



General Policies Reserves Management Plan 2009

CONTENTS

Introduction	3
1.1 Reserve Management Planning Process.....	5
2.0 General Policies	6
2.1 Abandonment of Facilities	6
2.2 Camping	7
2.3 Car Parking.....	9
2.4 Circuses and Side-Show Operators.....	11
2.5 Community Consultation	13
2.6 Dumping Facilities (Effluent Disposal Points)	14
2.7 Encroachments	15
2.8 Fencing.....	18
2.9 Fire Control	20
2.10 Fireworks Displays	22
2.11 Hazardous Substances.....	23
2.12 Heritage Conservation	24
2.13 Liquor Licences.....	25
2.14 Motor Vehicles on Reserves	27
2.15 Naming of Reserves.....	28
2.16 Occupation Agreements	29
2.16.1 Leases	29
2.16.2 Licences	31
2.16.3 Easements.....	32
2.17 Park furniture.....	35
2.17.1 Seats	35
2.17.2 Tables	36
2.17.3 Barbeques	37
2.17.4 Litter bins	38
2.17.5 Drinking Fountains	39
2.18 Pest Management	40
2.19 Plaques and Commemorative Plantings.....	41
2.20 Refuse and Waste Disposal.....	43
2.21 Reserve Lighting.....	44
2.22 Signs	46
2.23 Toilets	47
2.24 Tracks.....	49
2.25 Trees and Tree Management	50
2.26 Use of Reserves	54
2.26.1 Temporary Use	54
2.26.2 Exclusive Use	57
2.26.3 Commercial Use.....	58
2.27 Utility Operators.....	61
2.27.1 Occupational Agreements for Network Utility Operators	62
2.27.2 Access.....	64
2.27.3 Removal of Vegetation.....	65
2.28 Vandalism and Graffiti	68

1.0 INTRODUCTION

The District's reserves are a major source of open space for a variety of purposes. The scope of uses which may be proposed is wide and includes sport, education, scientific research, conservation plantings, leisure (e.g. picnicking, walking), commercial promotions, festival activities, circuses, competitions, public demonstrations and ceremonies. Council believes those activities which further the recreational and cultural development of the District are to be encouraged, and promotes full use of the District's reserves.

The Matamata-Piako District Council administers reserves and parks for several purposes. Most reserves are managed primarily for public use; however, for some reserves other objectives may be more important. These include reserves with Scenic Reserve status under Section 19 (1) (b) of the Reserves Act 1977, land managed as if it was scenic reserve under this status and some types of Local Purpose Reserves.



Tui Park Rose Garden

The Matamata-Piako District Council is charged with developing management plans for the management of the District's reserves under the *Reserves Act 1977*. Management plans may also be produced for areas that are not reserves under the *Reserves Act 1977*. The aim of the Reserves Act 1977 is to ensure that reserve development and enjoyment are based on sound planning and that the needs of the public are clearly identified. Management plans should outline Council's general intentions for use, development and maintenance of its reserves.

This Reserves Management Plan General Policies document (hereafter referred to as General Policies) has been produced to provide guidance for common issues related to all reserves. This allows a consistent approach to reserve management and removes the need for policies to be repeated in each management plan.

This document contains policies that apply to all reserves in the District including those that are not classified as reserves under the Reserves Act 1977, or whether covered by an existing management plan or not.

These General Policies must also be read in conjunction with the Reserves Act 1977, which is the overriding statutory document for activities permitted under a management plan. Other Acts must also be considered when determining appropriate management for reserves.

Where any issue on a reserve is addressed by both the *General Policies* and a Reserves Management Plan covering a specific reserve, then the policies in that management plan take precedence over the *General Policies*.

The term "reserve" is used throughout this document to cover all types of land owned or managed by Matamata-Piako District Council, whether reserves under the Reserves Act 1977, or not.

Throughout this document there are references to particular Acts of Parliament. Where an Act is specified, it also refers to subsequent amendments to that Act.

1.1 RESERVE MANAGEMENT PLANNING PROCESS

The following table summarises sections 41 of the Reserves Act 1977 – Management Plans, and the process used to develop this management plan.

Reserves Act 1977 Obligation	Public Consultation	Description of Activity	Phase
Section 41 (5)	Optional	Council notifies the public that it is preparing a management plan and calls for submissions (1 month)	Management Planning
Section 41 (5)c		Public submissions are received and incorporated into a draft management plan	
Section 41 (6) a-c	Mandatory	A draft management plan is made available to the public for further comment (2 months)	
Section 41 (6) d		The draft management plan is edited to incorporate input from public submissions	
Section 41 (6) d		The final document is presented to Council for adoption	
Section 41 (6) e		Council adopts management plan and forwards to the Department of Conservation for Minister's approval	Implementation
Section 41		All policies come into effect and are enforceable by Council	
Section 41 (4)		The management plan is continually monitored and reviewed	

2.0 GENERAL POLICIES

2.1 Abandonment of Facilities

Changes in levels of participation, trends in sport, and socio-demographic changes in different parts of Matamata-Piako all result in sports clubs and groups dissolving, amalgamating or falling into recess. A consequence of this is the abandonment of facilities such as netball courts, cricket practice nets and bowling greens etc. Where a club or group has a lease over a facility, they are responsible for the use of that facility for the term of that lease.

Objectives

1 To ensure the leasee of a building or structure on a reserve is responsible for the disposal of the facility and its condition until disposal has occurred.

2 To ensure buildings or structures that are of benefit and use to the Community are retained for Community use.

POLICIES	
1	The leasee of a building or structure will dispose of the facility under the terms of the lease agreement and in conjunction with policy 2.16 - Occupation Agreements.
2	Council will have the right to decide what assets (buildings, courts, car parking, etc) have a Community benefit.
3	Buildings and structure that are suitable for Community use will revert to the Community where possible.
4	Buildings and structures that are not suitable for Community use will be removed by the lessee, if practical.

2.2 Camping

Three major issues arise out of the use of reserves for camping – associated damage of facilities and services, public health concerns and the use of water supplies.

Damage

Campers may damage trees in their search for firewood and kill grass by covering one place for too long. Both forms of damage are of concern as they add to the costs of maintaining reserves.

Public health concerns

Toilets, if available, may not cope with the amount of use. If toilets are not provided, human waste may be left on the reserve. Poor toilet waste disposal can result in cysts entering water systems such as streams and lakes.

Water supply

Water is provided at reserves from the rates of residents, who may themselves be on a limited supply. Any free campers on reserves then have access to a water supply at no cost to themselves, while residents bear the financial cost and a possible loss of supply. Whether or not campers waste water, this is often the perception of residents.

Objectives

1 To allow camping provided that the adverse effects of camping can be avoided, remedied or mitigated.

POLICIES	
1	Council may approve camping where there is evidence that the adverse effects of camping can be avoided, remedied or mitigated. Adverse effects include those affecting: <u>1.1</u> waste; <u>1.2</u> water; <u>1.3</u> damage to the reserve; and <u>1.4</u> effects on reserve use, users and neighbours.
2	All applications are to be in writing and forwarded to Council at least ten working days before the event.
3	All applications are to be considered by an appropriate officer of Council and the Department of Conservation in accordance with Section 44 of the Reserves Act 1977 and the Delegated Authority under this Act.

POLICIES

- 4 In all approved cases, a bond will be required to ensure the reserve standards and conditions are not compromised (this policy should be read in conjunction with policy 26.1 - Use of Reserves).
- 5 Any approval must comply with the relevant legislation including health, safety and fire regulations.
- 6 Areas suitable for camping will be identified in relevant reserve management plans.



Campground facilities at Morrinsville Recreation Ground

2.3 Car Parking

Most recreational uses will generate demand for parking spaces within reserves. Occasionally groups demand exclusive use of car parks on reserves for special events. While this use can be legitimate, particularly when it applies to carparks used by groups other than reserve users, exclusive users obtain a benefit greater than that of the public at large.

While carparks on reserves are provided for reserve users, members of the public at large may also use these carparks. This may be to the detriment of reserve users. Apportioning the costs of carpark provision can be difficult.

Objectives

1 To provide and maintain carparks, where appropriate, to a level which is adequate for servicing the usual activities carried out within the reserve.

2 To recover some of the costs of carpark provision from identifiable beneficiary groups.

POLICIES	
1	Carparking on areas other than recognised carparks or in any way that causes damages to the reserve is prohibited.
2	Carparks on reserves are for vehicles associated with recreation and other legitimate use of the reserve.
3	Regular overnight and long-term parking is not permitted.
4	Where gates close at a specific time, any person requiring to be released after this time will incur a fee.
5	Parking in areas other than recognised parking areas may be permitted upon the written approval of the Matamata-Piako District Council.
6	Carparking areas shall be provided on reserves where there is a proven requirement directly related to the use of the reserve, and it is both physically and financially feasible to provide a car parking facility.
7	Reserve occupiers may be asked to contribute to the provision of carparking on reserves where their occupation is a clear and significant factor in the need for carparking.
8	Exclusive use of car parks may be allowed for special sporting and recreation events. Council may set a charge for this exclusive use.

POLICIES

- 9 Where an application for exclusive use of a car park is successful, Council will arrange for public notification of this use in the public notices section of the local newspaper/s. Applicants will need to meet the costs of public notification.
- 10 Groups that have permission to use carparks exclusively may levy a charge on users during the time they have exclusive use of the reserve. This charge is to be approved by an authorised officer of Council and be used to recover costs only.
- 11 Car parks for disabled users will be set aside where reserve carparks are marked.
- 12 Groups that sublet carparks for a private gain shall incur a commercial rental per square metre for car park spaces based on Council's current evaluation on commercial carpark rental charges for that area. The financial gain must be used by the group to recover costs only.

2.4 *Circuses and Side-Show Operators*

The Matamata-Piako District Council occasionally receives requests from circus, side-shows and like operators for use of reserves. These types of use can have effects greater than those of other forms of temporary commercial use. Several Acts govern management of this type of activity.

- The Reserves Act 1977 specifically addresses the construction and development of compounds for animals for display to persons using the reserve.
- The Council enforces the general provisions of the Health Act 1956, the Food and Hygiene Regulations and the Resource Management Act 1991 (in respect of noise and effluent disposal).
- Council administers the Building Act 1991 in regard to the erection of marquees, fire safety and egress and the provision of toilets and other facilities. It also administers the Amusement Devices Regulations and is responsible for issuing permits to operate equipment, in consultation with the Labour Department.
- The general health and safety of animals is provided for by compliance with the Ministry of Agriculture and Fisheries 'Animal Welfare (Circuses) Code of Welfare 2004'. This code is issued under the Animal Welfare Act 1999. MAF, the Royal New Zealand Society for the Prevention of Cruelty to Animals (RNZSPCA) and the Police have authority to inspect for compliance, to issue infringement notices, and to apply to the District Court to issue an enforcement order.

Council will consult with the RNZSPCA and/or MAF before making any decisions on applications.

Objectives

1 To allow the use of reserves for circuses, side-shows and similar uses, subject to meeting the provisions set out by the Animal Welfare Act 1999 and its amendments.

POLICIES	
1	A rental may be charged for circus, sideshow and similar use of reserves.
2	A bond will be required for any use by circus, side-show or similar use of reserves. This bond will be used to cover the reinstatement of any damage caused by circus activities (this policy should be read in conjunction with 2.26 - Use of Reserves). Permission to use the site will not be granted until the funds have been deposited in Council's account (and cheques cleared).
3	Applicants wishing to use reserves for circus, side-show and or similar must provide evidence that they have met all relevant codes, statutory requirements and permits (including those from other Council Departments, the Labour Department and the Ministry of Agriculture and Forestry) before final permission to use the reserve is granted.



Pohlen Park – one of the areas identified as being suitable for holding of community events

2.5 Community Consultation

Development of reserves, including policy which guides the management of reserves, may have significant effects or changes on users and adjoining property owners. Considering this, it is appropriate for user groups, neighbours of reserves and the general public, to be consulted so that particular issue of concern can be identified, and acceptable solutions agreed upon. The development of reserves and their future management also requires input from users and non-users of the reserve. Strategic planning for reserves in this sense needs to include community consultation to ensure the reserve is managed to a level sustainable by the community in light of its functions and purpose.

Generally a change in reserve use is considered a suitable trigger to initiate a consultation process. Examples would include adding a playground to a previously undeveloped reserve, increasing foot traffic by adding a path to an area, or removing a stand of plantation trees and replanting in native plants instead etc.

Objectives

1 To consult the Community as an affected party in the development of a reserve and in the review of policy that governs the management of a reserve.

POLICIES	
1	The review of policy governing the management of reserves, as set out in Section 41 of the Reserves Act 1977, involves the consultation with the Community.
2	Any major development of a reserve involves consulting the Community as an affected party.
3	That the outcomes used from the Community consultation process reflects the function and purpose of the reserve as stated set out in Part Three, Section 17 to 23 of the Reserves Act 1977 where relevant.

2.6 Dumping Facilities (Effluent Disposal Points)

These facilities are important to ensure that human waste from motor homes is appropriately disposed of. Often this type of activity is not associated with use of a reserve. An exception is where a campground is located on a reserve.

Objectives

- 1 To provide dumping facilities to meet the requirements of campground users.
- 2 To discourage the use of reserves for dumping facilities intended primarily for other than reserve users.

POLICIES	
1	To allow dumping facilities to be constructed on reserves where: <u>1.1</u> there is a clearly demonstrated need; and <u>1.2</u> the reserve is, or contains a campground.
2	Dumping facilities required to service primarily non reserve users will only be installed on reserves where: <u>2.1</u> there is a clearly demonstrated need; and <u>2.2</u> all practical alternatives have been investigated; and <u>2.3</u> each alternative has been proved to be unworkable due to reasons other than cost.
3	Where existing dumping facilities are located on reserves but not meet the requirements of policy 1 and 2 above, then they shall be removed at the end of their useful life, and the area reinstated.

2.7 Encroachments

An encroachment is the use of a reserve for private purposes that has not been authorised by Council in writing. This includes, but is not limited to, structures, earthworks, gardens, plantings, access ways, retaining walls, dumping of fill for reclamation, and other usage that gives the appearance of private ownership.

Encroachments from neighbouring properties into reserves have become a problem as more and more people have extended their properties into adjoining reserves either unknowingly or with full knowledge that they are encroaching beyond their property boundary. Problems are exacerbated when these properties are sold without the purchaser realising that land they believe they are buying is actually part of the reserve. Council staff can prompt property buyers to check such matters by having a note on the LIM report. Lawyers should check boundaries and other issues and inform their client before they purchase a property.

New encroachments will not be permitted because they impact on reserve values. Council may seek removal of existing encroachments without formal agreements, where they adversely impact on reserve values, or may seek prosecution for damages. If permission is granted for existing encroachments to continue, conditions regarding reinstatement of the site at the completion of the agreement period may be attached to such permission. By not granting encroachments in perpetuity, and requiring reinstatement of the site, the values of the reserve can be re-established.

Objectives

- 1. To require compensation for all temporary or permanent effects on reserve values caused by right-of-ways.*
- 2. To allow no new encroachments and seek to remove existing encroachments where they impact on the values of the reserve.*
- 3. To set limited timeframes for rights-of-way agreements (e.g. linked to life of building or a particular activity). Applications will be assessed on an individual basis, with an intention that the reserve values will be reinstated at the completion of the agreement period.*

POLICIES	
1	No new encroachments will be allowed on reserves.
2	Existing informal encroachments (i.e. those without formal agreements) approved and unapproved, will be considered with a view to formalisation or removal and reinstatement.
3	Applications for formalisation of existing informal encroachments must be made in writing and will be assessed on a case-by-case basis. In considering applications, Council will use the following criteria: <u>3.1</u> does the encroachment detract from the reserve's recreational, landscape, ecological, cultural heritage or other values?

POLICIES

3.2 is the encroachment required or beneficial for reserve management reasons?

3.3 is alternative access available?

3.4 are there any exceptional reasons why the encroachment should not be terminated (e.g. the property has no legal frontage)?

3.5 can the accessway be made a legal road?

3.6 what is the life span of the building that the accessway is servicing (e.g. life of garage without structural improvements)?

3.7 The history of pleasure of Council access ways.

4 Approved encroachments on Council reserve land will be required to have a lease or license consistent with the relevant section of the Reserves Act 1977. Any approval for formalisation granted by the Council is subject to public notification of the proposal and the consent of the Minister of Conservation and resource consent where appropriate.

5 All costs, including legal, Department of Conservation and Matamata-Piako District Council costs, and the costs of formation and maintenance to the Council's satisfaction, shall be borne by the grantee.

6 The design and construction material must be approved by the Council to ensure minimum disruption to the landscape or recreational potential of the reserve.

7 Payment for the benefit of rights-of-way easements and encroachments shall be made as a yearly rental. Existing encroachments previously exempt from rental fees may also be charged annual fees.

8 Agreements for encroachments will not be granted in perpetuity. Timeframes for the agreement will be limited and sites may require reinstatement at the end of the agreement period.

9 Declined applications will require the applicant to remove the encroachment and reinstate the site to the satisfaction of the Council.

10 Council will not contribute to the cost or maintenance of sealing of Right-of ways.



Commemorative gates at the entrance to Howie Park

2.8 Fencing

The Fencing Act 1978 sets out the general principle that the occupiers of adjoining land share equally the cost of erecting an adequate boundary fence.

Reserves adjoin a variety of land uses in settings from rural to urban industrial. This *General Policies* document cannot give blanket provisions for their fencing, however, it can give clear guidance on Council's responsibilities for fencing.

In addition, fences or barriers may be required to prevent vehicular access to grounds, and where it is desirable to enclose service areas, caretakers' residences, or the premises of exclusive sporting users.

Objectives

- 1 To erect fences or barriers on reserves where necessary to protect reserve values.*
- 2 To erect fences or barriers to ensure that the reserve can be used safely.*
- 3 To erect fences or barriers on reserves where necessary to avoid, mitigate or remedy the adverse effects of reserve use on neighbours.*

POLICIES	
1	Council will meet its boundary fencing obligations under the Fencing Act 1978 by meeting half share costs of boundary fences. Subject to site factors, the standard boundary fence should be: <u>1.1</u> adjoining farmland: a 7-8 wire fence, as described in part 6 of the Second Schedule to the Fencing Act 1978; and <u>1.2</u> adjoining urban premises: a paling fence, as per part 3 of the Second Schedule to the Fencing Act 1978, or to 1.8 metres high.
2	The Council shall in each case determine the type of fence appropriate to the character, use and environs of the reserve, and follow the procedures prescribed by the Fencing Act accordingly. Crime Prevention Through Environmental Design (CPTED) principles are to be considered as a part of this process.
3	Where, in the opinion of the Council, a standard fence is adequate, the adjoining owner shall be advised that Council is not prepared to contribute to any costs in excess of the cost of such fence.
4	Where, in the Council's opinion, a fence of construction sturdier or higher than standard is necessitated by normal recreational use of the ground, the excess cost shall be borne by the Council.

POLICIES

5 Where the enclosure of its facilities is sought by a reserve occupier, the cost of erecting and maintaining appropriate fences to the satisfaction of the Council shall be borne by the reserve occupier.

6 The written approval of Council is required before any internal fencing is erected.

7 The colour and design of internal boundary fences is to be approved by the Matamata-Piako District Council before the fencing is erected.

8 The erection of gates in fences bounding private properties may be permitted with the written approval of the Matamata-Piako District Council. In considering applications for gates to reserves, Council will consider the likely effect of the gate on reserve values, particularly recreational and ecological values.

9 The painting and creation of murals on boundary fences will be considered on submission of a copy of the design, including colours for approval by Council's appointed Landscape Architect, and submissions from the adjoining property owners.

10 When a new subdivisions arises adjoining a public reserve, Council will endeavour to register covenants stating that Council is not liable for fencing costs on common boundaries.

2.9 Fire Control

During certain times of year the risk of fire increases significantly. Measures need to be taken to minimise the risk of fires starting in or adjacent to reserves, and to minimise damage to the reserve should a fire start.

Objectives

1. *Where appropriate and feasible, to provide adequate access to reserves to enable fire appliances access.*
2. *To take steps to minimise fire risk and damage resulting from any fire occurring.*
3. *To co-operate with appropriate organisations in the prevention and control of fires on reserves*

POLICIES	
1	Council will support and liaise with the Fire Authority to provide for the prevention, detection, control and suppression of fire within the reserve, in accordance with Legislation or By-laws.
2	Council will assist and co-operate with the Fire Authority on all fire control measures in accordance with the Act, regulations or by-laws to reduce the risk of damage by fire to the Reserve.
3	Council will support the Fire Authority in legal action, including the recovery of fire suppression costs that may be taken against a person or persons who light or cause to be lit any fire on a reserve without permission.
4	During times of extreme fire danger the reserve may have to be closed to protect public safety. The Principal Rural Fire Officer from the Fire Authority will order this to occur in accordance with statutory requirements.
5	The Council shall take all reasonable measures to ensure the reserve is kept clear of all fire hazards endangering adjacent properties in respect of fire risks in accordance with legislation or by-laws.
6	Any action or event necessary for the purposes of saving or protecting life or health or preventing serious damage to property or avoiding an actual or likely adverse effect on the environment may be carried out without the prior permission of the Matamata-Piako District Council or prior public notice. This policy is subject to those involved taking every reasonable step to contact the Matamata-Piako District Council or carry out public notification.

POLICIES

7 Such an action or event must be followed up by providing Council with a copy of the fire report immediately after the event or incident.

8 Specific fire control measures for individual reserves will be outlined in the management plan for that reserve.



Murray Oaks Scenic Reserve

2.10 Fireworks Displays

Groups occasionally wish to use reserves for fireworks displays. These displays are controlled by legislation other than the Reserves Act 1977 and require the permission of the Department of Labour before proceeding. As long as the adverse effects of fireworks displays on reserve values are avoided, remedied or mitigated, fireworks displays are a legitimate use of reserves.

Objectives

1 To allow fireworks displays on reserves subject to all adverse effects on reserve values being avoided, remedied or mitigated.

POLICIES	
1	Fireworks displays are only permitted on designated sites. Areas suitable for fireworks displays will be identified in relevant reserve management plans.
2	Written applications should be made at least ten working days before the proposed event. Conditional approval will be given upon written application to Council. Final approval will be given once the required permissions from the Department of Labour have been obtained.
3	A condition of approval will include the requirement for sufficient public liability insurance.

2.11 Hazardous Substances

Hazardous substances such as chemicals and biological agents, in some circumstances, may need to be used in the maintenance of reserves. It is important to assess the risks and if needed minimise the effects to reserves users or neighbours.

Objectives

1 To ensure that where is it considered necessary to use hazardous substances on reserves, application is undertaken in a manner that minimises the potential risk to reserve users and neighbours.

2 To ensure the application of hazardous substances such as chemicals, is undertaken in a safe, efficient manner that minimises disruption to the public and achieves the desired end result.

POLICIES	
1	Where hazardous chemicals are to be applied on reserves, the entire operation shall be undertaken in accordance with the Hazardous Substances and New Organisms Act 1996 and the Agri-chemical User Code of Practice NZS 8409.
2	Council will minimise the use of hazardous chemicals on reserves by exploring more environmentally friendly alternatives where practical and financially feasible.
3	Where hazardous chemicals are to be used on a reserve, consideration shall be given to the times for application and methods undertaken to ensure the risk to reserve users and neighbours is minimised.
4	Council or contracting staff shall be suitably qualified to undertake the application or disposal of hazardous substances and are provided with at least the minimum level of safety equipment required.
5	Warning signs shall be erected on site where a reserve has been sprayed or applied with hazardous substances.
6	Hazardous substances such as herbicides shall only be used where there is no practicable or financially feasible alternative control measure.

2.12 Heritage Conservation

A number of reserves in the Matamata-Piako area contain known sites of heritage significance. It is important to recognise and retain heritage features, which may include historic structures and archaeological sites.

Such sites provide physical evidence of historical events and add to the depth of experience for visitors and local residents when they visit the reserves. Management of the reserves will therefore include retention and interpretation of heritage features so that their heritage significance is recognised.

An archaeological site is described in the Historic Places Act 1993 as any place associated with pre-1900 human activity, which may, through investigation by archaeological methods, provide evidence relating to the history of New Zealand. All archaeological sites are automatically protected under the Historic Places Act, regardless of whether they have been previously recorded or not.

Objectives

1. To ensure that sites of heritage significance are identified, accorded an appropriate level of protection and maintained for the enjoyment and education of future generations.

POLICIES	
1	Known sites of heritage significance within reserves shall be identified within the specific Management Plan for individual reserves.
2	Sites of heritage significance will be protected, preserved and maintained in a timely manner.
3	Any development work carried out on or adjacent to historic structures shall be sympathetic to their historical context and carried out in liaison with the NZ Historic Places Trust.
4	Work carried out on historic structures will be done in accordance with the principles of the ICOMOS New Zealand Charter for the Conservation of Places of Heritage Value.
5	Interpretation material may be provided to increase the public awareness and enjoyment of sites of heritage significance within the reserves.
6	Archaeological assessments shall be undertaken prior to major infrastructure capital works occurring on reserves likely to have historic / heritage values.

2.13 Liquor Licences

The selling of liquor is seen as one means of reserve occupiers raising funds for their activity. The consumption of liquor can, however, have adverse effects on the reserve, other users and reserve neighbours. Adverse effects arise from club's requirements to extend buildings to allow for the sale of liquor and from noise, glare and damage. These effects may diminish outdoor recreation and landscape values of the reserve.

As most club premises are sited in residential neighbourhoods these effects may be significant. A limit on hours of operation is one means to mediate the effects of the consumption of liquor on reserve, other users and reserve neighbours, of noise generated by social activities.

The selling of liquor is only indirectly linked to the use of reserves for sporting or outdoor recreational purposes. Sports clubs and other groups may be in competition with commercial organisations selling liquor. As reserve occupiers pay less for their occupation, this puts them at an advantage over rate-paying commercial organisations. It is appropriate, therefore, for Council to place restrictions on the sale of liquor for groups occupying reserves that are more rigorous than would apply to those not occupying reserve land.

Objectives

1 To allow the granting of liquor licences over premises on reserves where the values of the reserve are not diminished and where the effects on reserve neighbours can be avoided, remedied or mitigated.

POLICIES	
1	Council will only support the granting of liquor licences for premises located on reserves where: <u>1.1</u> the hours of supply do not commence before 10.00 am and extend past 11.00 pm unless Council has approved extended hours in writing; <u>1.2</u> the granting of a licence is consistent with the purposes of the reserve; <u>1.3</u> the effects on the reserve, its use and users, and reserve neighbours can be avoided, remedied or mitigated; and <u>1.4</u> the values of the reserve are not diminished.
2	Applicants will be responsible for ensuring that all relevant statutory consents are obtained and that the conditions of these consents are met.
3	Where the occupier has a liquor licence, a condition of granting or renewing occupation agreements, will be that a Host Responsibility programme is put in place.



Clubrooms at Matamata Domain

2.14 Motor Vehicles on Reserves

Unauthorised use of motor vehicles on reserves is prohibited under the Reserves Act 1977. Whether deliberate or not, vehicles can cause damage to reserves and assets, and can also pose a safety risk to other reserve users. Reserves are also primarily people places where pedestrians have the unconditional right of way. However sometimes it is necessary to take vehicles onto reserves. This is usually for maintenance of the reserve and associated facilities such as grass mowing, for the maintenance of utility services, and in emergencies such as in the event of a fire or an injury, for access to the scene by emergency services and the Police.

Objectives

1 To limit the use of motor vehicles on reserves to authorised or emergency use only.

POLICIES	
1	Only authorised motor vehicles or emergency services appliances may have access to reserves.
2	All other motor vehicles, including motor bikes, can only use designated roads and carparks.
3	Permission may be given to members of the public and reserve neighbours to use motor vehicles on reserves only where there is no legal access to the property they are trying to access. In every case an application shall be made in writing to which Council will attach conditions. A bond may be required at the discretion of Council to cover the cost of reinstatement to Council's satisfaction.
4	Damage caused by unauthorised use of motor vehicles will be repaired by Council, with the costs being recovered from the offender.
5	Abandoned vehicles will be removed by Council, and the costs recovered from either; <ul style="list-style-type: none"> <u>5.1</u> the offender; or <u>5.2</u> the vehicle owner; or if unknown <u>5.3</u> the disposal of the vehicle.
6	Unless specified otherwise, the speed limit for motor vehicles on reserves is 25km/hr

2.15 Naming of Reserves

In the past, reserves have been named through common acceptance and usage by the local community, resolution of the local authority or at the request of the donor of the reserve. The Reserves Act 1977 is one of the Acts contained in the First Schedule to the Conservation Act 1987, Section 4 of the Conservation Act requires that the Acts should be interpreted and administered so as to give effect to the principles of the Treaty of Waitangi. The Council must consult with and have regard to the views of iwi or hapu before undertaking action and making decisions for reserves which it is the administering body. Where a reserve is officially named under the Reserves Act 1977, consultation with iwi or hapu is required. Council may consider the option of dual naming of reserves where appropriate.

Objectives

1 To name reserves through formal Council resolution, after consulting interested parties to comment on the name.

POLICIES	
1	All reserves vested in or administered by the Matamata-Piako District Council shall have an appropriate formal name.
2	Proposed names shall be approved by resolution of Council. Where appropriate, these names will be recommended for approval to the New Zealand Geographic Board.
3	Naming shall be initiated at the time of vesting.
4	Names for reserves will be established after consultation with donors, user groups, community groups in the vicinity of the reserve, the community board, iwi or hapu, and other interested parties.
5	All proposed reserve names will be publicly advertised. The public will be given one month to comment on the proposed name.
6	Where appropriate Council may consider the option of dual naming for reserves.

2.16 Occupation Agreements

The term occupational agreements refers to any lease, licence, easement (including Right-of-ways, Telecommunication agreement), exchange of letter, or other agreement reached between the Council and a person, organisation, or company that is occupying part of a reserve (including below ground facilities).

Details of these different agreements and policies relating to each are detailed below.

Council's powers to grant leases licenses and easements over reserves varies depending on the status of the reserve concerned and the rights transferred from the Crown. Each particular agreement will need to refer to specific sections of the Reserves Act 1977 dealing with the particular type of reserve under consideration.

Objectives

- 1. To confirm the occupation of reserves for approved uses and facilities by the granting of occupation agreements.*
- 2. To ensure adequate compensation to remedy or mitigate the adverse effects of all utility, stormwater discharge, drainage rights, and underground facilities on reserves.*
- 3. To consider the use of reserves for network utilities where utilities do not detract from the purposes of the reserve and no costs for these utilities are accrued to Council.*
- 4. To require compensation for all temporary or permanent effects on reserve values caused by right of- ways, easements, access ways, leases, licences, or network utilities.*
- 5. To limit timeframes for easements and rights-of-way agreements (e.g. linked to the life of the building or activity). Applications will be assessed on an individual basis, with an intention that the reserve values will be reinstated at the completion of the agreement period.*

POLICIES

- 1 All fees determined for use of reserves shall comply with Council's Revenue and Financing Policy with regards to public/private benefit.

2.16.1 Leases

The leasing provisions of the Reserves Act 1977 emphasise the retention of open space and the public accountability of reserve management. On recreation reserves, leases must be drawn up subject to the relevant provisions of the Reserves Act 1977.

Requirements differ for land held under other status. Council, however, uses the provisions contained in the Reserves Act 1977 as a guide when leasing land not subject to the Reserves Act 1977. This practice has been adopted to ensure consistency among the various tenancies.

Car parking requirements of a potential lessee should be a consideration. A lessee may desire additional parking from what exists or improved parking facilities. Policy 2.5 - Car Parking, should be considered in conjunction with this section.

POLICIES

- 1 Any permanent exclusive use of a reserve, including buildings, will be subject to a lease.
- 2 All grazing/gardening on undeveloped recreation or local purpose reserves or fee simple land will require a lease based on the Reserves Act 1977.
- 3 Leases shall incorporate the appropriate provisions of the Reserves Act 1977, except where the Council's tenure of the land requires otherwise, and shall incorporate where necessary the policies detailed in this *General Policies* document and other Council documents.
- 4 Car parking requirements of a potential lessee should be considered. Policy 2.3 - Car Parking applies.
- 5 The notification of proposed leases in the relevant management plans shall serve as public notice for the purposes of the Reserves Act 1977.
- 6 All costs associated with leases and other agreements are the responsibility of the lessee or holder of the agreement.
- 7 Rents will be payable on all leases, except where Council has resolved that no or reduced rental is required. Rents for approved users (e.g. voluntary recreation facilities, approved community users) will be set at a "recreation" level. Other rents (e.g. commercial use, residential tenancies) will be based on market levels. Council's Fees and Charges Policy applies.
- 8 Where a building or other structure is no longer required by an occupier, the following steps will be taken in priority order:
 - 8.1 the occupier will be required to find a new approved occupier (as permitted by relevant Acts, or policies) or remove the building or structure from the reserve;
 - 8.2 if the occupier cannot either find a new suitable occupier or remove the building or structure, then Council will take reasonable efforts to find a new suitable occupier or use for the building;
 - 8.3 if no suitable occupier or use can be found, Council will consider moving the building or structure;
 - 8.4 if no suitable occupier can be found, the building or structure cannot be moved and there is no reasonable foreseeable use for the building or structure then it will be demolished.

POLICIES

8.5 Council will have the option to tender or sell the building (not the land) as an alternative to demolishing it.

8.6 where the building or structure is not compatible with the primary function and values of the reserve, it will be removed from the reserve.

8.7 where Council does not own the building, feasible costs associated with removal or demolition of the building and or structure and reinstatement of the reserve to Council's satisfaction shall be charged to the owner.

2.16.2 Licences

Licence to occupy grants the non exclusive right to use a reserve for a specific purpose.

Council owns reserves that have not been developed for recreational purposes. Management of these areas can be expensive, with Council receiving little or no return for its maintenance investment. Grazing/gardening and other similar purposes provide an alternative management tool as well as a source of income to contribute to administration/management costs.

Grazing/gardening and other similar purposes have positive aspects. They can, however, damage natural and other resources, inhibit regeneration of indigenous plants, result in the spread of weeds and downgrade the quality of recreational experiences.

Tenancies over reserve land are subject to the provisions of the Reserves Act 1977. A license under the Reserves Act 1977 may only be for a term of up to five years. The Reserves Act 1977 permits the granting of licences for communication stations and any works connected with the station.

POLICIES

1 Licences will be allowed on undeveloped reserves provided that there are no adverse effects on reserve values.

2 Licences will not be permitted on riparian margins within reserves or the licensee shall fence those margins.

3 Applications for licences will need to be made in writing through the tender process. Not necessarily the highest nor any tender may be accepted.

4 All grazing/gardening on reserves will be licensed under an agreement based on the requirements of the Reserves Act 1977.

5 Licences will include provision for public access where this is appropriate and desirable.

POLICIES

6	A rental may be charged for all licences based on tenders received. Council may charge a rental other than a market rental for approved recreational or management purposes. Council's Fees and Charges Policy will apply.
7	It shall be a condition of all licences negotiated that Council may, before expiry, cancel all or part of the tenancy at one months' notice, should the land be required for recreational use or if the licensee fails to meet the conditions of the licence.
8	It shall be a condition of every licence that Council will not compensate occupiers for improvements upon termination of the agreement.
9	Licences may be granted for communication stations and any works connected with the station, in accordance with the Reserves Act 1977 where adverse affects are mitigated.

2.16.3 Easements

On some reserves, neighbours and utility companies occupy or use reserves for access or to locate utility facilities. Examples include rights-of-way, stormwater discharges and utility services. An easement lawfully grants the rights for one person to use another persons land for a specified purpose, in this case the use of Council land for access or utility facilities.

Easements granted will have limited timeframes (e.g. linked to the life of the building or an activity) and annual fees for rental may be required. Existing easements may also be required to pay rental fees. Conditions regarding reinstatement of the site at the completion of the agreement period may also be included with any permission granted. By not granting easements in perpetuity, and requiring reinstatement of the site, the values of the reserve will be re-established.

The policy 2.7 - Encroachments of this document should be considered in conjunction with this section.

2.16.3.1 Easements for Privately Owned Underground Facilities

Property owners may be responsible for maintaining utility facilities (stormwater /wastewater/sewerage/water and gas pipes/electrical/telecommunication cables) connecting between their property and the main network operator's facilities. Where network operators are not responsible for these connecting facilities, the owner of the private property being serviced by these facilities is responsible for the maintenance of pipes or lines etc. and the reinstatement of reserve land following work being carried out on facilities across reserves.

Easements or permissions granted for such facilities may contain conditions of use and rental fees. A related issue is that of stormwater discharges. Members of the public or organisations frequently wish to discharge stormwater into watercourses located on reserves. Several consequences result. First, maintenance staff may not know where

pipe works associated with stormwater are located. This can lead to damage to both the pipework and to maintenance machinery. Second, these private underground facilities may affect reserve values.

Reserves are set aside for the public to enjoy and use land for its recreation, ecological, landscape, heritage and other values. Council needs to be assured that it receives adequate compensation for loss of these values when negotiating stormwater discharge agreement.

Finally, maintenance of area damaged from stormwater discharges may be expensive and Council needs to recover the costs of this from the reserve neighbours responsible for the drainage.

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

Use of reserves by network utility operators is addressed in the policy 2.27 - Utility Operators of this document.

POLICIES	
1	<p>Applications for pipes, cabling, discharge or drainage rights must be made in writing and contain the following information:</p> <p><u>1.1</u> a statement of alternative pipe location or discharge options and their costs;</p> <p><u>1.2</u> discussion on why these alternative options cannot be used;</p> <p><u>1.3</u> evidence that the pipes or discharge will not detract from the purpose of the reserve; and</p> <p><u>1.4</u> a diagram of the proposed works and a survey.</p>
2	<p>An easement or formal agreement will be required for every pipe, cable, or discharge on reserve land.</p>
3	<p>All legal costs and the costs of formation and maintenance to the Council's satisfaction shall be borne by the grantee.</p>
4	<p>Payment for the benefit of a pipe, cable or drainage easement shall be made as a yearly rental.</p>
5	<p>Council will require those holding easements for services crossing reserves to meet the costs of maintaining the pipes or cables.</p>

POLICIES

- 6 These policies (and relevant ones in the utility operator sections) will apply to Council's Roading Departments and the New Zealand Transport Agency seeking easements for stormwater discharges.
- 7 When services and utilities are no longer required, they shall be removed from the site, the area reinstated to Council's satisfaction, with the costs recovered from the services/utility owner.

2.17 Park furniture

Reserves are often places where people congregate, particularly families. Playgrounds, sports parks, picnic areas and places that give access to water and views attract people to the reserve.

The placement of park furniture such as seats, tables, barbeques, litter bins and drinking fountains both support the use of reserve as well as encourage people to congregate at certain places.

Unmanaged, the haphazard installation of park furniture can add to visual clutter, and an ongoing burden of maintenance on Council and the community, which can be considerable given the number of items as a whole.

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

Objectives

1. To provide seats, tables, barbeques, litter bins and drinking fountains in reserves that are used frequently by the community for gatherings.

POLICIES

- 1 A register will be kept of all donated park furniture identifying the item donated, who donated it, when it was donated, and a copy of any wording used on commemorative plaques.

2.17.1 Seats

Seats are common features on many parks and reserves. As well as being installed for reserve use, many seats have been donated and located next to paths, playgrounds, places with views, and near water. They act as anchor points where people will pause to enjoy their surroundings.

POLICIES

- 1 New seats will only be installed where:
 - 1.1 there is a clearly demonstrated need; and
 - 1.2 the seat will provide viewing of an established vista; or
 - 1.3 the seat is adjacent to a playground; or
 - 1.4 the seat is adjacent to a picnic area (as identified in a reserve management plan);

POLICIES

1.5 the seat is located in a cemetery.

2 As existing seats come to the end of their useful life, they will only be replaced where:

1.1 there is a clearly demonstrated need; and

1.2 the seat will provide viewing of an established vista; or

1.3 the seat is adjacent to a playground; or

1.4 the seat is adjacent to a formal picnic area (as identified in a reserve management plan).

1.5 the seat is located in a cemetery.

3 New seats, and replacement of existing seats, shall be of a design and construction type suitable for its location and usage. A guideline on seating types is to be produced and implemented to achieve a consistent style, longevity and ease in replacing parts if required.

4 People wishing to donate seats shall donate the full sum required, and Council will manage their delivery and installation. An approved plaque commemorating the donation may be affixed to the seat.

2.17.2 Tables

Tables are provided to encourage people to congregate and consume food. They typically are associated with picnic areas and barbeque facilities.

POLICIES

1 New tables will only be installed where:

1.1 there is a clearly demonstrated need; and

1.2 the seat or bench is adjacent to a barbeque facility; or

1.3 the seat or bench is adjacent to a formal picnic area (as identified in a reserve management plan).

2 As existing tables come to the end of their useful life, they will only be replaced where:

1.1 there is a clearly demonstrated need; and

POLICIES

1.2 the table is adjacent to a barbeque facility; or

1.3 the table is adjacent to a formal picnic area (as identified in a reserve management plan).

3 New tables, and replacement of existing tables, shall be of the same design as is currently being used by Matamata-Piako District Council.

4 People wishing to donate tables shall donate the full sum required, and Council will manage their delivery and installation. An approved plaque commemorating the donation may be affixed to the table.

2.17.3 Barbeques

Barbeques provide a significant enhancement to a reserve, and they generally encourage people to use reserves, often staying for several hours.

Most reserves are not designed nor intended for this kind of use, and the installation of Barbeques needs to be restricted.

POLICIES

1 New barbeques will only be installed where:

1.1 there is a clearly demonstrated need; and

1.2 the barbeque is adjacent to a picnic area used by the whole district.

2 As existing barbeques come to the end of their useful life, they will only be replaced where:

1.1 there is a clearly demonstrated need; and

1.2 the barbeque is adjacent to a picnic area used by the whole district – s identified in the relevant reserve management plan.

3 People wishing to donate barbeques shall donate the full sum required, and Council will manage their delivery and installation. A plaque commemorating the donation may be affixed to the barbeque or associated shelter.

2.17.4 Litter bins

Litter bins are necessary in many reserves due to the type of use and level of activity they receive. They are therefore closely associated with litter generation which occurs on sports parks, playgrounds, and picnic areas.

Litter can also be generated off site for example by shops selling food. Providing litter bins on reserves for this situation only encourages litter generators to abrogate their responsibilities to manage waste.

POLICIES

- 1 New litter bins will only be installed where:
 - 1.1 litter is being generated by reserve users; and
 - 1.2 there is a clearly demonstrated need; and
 - 1.3 insufficient litter bins currently exist; and
 - 1.4 the litter bin is adjacent to a sports park; or
 - 1.5 the litter bin is adjacent to a formal picnic area; or
 - 1.6 the litter bin is adjacent to a playground; or
 - 1.7 the litter bin is adjacent to a seat or table.
- 2 As existing litter bins come to the end of their useful life, they will only be replaced where:
 - 2.1 litter is being generated by reserve users; and
 - 2.2 there is a clearly demonstrated need; and
 - 2.3 insufficient litter bins currently exist; and
 - 2.4 the litter bin is adjacent to a sports park; or
 - 2.5 the litter bin is adjacent to a formal picnic area; or
 - 2.6 the litter bin is adjacent to a playground; or
 - 2.7 the litter bin is adjacent to a seat or table.
- 3 New litter bins, and replacement of existing litter bins, shall be of the same design as is currently being used by Matamata-Piako District Council.

2.17.5 Drinking Fountains

Drinking fountains can be a useful addition to district playgrounds - that is playgrounds which are designed specifically for catering to the wider district as opposed to just the neighbourhood that they occur in.

Drinking fountains tend to be prone to vandalism, and are expensive to install, particularly if no water services are located in the vicinity. Most reserves are not suitable for locating drinking fountains on.

POLICIES	
1	New drinking fountains will only be installed where: <u>1.1</u> there is a clearly demonstrated need; and <u>1.2</u> the drinking fountain is adjacent to, or associated with a district playground.
2	As existing drinking fountains come to the end of their useful life, they will only be replaced where: <u>2.2</u> there is a clearly demonstrated need; and <u>2.5</u> the drinking fountain is adjacent to a formal picnic area.
3	New drinking fountains, and replacement of existing drinking fountains, shall be of the same design as is currently being used by Matamata-Piako District Council.

2.18 Pest Management

Pest management refers to the eradication or control of both plant and animal pests.

Animal pests are highly mobile, and damage vegetation indiscriminately on both reserves and adjacent property. They can destroy displays of ornamental plants such as roses, and severely limit the ability of native bush areas to sustainably regenerate.

Plant pests can also be highly mobile, and are usually hard to eradicate due to either the proliferation of seedlings, or resistance to control methods. The Regional Council is tasked with managing the control of pests in the district. To this end, a Regional Pest Management Strategy (RPMS) has been developed which identifies what plant pests are managed by which authority/land owner.

Land owners, including the Matamata-Piako District Council, are responsible for controlling of "Containment Plant Pests" as per the RPMS. This could be either total eradication, or simply eradication plant pests from property boundaries to prevent their spread.

There are other pest plants which it may be desirable to control, but there is no statutory obligation to do so.

Objectives

- 1 To comply with the Environment Waikato's Regional Pest Management Strategy.*
- 2 To control or eradicate other plant and animal pests as resources allow.*

POLICIES	
1	Work with the Regional Council, Department of Conservation, community organisations and reserve neighbours to insure that Council meets its obligations under the Regional Pest Management Strategy.
2	To control or eradicate other pest plants and animals identified in the Regional Pest Management Strategy where resources allow.

2.19 Plaques and Commemorative Plantings

Council frequently receives request from people wishing to plant commemorative trees or erect plaques. As a result, a significant number of trees have been planted and established in various reserves and other public areas to commemorate special events and visits of dignitaries. With the passage of time, these plantings assume an historic significance, (i.e. a record of past events) and as such need to be properly identified, recorded and maintained to a standard consistent with their status.

Objectives

1 To allow the planting of commemorative trees and other plants and the erection of associated plaques.

POLICIES	
1	A register of commemorative trees and plaques will be kept and updated.
2	The planting of trees or other special plantings to commemorate significant events in the life of the District, shall be supported. These events may include visits by Royalty, Heads of State and other dignitaries, commemoration of international, national and local events, anniversaries of community organisations and other events of a civic nature considered appropriate for formal recognition.
3	Commemorative trees and other plants will be allowed at reserves as designated in the relevant reserve management plan.
5	Commemorative trees and other plants may be allowed at other reserves with the written approval of Council.
6	The actual location of commemorative trees on reserves will be approved by the Matamata-Piako District Council.
7	Plaques shall be of a size and materials that suit the location, taking into consideration the effects of vandalism and the cost of the plaque.
8	Plaques are to be mounted on a concrete plinth that is then set into the ground at the base of the tree or other plant. There could however be exceptions (e.g. where the tree is planted in a formal setting with pavement or other built structures) in which case the plaque may be better set direct into the pavement or structure concerned.

POLICIES

9 Council will maintain trees and other plants planted to commemorate civic events. Council will only maintain other trees where they meet Council's supply and planting standards. If trees or other plants do not meet Council's supply and planting standards, then a donation to cover the first five years of tree maintenance is required. Where trees do not meet Council's standards, Council accepts no obligation for replacement.

10 If commemorative plants need to be removed, then they may be replaced. Where replacements are made these will be with the same species or cultivar where possible. Exceptions occur when the species is inappropriate for the location a (e.g. inconsistent with management objectives) or are a nuisance.



Tom Grant Drive Reserve – one of the sites identified suitable for commemorative plantings

2.20 Refuse and Waste Disposal

The Local Government Amendment Act (No.4) 1996 requires all territorial local authorities to adopt a waste management plan that makes provisions for the collection and reduction, reuse, recycling, recovery, treatment, or disposal of waste in the district. The aim is to ensure that the management of waste does not cause nuisance or be injurious to health but also have regard to the environmental and economic costs and benefits to the district.

The dumping of waste on reserves or the inappropriate use of existing waste disposal facilities, can significantly detract from the amenity values and proper functioning of reserves. It is important the reserve users are encouraged to use disposal facilities but discourage the disposal of inappropriate waste.

Objectives

1 To preserve the recreation, cultural, and environmental values of a reserves through appropriate disposal and collection of waste.

POLICIES	
1	The disposal and collection of waste be in accordance with the Matamata-Piako District Council's Waste Strategy, then once adopted, Council's Waste Management and Minimisation Plan.
2	No person shall deposit any domestic refuse, trade waste, garden refuse, rubble, or debris on a reserve without Council approval. Removal by Council will be at the cost of offender.
3	Where a reserve is used for an event or tournament, user groups or event organisers are responsible for the collection and disposal of waste.

2.21 Reserve Lighting

Council will only provide lighting where there is clear public benefit. Furthermore, the provision is limited to Council-owned land and facilities.

Costs for carpark lighting arise as a direct consequence of the use of facilities at night. While lighting can be considered an important component of a carpark, it seems appropriate that some or all of the costs should fall to those who attract users to facilities at night.

With respect to recreation and safety issues, the Matamata-Piako District Council does not encourage the use of public recreation lands after dark. The lack of lighting on Council land in many circumstances is a strategic management decision to discourage visitors from using areas at night where safety problems may exist. Indeed, Council actively discourages people from using some reserves by ensuring gates are closed and locked at night. The Matamata-Piako District Council recognises, however, that some groups, in particular, those running indoor facilities, do need to operate at night. Users of recreation facilities perceive that the lack of lighting at these facilities effects people's personal safety, increases actual and potential crime, and leads to membership decline. The provision of lighting in public locations is, however, no guarantee of improved safety.

Objective

1 To provide carpark and accessway lighting subject to the costs of developing, maintaining and replacing this lighting being met by the beneficiaries of this lighting.

POLICIES	
1	Council will only fund lighting on Council-owned land and where there is clear public benefit.
2	Where groups occupy Council-owned land or own facilities located on Council-owned land, the onus lies on the occupying group to either meet the cost or contribute significantly to the costs of car park and accessway lighting. Any application from a group must be made in writing and contain the following information: <u>2.1</u> the need for lighting; <u>2.2</u> safety issues, including consideration of other options to mitigate risk; <u>2.3</u> the level of public use of the facilities concerned; and <u>2.4</u> the ability of the applicant to secure funding from other sources.
3	Council will not contribute to car park and accessway lighting on non Council-owned land, except where a Council-owned facility occupies the land and there is clear public benefit.

POLICIES

- 4 Where Council owns a facility that is occupied by another group on the basis of a landlord/tenant arrangement, it is the tenant's responsibility to provide for lighting.
- 5 Where an identifiable beneficiary from reserve accessway and car park lighting exists, the full operation and maintenance costs will be passed on to this beneficiary.

2.22 Signs

Signs play an important roll in reinforcing a reserve's identity and status. Signs are also essential in aiding identification of hazards that visitors might be exposed to. Some reserves have important or special stories to tell, and the use of interpretive signage in these instances is appropriate.

The use of promotional or advertising signage is one way that organisations are able to raise income over and above levying their membership. However this situation needs to be carefully managed so that its presence does not adversely affect the amenity of the reserve.

Objectives

1 To meet the requirements of the Matamata-Piako District Council's Signs Strategy.

POLICIES

- 1 Any sign must meet the requirements of the Signage Strategy.



Old sign at Goodwin Park

2.23 Toilets

Toilets are an important element in encouraging use of some reserves, and they provide essential infrastructure where groups of people typically congregate. Council intends to provide public toilets at sports parks and reserves which service more than just the neighbourhood they are located in.

Historically reserves have been used for locating toilets which serve non reserve users. This will be resisted when considering future proposals unless all other practical options, regardless of cost, have been unsuccessfully pursued first.

Because toilets have a long asset life, a decision to install toilets should not be made lightly. Not only will they be impact on the visual character and use of the reserve, but consequential ongoing maintenance costs are also a considerable burden.

Objectives

1 To provide public toilets to meet the requirements of reserve users.

2 To discourage the use of reserves for public toilets intended primarily for other than reserve users.

POLICIES

1 To allow public toilets to be constructed on reserves where:

1.1 there is a clearly demonstrated need; and

1.2 the reserve is a sportsground, with a history and/or future of high use;
or

1.3 the reserve, through its size, location, existing facilities or public demand, services a wider community than just the local neighbourhood; or

1.4 the reserve has barbeques and associated facilities; and

1.5 the toilet is intended primarily for reserve users.

2 Toilets required to service primarily non reserve users will only be installed on reserves where:

2.1 there is a clearly demonstrated need; and

2.2 all practical alternatives have been investigated; and

2.3 each alternative has been proved to be unworkable due to reasons other than cost.

POLICIES

- 3 Where existing public toilets are located on reserves but not meet the requirements of policy 1 and 2 above, then they shall be removed at the end of their useful life, and the area reinstated.



Public toilets at the Waharoa Rest Area

2.24 Tracks

Recreational tracks are used for walking and other recreational activities. Activities such as mountain biking, motorcycling and horse-riding may occur on recreational tracks; however, these activities can have adverse effects on reserve values including the experience of other reserve users.

Reserves may provide convenient access as an alternative to footpaths adjacent to roadways. Generally these pathways have been developed to an appropriate standard for commuter traffic. Pathways may be used for recreational purposes, but were not specifically constructed for this purpose.

The Reserves Act 1977 allows for "footpaths" on reserves where these are for public recreation or enjoyment or are necessary for the public using the reserve. While pathways are not primarily for public recreation or enjoyment, they do have a value for recreation and are consistent with the Reserves Act 1977.

Objectives

- 1 To construct new tracks, and upgrade existing tracks in line with Council's Track Strategy 2008.
- 2 To identify appropriate use of Council's track network

POLICIES	
1	Tracks will be developed or upgraded in accordance with Council's Track Strategy 2008.
2	Persons walking on tracks have right of way over joggers and non-walkers (e.g. cyclists) unless it is designated for other use.
2	Horses and motorcycles are prohibited from tracks unless a specific exemption is indicated by way of a sign.
4	Cyclists and dogs are allowed on tracks over Matamata-Piako District Council administered reserves, unless specifically prohibited as indicated by a sign, bylaw or by policy in a specific reserve management plan.
5	Organised mountain-bike and bicycle races and events are allowed on tracks on reserves subject to the written permission of the Matamata-Piako District Council being obtained.
6	Council will encourage working with the Department of Conservation to co-ordinate track standards where tracks adjoin.

2.25 Trees and Tree Management

Trees are desirable features of reserves. They contribute to the recreational (e.g. shade), landscape, ecological and heritage (e.g. connections to people in the past) values of reserves.

The Reserves Act 1977 refers to trees. Section 42, subsection (2), applies to trees on recreation reserves. Under this subsection, trees and bush can only be cut or destroyed where Council is satisfied that it is:

“ necessary for the proper management and maintenance of the reserve, or for the management or the preservation of other trees and bush, or in the interests of the safety of persons on or near the reserve or of the safety of property adjoining the reserve, or that the cutting is necessary to harvest trees planted for revenue producing purposes.”

However, due to their size and length of life, they can have real and perceived adverse effects on reserve neighbours.

Council tree maintenance occasionally involves the felling or pruning of trees. The resulting wood may have value to both Council and the wider community. Council may sell the wood for revenue purposes; community groups may sell wood to raise funds for their projects; and individuals may collect wood for firewood purposes.

Objectives

1 To maximise the benefits of trees on reserves while avoiding, minimising or mitigating the adverse effects on reserve neighbours.

POLICIES	
Tree Nuisances	
1	Before making any decision about formal (written) tree complaints, Council will prepare a tree report that provides information about the health and effect of removing or pruning the tree.
2	If necessary, Council will seek a landscape report that provides comment on the value as a public amenity of the tree/s in question.
3	The relevant provisions in the District Plan will be followed in decision-making about trees.
4	All applications must be in writing so that Council has a permanent record of the application.
5	Council will consider the following issues when making decisions about tree nuisances:

POLICIES

5.1 any actual or potential danger to people's life or health or the complainant's property;

5.2 any undue obstruction of the complainant's view; and

5.3 any other undue interference with the reasonable enjoyment of the complainant's land.

6 In considering undue obstructions of views, and other undue interference by trees Council will consider the following factors:

6.1 the requirements of any management plans for the reserve;

6.2 the requirements of the District Plan with respect to trees;

6.3 the interests of the public in the maintenance of an aesthetically pleasing environment;

6.4 the desirability of protecting public reserves containing trees;

6.5 the value of the tree as a public amenity;

6.6 the historical, cultural, or scientific significance (if any) of the tree;

6.7 the likely effect (if any) of the removal or trimming of the tree on ground stability, the water table, or run-off;

6.8 the time when the applicant became the occupier of the land and when the interference began.

6.9 where the consideration of undue obstruction occurs, the burden of proof will fall on the applicant and not Council.

7 Trees and bush on reserves will only be thinned or removed where Council is satisfied that it is:

7.1 necessary for the management of the reserve, including the remedy or mitigation of the issues considered in Policy 5 of this section; or

7.2 necessary for the preservation of other trees and bush; or

7.3 to harvest trees planted for revenue purposes.

POLICIES

Tree Planting

8 Tree planting on reserves will take into account:

8.1 management objectives and policies for the reserve;

8.2 the effects trees will have on adjacent properties at the time of planting and in the future;

8.3 the effects trees will have on underground and overhead services and whether compliance with The current Electricity (Hazards from Trees) Regulations can be achieved;

8.4 landscape considerations.

9 Only trees listed in Council's current Street Tree List will be permitted to be planted on road verges.

Wood Removal

10 Wood from felling and pruning operations will be disposed of, at no cost to Council, in the following priority order:

10.1 Council organised contracts;

10.2 non-profit community groups where the proceeds of the sale are being used for Council approved projects;

10.3 members of the public where the wood is for personal use only and will not be sold.

11 The written permission of Council will be required before permission to remove wood is granted.

12 It will be a requirement of all permissions granted that all wood is removed from the site and the site is left in a condition satisfactory to Council. Any damage caused will be required to be repaired to an acceptable standard to Council at their cost of the person who caused the damage.

13 Except where written permission is given by the Matamata-Piako District Council, no person will be allowed to use a chainsaw, park a vehicle, trailer, or use equipment for removing firewood, on the reserve.

14 No live or standing trees are allowed to be removed during wood removal operations.

POLICIES

15 No wood will be allowed to be removed from areas managed for conservation and ecological purposes except for approved safety, landscape and management reasons.

16 In areas managed for conservation and ecological purposes, felled and fallen trees will be left for habitat management reasons, where safe and not visible from surrounding roads and paths.

17 Specific wood removal policies in reserve management plans will take precedence over these general policies.

2.26 Use of Reserves

Any proposed use requires due consideration of the extent of possible damage to the reserve, any effects on other use or users, and any effects on adjoining land use or users, before approval is given. The Matamata-Piako District Council reserves the right to close parks and reserve or to decline applications for use where conditions warrant.

POLICIES	
1	All fees determined for use of reserves shall comply with Council's Revenue and Financing Policy with regards to public/private benefit.
2	The cost of organising and running any approved event on a reserve will be the responsibility of the event organiser.
3	Any reserve used for an approved event is required to be left in the condition on which it was found prior to the event to the satisfaction of the Community Facilities Manager, Matamata-Piako District Council.

2.26.1 Temporary Use

Events can enhance the public use and enjoyment of reserves and contribute to the diversity and vibrancy of the community. Events with large numbers of people and activities can also adversely affect the reserve and its neighbours. Council therefore needs to retain full discretion over the number, nature and organisation of any organised event on Council Reserve land or in Council owned/operated building or facility.

Use of any reserve for an organised event requires prior approval of the Community Facilities Manager, Matamata-Piako District Council.

Objectives

1 To allow and encourage public use that is compatible with the purpose of each park and reserve.

POLICIES	
1	Users of reserves shall be responsible for ensuring that their activity and any associated buildings, structures or other devices complies with the Reserves Act 1977, Resource Management Act 1991 and its instruments (including the District Plan), the Building Act 1991 and any other relevant statutory instruments.

POLICIES

POLICIES

2 Events, social activities, functions and exhibitions will be allowed on reserves provided that the adverse effects on other users or lessees, the reserve and reserve neighbours of such activities can be avoided, mitigated or remedied and meets statutory and policy obligations.

3 Where necessary for the maintenance or protection of reserves or the safety of reserve users, part or all of the reserve will be closed to public access.

4 Where part or all of a reserve is to be closed to the public for event use, notification of this will be made prior to the activity causing the closure. Notification will be made via the public notice column in the local community newspaper/s at least one week before the closure. Where closure is required by a body other than Council, that body will be responsible for meeting the cost of public notification.

5 Any action or event necessary for the purposes of saving or protecting life or health of people or preventing serious damage to property or avoiding an actual or likely adverse effect on the environment may be carried out without the prior permission of the Matamata-Piako District Council or prior public notice subject to those involved taking every reasonable step to contact the Matamata-Piako District Council or carry out public notification. Such an action or event must be reported in writing and include an explanation of the circumstances immediately after the event or incident.

6 Where there is the possibility of serious damage being caused to the reserve, users, neighbouring properties, reserve neighbours or property or persons on adjacent public land (including roads), it will be a condition of use that the event organiser takes out public liability insurance.

7 A bond will be required for all organised uses of reserves. The bond will be set as per Council's current Fees and Charges Policy

8 Bonds may be waived at the discretion of Council. Applications for the waiver of bonds need to be made in writing at least five working days before the event. Considerations for applications for waiving bonds will include:

8.1 the willingness and ability of the applicant to repair any damage by non-cash means such as labour and supply of materials;

8.2 the adoption of damage avoidance or mitigation measures.

POLICIES

- 9 Bonds will be set at such a level that any possible damage is able to be repaired at no cost to the Council. Amounts in excess of repair costs will be refunded to users. If bonds do not adequately cover the cost of repairing damage, then the difference will be charged to the group using the reserve.

2.26.2 Exclusive Use

Exclusive use of Council reserves has generally meant their enclosure to protect the ground surfaces, facilities and equipment required by particular groups. Traditionally, the selection of sites for club premises and the construction and maintenance of facilities have been carried out by the user group, with the Council adopting a largely passive role. Tenure of sporting premises, initially granted unconditionally 'at the pleasure of Council', is now generally confirmed by the granting of leases, both to satisfy statutory requirements and to clarify the responsibilities of Council and club. Where no lease or licence has been entered into, Council will arrange for these to be prepared.

Reserves contribute to the urban environment by providing public open space and areas of vegetation. These values may be threatened by the enclosure of grounds or the extension of existing facilities. It is important then, that the District should take the lead in ensuring that facilities are properly sited.

Additionally, exclusive use raises concerns about groups obtaining a benefit greater than that received by the public at large. This issue is becoming increasingly important as Councils are asked to examine and justify the expenditure of ratepayer's money.

Objectives

1 To allow the exclusive use of reserves subject to the use meeting Council's purposes with respect to that land, that use not being possible elsewhere, and the costs of this exclusive use being met by the user.

POLICIES

- 1 A charge may be levied for all forms of exclusive use.

Temporary Exclusive Use

- 2 Where temporary exclusive use is deemed necessary for the holding of an event or activity part or all of the reserve will be closed to the public for the duration of that event.
- 3 Where part or all of a reserve is to be closed to the public, notification of this will be made prior to the activity causing the closure.

POLICIES

- 4 Applicants wishing to charge an entry or similar fee to an event that is for exclusive use, and involves closure of part or all of a reserve, must first obtain written approval from the Matamata-Piako District Council. All applications need to be made at least four weeks prior to the event, to allow a Committee of Council to make decisions on entry fees.

Long Term Exclusive Use

5 Exclusive use will be allowed where Council determines that the activity:

5.1 cannot or should not be located on land other than publicly-owned land;

5.2 is in accordance with the objectives of this document, the management plan for the park or reserve and any other relevant Council documents; and

5.3 satisfies the requirements of the Reserves Act 1977 or other statutes.

- 6 Where long term exclusive use is deemed necessary, Council will provide security of leasehold interest by preparing formal tenancy agreements.

2.26.3 Commercial Use

Council may, from time to time, receive applications for the use of reserves for temporary or permanent commercial activities. These activities include filming, markets, commercial recreation and accommodation.

Commercial enterprises are a legitimate part of the range of activities within reserves provided that they relate to the purposes of the reserve. Some commercial activities, such as filming, while not contributing to the public's enjoyment of reserves, may be seen as appropriate on reserves. Such activities can promote Matamata-Piako District and its reserves and educate people about the value of natural resources.

While commercial activities can be appropriate, they must not be allowed to detract from the primary purposes of reserves. Also, the activities should not adversely impact on the reserve, its use or users and reserve neighbours. Controls on activities should ensure that the effects of activities are avoided, remedied or mitigated.

Objectives

1 To allow permanent or temporary commercial use of reserves, subject to that use being approved by Council and provided that they add to the public enjoyment of the reserve and do not conflict with the aims and objectives of the specific management plan for the reserve.

POLICIES

- 1 Commercial activities will be allowed provided that they add to the public enjoyment of the reserve and they do not conflict with the aims and objectives of the management plan for the reserve.
- 2 All applications to operate commercial activities on reserves shall be made to the Matamata-Piako District Council in writing. Applications should include:
 - 2.1 a description of the proposed activity;
 - 2.2 a description identifying the places where the proposed activity will be carried out;
 - 2.3 a description of the potential effects of the proposed activity, and any actions which the applicant proposes to take to avoid, remedy, or mitigate any adverse effects;
 - 2.4 a statement of the proposed duration of the activity and the reasons for the proposed duration;
 - 2.5 relevant information relating to the applicant, including any information relevant to the applicant's ability to carry out the proposed activity.
- 3 Temporary commercial activity applications need to be made at least ten working days prior to the event.
- 4 Conditions necessary for the protection of values will be imposed on any permission for the commercial use of reserves. Such conditions will also be sought on any resource consent application for the same activity.
- 4 A charge will be levied for the commercial use of reserves.
- 5 A bond will be required for permanent and temporary commercial activities.
- 7 Compliance with the relevant conditions of the Resource Management, Building, Health and Safety in Employment and other relevant Acts and the District Plan is the responsibility of the applicant.
- 8 Applications for grazing will need to be made in writing.
- 9 All grazing on undeveloped reserves will be leased or licensed under an agreement based on the requirements of the Reserves Act 1977, whether or not the land is classified a reserve under the Reserves Act 1977.

POLICIES

- 10 Grazing agreements will include provision for public access where this is appropriate.
- 11 A market rent will be charged for all grazing agreements. Council may charge a rental other than a market rental for approved recreational or management purposes.
- 12 It shall be a condition of all agreements negotiated that Council may, before expiry, cancel all or part of the tenancy at six months' notice, should the land be required for recreational use.
- 13 It shall be a condition of every grazing licence that Council will not compensate occupiers for improvements upon termination of the agreement.

2.27 Utility Operators

Occasionally network utility operators wish to locate utility services on reserves. Reserves may provide the highest point for which to locate telecommunication and radio communication sites or may be the most direct or convenient line to construct utility services. The use of reserves has a high commercial benefit to network operators and may be a cheaper option than having to use less direct alternative routes across private property.

Utility services can have significant impact on a reserve both by impacting on amenity values and by restricting the scope of development/enhancement possible and thereby the reserve's use. An obvious example of this is where utility facilities are located on reserves, there is a need to keep trees and other plantings, buildings, fences and other structures, clear of the lines or structures. Once in place utility facilities restrict activities on, and management of, the reserve. The need to consider and allow for utility facilities, may also lead to greater costs for reserve development/enhancement work e.g. if additional drainage work is required on a track to prevent scouring and damage to underground pipes or lines.

Where sports fields are involved, the presence of utility facilities may impose limitations on drainage and irrigation installations. Direct routes may not be possible where this would involve crossing sports fields. Furthermore, even with the best of techniques, differences in level can occur over time due to subsidence.

It is therefore not desirable to have network facilities on reserves and alternative sites should be considered. The policies in this document, while allowing use of reserves by network utility operators in accordance with relevant legislation, aim to minimise the impact they have on reserve values, users, and management.

By establishing better relationships with network utility operators the Matamata-Piako District Council can seek better information about the location of existing facilities and establish procedures and charges for network providers wanting to locate facilities on reserves. Educating network providers about the value of reserves will also assist in establishing processes.

The policies contained in 2.16 – Occupation Agreements in this document will be relevant in some cases and should be read in conjunction with this section.

The term 'services' refers to any structures, lines (above and below ground), pipes, substation, transformer or other infrastructure owned by network utility operators on reserves.

Objectives

- 1. To confirm future occupation of reserves by network utility operators for approved uses and services by the granting of occupation agreements with appropriate conditions.*
- 2. To allow the use of reserves for utilities services where services are compatible with the proper functioning of the reserves and do not unduly detract from the amenity values or purposes of the reserve.*
- 3. To require compensation (whether in the form of one off compensation payments or annual rental or fees) for use of the reserves by network utility operators, based on commercial rates.*

4. Occupational agreements will be of a limited timeframe, with an intention that the reserve values will be reinstated at the completion of the agreement period.

5. To allow network utility operators conditional access to reserves in accordance with the provisions of this plan and the relevant sections of the relevant empowering Act for the purpose of inspection, maintenance, and operation, of existing facilities.

6. To minimise the effects of utility services on the use and development of reserves.

7. To develop closer working relationships with utility service providers with the goal of recording information on existing utilities on reserves, establish formal occupational agreements with service providers, and make them aware of Council's requirements as landowner and/or as the administering body of the particular reserve.

2.27.1 Occupational Agreements for Network Utility Operators

Existing network services that were legally established under appropriate acts (e.g. Telecommunications Act 1987, etc) do not require retrospective occupation agreements if no such agreement is currently in place. However, any facilities that were installed after the current legislation was enacted but which subsequently have been materially altered or replaced by something substantially different; require occupational agreements with the Council (as landowner or administering body).

The term occupational agreements refers to any lease, licence, Right-of-way, easement, Telecommunication agreement, or other agreement reached between the Council and a person, organisation, or company, that is occupying part of a reserve (including below ground facilities).

Occupational agreements assist the Council in knowing the location of network utility facilities on reserves, and allow conditions (including compensation) to be attached to any consent granted. Occupational agreements may be registered on the title as this records the rights of the network utility operator for use of the land.

Occupation agreements granted will not be granted in perpetuity. The most appropriate timeframe for agreements may be the useful life of the facilities or such other timeframe as agreed at the time. The 'useful life' of facilities refers to the length of time that they serve the original purpose for which they were installed. If facilities are upgraded to something significantly different to what exists at present to cope with increased demand for the services, their useful life would have ended and an occupational agreement for the new facilities would be required.

Compensation and/or annual fees for rental will be required. Conditions regarding reinstatement of the site at the completion of the agreement period may also be included with any permission granted. This will include the removal of obsolete facilities from reserves if Council consider removal desirable.

Removal of existing or future facilities once they become obsolete may be appropriate/necessary to allow development of the site and avoid the situation where Council contractors may come across facilities and be unsure if they are being used or not, or if facilities are causing adverse environmental or visual effects.

By not granting occupation agreements in perpetuity, and requiring reinstatement of the site, the values of the reserve will be re-established.

POLICIES

1	Network utility operators are required to have occupational agreements with Council for any facilities constructed on reserves after the date specified in their relevant empowering Acts, or for facilities which have been materially altered or replaced by something substantially different after the date specified in the relevant empowering Acts.
2	Applications for occupational agreements must be made in writing and contain the following information: <u>2.1</u> a statement of alternative options and their costs; <u>2.2</u> discussion on why these alternative options cannot be used; <u>2.3</u> evidence that the utility service will not detract from the purpose of the reserve; <u>2.4</u> a diagram of the proposed works. <u>2.5</u> any vegetation removal anticipated. <u>2.6</u> current Health and Safety procedures.
2	Occupational agreements will not be granted in perpetuity.
4	A one-off compensation payment and/or annual rental will be required as a condition of all occupational agreements granted.
5	One off payments or annual rental fees may be waived where the network operator concerned is a Council department and the appropriate Council Committee recommends the fees be waived.
6	Where network operators have special requirements or requests that increase the cost of reserve development, the network operator concerned will pay any additional costs associated with their request.
7	Where desired by Council, obsolete facilities will be removed at the network operator's expense and the site reinstated to the satisfaction of Council.
8	Formal agreements may be lodged with the District Land Registrar at the cost of the applicant.

POLICIES

- 9 Network utility operators must supply Council with useable up-to-date, 'as built' service plans including information regarding their location on reserves. This information will be added to Council's GIS database. Any costs associated with the provision of this information or the inputting of such information onto Council's GIS system, will be at the network operators cost.

2.27.2 Access

It is important for network utility operators to have access to their facilities to inspect, maintain, or operate existing works. The network operators empowering Acts grant the right of access for these activities subject to certain conditions. Access for the construction of new works or the upgrading of existing works to something that is substantially different from the existing works, will require occupational agreements as detailed above.

It is important for the Council staff to know when network providers are proposing work so conflict with other works, or reserve users, can be avoided, and so that appropriate conditions can be set. It is also important so that if complaints or queries from members of the public are received, staff know which companies are working on reserves and can respond appropriately.

At times, parts of reserves may need to be temporarily closed for public safety when network utility operators are working on reserves. The network utility operator concerned must meet any costs associated with advertising closures.

Where emergency work is required on a reserve, the company or contractor shall inform Parks and Reserve staff on the same working day before commencement of any operation. If commencement is required outside of normal office hours the contractor shall contact Parks and Reserve staff at the beginning of the following working day. Details of the work should be given and an inspection may be undertaken to ascertain the reinstatement requirements if any.

POLICIES

- 1 Network utility operators will be permitted conditional access to reserve land to inspect, maintain or operate existing works subject to the provisions of the relevant empowering Acts and the permission of the Council.
- 2 Written notice of an intention to enter a reserve to inspect, maintain or operate existing facilities must be provided to Council at least 10 working days before the operation occurs, and shall contain:

2.1 the work to be carried out;

POLICIES

2.2 any potential adverse affects on the reserve or users;

2.3 any mitigation proposed.

3 As many operations of this nature are cyclical and are able to be programmed well in advance, one application may cover many site visits, and may also cover multiple sites.

4 Where a network utility operator is required to undertake emergency work on a reserve, the contractor involved shall, where possible, inform Council staff on the same working day before commencing any work.

5 Where emergency work is required outside of normal Council office hours, the contractor involved shall contact Council staff at the beginning of the following working day, and arrange an inspection for reinstatement.

6 Where emergency work is undertaken, the network utility operator must provide within seven days a written report detailing the operation, any reserve damage caused, and how damage will be repaired and the area reinstated to Councils satisfaction.

7 Where temporary closures of reserves are required to allow network operators to safely carry out works, the network operator concerned will be responsible for meeting all costs associated with the closure.

2.27.3 Removal of Vegetation

The trimming or removal of vegetation may be necessary for the construction or maintenance of network utility facilities on some reserves. The proposed location of facilities will need to be discussed with Council staff to minimise damage to vegetation and avoid large trees or significant ecological areas.

Network operators and their contractors will be expected to comply with Council specifications for groundworks, which detail how restoration works are to be undertaken to an appropriate standard for the reserve. Compliance with these specifications is a condition of consent granted for works on reserves.

Consultation prior to work being carried out is also important to ensure that staff are aware of what is happening on reserves and that appropriate safety measures can be taken if required.

It is also important for network operator contractors to be aware of the reserve values and minimise the impact on the reserve and reserve users.

POLICIES

- 1 Network operators will be permitted conditional access to reserves to trim or remove vegetation posing risk to the integrity of the lines, support structures or other facilities. This must be undertaken in consultation with Council staff and approval obtained at least 10 working days prior to work being undertaken.
- 2 Where removal or trimming of vegetation from a reserve is required in an emergency, the contractor shall inform Council staff where possible, on the same working day before commencement of any operation. If commencement is required outside of normal office hours the contractor shall contact Council staff at the beginning of the following working day.
- 3 Network operators will be required to reinstate sites damaged as a result of work carried out under the above policies to the satisfaction of Council. Conditions and charges may be attached to any permission granted.
- 4 Where vegetation is to be trimmed or cleared in conjunction with overhead power lines, Transpower's service specification "Tree Control near Transmission Assets and Accessways" standard must be used by the Company's contractors.
- 5 All tree work shall be in compliance with the Ministry of Labour's "Code of practice for safety and health in tree work, Part 1 and 2" or their replacement documents and amendments.



The entrance to Centennial Drive Reserve

2.28 Vandalism and Graffiti

With many of the parks and reserves open to access at night, the associated facilities are at risk of damage from acts of vandalism. As vandalism greatly detracts from one of the primary purposes of reserves, to provide a pleasant open space for people's enjoyment, control of vandalism is important.

There is no one solution to addressing acts of vandalism. A combination of solutions aimed at prevention, mitigation and elimination need to be implemented.

Objectives

1. To minimise the impact of vandalism on reserve appearance and use.

POLICIES	
1	Wherever appropriate, Council will build new facilities and assets and replace old facilities and assets using materials that minimise damage from vandalism. New facilities and assets will be built using Crime Prevention Through Environmental Design (CPTED) principles.
2	Wherever appropriate Council will use techniques such as the use of security patrols and lighting to deter vandalism.
3	Council will remove/repaint over graffiti within 24 hours of it being reported.
4	Council shall determine when reserve gates and facilities are open or closed. In general, gates will be open <u>4.1</u> during daylight saving period – from 7am till 9pm <u>4.2</u> other times (winter) - from 7am till 6pm.
5	A register of acts of graffiti and vandalism will be kept against each reserve to assist with management of the area and for assisting police with identification of 'hot spots'.
6	Council will pass onto the Police any information which may lead to a prosecution for acts of graffiti and vandalism.