space and the facilities on site. A challenge exists for Council in ensuring that facilities are available and accessible to users when they are needed, yet needing to balance this with concerns regarding safety and vandalism. It is important that during the peak times for visitors to parks and reserves, toilet and changing facilities are available for use. The hours the facilities are open for use should be clearly displayed onsite so users are aware and can use the facilities accordingly. Outside these hours, the facilities may need to be secured and monitored where appropriate, to prevent vandalism and ensure the reserve is a safe space and used for the intended recreational use.

Council is required to maintain, upgrade and enhance toilet and changing facilities on reserve sites and this investment should reflect the demand for facilities provided on a particular site. In the case that a park or reserve is a popular destination for the local community and visitors to the district, then it would be appropriate to provide a toilet facility as it would be appropriate to provide toilet and changing facilities on key sports grounds in the district. The absence of conveniently located facilities in some of the larger sports grounds can result in reserve users using trees and fences near the reserve boundary as toilet facilities.

Objectives

- 4.23.1 To maintain and upgrade toilet and changing facilities and provide new facilities on reserves where there is an appropriate level of need.
- 4.23.2 To ensure that facilities are safe, healthy and accessible to the community and comply with appropriate legislation.

Policies

- 4.23.3 Provide toilet and changing facilities on reserves to a standard that is appropriate to the type and usage of the specific reserve.
- 4.23.4 Ensure that facilities are conveniently located in visible and accessible areas to serve both reserve users and the wider public.
- 4.23.5 Ensure that toilet facilities are designed to be accessible.
- 4.23.6 Ensure that toilet facilities are safe and designed to discourage antisocial behaviour.

Actions

- Audit toilet and changing facilities to assess safety, usage and demand of facilities available in reserves.

Explanation

Toilet and changing facilities are important facilities on many parks and reserves. Such facilities help ensure reserve users enjoy the reserve space and fully appreciate the recreational opportunities. It is important that toilet and changing facilities are designed well for their functional need while being safe and easily maintained. It is also important that toilet and changing blocks on reserves are appropriately located and designed as to not degrade amenity and recreational values of reserves.

4.24 SITE FURNITURE

Issues/Opportunities

Furniture on reserve sites can include seating, picnic tables, barbeques, rubbish bins and drinking fountains. Reserve furniture is an important element to parks and reserves as these features add to the social experience of a reserve area by providing facilities for resting and picnic activities.

In terms of health and safety and convenience, it is important that new or replacement furniture is well designed for cleanliness and functionality. This is particularly important when considering areas where food may be prepared or consumed. Barbeque furniture and picnic tables should be effective and simple designs which are user-friendly and easy to clean. Rubbish bins should be provided on site but not too close to barbeques or picnic tables to ensure people can enjoy cooking and eating food without odour nuisance.

Site furniture on reserves can be an easy target for vandalism. To prevent acts of vandalism, it is important that site furniture is located in visibly open areas which are well lit to allow for passive surveillance from passers-by and neighbouring residents. If the reserve furniture is in clear view of the street, people are less likely to vandalise furniture and get away with it. The siting also needs to balance the benefits or requirements of providing shade or shelter for site furniture.

Site furniture is often a feature of reserves which is introduced to sites in instalments. As a result of this, furniture can often be varied in style and the form it takes. For consistency in design, it is important that Council have clear guidelines on what site furniture is best suited to the reserve in terms of look, design and consistency with existing furniture.

Objectives

- 4.24.1 To provide new site furniture where required and to maintain and enhance existing site furniture on reserves.
- 4.24.2 To ensure that new or replacement site furniture is consistent with the type and design which has been installed in other reserves and has been approved by Council.

Policies

- 4.24.3 Provide site furniture where the instalment or replacement of furniture would enhance the use and enjoyment of the reserve site.
- 4.24.4 Ensure all site furniture is maintained and where appropriate, upgraded to a safe and user-friendly standard.
- 4.24.5 Ensure that site furniture is located appropriately in accordance with its use and function.
- 4.24.6 Ensure that site furniture is in keeping with the surrounding environment and does not adversely affect the natural, amenity and recreational values of the reserve.

Actions

- Develop Design Guidelines that address what site furniture is most appropriate and best suited to the theme and setting of certain parks and reserves. The Design Guidelines shall take into account the location and the type of reserve.

Explanation

Site furniture is an important feature in many parks and reserves, which ensures reserve users get the most out of their reserve experience. It is important that site furniture is installed and maintained to a high standard to make sure that it functions as intended and does not detract from the amenity of Council parks and reserves. Clear guidelines are needed to ensure that site furniture provides for safe public use and can be easily maintained by users and Council and is consistent with the character and type of the reserve.

4.25 LIGHTING

Issues/Opportunities

Lighting can be a useful feature in reserves for improving surveillance and security around facilities and structures to reduce vandalism and improve visibility. Lighting can also assist with guiding users to access ways and illuminating entrances and car park areas. Lighting can improve the visual amenity and appeal of a site by highlighting key features such as trees or buildings or by being a feature on their own.

Lighting can however, provide a false sense of security and encourage people to use reserve sites during times when there are potential safety issues (e.g. at night). Council needs to consider this risk in making decisions to install lighting. In many cases it should be a strategic decision to prevent lighting reserve areas where the intention is to discourage visitors from using these sites at night.

Lighting can be beneficial to reserve users in some instances. However there is some risk in providing lighting where it is not necessary or not an amenity feature in appropriate locations.

The provision of lighting on reserves if not well directed can be problematic for neighbouring properties.

Objectives

- 4.25.1 To provide lighting where it will facilitate use and access to a reserve or to light up amenity features in reserves where appropriate.

Policies

- 4.25.2 Ensure lighting on parks and reserves does not adversely affect reserve users or neighbouring properties.
- 4.25.3 Ensure that all lighting is approved by the Park's and Property Manager prior to installation.

Actions

- Establish clear Design Guidelines on what lighting is most appropriate and best suited to parks and reserves.

Explanation

Lighting can be a useful feature to improve visibility and guide reserve users to access and entrance ways while also improving surveillance. It is important that the provision of lighting in a reserve does not create false expectations. Where lighting in reserves is necessary for amenity or safety reasons it should not be used in areas where reserve access is not encouraged at night. Guidelines should be established to identify where there is a need for lighting and to ensure the design is practical and cost-effective.

4.26 DEVELOPMENT AND ENHANCEMENT

Issues/Opportunities

Development and enhancement of reserves is important to ensure that recreational opportunities are available to the public and continue to meet the needs and demands of different user groups. New development should encourage increased usage and enjoyment of reserve land rather than restrict any future opportunities for use of reserve land. It needs to be recognised that the use of reserves may change over time, therefore new development should ensure that there is provision and flexibility to accommodate future changes in demand and use.

It is therefore important that Council carefully assess development proposals and ensures that appropriate development of reserves takes place which does not unduly impact on neighbouring properties or the reserve itself.

Objectives

- 4.26.1 To ensure that any reserve development and enhancement aligns with the reserve's purpose and use without adverse effects on reserve users, adjoining properties or the reserve itself.
- 4.26.2 To ensure that reserve development enhances and is sensitive to the reserve's natural, amenity and recreational values.

Policies

- 4.26.3 Ensure that development on reserves is in keeping with the scale, character and natural features of the reserve.
- 4.26.4 Ensure that development is consistent with design guidelines and any specific concept plan for a reserve.
- 4.26.5 All applications for development on reserves must obtain approval from Council.
- 4.26.6 Encourage the siting of development within reserves in locations which are logical and that minimise the visual impact of built structures.
- 4.26.7 Promote passive surveillance through good design, accessibility and location of development in line with the principles of CPTED (Crime Prevention Through Environmental Design).
- 4.26.8 Where the potential exists for the use of a reserve to change over time, ensure that new development makes provision for this and does not preclude alternative future uses.
- 4.26.9 Ensure that any development on Council administered reserves undertaken by private groups or reserve users has prior approval from the Park's and Property Manager

Actions

- Establish clear guidelines for what is expected in an application to or by Council, for proposed development on Council parks and reserves.

Explanation

Development on reserves is important to provide enhanced facilities to increase the enjoyment of reserve users and meet the changing needs of reserve users, provided that any development is in keeping with the purpose and values of the reserve. Council must control development on reserves particularly any development that is undertaken by private groups or reserve users. Requiring Council approval before the work is undertaken will ensure that appropriate consideration is given to development proposals to ensure the development is appropriate, adds value to the reserve land and can be maintained over time.

4.27 PLAY EQUIPMENT

Issues/Objectives

There are several reserves within the Horowhenua District which offer a range of play equipment for children. These existing playgrounds vary in form, design and scale across the district. The key issue in providing play equipment on reserves is user safety. It is important that playground equipment is installed and maintained in accordance with the national standard for playgrounds. This will ensure that Council provides safe play environment within reserves for children and families to use and enjoy.

It is also important that the type of play equipment compliments the reserve surroundings and does not detract from the visual amenity of the site or the recreational function of the reserve. Design, scale and location are important considerations in upgrading or installing new play equipment.

Play equipment in reserves can be subject to acts of vandalism. Council should locate play equipment so that it is visible and accessible from streets and neighbourhoods to promote passive surveillance of the equipment. This will ensure the equipment will be maintained to a high standard for reserve users to enjoy.

Some consideration in the siting of playground equipment should be given to being sunsmart and thinking about the availability of shading and shelter.

A challenge for Council is to ensure that across the District, play equipment is provided that caters for a range of ages. Providing play equipment that caters for a wide range of ages within one reserve will not always be appropriate unless distinct and separate play areas are created within the reserve (e.g. toddlers playground).

Objectives

- 4.27.1 To provide play equipment in reserves that is consistent with the characteristics and features of the reserve.
- 4.27.2 To provide opportunities for children to play in reserves in a diverse, fun and safe environment.

Policies

- 4.27.3 Require any new play equipment to be appropriately sited in relation to sun, shelter, accessibility, visibility and surveillance.
- 4.27.4 Require new play equipment to be in keeping with the natural context and character of the reserve.
- 4.27.5 Ensure that all play equipment is installed and maintained in accordance with all required safety and maintenance guidelines and regulations.

Actions

- Audit all play equipment every six months to assess condition of equipment for safety and identify any further upgrades necessary to accommodate the needs of park users.
- Within 24 hours of initial assessment upgrade, replace or remove any play equipment on reserves which is found to be unsafe.

Explanation

Many Council reserves provide play equipment for children. It is crucial that all play equipment is installed and maintained to meet national standards and provide a safe environment for children and families to enjoy. New play equipment must be in keeping with the scale and character of the reserve and must be cost-effective in Council maintaining the equipment over time. Play equipment that is sited with shade and shelter is safer and more appropriate for younger children. Consideration of the siting and design including the materials used can help avoid play surfaces getting too hot during summer months.

4.28 BUILDINGS AND STRUCTURES

Issues/Opportunities

Council often receives requests for new buildings or structures to be located on reserves, particularly sports grounds. Community groups and sporting organisations seek buildings and structures which can include clubrooms, pavilions and storage and equipment sheds to be built on Council reserves. These buildings and structures provide for different sporting and community groups to utilise Council reserves and can often benefit the wider community.

In considering new buildings or structures on reserves Council needs to take into account the need for such facilities and whether there are effective partnerships with the community or sports groups involved to support shared or mixed use. Buildings and structures must be sited, constructed and maintained to a high standard as not to detract from the recreational purpose and function of the reserve as well as the amenity and natural values of the reserve.

In the case of Council owned buildings and structures located on reserves, all buildings and structures for maintenance and management must be maintained to a high standard to ensure that they are in keeping with their surroundings and do not have an impact on the amenity or use of the reserve.

Objectives

- 4.28.1 To ensure that any new building or structure is accessible and complies with health and safety standards and appropriate legislation.
- 4.28.2 To ensure that the location, design and scale of any new building or structure is in keeping with the surrounding environment and built to effectively facilitate the use of the reserve.

Policies

- 4.28.3 Ensure that all new buildings or modification to buildings are designed to be in keeping with the character and scale of the reserve.
- 4.28.4 Ensure that all new buildings and structures are for a purpose compatible with the reserve's use and function.
- 4.28.5 Require Council in considering any proposals for modifications to or new buildings and structures, to consider the following:
 - (a) the need and demand for the building or structure to be located on reserve land and its proposed use in relation to the purpose of the reserve;
 - (b) the location, scale and design of the building or structure proposal and the potential amenity and functional effects of these on the reserve;
 - (c) compliance of the building control standards and rules to ensure the building or structure is safe for its intended use;
 - (d) the effects of providing access to and parking for the building or structure;
 - (e) the effect of the building or structure in terms of visual and proposed use on adjacent properties;

- (f) the capacity and ability for shared/joint use of the built facilities by reserve users;
- (g) compliance of the building or structure with the District Plan;
- (h) the ability to consolidate new buildings and structures with any existing structures to lessen the impact on visual amenity and recreational value of the reserve.

4.28.6 Require any modifications to existing or new buildings to be approved by Council through the lease/applicant obtaining any necessary consents.

4.28.7 In the case that a building is no longer required by an occupier or has become redundant, the occupier may be required to remove the building from the reserve.

Actions

- Establish clear guidelines on what building or structure design, location and scale is most appropriate and best suited to parks and reserves.
- Manage the upgrading, replacement or removal of any building or structure on a reserve that is found to be unsafe.
- Manage the removal of any building or structure that is no longer required by an occupier or has become redundant.

Explanation

Buildings and structures are facilities that can add value to Council parks and reserves and assist with their recreational function. It is important that proposals for buildings and structures are applied for following the correct procedure and the assessment of the proposal considers both their contribution to the reserve and any potential adverse impact on the reserve itself or adjacent land owners.

4.29 CONCESSIONS: LEASES, LICENCES, PERMITS AND AGREEMENTS

Issues/Opportunities

The Reserves Act 1977 provides the Council with the ability to grant concessions over reserve land depending on the status of the reserve land. Individuals, organisations or companies may approach the Council for a concession and the Council may grant a concession in accordance with the Reserves Act and the Instrument of Delegation for Territorial Authorities.

The Reserves Act defines a concession as a lease, a licence, a permit or an easement and includes any activity authorised by the concession document. The Reserves Act further defines a lease, licence and a permit. When deciding whether to grant a lease, licence, permit or easement reference should be made to the interpretation section of the Reserves Act and a decision made in accordance with the definition contained in the Reserves Act and the proposed activity that is to be carried out on the reserve land.

All applications for a concession on reserve land or land treated as reserve land that are granted by Council must meet the statutory requirements of the Reserves Act as well as all objectives and policies that are stated in the specific Reserve Management Plan and this document.

Fees and charges for concessions are set by Council on a case-by-case basis and in some circumstances fees and charges may be waived as the benefit of the activity being carried out may be seen as adequate consideration (for example, where land is grazed so that Council is not required to mow grass). Concession documents must be drafted so that they include the terms and conditions required by the Reserves Act.

Objectives

- 4.29.1 To allow for the occupation and use of reserve land and/or facilities by the granting of a lease, license or permit.
- 4.29.2 To use the control of leases, licenses and permits to ensure the most effective use of the reserve.
- 4.29.3 To allow for the use of a reserve for special events and activities where these are compatible with the purpose of the reserve.

Policies

- 4.29.4 Retain the right to control the number of leases, licenses and permits granted on a particular reserve as well as the duration and conditions granted.
- 4.29.5 Fees and charges for all concessions will be set on a case-by-case basis and will have regard to the purpose and function of the reserve land, the proposed activity and the benefit of the activity to the Council. The Council may decide not to charge a fee where the activity is of benefit to the Council and it is unlikely that the user of the reserve land will agree to pay a fee for the concession.
- 4.29.6 Identify all lease agreements on Council reserves as part of the preparation of individual or combined site specific Reserve Management Plans.
- 4.29.7 Applications for leases, licenses and permits on land held by Council for open space purposes, but not held under the Reserves Act will be treated according to its specified

use, as if it was held under the Act, to ensure consistency in decision making.

4.29.8 Maintain all current lease, license and permit agreements, in accordance with the terms and conditions.

Actions

- Establish a standardised system for writing concession agreements for different reserve land and reserve users while maintaining the ability to negotiate terms and conditions that are specific to the individual concession agreement.

Explanation

Concessions are necessary to ensure the full utilisation of reserve land while maintaining firm control of it to ensure it is used appropriately. In all circumstances the requirements of the Reserves Act shall be paramount.

4.30 BOOKINGS - ONE-OFF AND SEASONAL EVENTS

Issues/Opportunities

Council parks and reserves are utilised by a wide range of groups and organisations which provide them with the necessary facilities and open space to organise and partake in particular activities or events. Council has the right to charge those who benefit from the reserve and its facilities for the use of the reserve and to recover administration costs for the booking system and maintenance associated with the long or short term use of the reserve by an individual or organisation.

All fees and charges for one-off and seasonal events on Council reserves are set out in the Council's Annual Plan.

Objectives

- 4.30.1 To recover cost to the Council and community for the processing of applications and managing the reserve.
- 4.30.2 To allow for the non-exclusive use of reserves for one-off events and seasonal activities.

Policies

- 4.30.3 Charge a fee for the non-exclusive use of Council parks and reserves for one-off events and seasonal activities.
- 4.30.4 Maintain reserves to provide for one-off events and seasonal activities.
- 4.30.5 Retain the right to control the number of bookings for a particular reserve as well as the duration.
- 4.30.6 All bookings for reserve land will be charged a fee or rent based on the purpose and function of the reserve and the proposed use of a reserve or part of a reserve which are set out in the Annual Plan.
- 4.30.7 Maintain all booking agreements, in accordance with the terms and conditions.

Actions

- Establish clear guidelines for processing applications for leases, licenses and permits.
- Establish a standardised system for writing lease, license and permit agreements for different reserves and different uses.

Explanation

An effective booking system for one-off events and seasonal activities on parks and reserves is important to ensure that open spaces in the District are appropriately utilised by all. Bookings ensure that parks and reserves are used without compromising the values of the reserve and provide a fair way of managing the availability of reserves.

4.31 LAND ACQUISITION

Issues/Opportunities

Future acquisition of land for reserve purposes is a possibility for Council. While Council owns and/or administers large areas of open space for reserve purposes currently, there may be opportunities for purchasing or investing in land for reserve purposes. The Horowhenua Open Space Strategy (2012) provides a strategic vision for open space within the Horowhenua District. It takes a long-term view of the open space network and identifies areas where reserve land could assist with improving connections and make a positive contribution to the network in the future. This Strategy provides the direction for Council in acquiring reserve land.

While the strategic direction is in place for open spaces in the District, the Open Space Strategy (2012) is an aspiration document. Before acquiring new reserve land, it is important that Council undertake a thorough investigation into the demand and need for reserve expansion or entirely new reserve sites. There is far greater cost than the original investment in purchasing reserve land. Reserves require ongoing management and maintenance over time and this must be a cost that can be sustained over time. The investigation and justification of reserve land must align with priorities and funding set out in Council's Long Term Plan.

In the case that land is acquired by Council as reserve land, the naming of new reserves should be a process that has community input and approval from Council. The community identify with open space and where there is demand for a new reserve site, it is important that the community are engaged in the process and take ownership over using and looking after the quality of the reserve.

Objectives

- 4.31.1 To acquire future reserve land that provides quality reserve land for the community and that is in accordance with the Open Space Strategy.
- 4.31.2 To name new reserves through formal Council resolution, following full consultation with interested and affected parties.

Policies

- 4.31.3 Pursue the acquisition of land in accordance with the Open Space Strategy to provide for the following:
 - (a) linkages between reserves for recreation and conservation purposes;
 - (b) open space areas for recreation and sport;
 - (c) public access along riparian margins; and
 - (d) increased size of existing reserves.
- 4.31.4 Prior to the naming of a reserve, and formal Council resolution, Council will consult with interested or affected parties.
- 4.31.5 Ensure a concept plan is prepared for proposed reserves and assessed in accordance with all development and design guidelines.
- 4.31.6 Ensure that the size of a proposed new reserve area is consistent with the Open Space

Strategy in providing a quality area for the type of development proposed.

Actions

- Establish clear guidelines for the acquisition of reserve land.

Explanation

Future acquisition of land for reserve purposes can provide Council with the opportunity to provide additional recreational opportunities for the community while enhancing connections with the wider open space network in the Horowhenua. It is important when opportunities for acquisition of reserve land arise, that the purchase of land is considered in accordance with the Open Space Strategy and is justified in terms of ongoing maintenance costs.

When the Council acquires new reserve land it needs to be given an official name to ensure ease of identification. In naming reserves, Council will take into account the links of the reserve with people and past events of significance to the local area, and consult with interested or affected parties (including Iwi or hapu) prior to taking naming the reserve.

4.32 SALE OF RESERVES

Issues/Opportunities

There are a large number of open spaces in the District which the Council owns and/or administers. These spaces are either vested as reserve under the Reserves Act, classified as reserve under the Reserves Act or simply managed as reserve land by Council. Those reserves that are subject to the Reserves Act must have their classification status revoked before the land can be disposed of. Council may approve a resolution to revoke the status of a reserve but the Minister of Conservation holds the responsibility of revoking this status for the sale and disposal of formal reserve land.

The Reserves Act and Local Government Act outline a clear process for administering bodies to follow in revoking reserve status and selling reserve land.

The most common reason for revocation and disposal of a reserve is that the land is surplus to requirements, is no longer serving the purpose for which it was obtained or does not meet the needs of the community.

Objectives

- 4.32.1 To ensure that any revocation and sale of reserve land follows the due process as outlined in the Reserves Act and Local Government Act consultation requirements.

Policies

- 4.32.2 Council may undertake the revocation of any reserve classification subject to the Reserves Act and consultation requirements.

Actions

- Keep up-to-date records of the status of all reserves that are classified under the Reserves Act and land that is managed as reserve land by Council.

Explanation

There will be cases where parts of reserves or entire reserves are no longer required. Reserve land surplus to requirements may be disposed of by Council however there is a formal process in place for those reserves subject to the Reserves Act. It is important that Council Officers are aware of the status of all reserve land in the District so correct procedure is followed for any reserve disposal.

4.33 PENALTIES

Issues/Opportunities

Penalties are a tool that can be used to ensure policies within both individual Reserve Management Plans and this document are adhered to. Penalties can take the form of a monetary charge or requirement to undertake remedial work. Penalties ensure the values of reserves are protected and preserved over time by effectively deterring inappropriate behaviour or providing a punishment for such behaviour if and/or when it takes place.

One issue of a penalty system is that in order to serve a penalty on an offender, there must be a record of the offence occurring and a process for managing such offences. To establish and maintain this system, involves investment from Council in handling reports and policing matters.

Another issue with the use of penalties, is the difficulty in ensuring that there is a correct and accurate record kept of all offences that have been reported. This is the only way to ensure that repeat offenders are adequately punished and appropriate action is taken to prevent re-offending.

Objectives

4.33.1 To prevent anti-social behaviour and misuse of reserve land through the use of penalties.

Policies

4.33.2 Enforce penalties where offenders or an activity deliberately does not comply with policies outlined in individual Reserve Management Plans and this General Policy Document.

4.33.3 Recover costs of vandalism and damage where possible, through charging persons found guilty of not complying with relevant policies.

4.33.4 Erect prominent and appropriate signage to make reserve users aware of penalties.

Actions

- Establish a clear system for recording complaints of offences witnessed on reserve land.
- Establish best practice guidelines for managing offences and issuing penalties.

Explanation

Misuse of reserve facilities and inappropriate behaviour on reserve land should not be condoned. Penalties are one way in which Council can work to prevent vandalism or damage of reserves and recover costs where repair works are necessary.

Section 94 of the Reserves Act 1977 sets out when someone is deemed to have committed an offence on a reserve. (Refer to Appendix 1)

4.34 NETWORK UTILITIES

Issues/Opportunities

Reserves can be seen as appropriate locations for local infrastructure. This infrastructure can include utilities such as drains, water supply, electricity and telecommunication wires, substations, pump stations and gas networks. While these utilities are necessary in providing for the community, they can have an adverse impact on the natural values and character of reserves and their open space qualities.

Utility Operators that seek to install network utilities on reserve land are required to go through a formal process under the Reserves Act. Council has powers and responsibilities in this process in granting or rejecting access onto reserve land and what level of involvement the community have in this process.

Please refer to the Network Utilities in Reserves Policy 2016 for the Objectives and Policies relating to Network Utilities.

Actions

- Keep a clear and accurate record of all existing easements over reserves and those utilities that exist under or on reserve land.

Explanation

Network Utilities provide an important service to the community however, when located on reserve land they can threaten the use and value of reserves and safety of reserve users. It is important that correct procedures are followed for the application and installation of new utilities on reserves and that no future opportunities for development are lost due to the presence of utilities. These procedures are also necessary to ensure that Council has the ability to recover costs and that remedial works are at the cost of the operator and not the land administrator.

4.35 COMMERCIAL ACTIVITIES

Issues/Opportunities

Commercial activities are generally not compatible with the use and function of reserve land. There are cases however, where one-off commercial events may take place on reserve land or commercial enterprises set up on a regular basis on reserve land e.g. coffee in the Levin Courthouse at the Rose Gardens. Commercial activities, if managed effectively, can help to raise awareness of reserves and also raise money for future development and enhancement of the reserve.

One-off commercial events may include circuses or festivals which utilise the open spaces that reserves offer. Individuals or organisations are required to apply to Council before planning and initiating any such event but these can be an effective use of reserve land for a short period of time, a few times a year. The issue with one-off commercial events is that reserves are not designed to have the capacity to accommodate a large number of people at one time. As events can attract large numbers, measures need to be in place to ensure adequate facilities are in place to reduce pressure on any existing facilities and prevent damage or misuse of reserve land. Toilet, car parking and access are a few examples of reserve features that may be put under pressure in the case of a one-off event.

Requests to operate regular commercial activities are becoming more common on Council reserve land. Coffee Carts and Hot Food Trailers are often located at popular central reserves as well as sports grounds during the sports seasons. Issues with this type of activity is when Council allows this type of activity, businesses may think they are entitled to park on reserves and serve patrons without Council approval or resource consent under the District Plan. Reserve land is primarily provided to encourage and promote recreational activity, not provide for small businesses, so it is important that the features of the reserves which are highly valued by the community are not devalued by the increasing presence of commercial enterprises.

A balance needs to be struck, the green open spaces and aesthetics of the reserve landscape are what makes reserve land unique and attractive to the public, regular appearances of trailer and cart businesses can taint the visual amenity of a reserve and encourage more commercial activity. However it is also recognised that in appropriate locations and at a low scale, commercial activities can add to or compliment the reserve user's experience. This is an issue which Council must address in allowing commercial activity on reserve land.

Objectives

- 4.35.1 To allow for one-off and temporary commercial activities on reserve land where they are compatible with the use and values of the reserve.
- 4.35.2 To restrict commercial activity which is not compatible with the purpose and use of reserve land.

Policies

- 4.35.3 Permit commercial activity on reserve land where it has been approved by the Park's and Property Manager and appropriate concessions have been granted.
- 4.35.4 Charge a booking and rental fee for the use of a reserve and any associated administration and maintenance costs.

- 4.35.5 Restrict commercial activity where it is not compatible or would interfere with the use of the reserve.
- 4.35.6 Permit concessionaires on application at the discretion of the Park's and Property Manager.

Actions

- Establish clear guidelines on what types of commercial activities shall be allowed on different classifications of reserves. These activities should be identified in the individual or combined site specific Reserve Management Plans.
- Adopt a clear and fair system for processing applications and recovering costs.

Explanation

Commercial activity is generally discouraged on reserve land as it is often conflicting to the typical function and use of reserves and raises issues of commercial bias. Commercial activity can take many forms and there needs to be effective application systems in place to control what is or isn't appropriate on different reserves.

4.36 COMMEMORATIVE FEATURES

Issues/Opportunities

Council often receives request to place commemorative requests on reserves. Commemorations can mark important historic events and pay tribute to people or events that are significant to a local community. Whilst these features can develop community values and create places that people identify with, it is important that these features are managed.

Council receives numerous requests from people in the community seeking permission to provide a commemorative tree or structure such as a park bench in memory of a family member . While on the face of it this can be a generous gesture and enhance the amenity of the reserve, it can put Council in a difficult situation should the commemorative feature need to be replaced, relocated or removed.

Commemorative features may require ongoing maintenance which would be at a cost to Council. Features may also cause difficulties if they are damaged or vandalised given their often sensitive nature. Council is supportive of the concept of commemorative features but must have measures in place to ensure that officers are in a position to control the nature, number and location of such features in a reserve.

Objectives

- 4.36.1 To consider any request for the installation and maintenance of any commemorative features ensuring that such features can be managed in a cost-optimal way and are beneficial to the reserve and the community.

Policies

- 4.36.2 Ensure that any commemorative feature is compatible with the character and use of the reserve.
- 4.36.3 Ensure that any commemorative feature is of value to the reserve and the community.
- 4.36.4 Ensure that the maintenance of any commemorative feature can be sustained over time.
- 4.36.5 Require commemorative features in the form of site furniture or trees and plants to be consistent with existing facilities and vegetation in the reserve.
- 4.36.6 Maintain commemorative features except where maintenance by others is agreed as part of the gifting of or request for a feature.

Actions

- Establish a clear process for assessing requests for commemorative features and gifted features on reserves.
- Keep a register of commemorative features to ensure Council Officers are aware of these features in making decisions.

Explanation

Commemorative features on reserves can be of value and significance to local communities. While it is important that communities can identify with historic events or significant people, commemorative features must be carefully managed to ensure the character and use of the reserve is maintained.

4.37 ASHES

Issues/Opportunities

Council has received requests from members of the public seeking to scatter the ashes of loved ones or pets on reserve land. While Council recognises public open spaces may be in certain instances be appropriate for commemorative features, the scattering of ashes is not deemed appropriate on reserve land.

The scattering of ashes on reserve land is an activity that has been known to occur on reserves with or without consultation with Council. Council does not support or allow this activity on reserve land as reserve land is a public space and the spreading of ashes may be offensive to other reserve users who are entitled to use and enjoy the space.

The spreading of ashes on reserves can also raise issues of hygiene where there are barbeque and picnic table facilities where members of the public enjoy eating. Council does not see the spreading of ashes on reserve land, as compatible with the purpose and function of reserves. For this reason the spreading of ashes on reserve land is not permitted.

Objectives

4.37.1 Prohibit the spreading of ashes on reserve land.

Policies

4.37.2 Prohibit the spreading of ashes on all reserve land in the District.

Actions

- Erect signage effectively communicating the restrictions on the spreading of ashes on reserves, where this is known to occur.

Explanation

Council must restrict the spreading of ashes on reserve land as it is not a compatible activity with the typical purpose and function of reserve land. The spreading of ashes is a sensitive activity which may be offensive to other reserve users while conflicting with the consuming of food which often occurs on reserve land. For these reasons Council Officers must decline requests for the spreading of ashes on reserves and effectively communicate this as a prohibited activity.

4.38 ENCROACHMENT

Issues/Opportunities

Council reserve land often adjoins private property. In these situations, it is not uncommon for adjoining properties to use the reserve for private purposes that have not been formally authorised by Council. This issue is known as encroachment and can include structures, gardens, plantings, access ways, retaining walls, signs, fences and other land uses which can give the impression to reserve users that sections of the reserve are in private ownership. This is problematic as it can have an impact on the use and enjoyment of the reserve space and can cause difficulties when properties are sold without realising the true boundary or extent of their new property and the reserve.

The Reserves Act outlines a clear process for the formalisation or removal of encroachments onto reserve land.

Objectives

- 4.38.1 To restrict all encroachment on public reserve land.
- 4.38.2 To remove existing encroachments of public reserve land where they impact on the enjoyment and use of reserves and reserve values.

Policies

- 4.38.3 Prohibit encroachment onto public reserve land, and prohibit private vehicular access across reserve land to or from private property, except where a formal written agreement exists with Council.
- 4.38.4 Existing encroachments shall be removed and the reserve land reinstated where private access or use of the reserve has occurred without agreement with Council and consent of the Minister of Conservation. Council's priority for the removal of historical encroachments will include any built encroachments and those that adversely affect the public use and enjoyment of the reserve.
- 4.38.5 Where an unauthorised new encroachment occurs Council will;
 - (a) Give notice to the encroacher(s) requiring termination, removal and reinstatement of the encroachment at the owner's cost within a specified timeframe.
 - (b) Where removal and reinstatement does not occur. Council may carry out the removal and reinstatement and recover costs by way of proceedings through the District Court or if necessary through prosecution.

Actions

- Assess existing encroachments with the intention to work to formalise the encroachment or serve notice to encroachers to reinstate the reserve land.

Explanation

Where reserve land is being used by private property owners adjoining reserves without any formal agreement, Council must take action to reinstate the section of reserve or to formalise this agreement. Private property owners may damage or disturb the natural values of a reserves and could have a negative impact on the use and enjoyment of reserve land by others. It is important that steps are taken to prevent encroachments onto reserve land and to reclaim these sections of land where public land is wrongly being used for private purposes.

4.39 ARTWORK

Issues/Opportunities

Artwork in reserves can take different forms such as paintings, murals, sculptures or carvings. Artwork can play an important role in place making and creating environments that people can enjoy and identify with. While artwork can be a feature of reserves and attract users, it is important that there is community input and consultation to ensure the artwork is in keeping with the surroundings and is suitable to the environment.

Objective

- 4.39.1 Provide opportunities for the community to contribute to creating unique artwork features within reserves.

Policies

- 4.39.2 Encourage partnerships with Council and groups or members of the public to initiate artwork projects on reserve land.
- 4.39.3 Allow the installation of artwork on reserves where the scale and design is in keeping with the reserve's natural and physical setting.
- 4.39.4 Ensure that artwork features do not have an adverse impact on the use and safety of reserve users.

Actions

- Establish a clear process for receiving and assessing requests for the installation of artwork on reserves.
- Establish Design Guidelines for the siting and type of artwork that may be acceptable on reserves.

Explanation

Artwork can be a key feature and attraction on reserve land if it is in keeping with the surroundings and does not threaten the primary recreational function of a reserve. Artwork can build a sense of place and identity and work to build civic pride and community ownership of a reserve. There must be a process for engaging with the community and assisting with the installation and ongoing maintenance of artwork on reserves to ensure that the introduction of a new feature, is well received and adds value to the reserve.

4.40 SUSTAINABILITY

Issues/Opportunities

Council is committed to taking steps towards incorporating sustainable practises into the management and development of reserves within the District. Council should encourage and promote sustainable use and development of reserves by; encouraging physical activity and enhancing social wellbeing; conserving natural ecosystems; and protecting and enhancing biodiversity. The administration and management of reserves provides an opportunity to build in sustainable practices while strengthening the recreational and natural values of reserves.

Objective

4.40.1 To incorporate sustainable practices into the management and development of reserves within the District wherever practicable.

Policies

4.40.2 Ensure that where appropriate and practicable, sustainable management practices are taken into account in the design, operation, maintenance and development of reserves.

Actions

- Establish guidelines for development and enhancement of reserves that takes into account sustainable management practices.

Explanation

Sustainable principles align with the purpose and use of reserves. Council should work to incorporate sustainable management practices where possible in managing and development reserve land to promote and enhance not only environmental sustainability but also social and cultural sustainability.

4.41 ALTERNATIVE USES

Issues/Opportunities

Reserve land is designated primarily for recreational purposes. However, there are cases where reserve land has been identified for reserve purposes but in the short term may be used for alternative purposes. Alternative uses for reserve land must be compatible with the intended use and function of the open space as reserve. Alternative uses could include activities such as stormwater retention and drainage, or grazing (see Policy 4.21). These are two examples of alternative uses that could be achieved in a manner that respects and safeguards the reserve for its future intended use.

Objectives

- 4.41.1 To prevent alternative uses of reserve land that have an adverse impact on the natural, amenity and recreational values of a reserve from occurring.
- 4.41.2 To allow for alternative uses of reserve land subject to Section 74 of the Reserves Act 1977, as a method of maintenance and land utilisation.

Policies

- 4.41.3 Allow for alternative uses of reserves subject to Section 74 of the Reserves Act 1977.
- 4.41.4 Ensure that any alternative use of a reserve is approved by the Park's and Property Manager prior to the change in use.
- 4.41.5 Ensure that alternative uses of reserves are compatible with the existing use as well as the intended use of the reserve for recreation purposes.
- 4.41.6 Ensure that alternative uses of reserve land do not have an adverse effect on the natural, amenity and recreational values of a reserve.

Actions

- Review reserve land where alternative uses may be appropriate.

Explanation

Council reserves may not always be fully utilised for recreation purposes. In these cases, it may be appropriate to consider alternative uses of reserve land. Alternative uses may compliment the primary recreational use of reserves or may aim to utilise land that will be managed as reserve in the future. It is important that alternative uses preserve the natural values of a reserve and the recreational and open space potential of the reserve land. Council must work to effectively manage alternative uses of reserve land to uphold their existing and potential values as reserve land.

4.42 FIREWORKS

Issues/Opportunities

Fireworks on reserve land can be a key feature or popular attraction for one-off special events. Local residents will typically use Council's parks and reserves to let off fireworks at Guy Fawkes and other special occasions such as New Year's Eve. However fireworks can also be a threat to the natural and recreational values of a reserve and a threat to the safety of other reserve users and neighbouring landowners. While fireworks can offer unique displays for the public to enjoy, if individual members of the community let fireworks off in an uncontrolled environment, this can be a health and safety issue and a concern for the natural features in reserves.

Objectives

- 4.42.1 To prohibit the fireworks displays on reserves except where expressly provided for in an agreement or license to occupy for events on reserves and the activity is undertaken by a licensed pyrotechnic operator.

Policies

- 4.42.2 Prohibit fireworks displays on reserves unless Council has approved a written application for a fireworks display for a one-off event and the activity is undertaken by a licensed pyrotechnic operator.
- 4.42.3 Ensure that appropriate conditions related to fire risk, safety and noise, are clearly outlined in agreements with individuals or organisations that have applied for permission to organise a fireworks display on reserve land.

Actions

- Identify reserves where fireworks displays may be appropriate.
- Establish and impose conditions related to fire risk, safety and noise in the case that applications for fireworks displays are received by Council.

Explanation

Fireworks displays can generate adverse effects in relation to vegetation, wildlife habitat, animals and neighbours. They can also create a potential fire risk that must be managed in the event of a fireworks display on reserve land. Council must carefully control the display of fireworks for approved events and prohibit informal use of fireworks by reserve users.

5. Glossary

activity includes a trade, business, or occupation

administering body, in relation to any reserve, means the board, trustees, local authority, society, association, voluntary organisation, or person or body of persons, whether incorporated or not, appointed under this Act or any corresponding former Act to control and manage that reserve or in which or in whom that reserve is vested under this Act or under any other Act or any corresponding former Act; and includes any Minister of the Crown (other than the Minister of Conservation) so appointed

animal means any mammal, bird, reptile, amphibian, fish (including shellfish) or related organism, insect, crustacean, or organism of every kind; but does not include a human being

concession or **concession document** -

(a) means -

(i) a lease; or

(ii) a licence; or

(iii) a permit; or

(iv) an easement

and

(b) includes any activity authorised by the concession document.

concessionaire means a person who is -

(a) a lessee; or

(b) a licensee; or

(c) a permit holder; or

(d) the grantee of an easement

lease, in relation to a reserve vested in the Crown, -

(a) means -

(i) a grant of an interest in land that -

(A) gives exclusive possession of the land; and

(B) makes provision for any activity on the land that the lessee is permitted to carry out:

(ii) any document purporting to be a lease (whether or not the document gives the lessee exclusive possession of the land concerned) and issued under any enactment passed before the commencement of section 2 of the Reserves Amendment Act 1996:

(iii) any document purporting to be a lease (whether or not the document gives the lessee exclusive possession of the land concerned) and issued under this Act before the commencement of the said section 2; but

(b) does not include a licence referred to in paragraph (b)(ii) of the definition of the term licence.

licence, in relation to a reserve vested in the Crown, -

(a) means -

(i) a *profit à prendre* or any other grant that gives a non-exclusive interest in land; or

(ii) a grant that makes provision for any activity on the land that the licensee is permitted to carry out; and

(b) includes -

(i) any document purporting to be a licence (whether or not the licence gives an interest, or makes any provision, referred to in paragraph (a)) and issued under any enactment relating to reserves that was passed before the commencement of section 2 of the Reserves Amendment Act 1996; and

(ii) any document purporting to be a licence and purporting to grant an exclusive interest in land, and issued under this Act before the date of commencement of the said section 2 or issued under any other enactment relating to reserves that was passed before that date; and

(iii) any document purporting to be a licence (whether or not the licence gives an interest, or makes any provision, referred to in paragraph (a)) and issued under this Act before the commencement of the said section 2.

local authority means—

(a) a territorial authority, a regional council, a river board, a drainage board, and a regional water board; and

(b) includes any other public body declared by any other enactment to be a local authority for the purposes of this Act or any corresponding former Act; and

(c) includes such other public bodies or classes of public bodies as are from time to time declared by the Minister, by notice in the *Gazette*, to be local authorities for the purposes of this Act; and

(d) where necessary, includes the Corporation of the district governed by any body that is a local authority for the purposes of this Act by virtue of paragraph (a) or paragraph (b) or paragraph (c).

permit

(a) means a grant of rights to carry out an activity that does not require an interest in land; and

(b) includes any authorisation or licence granted before the commencement of this definition that granted similar rights

reserve or public reserve, except as hereinafter provided in this definition, means any land set apart for any public purpose; and includes -

- (a) any land which immediately before the commencement of this Act was a public reserve within the meaning of the Reserves and Domains Act 1953:
- (b) any land vested in the Crown which after the commencement of this Act is reserved or set apart under Part 12 of the Land Act 1948 or other lawful authority as a reserve, or alienated from the Crown for the purpose of a reserve:
- (c) any land which after the commencement of this Act is vested in the Crown by or under the authority of any Act as a reserve:
- (d) any land which after the commencement of this Act is taken, purchased, or otherwise acquired in any manner whatever by the Crown as a reserve or in trust for any particular purpose:
- (e) any land acquired after the commencement of this Act in any manner by an administering body as a reserve within the meaning of this Act, and any land vested in any local authority which, not theretofore being a public reserve, is by resolution of the local authority pursuant to section 14 declared to be set apart as a reserve:
- (f) any private land set apart as a reserve in accordance with the provisions of any Act:
- (g) any land which immediately before the commencement of this Act was a domain or public domain within the meaning of the Reserves and Domains Act 1953:
- (h) any land, other than a national park within the meaning of the National Parks Act 1980, administered under the Tourist and Health Resorts Control Act 1908:
- (i) any land taken or otherwise acquired or set apart by the Crown under the Public Works Act 1981 or any corresponding former Act, whether before or after the commencement of this Act, for the purposes of a reserve, a recreation ground, a pleasure ground, an agricultural showground, or a tourist and health resort:

but does not include -

- (j) any land taken or otherwise acquired or set apart under the Public Works Act 1981 or any corresponding former Act, whether before or after the commencement of this Act, for any purpose not specified in paragraph (i):
- (k) any land to which section 167(4) of the Land Act 1948 applies:
- (l) any land taken, purchased, or otherwise in any manner acquired, whether before or after the commencement of this Act, by a local authority, unless the land is acquired subject to a trust or a condition that it shall be held by the local authority as a reserve:
- (m) any Maori reservation.

6. Appendices

Appendix 1 – Offences on Reserves

Reserves Act 1977 - Section 94 - Offences on Reserves

- (1) Every person commits an offence against this Act who, without being authorised (the proof of which shall be on the person charged) by the Minister or the Commissioner or the administering body, as the case may require,—
- (a) lights any fire on a reserve except in a fireplace in any camping ground or picnic place established by the Minister or the Commissioner or the administering body; or
 - (b) causes or allows any cattle, sheep, horses, or other animals of any kind whatsoever to trespass on any reserve; or
 - (c) liberates any animal on any reserve; or
 - (d) plants any tree, shrub, or plant of any kind, or sows or scatters the seed of any tree, shrub, or plant of any kind, or introduces any substance injurious to plant life, on any reserve; or
 - (e) wilfully breaks or damages any fence, building, apparatus, or erection on any reserve; or
 - (f) removes or wilfully damages any, or any part of, any wood, tree, shrub, fern, plant, stone, mineral, gravel, kauri gum, furniture, utensil, tool, protected New Zealand object, relic, or thing of any kind, on any reserve; or
 - (g) wilfully digs, cuts, or excavates the sod on any reserve; or
 - (h) not being the lessee or licensee or concessionaire of the reserve or any part thereof, occupies or uses any land in a reserve for cultivation or any other purpose; or
 - (i) takes or destroys or wilfully injures or in any manner disturbs or interferes with any animal or bird or other fauna or the nest or egg of any bird on any reserve; or
 - (j) deposits or throws on any reserve (being a reserve which is not a public place within the meaning of section 2 of the Litter Act 1979) any substance or article of a dangerous or offensive nature or likely to be of a dangerous or offensive nature or any rubbish, except in a place or receptacle approved or provided by the Minister or the Commissioner or the administering body; or
 - (k) erects any building, sign, hoarding, or apparatus on any reserve; or
 - (ka) carries on within any reserve any activity for which a concession is required under section 59A; or
 - (kb) carries on within any reserve vested in an administering body any trade, business, or occupation; or
 - (l) trespasses with any vehicle or boat or aircraft or hovercraft on any reserve, in breach of any prohibition under this Act; or
 - (m) in any way interferes with a reserve or damages the recreational, scenic, historic, scientific, or natural features or the flora and fauna therein:
- provided that nothing in any authorisation by the Minister or the Commissioner or the administering body to do any act which would otherwise be unlawful under paragraph (c) or paragraph (i) shall be deemed to authorise any person to do any act in contravention of the Wildlife Act 1953 or any regulations or Proclamation or notification under that Act.
- (2) Every person commits an offence against this Act who—
- (a) when required by notice from the Minister or the Commissioner or the administering body to remove any animal from a reserve, fails to do so within the period specified in the notice; or

- (b) being the driver of any vehicle or the pilot of any aircraft or the person in charge of any boat or hovercraft that is illegally on a reserve, fails or refuses to remove it from the reserve when so requested by any officer as defined in section 93(5); or
 - (c) without a concession, lease, licence, permit, or other right or authority, does or causes to be done any act, matter, or thing for which a lease, licence, permit, or other right or authority is required by this Act or by any regulations under this Act; or
 - (d) not being an officer of the Department or a ranger, acting in either case in the course of his official duties, enters any nature reserve in breach of section 20(2)(c), or in breach of any condition imposed in any permit granted or notice given under section 57; or
 - (da) being a person in charge of any boat, anchors or moors that boat in breach of a notice given under section 57(3) or section 59(3) or in breach of any permit granted under section 57(7) or section 59(7); or
 - (e) while any scientific reserve or any part of such a reserve is subject to a notice under section 21(2)(b) prohibiting entry—
 - (i) not being an officer of the Department or a ranger, acting in either case in the course of his official duties, or not being the holder of a permit issued under section 59, enters the reserve or that part, as the case may be, in breach of the said section 59; or
 - (ii) being the holder of such a permit, does not comply with any term or condition of the permit; or
 - (f) counterfeits or without due authority issues any concession, lease, licence, permit, or other authority required by this Act or by any regulations under this Act; or
 - (g) unlawfully alters, obliterates, defaces, pulls up, removes, interferes with, or destroys any boundary marks, or any stamp, mark, sign, poster, licence, lease, permit, or other right or authority issued by the Minister or the Commissioner or an administering body.
- (3) Every person commits an offence against this Act who uses, receives, sells, or otherwise disposes of any wood, timber, bark, flax, mineral, gravel, kauri gum, protected New Zealand object, relic, or other substance or thing whatsoever knowing the same to have been removed unlawfully from any reserve.
- (4) Every person commits an offence against this Act who, without being authorised by the Minister, or the Commissioner, or the administering body,—
- (a) is in possession of any firearm, weapon, trap, net, or other like object in a reserve; or
 - (b) discharges any firearm, weapon, or other instrument on a reserve; or
 - (c) from outside a reserve, shoots at any fauna or any other object or thing inside the reserve with any firearm, weapon, or other instrument,—
- and, where any person is found discharging a firearm, weapon, or other instrument in contravention of this subsection, section 95(6) shall apply in respect of that firearm, weapon, or other instrument in all respects as if it were illegally in the possession of that person in the reserve:
- provided that nothing in any such authorisation shall be deemed to authorise any person to do any act in contravention of the Wildlife Act 1953 or any regulations or Proclamation or notification under that Act.
- (5) Where any person commits an offence against subsection (1)(j), the Minister or the Commissioner or the administering body, as the case may be, may cause the removal of any objects deposited or thrown in breach of that subsection, and the cost of that removal shall be assessed by a District Court Judge and shall be recoverable from that person in like manner as a fine.

- (6) Any person convicted of an offence under this section shall, in addition to any penalty for which he may be liable for the offence, pay twice the full market value of any substance removed from the reserve or pay for the damage done to the reserve, or to any forest, wood, timber, flax, or scrub growing or being thereon; and, in the case of an offence against subsection (1)(a), for the cost of extinguishing the fire and the expenses incurred in investigating the origin of the fire. That value or damage or cost shall be assessed by a District Court Judge, and shall be recoverable in like manner as a fine. The full market value shall be deemed to be that amount which the Crown would have received by way of purchase price if the Crown had removed the substance from the reserve and offered it for sale on reasonable terms.

Appendix 2 - Decision Making Process for Requests not included in Reserve Management Plan

Reserve Management Plans are developed to provide both short and long term guidance regarding the use, management and development of reserves. At some point there are likely to be proposals submitted or requests made to Council that have not been specifically identified or included in the Reserve Management Plan. The following process set out below is intended to provide some consistency and guidance for making decisions about whether to proceed with these requests or proposals. This process should be used as a general guide and is not intended to avoid the consideration of other potentially relevant information.

