



SECTION FOUR

General Reserve Provisions



4.1 PROVISIONS FOR THE USE AND ENJOYMENT OF RESERVES

4.1.1 VEHICLE ENTRY AND ACCESS

Motorised vehicles may be permitted to drive onto areas designated as roadway or parking. Non-motorised vehicles and bicycles may be permitted on reserves provided they do not cause damage to surfaces and do not endanger other reserve users. The use of reserves for parking or storing any motorised or non-motorised vehicle or other material for lengthy periods will not be permitted.

The use of reserves to gain vehicular access to private properties on a long term basis will be permitted only in exceptional circumstances where no other access is feasible.

Physical barriers may be erected to prevent vehicle access to restricted areas.

4.1.2 LEASING OF RESERVES

Council has the authority to lease areas of reserves to various organisations under certain circumstances. This authority is strictly controlled by sections 54 and 61 of the Reserves Act, which cover leasing of recreation and local purpose reserves respectively. This strict control over leasing must be maintained to ensure that public reserves are not covered by a proliferation of buildings, and that public access to these reserves is not unduly compromised.

Section 54 of the Reserves Act gives Council the authority to lease areas of reserve to the extent necessary to give effect to the principles set out in section 17 of the Act. There are four general purposes for which Council can lease land:

- a. For swimming pools, camping grounds, parking or mooring places, or other facilities for public recreation or enjoyment.
- b. For erection of stands, pavilions, gymnasiums and other buildings associated with and necessary for the use of the reserve for outdoor sports, games, or other recreational activities.

- c. For playing any outdoor sport, game, or other recreational activity where preparation and maintenance requires the lessee to expend a substantial sum of money e.g. golf, bowls, croquet and tennis.
- d. For the carrying on of any trade, business, or occupation, provided that it must be necessary to enable the public to obtain the benefit and enjoyment of the reserve or for the convenience of persons using the reserve.

In all the above circumstances, leases are subject to further provisions set out in the First Schedule to the Act. Consent from the Minister of Conservation is required in some cases.

Before any lease of a recreation reserve is granted, it must be subject to public consultation either by public notification of each proposed lease or preferably by the consultation process involved in the preparation of management plans. Consequently then, management plans must specify areas available for leasing.

In the case of a local purpose reserve, a lease may be granted without public consultation provided the lease conforms with the purpose of the reserve. Leasing of local purpose reserves is subject to section 61 of the Reserves Act.

A list showing the reserve land which is leased is included as Schedule Five.

4.1.3 CLUBROOMS AND OTHER BUILDINGS

Clubrooms will only be permitted on recreation reserves where the activities of the club or organisation are of a sporting nature. Clubrooms for activities other than a predominantly sporting use will be located on local purpose reserve e.g. bridge club, pipe band hall, vintage car club.

The design of any building will be subject to Council approval. Scaled drawn plans including elevations will be required for new buildings, the cost of which will be borne by the lessee.

The design will aim to create an attractive building and incorporate surrounding landscaping.

All buildings on reserve land will be subject to a lease between Council and the occupiers, as provided by section 4.1.2 Leasing of Reserves.

If public facilities are required to be part of a new building, Council may make a contribution towards their construction as determined by Council after consultation with the club. Toilet cleaning and maintenance will then be carried out by Council.

4.1.4 TOILET FACILITIES

Council may provide toilet facilities on reserves where the level of usage justifies their provision.

4.1.5 BENCHES AND OUTDOOR FURNITURE

Park benches/seating shall be provided at all playgrounds and in areas of higher profile reserves where people relax, congregate or pass. Picnic tables and seating shall be provided at all barbecue and readily identifiable picnic sites in reserves. The number and distribution will depend on the usage of the site.

Litter bins are provided on reserves at strategic locations where people congregate or pass and where a potential for litter exists.

The design and placement of all outdoor furniture shall be in keeping with the environment and not detract from the amenities of the reserve. Construction shall be in a manner and of materials to minimise the potential for vandalism. All benches, barbecues and other outdoor furniture will be maintained to a safe and useable standard. The installation of all benches and outdoor furniture will be determined by Council.

4.1.6 SPORTS FIELD LIGHTING, MARKING AND EQUIPMENT

Additional equipment for the use of reserve facilities are of direct benefit to individual organisations and for their use during exclusive time allocations. The costs for such equipment should therefore be borne by the organisation concerned. The placement of lights, goal posts or any other structures shall only be carried out with Council's consent.

Any sports field lighting, goal posts and seating shall be erected and maintained only with Council consent and shall be at the cost and responsibility of the individual organisation concerned. Field marking shall be the responsibility of the individual organisation in compliance with Council specifications.

4.1.7 CAMPING ON RESERVES

Provisions relating to camping on Council reserves are contained in Council's General Bylaw 2009 Part 2 – Public Places and in Council's policy on self contained motor vehicles in Prideaux Park and their successors. Copies are available on Council's website and at the District Office.

4.1.8 GOLF ON RESERVES

Golf is allowed on Hilldale Reserve and Stoneham Park only.

4.1.9 BICYCLES ON RESERVES

Bicycles are allowed to be ridden on all reserves provided no damage is caused.

4.1.10 FISHING ON RESERVES

The Tarawera River is renowned as an excellent trout fishing river and the Ruruanga Stream is designated by the Fish and Game Council as a Junior Angler Stream and periodically stocked with trout fingerlings by the Eastern Region Fish and Game Council.

Council takes account of access for fishing when undertaking maintenance and development of reserves along these waterways. Council is not responsible for monitor or enforce fishing licences on either river.

4.1.11 DOGS ON RESERVES

Council has designated a number of reserves as dog exercise areas. These are listed in Schedule Seven of this plan.

Any designation of an important reserve as a dog exercise area is also outlined in the access and use policies for that reserve.

Notwithstanding that an area may be a designated dog exercise area, where any organised activity is being undertaken on a reserve, dogs must be restrained as if in a public place.

Some public places, including reserves, have been designated by Council as dog prohibited areas. These are listed in Schedule Eight.

Other provisions relating to dogs on reserves are contained in Council's dog control bylaw and policy on dogs. Copies are available on Council's website and at the District Office.

4.1.12 ANIMALS ON RESERVES

Provisions relating to animals other than dogs on reserves are outlined in Council's General Bylaw 2009 Part 2 – Public Places. Copies are available on Council's website and at the District Office.

4.1.13 LIQUOR LICENCES

Liquor licences may be granted in accordance with Council's sale of liquor policy for functions or events held on any reserve and for clubrooms on any reserve where the supply and consumption of alcohol is a social activity done in conjunction with the primary purpose and as an ancillary activity for the club.

4.1.14 SMOKE-FREE RESERVES

Council has a smoke-free public places policy which applies to some reserves. The purpose of the policy is to de-normalise smoking in public places so as to promote positive influences for children and young people. It is an educational policy which relies for compliance on co-operation from within the Community. The reserves that are subject to the policy are listed in Schedule Six.



4.2 PROVISIONS FOR THE MAINTENANCE OF RESERVES

4.2.1 RESERVE ADMINISTRATION

The current classification for all Kawerau reserves shall be retained.

Administration and control of all Kawerau reserves shall be retained by Council.

Liaison and co-operation with user-groups shall be maintained and encouraged.

Lease agreements, providing the right to occupy reserve land, shall be entered into with appropriate organisations.

Reserves management planning shall be in accordance with procedures outlined in the Reserves Act 1977.

4.2.2 PUBLIC SAFETY AND NUISANCE

Where there is a hazard on a reserve which may pose a threat to public health or safety, such as an open drain, unsafe structure, dangerous tree etc, Council will isolate the hazard by erecting a safety barrier and/or make safe or remove the hazard.

Other provisions relating to public safety and public nuisance are outlined in Council's general bylaw for public places.

4.2.3 LITTER AND DUMPING

Council will provide litter bins at locations on reserves that will encourage users to dispose of their refuse responsibly.

The dumping of refuse, including green wastes, is not permitted on reserves. This policy will be enforced under the terms of the Resource Management Act, the Litter Act and Council bylaws.

Council will remove refuse that is illegally dumped on reserves.

4.2.4 VANDALISM AND GRAFFITI

Where possible, facilities will be located to reduce the risk of vandalism and be constructed in a way that will reduce the effects of vandalism.

Vandalism on reserves will be repaired as soon as possible after coming to the attention of Council officers.

If vandals are apprehended and brought to the notice of the Police, Council will seek restitution or, if practicable, repair of the damage.

4.3 PROVISIONS FOR THE PROTECTION AND PRESERVATION OF RESERVES

4.3.1 PEST PLANT CONTROL

Council and its contractors are required to adhere to the 'Agrichemical Users Code of Practice NZS 8409:1995 produced by Standards New Zealand and the New Zealand Agrichemical Education Trust, or any successive code of practice adopted by Council.

Pest plants will be controlled in accordance with Bay of Plenty Regional Pest Management Plan. Other weeds and plant material will be removed if their presence becomes a problem with regard to amenity value, access, infestation of other properties, habitat for animal pests, or if eradication is required to prevent a future escalation of the problem.

Weed control in turf and gardens shall be addressed as a maintenance issue of those areas. The degree of maintenance will be in accordance with the use of the area and the overall maintenance standard.

4.3.2 ANIMAL PEST CONTROL

Animal pests such as wasps, rats, possums, feral cats, magpies, stoats, ferrets and rabbits will be controlled in accordance with the pest management strategy as promulgated by Regional Councils in addition to a visual monitoring programme that will be developed and implemented.

Initial investigation of the problem may be undertaken by Regional Council pest management staff who will report on infestation levels, levels of threat and possible solutions.

When the number of black swans and other game birds on reserves becomes a problem, control will be carried out in conjunction with Eastern Regional Fish and Game Council and Department of Conservation.

It is prohibited to introduce exotic fauna to waterways on reserves in which they are not already present.

4.3.3 PROTECTION OF WATERWAYS

Council values the beauty and purity of the Tarawera River and Ruruanga Stream in Kawerau and recognises the importance of maintaining the integrity of these significant environments.

Kawerau's population has been static over recent years and is likely to remain static, or even decline. The proximity of the town to the rivers has not had any significant impact on water quality to date and this is not expected to change.

The aim of Council maintenance and any developments in the reserves through which the two waterways cross is to enhance public access and recreational use without causing any adverse effects on water quality. The Tarawera River kayaking course at Waterhouse Reserve is an example of this approach.

