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WHAKATĀNE DISTRICT COUNCIL
**District Reserve
Management Plan**

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Preface

Scope and Vision of this Document

The Whakatāne District Council (the Council) currently has a large suite of reserve and open space land in its ownership and/or administration. One of the responsibilities of the Council under the Reserves Act 1977 is to manage these reserves efficiently both now and in the future. The intention of this the District Reserve Management Plan (the Plan) is to provide objectives and policies which apply to **all reserves** throughout the Whakatāne District including those not vested or classified under the Reserves Act. This will ensure consistency, transparency, and enable greater community awareness of Councils intentions for all reserves through the district. It is the intention that the Plan will apply to all reserves however when an Individual Reserve Management Plan (IRMP) has been prepared, the objectives and policies in that plan will take precedence and be required to be applied first.

A formal Reserve Strategy has yet to be formed, however our vision is that:

“People feel connected to Whakatāne’s open space network. They are attracted to the open spaces because they provide the appropriate environments and facilities to experience a broad range of recreation opportunities. The Council acknowledges the evolving nature of community recreational needs and its’ part in enabling and managing these.”

This Plan forms part of the implementation of the above vision in association with IRMP’s, a future Whakatāne District Reserve Strategy and other key documents such as the District Plan and the Long Term Plan (LTP).

Purpose of Reserve Provision

Reserves and Open Spaces within the District provide the community with a range of benefits including but not limited to:

- Open space for recreation within congested urban areas
- Visual relief from the built environment
- Beautification and amenity enhancement
- Opportunities for recreation and sport
- Protection of the natural environment
- Habitat for wildlife
- Community pride
- Children’s’ play
- Coastal protection
- A resource for the public

The Purpose of this Plan

The Council has developed this Plan for the management of all reserves including those reserves not classified under the Reserves Act 1977. Reserves that have special/unique characteristics or require specific management policies are the only reserves that will be managed by Individual Reserve Management Plans (IRMP).

The Plan will provide the Council with a clear framework for the day to day management and decision making for all the Council owned reserves and open spaces within the District. To achieve this purpose the Plan will:

- Manage all reserves in a consistent manner by providing consistent objectives and policies.
- Ensure appropriate protection and management of important natural, historical, and cultural values on Council owned land and open space;
- Provide direction in the development of a Reserve Strategy
- Facilitate decision making process by providing a common understanding in the community of how the reserves not covered by Individual Reserve Management Plans are managed by Council.

This Plan will also ensure that the primary functions of the Reserves Act are met as follows as outlined in Section 3 of the Act:

- To provide for the preservation and management for the benefit and enjoyment of the public, areas of New Zealand with some special feature or value;
- To ensure, as far as practicable, the preservation of representative ecosystems or landscapes and the indigenous species of flora and fauna;
- To ensure, as far as practicable, the preservation of access for the public to the coastline, islands, lakeshore, and riverbanks and to ensure the protection and preservation of the natural character of these areas.

What is an Individual Reserve Management Plan?

In addition to the Plan, Council will prepare Individual Reserve Management Plans (IRMP's) for specific reserves according to identified priorities. Certain reserves have unique issues and opportunities that require different use, management and protection philosophies. These IRMP's will provide a basis for assigning priorities in works programming and budgeting. They will include concept and development plans and priorities as well as envisioned actions for the life of the plan. These plans are being prepared on an incremental basis, starting with those most widely used reserves within the District where significant management issues exist. It is Council's intention that IRMPs are updated every 10 years.

What is a District Reserve Management Plan?

The Reserves Act envisages that an IRMP is prepared for *each* reserve within the District. With over 1,200 hectares of reserve lands within the District this would be a costly and time consuming process, with a duplication of information as a result of the majority of reserves and other open spaces sharing common management issues.

However, the Council considers that guidance on the management of the maintenance and future development of all reserves and open spaces, regardless of their status, is imperative to ensure consistency in reserve planning across the District. Council has therefore rationalised its approach by preparing a District Reserve Management Plan (the Plan).

The intention of this Plan is to identify issues, provide objectives and policy which apply to all reserves and open spaces throughout the Whakatāne District, including those that are not vested or classified as reserves under the Act. This will ensure consistency transparency and enable greater community awareness of Councils' intentions for all open spaces throughout the District.

Consultation

Consultation plays an important role in the preparation of any reserve management plan. It provides Council with a sound understanding of relevant local issues from people who are familiar with and use the open space areas in question. To a large degree the direction for the future development of open space is based on the views expressed by the general public.

Workshops and open days will be held with key stakeholders, and user groups, Tangata Whenua, Council staff, residents adjoining reserves, and/or the general public throughout the process of preparing a reserve management plan. Public involvement generates an understanding of Council's land management aims, combats misinformation, and fosters support for Council's programmes and policies. The process for preparing reserve management plans is set out in the Reserves Act 1977.

Legal Status of Our Reserves and Open Space

Reserves owned, administered and/or managed by the Council have two distinct forms of legal status:

1. Land held subject to the Reserves Act, and classified according to its principal purpose.
2. Freehold land held by Council in fee simple title for parks purpose but not held under the Reserves Act.

The Act applies to all public land that has been vested or gazetted under the Act and specifies in general terms the purpose of each class of reserve. The Act requires that each reserve be managed in accordance with this purpose. As a requirement of this Act, management plans should be provided for all reserves to provide a framework for future management decisions.

A primary list of reserves and open space within the District covered by this Plan is currently under development . This list will detail the name/identifier of each reserve, size, local reserve category and any Reserves Act classification (if applicable). This indexing will be part of subsequent works in

aiding the development of a future Reserve Strategy Document and in the analysis of the network to guide future provision across the District.



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Section 1: Introduction

Status of the Plan

The Plan is pending formal adoption by Council; however this is a live working document. It is intended that this Plan is reviewed and updated every 10 years. Throughout the life of this Plan an assessment will be undertaken on the status and level of protection required for all open space land that is held by Council, with a view to declaring land to be reserve, and/or classifying them under the Reserves Act. Classifying land as a reserve confers greater security of tenure for future generations but does apply rigidity regarding current and future use. This will be primarily undertaken during the preparation of the Individual Reserve Management Plans for specific reserves only. The Plan is guided by broader issues, legislation, policies, plans and strategies. Some of this guidance originates from the Council and statutory documents such as the District Plan, and the Council's Long Term Plan (LTP). Other non-statutory documents also provide direction for the policies contained in this document. Other policies may be adopted from time to time and included in future revisions of this Plan.

Structure of the Plan

The Plan is set out in eight sections. The sections are:

Section 1: Introduction (District Reserve Management Plan Strategic Framework)

Section 2: Whakatāne District Reserve and Open Space Categories

Section 3: Administration and Planning Policies

Section 4: Protection of Physical Character Policies

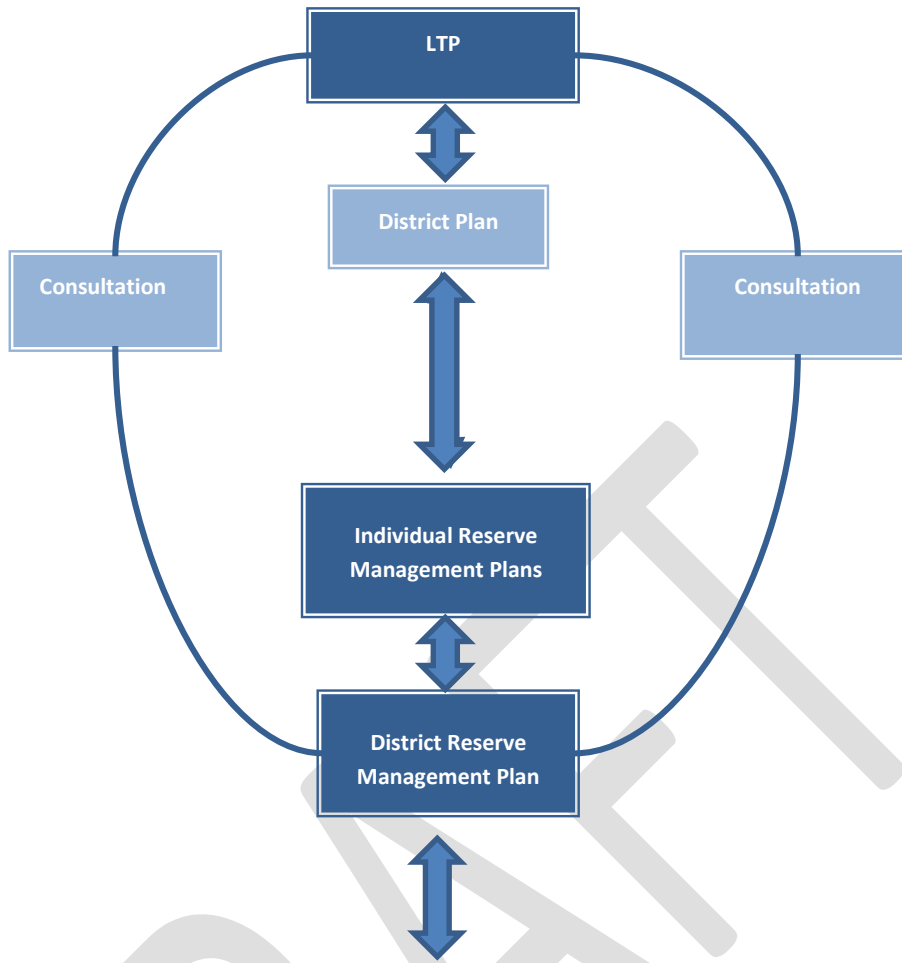
Section 5: Public Reserve Use Policies

Section 6: Access to Reserves Policies

Section 7: Structures and Installations on Reserves Policies

Section 8: Auxiliary Activities on Reserves Policies

The Council administers, controls and manages its reserves in accordance with a wide range of legislative, strategic, and policy requirements and guidelines. The key documents that are relevant to the development of these management policies are summarised in this section. The inter-relationship of this Plan with the LTP, Individual Reserve Management Plans and statutory and non-statutory documents is summarised in the District Reserve Management Plan Strategic Framework **Summary Diagram 1**. Each component is described in the associated **Table 1. Key Documents**



Legislation, Policy & Strategy	
<p><i>Legislation</i></p> <ul style="list-style-type: none"> • Treaty of Waitangi • Reserves Act 1977 • Resource Management Act 1991 • Local Government Act 2002 • Heritage NZ Pouhere Taonga Act 2014 • Walking Access Act 2008 • Conservation Act 1987 • Dog Control Act 1996 • Building Act 2004 • Health Act 1956 • Health and Safety at Work Act 2015 • Land Transfer Act 1952 • Property Law Act 2007 • Fencing Act 1978 • Camping Ground Regulations 1985 • Public Works Act 1981 • Freedom Camping Act 2011 	<p><i>Policy and Strategy</i></p> <ul style="list-style-type: none"> • New Zealand Coastal Policy Statement • ICOMOS New Zealand Charter for the Conservation of Places of Cultural/ Heritage Value • National Guidelines for Crime Prevention through Environmental Design in New Zealand • Bay Of Plenty Regional Policy Statement • Regional Sport & Recreation Spaces and Places Plan • WDC Development Contributions Policy • Whakatane Recreation and Leisure Plan • Whakatane Physical Activity Strategy • Eastern Bay of Plenty Local Alcohol Policy • Whakatane Walking and Cycling Strategy • Community Action Plan • Whakatane District Urban Tree Strategy • Ohiwa Harbour Strategy • Whakatane Integrated Urban Growth Strategy • Social Development Strategy • Whakatane Town Vision Plan

DIAGRAM 1: DISTRICT RESERVE MANAGEMENT PLAN STRATEGIC FRAMEWORK

Table 1: Key Documents

Document	Summary
Whakatāne District Council Long Term Plan (LTP) 2015 - 2025	The management of Whakatāne District reserves falls within the Parks, Reserves, Recreation and Sports fields' activity in the LTP. Places and Open Spaces group manage part of this activity including the provision and operational management of parks and reserves, sports fields, cemeteries and crematorium, public conveniences, and halls that sit on reserve and open space land. This Plan guides the provision and management and relates directly to the LTP.
Whakatāne District Plan	The Whakatāne District Plan provides a specific reserves zone in the urban areas of the district and controls effects of activities on reserves across all zones. Through its subdivision rules the Council also provides for the creation of reserves . Historic places and trees are also protected by rules in the WDP. The WDP guides these key aspects of the Plan.
Whakatāne District Council Bylaws	The Plan shall be consistent with, and give effect to all Council Bylaws, including Bylaws concerning the following: public places, dog control, cemeteries and crematoria, beaches, liquor control, parks and reserves and others. Bylaws are updated regularly and those that are relevant will be included in revisions of the Plan.
National Legislation	
Treaty of Waitangi	The Plan takes in to account the principals of the Treaty of Waitangi relating to participation, partnership, and progress and recognises the relationship of the Tangata Whenua and their culture and traditions with their ancestral lands, sites, waahi tapu, and other taonga.
Resource Management Act 1991	Section 6 of this Act outlines matters of national importance that territorial local authorities must recognise and provide for. The Plan deals with many of these matters and the management policies are in accordance with these principles. The Act also provides for the creation of esplanade reserves/strips on subdivision.
Reserves Act 1977	Key sections of the Reserves Act 1977 that have been included in this Plan include the granting of easements, licences and leases, offences under the Act, classification of reserves, revoking reserve status and disposal, and public notices.

Local Government Act 2002 (LGA)

Under this Act territorial local authorities are required to develop a Long Term Plan (LTP). It sets a 10 year budget identifying (among other things) any expenditure on reserve acquisitions or development and includes Council policy to meet the requirements of the Act (refer section 2.3.4 of the Council's LTP). The LGA also requires the Council to implement a Development Contributions Policy for the taking of contributions to offset the financial impacts of growth. These fees are then applied to a range of Council services including reserve development. The LTP also schedules the implementation of projects/programmes required through these management policies or in association with the relevant Asset Management Plans. Other requirements as they relate to the management of reserves are the creation of bylaws (refer Section 145 and Public consultation (refer in particular section 138 as it relates to the disposal of parks not governed under the Reserves Act 1977)

Heritage New Zealand Pouhere Taonga Act 2014

The purpose of this Act is to promote the identification, protection, preservation, and conservation of the historical and cultural heritage of New Zealand and repels the Historic Places Trust Act 1993. These management policies recognise that some reserves include places of historical, cultural and archaeological significance and that there is a need to work in accordance with the provisions of this Act (for example when carrying out operational functions or developing facilities).

Where registered under this Act, the relevant territorial local authority is notified. Registration is often supported by listing in the District Plan. This Plan recognises the importance of these sites within the Council reserves and is consistent with provision of the Heritage New Zealand Pouhere Taonga Act.

Walking Access Act 2008

The management policies in this Plan are consistent with the aim of this Act.

Other Key Operational Legislation

There is also other legislation that guides and controls how reserves function. These are adhered to where relevant in this Plan such as the Conservation Act, Dog Control Act, Building Act, Health Act, Health and Safety at Work Act, Land Transfer Act, Property Law Act, Fencing Act, Camping Ground Regulations, Public Works Act and Freedom Camping Act.

National Policies and Guidelines

New Zealand Coastal Policy Statement 2010

The New Zealand Coastal Policy Statement 2010 states objectives and policies to achieve the purpose of the Resource Management Act 1991 in relation to New Zealand’s coastal environment. The management policies in this Plan are consistent with this Statement.

ICOMOS (International Council on Monuments and Sites) New Zealand Charter for the Conservation of Places of Cultural Heritage Value

The Plan has been developed in accordance with the ICOMOS principles.

National Guidelines for Crime Prevention through Environmental Design (CPTED) in New Zealand 2005

CPTED is a crime prevention tool that uses urban design and effective use of the built environment to help prevent crime by reducing opportunities for crime to occur. The Plan promotes CPTED principles where appropriate.

Regional Context

Bay Of Plenty Regional Policy Statement

The Bay of Plenty Regional Policy Statement sets out how territorial authorities, need to manage resources. It is a directive policy document in relation to regional and district plans and the consideration of resource consents. This Plan is consistent with the principles of this statement.

Regional Sport & Recreation Spaces and Places Plan

This collaborative MOU aims to coordinate planning within the region across political and sporting boundaries for mutually beneficial outcomes. As many sporting and recreational activities occur on reserves this document is relevant to the Plan.

Eastern Bay of Plenty Local Alcohol Policy

The policy details criteria that will be considered with any application around proximity to sensitive locations such as reserves containing children’s playgrounds and with leases by clubs of Council facilities which often are located in reserves or open spaces. The Plan relates to details in this policy.

Local Context

Whakatāne District Council Development Contributions Policy (DCP)

This Plan has direct relevance to the DCP as a funding mechanism for the purchase or development of reserves and open space, however it does not fund their maintenance.

Whakatāne Recreation and Leisure Plan 2000

The management of recreation and leisure activities on public reserves and open spaces will be guided by these Plan and individual management plans where these apply.

Active Eastern Bay 2006 (Physical Activity Strategies)

The Plan is consistent with this document specifically in relation to the Council's role as a statutory body and land provider.

Community Action Plan

The purpose of this document is to provide strategic direction and associated actions for enhancing community wellbeing in the Whakatāne District. The Plan facilitates this document.

Whakatāne District Walking and Cycling Strategy

The Whakatāne District Walking and Cycling Strategy outlines the Council's commitment and plan to advance walking and cycling in the Whakatāne District where appropriate. This strategy helps inform the Plan.

Whakatāne District Councils Urban Tree Strategy

This strategy outlines the Council's approach to the management of trees on public land (streets and reserves). The Plan is consistent with the Whakatāne District Councils Urban Tree Strategy in that both seek to enhance amenity values and the quality of the environment.

Associated Operational Strategies

There are a number of operational strategies, plans and policies that have relevance to reserve and open space operations that inform the Plan such as Ōhiwa Harbour Strategy, the Whakatāne Integrated Urban Growth Strategy, Social Development Strategy, and Whakatāne 2030.

Reserve Act 1977 Classifications

If a reserve is vested under the Reserves Act 1977 it must be classified based on its primary purpose. Section 16 of the Reserves Act identifies that it is mandatory for vested reserves to be classified based on their primary purpose. The Act provides for seven different reserve classifications, as identified in Section 17-23, these being:

1. Recreation Reserve
2. Historic Reserve
3. Scenic Reserve
4. Nature Reserve
5. Scientific Reserve
6. Government Purpose Reserve
7. Local Purpose Reserve

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

Whakatāne District Council Reserve Categories

Reserves and open spaces are only classified if they are vested under the Reserves Act 1977. Not all reserves and open spaces within the district are vested under the Reserves Act, therefore the Council has adopted a system where reserves are also categorised according to their size, type of use, and management focus. This allows Council to take a strategic approach in management and to provide opportunities based on natural, historic, cultural values and/or recreation experiences of these open spaces.

Whakatāne District Reserve Categories have been adapted from the New Zealand Recreation Association Parks Categories and Levels of Service, and follow best-practice examples from around the country while maintaining Whakatāne Districts' unique character. These 8 categories are also intended to encapsulate a main purpose while all gazetted reserves still retain their Reserves Act classification based on their original primary purpose. Gazetted reserves therefore will have both a classification and category. While many reserves are multi-use, allocation of a main purpose category for all open space allows for analysis of the network and various scales, from a specific neighbourhood to regional analysis. These categories are outlined in brief below in **Table 2:**

Table 2: Whakatāne District Council Reserve Categories Summary

Category	Summary
Premier District Reserves	Larger multiple-use spaces with a high amenity value and an emphasis on providing for the needs of the wider community.
Neighbourhood (Local and Amenity) Reserves	Smaller low-profile spaces often located on a pedestrian/commuting route and typically bordered on several sides by houses.
District Sport and Recreation Reserves	Parks with the primary purpose of providing for sport and recreation and activity, as well as recreation facilities and buildings.
Local Sport and Recreation Reserves	Spaces for sport and recreation activity for the local area. Smaller scale and less infrastructure than the Sport and Recreation (District) category.
Cultural and Heritage Reserves	Localities for protection of built cultural and historical environment to provide for commemoration, understanding, appreciation, and remembrance.
Natural Reserves	Areas for experience and/or protection of the natural environment. Types of use/value include conservation, ecological restoration/enhancement, and access to the natural environment, walking/cycling, information/education/interpretation, ecosystem management, low-impact recreation, and landscape protection.
Utility and Linkage Reserves	Land containing link strips, pedestrian access ways, drainage or other service ways where their primary purpose is to support services other than recreation.
Civic Amenity Open Spaces	Land adjacent to roadways/streets and other civic open-space predominantly for pedestrian provision to retail and services in the CBD areas.

Section 2: Whakatāne District Reserve and Open Space Categories

Premier District Reserves

Premier District Reserves are generally larger multiple-use spaces with a high amenity value and an emphasis on providing for the needs of the wider community. These are reserves and open spaces that provide for a range of informal recreational activities for all age groups and may be located near or adjacent to other community facilities (e.g. Libraries, Halls, suburban or town centres). These generally provide; easy pedestrian access, play equipment and seating, flat or gently undulating grass areas, adequate space for running and informal ball games, neighbourhood amenity, high value amenity planting, and access to open space and the natural environment. They may also provide public toilets and car parking. The minimum size of a Premier District Reserve is dependent on the particular purpose, but they are likely to be of a comparatively larger size in the overall network. For planning purposes and for future acquisition the minimum parcel size is three hectares. An example would be *River Edge Park*.



Neighbourhood (Local and Amenity) Reserves

Neighbourhood (Local and Amenity) Reserves are often located on a pedestrian/commuting route and typically bordered on several sides by houses. They may have open space that contributes to the character and amenity of the neighbourhood through provision of pockets of open space and/or sites for amenity trees and other vegetation. They may contain no built infrastructure but may provide neighbourhood amenity alongside a specific function (such as a playground or a dog exercise area). These open spaces are designed primarily for the use of the local residential community and are generally smaller in size ranging from 1000m² to 5000m². Each open space is intended to serve

a population of around 500 people. *Almost all children's playgrounds and local reserves would fit in to this category.*

District Sport and Recreation Reserves

District Sport and Recreation Reserves are spaces with the primary purpose of providing for sport and recreation and activity, recreation facilities and buildings. These open spaces often have multiple uses and values with a focus on organized recreation and sports-field and/or court provision to meet the District's needs. Types and use/value include social sports, active recreation, walking, amenity and access to other open space and/or the natural environment. The minimum size for this category is five hectares. *Currently the District has two open spaces that fit in to this category which are Rex Morpeth Park and Eve Rimmer Park.*

Local Sport and Recreation Reserves

Local Sport and Recreation Reserves are open spaces that allow for sport and recreation activity for the local community. This category allows for smaller scale and less infrastructure than the District Sport and Recreation Reserve category. These open spaces are likely to be multiple use but generally consisting of one sports-field used by both organized sport and informal sport. They also provide for other social sport, active recreation, informal recreation, walking, amenity and access to open space and/or the natural environment. The scale of these open spaces varies and range from 10,000m² to 5 hectares. *An example of a Local Sport and Recreation Reserve is Warren Park.*

Cultural and Heritage Reserves

Cultural and Heritage Reserves are localities for protection of the built cultural and historical environment to provide for commemoration, understanding, appreciation, and remembrance. These spaces often multiple values for example – amenity and ecological value in addition to heritage or layers of historical fabric. The size of these spaces is usually relatively small but can range from 50m² up to 10 hectares. Some of these spaces are located amongst other categories of open space or form a connective network within a geographical area. *Wharaurangi and Hillcrest Cemetery are two examples of reserves that would fit in to this category.*

Natural Reserves

Natural Reserves allow for the experience and/or protection of the natural environment. Types of use/value include conservation, ecological restoration/enhancement, and access to the natural environment. Activities on this space include walking/cycling, information/education/interpretation, ecosystem management, low-impact recreation, and landscape protection such as some reserve land in coastal areas. Typical characteristics include remnant and regenerating indigenous vegetation, stream and the associated catchment, and coastal areas. This category can include areas of open space that is sometimes inaccessible but generally includes informal recreation opportunities and low-key infrastructure throughout. For example, they main contain track networks and associated information and way finding, picnic areas and possibly seats. *Mokoroa Scenic Reserve and Karaponga Reserve are two such reserves that are categorised as Natural Reserves.*

Utility and Linkage Reserves

Utility and Linkage Reserves includes link strip land, pedestrian access-ways, drainage or other service ways where the primary purpose is to support services other than recreation. This *can* include spaces that provide linkages and corridors, water-margins and protection of the natural environment. There is generally a low level of development in a linear nature in these spaces. These areas can also provide ecological and recreational links. *Examples of this sort of reserve in the Whakatāne District are Waiewe Reserve (drainage), all plantation reserves and some esplanade strips.*

Civic Amenity Open Space

Civic Amenity Open Space is land adjacent to streets and other civic open-space in CBD areas predominantly for pedestrian provision to retail and commercial services. These are areas of high amenity value and usually incorporate amenity planting in and around the CBD streetscape, street furniture, sculptures/artwork etc. Civic Amenity Open Spaces are smaller in size ranging from 5m² – 100m². *All street side CBD amenity open spaces in the District administered by the Council fit in to this category.*

Road Reserves

Road Reserves are typically areas of land adjacent to roads which are set aside for purposes other than transportation - typically for transport safety - clear site lines, laybys, rest areas and amenity/landscape value. These are not generally to provide for open space for recreation. Road Reserves lands within the District are **not** covered by policies in this Plan.

Section 3: Administration And Planning Policies

Provision of Reserves

There is regular demand for access to the Districts reserves and open spaces for a variety of activities. The public expects a basic facilities and services on these reserve spaces compatible with the reserves main purpose (category). Users may come in to conflict with one another in popular locations due to the differing nature of their activities, or wanting to use the same or adjacent spaces simultaneously. Some reserve use has the potential to damage the condition of the reserve or may be incompatible with the natural characteristics and values of the space. The use of the reserves and the condition of the facilities and services provided needs to be carefully managed to ensure that their natural characteristics and values are not degraded, and use is in keeping with the reserve purpose (category) and any Individual Reserve Management Plan, while encouraging reserves to be well utilised.

Objectives

- (i) To promote regular use of the entire District reserve suite that is compatible with the purpose (category), natural characteristics and values of each space.
- (ii) To provide usual facilities and services to a level compatible with the reserve purpose (category) and community requirements. For example – playgrounds on District Reserves and some Neighbourhood (Local and Amenity) Reserves and toilets on District Sport and Recreation Reserves.
- (iii) To reduce user conflict by guiding and controlling public use via bylaws, and in accordance with the objectives and/or policies in this Plan and any relevant Individual Reserve Management Plans.

Policies

- (i) Council reserves and open space land will be available for the use of residents and visitors to the District providing that the use is compatible with the purpose of each reserve (category) and complies with legislation, Council bylaws, this Plan, and any applicable Individual Reserve Management Plan.
- (ii) Usual facilities and services will be provided to meet the primary reserve purpose (category) and evolving community needs.
- (iii) Council will be open in communicating the purpose and category of each reserve, its natural character and values, any applicable Individual Reserve Management Plans, and will respond to complaints, and restrict activities that are not compatible.
- (iv) Appropriate levels of informal and formal recreational use of the reserves network will be encouraged through promotion of the reserve suite via a variety of public and direct communications.

- (v) Recreational proposals on Council reserves and sports grounds will be considered according to their effect on the reserves and open spaces and their ability to meet the objectives and policies of this Plan and other such requirements.
- (vi) The quality and suitability of reserves for passive use, events, temporary uses and recreational uses will be facilitated by implementing the policies of this document.

Acquisition of Reserve Land

At times Council has the opportunity to purchase or acquire land that can contribute to improving reserve provision in the District. The land may contribute to walkway/cycleway trails, ecological sites/corridors and esplanade and access reserve strips etc. In addition, if Council identifies existing and potential reserve land/open space for public ownership in advance, then planning through the District Plan and RMA can be undertaken and budgets provided for in the Long Term Plan/ Annual Plan process.

Objective

- (i) To ensure that the acquisition of reserve land is managed in a way that is lawful, transparent, and sustainable and gives consideration to concerned stakeholders and any applicable management issues.
- (ii) To budget for the acquisition of land of particular interest not already identified through the District Plan and LTP.
- (iii) To actively express interest in acquisition of reserve land that has been identified in the Reserve Strategy in having value and/or requires protection to feed in to the LTP and Annual Plan.

Policies

- (i) Specific consultation with the community and key stakeholders e.g. Department of Conservation, Iwi, local community, reserve users (clubs and neighbours) will be undertaken where appropriate to determine the acceptability of proposed future sites and determine other options for consideration prior to acquisition of selected reserve land.
- (ii) An internal assessment of reserve value will be conducted prior to any planned reserve acquisition such as the description of reserve, its primary function, values (use, landscape, biodiversity, and culture), other reasons for consideration, and future opportunities.
- (iii) Subsequently, a database will be created identifying land that, subject to availability of funds and according to the Reserve Strategy, will be purchased when the land becomes available.
- (iv) Recommendations will be presented to the Council when the above procedures (i) to (iv) are completed.
- (v) The subdivision process will be one mechanism used to obtain significant heritage features, access links, and other reserve and as a condition of consent where appropriate.

- (vi) The reserve acquisition funding provision will be used to purchase significant heritage features, access links and other reserves as and when the opportunity arises.

Revocation and Disposal of Reserve Land

At times, the Council may wish to revoke a reserve classification if a reserve is no longer required for its classified use or any other reserve purpose. Any proposal for revocation and disposal of reserve land must be undertaken in accordance with Sections 15, 24 and 25 of the Reserves Act 1977 and Section 4 of the Public Works Act 1981.

Objective

- (i) To ensure that the revocation and disposal of surplus reserve land is managed in a way that compatible with the Reserve Strategy, and that is lawful, dependable, and gives consideration to concerned stakeholders and any applicable management issues.

Policies

- (i) On a request to revoke a reserve classification an assessment of the reserve values of the site will be completed. The assessment will include the legal description and original vesting/acquisition of the reserve, primary function, values (use, landscape, biodiversity, and culture), reason for assessment and future requirements.
- (ii) Specific consultation with community key stakeholders e.g. Department of Conservation, Iwi, local community, reserve users (clubs and neighbours) will be completed.
- (iii) Any possible revocation and disposal of the reserve land will be publically notified as required in Section 24 of the Reserves Act 1977. For a reserve that is also zoned "Reserve" in the District Plan, a change to the district plan, and the consultation required under the RMA, will be required.
- (iv) Submission forms will be publically available and a Council Hearings Meeting will be called in a timely manner after the submissions close.

Tangata Whenua & the Treaty of Waitangi

Council has a commitment to work closely with Tangata Whenua. Day to day maintenance and small scale developments/upgrades will be undertaken as normal operational works, unless the works are on or in close proximity to sites of cultural significance. A Statutory Acknowledgement is a formal acknowledgement by the Crown that recognises the particular cultural, spiritual, historical and traditional association of iwi with a site of significance or resource identified as a statutory acknowledgment area. A number of the Council's reserves and open spaces are within the identified Statutory Acknowledgement Area. Tangata Whenua has considerable knowledge of the District's natural and historical resources and their values. Development proposals for reserves and open spaces can make use of this knowledge and wisdom.

Objective

- (i) To ensure that proposals for large scale development on Council's reserves are considered in accordance with the principles of the Reserves Act 1977, the Conservation Act 1987, the Local Government Act 2002, and Part Two of the Resource Management Act 1991 and the principles of the Treaty of Waitangi.
- (ii) To recognise and have regard to natural and cultural resources in or near areas of statutory acknowledgement identified in Treaty settlements or Iwi Management Plans for reserve works.

Policies

- (i) Consultation will be conducted with Tangata Whenua on all major developments proposed on reserves (and in all instances for reserves known to have high cultural significance) including the in the naming of reserves, and the development of interpretation material and signage.
- (ii) Concerns or issues raised by Tangata Whenua during the consultation process will be given consideration and be accommodated as far as practicable.

Public/Community Engagement and Consultation

The management and development of reserves and open space can have a variety of negative or positive effects on users, adjoining property owners, the general public, stakeholders (such as the Department of Conservation, Bay of Plenty Regional Council and Treaty partners) and interest groups. In recognition of this, it is important for all of these parties to be provided the opportunity to be consulted on proposed major changes to management of the reserve/open space or any proposed major projects to identify concerns and/or opportunities. The purpose of this consultation is to obtain community input for consideration by the Council when affecting changes to the management of the reserve or open space or planning major developments.

The requirement to consult is defined by the Reserves Act 1977, the Resource Management Act 1991, The Local Government Official Information & Meetings Act 1987, and the Local Government Act 2002.

Objectives

- (i) To ensure compliance with all relevant legislation as it relates to consultation requirements with the community on changes to the management of a reserve/open space or a proposed major development of or on a reserve (as defined in the Council Significance and Engagement Policy) and to give consideration to the issues raised by the process to guide decision making on the proposed management approaches or development plans.
- (ii) To ensure that any changes as a result of community consultation takes into account the purpose and function of the reserve/open space.

Policies

- (i) Community consultation will be conducted on reviews of policy governing the management of reserves and open spaces in this Reserve Management Plan as set out in Section 41 of the Reserves Act 1977 and the Councils Significance and Engagement Policy.
- (ii) Consultation with the community and interested stakeholders will be undertaken on major development of a reserve/open space or development on a reserve/open space.
- (iii) Outcomes will be reflected from the consultation process including how the proposal meets the function and purpose of the reserve/open space as set out in Part Three, Section 17 and 23 of the Reserves Act 1977 where relevant.

Maintenance and Development

The maintenance of parks and reserves within the Whakatāne District is carried out by a combination of internal staff as part of the Open Spaces team and external contractors under service agreements. The operational management of the reserve suite must take in to account the objectives, and policies of this Plan and any Individual Reserve Management Plan that may apply to that specific space as well as allocated budget and other funding mechanisms. Each Individual Reserve Management Plan will incorporate a Concept Plan and an Action Plan which will identify all proposed maintenance and development works required to be undertaken on the reserve within the life of the Management Plan. The primary mechanism by which the provisions of the management plans will be implemented is through the Whakatāne District Council LTP and more specifically Asset Management Plan. This specifies the works and actions which will be undertaken in each financial year.

Objective

- (i) To provide and maintain the reserves of the District to a standard described in the Level of Service in Council plans through Council resourcing.
- (ii) To implement the provisions and actions of the applicable reserve management plans in a structured and integrated manner through the Annual Capital Works Programme and Asset Management Plans.

Policies

- (i) Primary maintenance and management of all the reserves within the District will be the responsibility of Council staff unless specific co-management arrangements have been entered into.
- (ii) Maintenance and management of all reserves within the District will be to the levels of service identified in the Levels of Service agreed with the community by way of the LTP.
- (iii) An Annual Capital Works Programme will be created and implemented to prioritise the maintenance and development requirements for each reserve in the District.

- (iv) Implement the Annual Capital Works Programme in to the Asset Management Plan, based on the Action Plans identified within the appropriate reserve management plans

Environmental Sustainability

The Council is committed to the principles of creating a sustainable community and environment as outlined in Councils Sustainability Strategy. To this end the Council will endeavour to incorporate sustainable practices in to both the provision of reserves and to their management and development.

Objective

- (i) To improve the environmental sustainability of the reserve network and associated facilities through the protection of existing assets and incorporating bio-diversity, heritage conservation, water conservation, energy reduction, and waste management and minimisation practices.

Policies

- (i) Protection will be applied to the ecological and heritage values in reserves and open spaces by educating users about environmental sustainability including waste reduction, low or no carbon transportation, ecological and habitat values, water conservation, history etc. via signage, interpretation and education, community engagement initiatives, communication mechanisms such as social media, websites and print media.
- (ii) Improvements to environmental sustainability of the suite of reserves will be applied through continued tree and vegetation protection and planting, active removal of pests of national significance, eradication and containment pest species, and in the maintenance and development of new reserves through the priority use of renewable, reusable and/or recycled materials, installation of permeable surfacing for run off management, low flow and low energy devices, non-toxic materials and many others.
- (iii) Protection will be applied to the values in reserves and open spaces by educating users about environmental sustainability including waste reduction and promotion of the 'pack in, pack out' philosophy.
- (iv) The benefits of 'green practices' for the environment and use of pedestrian and cycle routes on reserves will be promoted through signage and publications.
- (v) Valuable cultural heritage sites, sensitive ecological areas and areas of significant biodiversity within the reserves will be conserved and enhanced by providing interpretation and ecological information as well as other measures such as protection barriers where applicable.
- (vi) As well as for amenity purposes, street trees and vegetation will continue to be planted and maintained with consideration of services and safety to reduce the 'heat island effect', and improve air quality in the reserves and streetscapes.

- (vii) Healthy trees, whether native or exotic, on reserves will be protected wherever possible as outlined in the Whakatāne District Council Urban Tree Strategy and District Plan.
- (viii) Renewable or reusable materials will be considered first in design elements for reserves and car park renewals and development.
- (ix) The installation of pervious surfaces within car parks, parks and gardens will be given primary consideration.
- (x) Conservation and adaptive re-use of all forms of heritage items including buildings, structures, and fixtures such as pathways, trees, streetscapes, and paving will be utilised where appropriate.
- (xi) Low impact design practices for storm water management in reserves will be implemented where it is appropriate through the use of swales, rain gardens and other methods.
- (xii) Low energy efficient devices such as solar lighting and others will be considered for new and replacement services on reserves.



Council As an Affected Party

Under the Resource Management Act 1991, Council (in its role as reserve administrator and land manager) can be an affected party where a proposal on land adjacent to a reserve does not meet the requirements of the District Plan. In these situations the Council can be approached by adjoining landowners to give its affected party approval. This mainly concerns; resource consent applications for subdivisions and land use activities, or confirmation of compliance in respect of side yard or height plane encroachments

The main consideration in these situations is that there are no adverse effects on the reserves amenity values or uses. Some activities on adjoining properties can have a detrimental effect on the values of the reserves. Adjoining property owners should be encouraged to appreciate the valuable resource that living next to a reserve provides and work with Council to mutual benefit for the community.

Parts of reserve land can also be occupied by network utility providers and requiring authorities who wish to occupy parts of reserves for designated purposes under the Resource Management Act 1991. *The 1XX Radio Transmitter Mast in the Golf Links Road section of the Western Whakatāne Coastal Recreation Reserve is an example of this.*

Objectives

- (i) To give approval (as an affected party where a non-conforming proposal in terms of the District Plan) on a property adjoining a Council owned reserve only where there is no significant adverse effect on the reserve's amenity values or use, and the non-compliance is considered minor.
- (ii) To ensure that surrounding land use and development is does not create adverse effects on an adjacent reserve.

Policies

- (i) Any application submitted will be assessed to ensure that the applicant has provided sufficient information to satisfy likely concerns of environmental effects through the provision of supplementary information such as landscape plans, visual and landscape assessments, and height recession plane encroachment plans prior to giving approval.
- (ii) Further assessments will be conducted prior to any approval to ensure that any adverse effect on: amenity, recreation, landscape, ecological, heritage values and any other appropriate considerations (cultural, social, natural, economic) can be avoided, remedied or mitigated.
- (iii) Evidence will be required to be provided in the consideration of alternative methods to the proposal where a designation is proposed in a reserve area.
- (iv) Public awareness of the potential effects that activities on private properties can have on the environmental quality of reserves will be promoted to the public. For example – the effect of private stormwater discharge on lake water quality etc.

- (v) Reserve boundaries will be monitored to ensure that encroachment on to reserve land by adjoining property owners through subdivision, development and/or fencing renewals is limited

Crime Prevention through Environmental Design (CPTED)

Reserve and open space users may feel unsafe/put themselves at risk of harm in certain spaces as a result of the following: narrow access ways and entrances; high fences; poor visibility; poor lighting; overgrowth of trees and vegetation; unchecked vandalism and graffiti. Crime Prevention through Environmental Design (CPTED) is based on the concept that crime, and fear of crime, can be minimised through effective planning and designing of the environment. The concepts of CPTED focus on the relationships between people and their environments such as good lighting which make people feel safe and act as deterrents to crime. CPTED recognises the need for the integration of safety design principles into the planning, design, development, management and maintenance of reserves.

Objective

- (i) To create environments where people feel safe or are aware of hazards in their surroundings, as appropriate to the reserve. For example, a civic space will apply robust CPTED principles to ensure 24 hour safety where a remote native area may not, yet it may by virtue of its location and visibility encourage use in numbers..

Policies

- (i) All reserve and open spaces will be planned, designed, developed, managed and maintained with the application of CPTED principals at the forefront of thinking.
- (ii) Particular priority for the application of CPTED principles will be given to district, recreational and civic amenity open space reserves and all reserves in close proximity to residential properties.
- (iii) Pedestrian options will be increased with CPTED principles in mind. To ensure safer access, egress to reserves and open spaces.
- (iv) The appropriate level and type of safety and/or warning signage will be applied as appropriate to each reserve or open space.
- (v) CPTED assessments on reserves and open spaces will be conducted in consultation with local users and/or Council staff, and changes and enhancements will be incorporated where it is a priority.
- (vi) Natural and artificial lighting of reserves and open space including in some instances paths and parking areas will be implemented where this is deemed necessary and when budget dictates following a CPTED assessment. All artificial lighting will be in accordance with the

AS/NZS 1158 national lighting standards for public spaces or at higher specifications via new LED technology.

- (vii) Identified entrapment spots and areas will be eliminated in district, recreation, civic amenity open space reserves, and all reserves in close proximity to residential properties that may isolate users of public areas from public view through appropriate design and planting.
- (viii) Passive surveillance will be encouraged through Council staff and community education and apply formal surveillance of reserve and open spaces in accordance with the Council's CCTV Policy.
- (ix) Orientation and directional signage will be provided where need has been identified.

Enforcement

While most activities on reserves generally do not have adverse effects on reserves and reserve users, some activities can be unacceptable. Unacceptable activities fall into four main categories including; wilful damage, unlawful dumping of rubbish/refuse, inappropriate use of reserve causing damage or a safety hazard, and ignoring prohibitions.

Objectives

- (i) To reduce the level of offences on reserves.
- (ii) To maintain reserves to required standards without additional costs from offences falling on to the Council.

To enforce Council bylaws.

Policies

- (i) Enforcement action will be undertaken in relation to unacceptable activities in accordance with the Council's legislative powers.
- (ii) Reserve name signs/boards will be installed, where appropriate/deemed necessary, to include activities that are encouraged and those that are explicitly banned by bylaws or other council policy.
- (iii) Reserve neighbours and users will be encouraged to report suspected offences on reserves to Council or other appropriate authorities and all reported incidents will be recorded.
- (iv) Verbal or written warnings will be issued if an individual can be identified as an offender or involved in an offence where this the offence is not considered of a serious nature.
- (v) Costs for the repair of damage will be sought through the judicial system where appropriate.
- (vi) Council will cooperate with any NZ Police initiated projects such to reduce offences on reserves.

- (vii) Serious complaints will be attended by the appropriate enforcement agency.

Smokefree Outdoor Public Spaces

Council has implemented a Smokefree Outdoor Spaces Policy which aims to normalise non-smoking and encourage positive role models for both children and young people in the Whakatāne District.

Objective

- (i) To support application of the Smokefree Outdoor Public Places Policy in Council's parks and reserves.

Policies

- (i) Council operated events, venues and children's playgrounds will be designated smokefree.
- (ii) The Smokefree Policy will be communicated to users by inclusion of this information on our websites and on all applicable reserve and venue booking/leasing/licencing documents and through installation of appropriate smokefree signage within Council owned playgrounds, and at selected locations in venues and Council operated events .
- (iii) If adopted (and if deemed appropriate) signage will be added to any other Council administered open spaces that are designated smokefree.

Surveying and Monitoring

A key challenge for Council is how to protect its reserves and open spaces whilst maintaining standards of provision and Levels of Service to the users of the reserves. A regular survey and monitoring programme will ensure that the reserves are meeting the needs of the community and that environmental damage is limited as result of public use. Council may undertake monitoring and surveys on reserves for a variety of reasons including:

- (i) Undertaking surveys of reserve user groups, the general public and interest groups regarding specific requirements for the provision of facilities on sports fields and reserves.
- (ii) Monitoring of resource consent conditions applicable to assets or consent conditions that may be located on reserves and sports fields.
- (iii) Monitor the reserve with regard to any changes to the environment, physical and amenity values, vegetation and animals.

Objectives

- (i) To undertake regular monitoring and surveys as an essential component of reserve management.
- (ii) To utilise the results of monitoring and surveys to implement revised reserve and open space management practices and implement remedial works within available resources.

Policies

- (i) Reserve user groups and the general public will be surveyed intermittently regarding whether facilities on reserves meet their specific requirements to help determine appropriate Levels of Service and identify needs.
- (ii) Impacts of various recreational activities on the reserves will be monitored to ascertain whether these activities have any negative impact on the reserve that need to be addressed.
- (iii) The health of flora and fauna and land resources, and animal and plant pests will be monitored by internal and external agencies on a regular cycle and when particular need arises to help guide protection initiatives and control programmes.
- (iv) Assets on reserves will be monitored in accordance with resource consent conditions.

Education and Interpretation

The Councils open space network is a unique and valuable education resource. The reserves provide a rich resource providing opportunities for interpretation and education at all levels.

Objective

- (i) To increase public awareness of the reserve network and understanding of the archaeological, geological, ecological, and landscape values and processes.

Policies

- (i) Community input in to restoration, dune care, animal pest control, stream care and weed control efforts will be encouraged; as will the support of care groups involving local schools, community groups, user groups and residents. Examples include: liaison with cultural groups, Bay of Plenty Regional Council, the Department of Conservation and specialist organisations to provide/facilitate public education, educational resources and/or workshops.
- (ii) Public 'ownership' of restoration projects will be fostered. For example, the community can play an active role as 'community watchdogs' that facilitate maintenance of restoration work, help prevent vandalism and ensure compliance with District Plan provisions.
- (iii) Public awareness of the importance of open spaces for community use as a part of the district wide network of reserves and walkways will be promoted.
- (iv) Signage or display boards will be installed where applicable at reserve entrances and/or other key parts of the network that provide interpretive and educational information on history, key ecological values and/or coastal processes at work in each area.



Naming of Reserves

From time to time the Council acquires reserves and open spaces either through purchase, vesting through subdivision, gifting or other legal processes. Each reserve should be formally named to ensure ease of identity. Council also receives public submissions for the naming of reserves that have not previously been formally named. The naming of reserves is an issue that often creates debate and in some instances conflict within the community and therefore effective community consultation is required prior to the formal naming of a reserve. The final choice of name is made by resolution of the Council following consideration of the Community Board and public input.

Objective

- (i) To officially name reserves through formal resolution of the Council, after consulting with tangata whenua, the public, and other interested parties.

Policies

- (i) All reserves and open spaces vested in or administered by the Council will be formally named.
- (ii) Public consultation and consultation with tangata whenua and other interested parties will be undertaken as part of the reserve naming process.
- (iii) Reserve names will be officially adopted by way of Council resolution.
- (iv) Reserve name signs will be installed at the primary entrance to reserves where appropriate and within available resources.

Section 4: Protection Of Physical Character Policies

Natural Features and Landscapes on Historic and Scenic Reserves

The protection of outstanding natural features and landscapes from inappropriate use and development are designated as matters of national importance in the Resource Management Act 1991. Inappropriate plantings, poorly located structures, uncontrolled pedestrian access and pressure to develop recreational facilities can result in loss of natural character or landscape values of the reserves. The management of natural and landscape features on reserves will be consistent with the Whakatāne District Plan.

Objectives

- (i) To preserve, protect, maintain and enhance the natural features and landscape integrity of the Whakatāne District outstanding natural features including reserves and coastline.
- (ii) To ensure that reserve development or management practice does not detract from natural features and landscapes of the reserves.

Policies

- (i) Natural features and landscapes of high value in Whakatāne District reserves will be identified and prioritised including areas that may require improvement.
- (ii) Any activity or land use that may interfere with the natural character of the reserves or contribute to pollution, instability, erosion and sedimentation will be either prevented, minimise or managed to mitigate harm.
- (iii) Where physical works are necessary, protection and remedial works will be actioned based on the prioritised list. Works will be designed to complement the local environment as far as practicable. Landscape and ecological assessments by suitably qualified specialists will be required for proposed earthworks or hard protection works, except in minor cases.
- (iv) Council will work with the Bay of Plenty Regional Council and the Department of Conservation in the preservation and restoration of dunes in accordance with the Coast Care BOP Plan.

Archaeological and Historic Sites

Archaeological and other historic sites contribute to the value of reserves and should be managed in a way to avoid undesirable modification or destruction of the whole or any part of an archaeological site. There are a number of reserves in the District that are culturally significant to both Maori and non-Māori and contain a number of archaeological sites.

Objective

- (i) To recognise and protect the heritage values, archaeological and geological features, and sites of historic significance within the reserve network in consultation with Tangata Whenua and others, and in a manner consistent with the requirements of the Heritage New Zealand Pouhere Taonga Act 2014 and the ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value and the Resource Management Act.

Policies

- (i) The condition of identified archaeological sites will be monitored and prioritised works will be developed for the protection of these sites within all reserves.
- (ii) Interpretive signage, artworks and general park infrastructure (providing that does not interfere with the sensitive fabric of archaeological sites) will be installed to promote identified cultural and heritage sites where this is supported.
- (iii) Public access, recreational activities, and plantings will be managed in a way that recognises and celebrates features of cultural and heritage significance.
- (iv) Archaeological assessment and/or advice (including reference to Pouhere Taonga/Heritage New Zealand where appropriate) will be required prior to any works that would modify identified archaeological sites including:
 - Earthworks; including but not limited to excavations that involve drilling, tunnelling, grading, trenching, and other soil disturbances (including fencing and walking track formation).
 - Mining, quarrying, or mineral exploration or extraction.
 - Earthworks for new landscaping.
 - Animal or plant pest controls measure that involve ground disturbance.

Biodiversity Enhancement and/or Restoration

The Council reserves network includes a number of reserves with a diverse range of vegetation including native bushlands, wetlands, river and lake margins, and coastal dune environments. Some reserves contain significant and unique indigenous areas of vegetation that are important for the maintenance of biodiversity. This vegetation provides habitat for wildlife, visual amenity values, and reduces erosion and sedimentation in to waterways and oceans. These values can be threatened by inappropriate use and/or introduced species. Many reserve habitats are degraded and require active management and protection from grazing, plant and animal pests, and detrimental human activities. There are areas of significant indigenous vegetation and wildlife within reserves that will require ongoing management to maintain or enhance those values.

Objectives

- (i) To conserve and protect the natural vegetation and wildlife of reserves and the coastal environment.

- (ii) Within resources, prepare and implement a programme of staged ecological restoration at high priority sites within the reserve network including coastal reserves and dunes.

Policies

- (i) Significant habitats and biodiversity sites that are located within the reserves will be identified and protected through such means as community education, fencing and barriers, signage, ongoing plant and animal pest control programs and others.
- (ii) Remedial works and planting schedules will be prioritized in areas of high ecological value and any revegetation programs will be undertaken with locally appropriate species.
- (iii) Public access will be designed to minimise degradation of biodiversity, using signage to highlight biodiversity concerns and the importance of using designated access ways.
- (iv) The character of the natural environment will be preserved by assisting natural processes and allowing these to continue unobstructed. Exceptions include the protection of established or essential services or assets, or if letting the natural processes occur will lead to a natural disaster (i.e. flooding or landslide), or if public health and safety is an issue.
- (v) Community 'care group' involvement will be encouraged where appropriate and will be guided so that biodiversity values are maintained.
- (vi) Dog control will be enforced in accordance with provisions in Council bylaws and any other relevant policy.

Care of the Coastal Environment

Whakatāne District has a sandy coastline, which is affected by continuing degradation of the natural dune systems. Dune degradation reduces their ecological value, which is significant because natural dune vegetation and animal communities are threatened. Dune degradation also increases the risk to property and infrastructure from coastal processes and hazards.

Objective

- (i) Protect, enhance, and restore the natural coastal environment that forms part of, or is adjacent to Council reserves in accordance with the Coast Care BOP Plan.

Policies:

- (i) Users of coastal reserves and those occupying land adjacent to public beaches will be educated about the importance of protecting the dunes system through the application of signage and Council communications.
- (ii) Community involvement in Coast Care projects will be encouraged through sharing of information and promotion of coast care planting days.
- (iii) The natural character and biodiversity of dunes and the beach environment that form part of or are adjacent to Council reserves will be protected and enhanced by promoting soft

engineering options such as planting and sand replenishment according to a prioritised work schedule.

- (iv) Regular maintenance on Council reserves adjacent to public beaches will be conducted to ensure that protective works remain effective.
- (v) Resource consent for regular maintenance work will be obtained to enable works to be undertaken progressively or in the event of storm damage.
- (vi) Procedures for responding rapidly should storm damage threaten the integrity of existing works will be established.

Protection of Esplanade Areas

Esplanade reserves and esplanade strips provide an opportunity for the protection of the quality of the coastal, river, and lake environments, the enhancement of habitats, provision of areas for public recreational use, and the provision of public access to these areas. Esplanade reserves land ownership is transferred to local authorities upon completion of a subdivision plan whereas esplanade strips land remains in the ownership of the land owner similar to an easement. The Resource Management Act 1991 provides for esplanade reserves and esplanade strips to be taken on subdivision in certain circumstances.

Objective

- (i) To provide esplanade reserves and strips along the coastal edge, river, and lake margins where appropriate through the subdivision process to provide access to these bodies of water or continued access along the water edge, for the protection of areas of cultural sensitivity, and for the environmental enhancement of these habitats.

Policies

- (i) Esplanade reserves and esplanade strips will be acquired upon subdivision of coastal land, and/or river, stream and lake margins in order to provide potential for public access to or along the water's edge to add to the recreational value of the reserve.
- (ii) Esplanade reserves and esplanade strips with significant recognised ecological, or conservation values will be acquired upon subdivision of coastal land, and/or river, stream and lake margins in order for the protection and enhancement of these habitats.
- (iii) Esplanade reserves and esplanade strips with significant cultural value will be acquired upon subdivision of coastal land, and/or river, stream and lake margins in order for the protection and commemoration of these sites.
- (iv) Reserve boundaries will be monitored to ensure that encroachment through subdivision is eliminated. Other identified encroachments causing the 'privatisation' of esplanade reserves will be subject to enforcement action at the discretion of Council.

Trees and Tree Management

Trees contribute to the recreational, landscape, ecological and heritage values of reserves. Fruiting trees may also provide food for local communities. Trees, however may have negative effects or pose a nuisance on the environment, users of a reserve and adjoining property owners. These effects include for example leaves in gutters, shading of adjoining property, roots effecting drains and lifting footpaths, falling branches, and rotting fruit. Council generally undertakes remedial action to resolve these problems as soon as possible.

Nuisances caused by trees on adjoining land come under the general law of nuisance, Section 333 of the Property Law Act 2007 and any relevant section within Council bylaws. Section 42 of the Reserves Act 1977 also refers to trees on recreation reserves. Under this section, trees can only be cut or destroyed where the Council is satisfied it is necessary for the proper management and maintenance of the reserve, or for the management or the preservation of other trees and plantings, or in the interest of safety for persons or nearby properties.

It is evident from these legal provisions that some thought needs to be given to the planning, placement and choice of tree species on the reserves that adjoin neighbouring properties and secondly to the long term maintenance of existing trees within reserves.

The District Plan identified a schedule of significant specimen trees that are afforded heritage protection authority under Part 8 of the Resource Management Act 1991. Some of these trees are on public reserves.

Objective

- (i) To maximise the benefits of trees on reserves while avoiding, minimising or mitigating the adverse effects on reserve users and neighbours.
- (ii) To continue to protect identified significant specimen trees that are afforded heritage protection according to the provisions set out in the District Plan.
- (iii) To strategically select trees species appropriate for site to provide amenity, heritage, cultural and recreational and (where appropriate) productive value, and to do so in consultation with the community where they are likely to be affected.

Policies

- (i) Provisions in the District Plan, Reserves Act, Resource Management Act, any Council bylaws and the Property Law Act 2007 will be followed when making any decisions about trees within reserves.
- (ii) When planting trees on reserves the following will be taken into account:

- Management objectives and policies for the reserve;
- The effects trees will have on adjacent properties at the time of planting and in the future (e.g. shading, loss of views, root damage, leaf fall, overhanging branches);
- The effects trees will have on underground and overhead services;
- Landscape considerations; and
- Where there is no Individual Reserve Management Plan the Urban Tree Strategy will be used for selecting species and consideration will be given to productive tree varieties appropriate to site.

(iii) Regular tree and shrub maintenance will be carried out as follows:

- Trees and bushes will be thinned or removed where the Council is satisfied that it is necessary for the management of the reserve;
- Where necessary for the preservation of other trees and shrubs; or
- To harvest trees planted for revenue purposes.

(iv) Public complaint and requests promoting tree removal will be assessed by:

- Preparing a report based on the STEM Assessment Method as detailed in the Council's Urban Tree Strategy as required.
- Seeking (if required) a Landscape Assessment report on the value of the tree in the landscape or an Arborist Report regarding the health of the tree to assist in the evaluation of the application.

(Note: The Council will not remove trees to enhance private views and site-lines, unless the removal is supported in accordance with CPTED principles.)



Pest Plant Management

The integrity, health and survival of the forest and indigenous wildlife are dependent on effective pest plant management. Invasive plants are present at various sites throughout the reserves network and are having a detrimental environmental, ecological and visual impact on the conservation values of indigenous (and some planted exotic) vegetation within reserves.

Maintenance and enhancement of the native vegetation in the coastal reserves is dependent upon the control and/or eradication of unwanted plants.

Objectives

- (i) To continue the programme of pest plant removal and/or control (with associated re-vegetation) in required areas.
- (ii) To protect and maintain indigenous vegetation and fauna habitats from the detrimental impacts of pest plants.

Policies

- (i) Overall responsibility for the maintenance of the reserves will be the responsibility of Council unless otherwise specified.
- (ii) Reserves where eradication, containment and control pest plants have established will be prioritised.
- (iii) The Regional Pest Management Plan, Regional Biodiversity Management Plan, and Biodiversity Strategy in the management of pest plants will be taken in to cognisance and drive pest plant management in the District.
- (iv) Pest plant control will be monitored and will continue to prioritise areas for action.
- (v) The quality of habitat for indigenous flora and fauna will be enhance the through pest control mechanisms.
- (vi) Pest plant species will be controlled (and eradicated where appropriate/feasible) where they threaten the biodiversity and sustainability of the coastal reserve vegetation and other high priority biodiversity sites Plant pest management will be prioritised in accordance with the policies, rules and priorities set in the Regional Pest Management Plan.
- (vii) The community will be educated on the problem of garden waste dumping on the margins of reserves and inappropriate planting of exotic plants.
- (viii) Planting of trees or landscaping of reserve lands will not be permitted by the public except with prior consent.
- (ix) Chemical and mechanical control methods will be utilised in plant pest management.
- (x) The use and application of herbicides will be undertaken in accordance with the section on Hazardous Substances.
- (xi) Public awareness about the cost of pest plants both fiscally and environmentally will be

solicited by participating in national and regional campaigns as required.

- (xii) Council will work proactively with other entities including the Regional Council, adjacent territorial authorities, the Department of Conservation, Iwi and various environmental trusts and groups where appropriate to manage pest plants.

Pest Animal Management

Indigenous wildlife (particularly native birds, reptiles and insects) contribute significantly to the ecological attributes of the reserves and the user's enjoyment and experience of it, and as such the preservation, creation and enhancement of wildlife habitats should be actively pursued. Various pest animals are present in the reserves and threaten indigenous vegetation and fauna. These pest animals include rabbits, hares, possums, rats, mice, mustelids, and feral cats. Domestic livestock can also encroach upon and damage reserve vegetation.

Objectives

- (i) To promote, enhance and maintain the diversity of native wildlife through the establishment, enhancement and preservation of suitable natural habitats throughout the reserves.
- (ii) To help maintain the ecological values of the reserves by minimising the detrimental impacts of pest animals and straying domestic stock.

Policies

- (i) Where practicable, reserves will be developed and managed to create wildlife habitats which will attract indigenous animal and bird species.
- (ii) The Regional Pest Management Plan, Regional Biodiversity Management Plan and Biodiversity Strategy will be taken in to cognisance of in the management and control of pest animals.
- (iii) Pest animal management programmes will be prioritised in accordance with the policies, rules and priorities set in the Regional Pest Management Plan.
- (iv) Development of nesting areas will be encouraged by planting of specific food-producing and shelter trees on reserves.
- (v) Leasing of reserve land for grazing will be restricted where this adversely affects biodiversity values.
- (vi) Current pest animal programmes will be retained and expanded to cover the majority of reserves and coastal areas within resources available.
- (vii) The effectiveness of ongoing pest animal management will be monitored and priorities for pest animal control will be set annually.
- (viii) The public and neighbouring landowners will be educated on the threats that domestic pets pose to native fauna and any practical solutions available.
- (ix) Native wildlife protection will be promoted through pest animal control and mandatory dog

restraint in vulnerable areas, and through the use of appropriate educational and informative signage.

- (x) Pest animal control measures including the setting of traps, and distribution of bait, fumigation, and shooting will be undertaken by registered operators. All traps and baits will be set and distributed in accordance with manufacturer's specifications and best practice.
- (xi) Council will work proactively with other entities including the Regional Council, adjacent territorial authorities, the Department of Conservation, Iwi and various environmental trusts and groups where appropriate to manage pest animals.

Stormwater Disposal and Water Runoff

Over recent years stormwater and water runoff have been intensified by the increasing residential development of Whakatāne District. Excess stormwater and water run-off can cause severe pollution and erosion to our waterways and foreshore reserves.

Objective

- (i) To limit stormwater discharge from private properties onto Council reserves by monitoring stormwater run-off, providing public awareness into the effects of illegal discharge and by enforcement.

Policies

- (i) Stormwater discharge into the reserves and foreshore will be monitored and where possible the following will be considered:
 - Promotion of on-site stormwater treatment and other mechanisms to control water quality contamination through stormwater outflows.
 - Encouragement of land use practices that prevent pollutant run-off from site.
 - Promotion of a reduction in stormwater contamination from roading networks via regular street cleaning, catch-pit maintenance and catch-pit upgrades.
 - Investigation of soft engineering solutions, for example the implementation of grassy swales, planting riparian margins, and establishing wetland treatment systems.
- (ii) Illegal discharge of storm water from private properties onto or over Council reserves will be prohibited.
- (iii) The community will be educated on effects of soil run off from earthworks, vegetation removal, disposal of contaminants and the downstream effects of disposing pollutants directly into or adjacent to waterways that empty into the foreshore reserves through regular communication campaigns.
- (iv) Landowners will be encouraged to manage streams that pass through their property and advising them of their stream maintenance obligations and methods to enhance water quality and ecological diversity.

Section 5: Public Reserve Use Policies

General Public Use of Reserves

Whakatāne District open space/reserves are provided and maintained for a variety of purposes, however the intention is the reserves are predominantly for the free-use of the general public. Reserves provide for a wide range of formal and informal recreational activities while facilitating public enjoyment of the natural assets of the environment. Council bylaws may have further detail on the use of Parks and Reserves.

Council encourages the use of its reserves for various activities including organised sport, active recreation (including skateboarding, playgrounds, jogging, volleyball, surfing, swimming, surf lifesaving, yachting, walking and tramping), passive recreation (including picnicking, education, beachcombing, fishing, bird watching, photography, sightseeing, nature or scientific studies and beach use), commercial promotions, festival activities, circuses, competitions, public demonstrations and ceremonies and many others.

Whilst Council encourages activities on reserves that promote recreational and cultural development, or promotion of the Whakatāne District, the Council will levy charges on individuals or organisations for exclusive use of reserves in accordance with the Council's Fees and Charges schedule.

Objectives

- (i) To encourage public use that is compatible with Council bylaws, policy and the purpose of the reserve to support recreational and cultural activities in the Whakatāne District.
- (ii) To allow for temporary exclusive use of reserves, or parts of reserves, by individuals, organisations and sporting groups providing activities are in accordance with all relevant legislation and Council policy while recovering costs associated with reserve administration from users according to the Council's Fees and Charges schedule and/or any applicable lease agreements.

Policies

- (i) Reserves and open spaces will be promoted as key components of people's health and wellbeing in accordance with the Council's Recreation Plan and the Whakatāne District Council Physical Activity Plan through regular communications such as social media, websites and print publications on a regular basis.
- (ii) Facilities such as picnic tables, toilets, drinking fountains, play equipment, bins etc. will be provided and retained where appropriate and/or specified in these policies and in the Individual Reserve Management Plans.
- (iii) Playgrounds for all ages and abilities will be provided and maintained on specific reserves in accordance to the reserve purpose/category such as in neighbourhood reserves or other recreational reserves.

- (iv) The provision of any skate parks will be in partnership with community groups and in accordance with the Council's policy on the provision of skate parks on specific reserves and appropriate to the reserve purpose/category.
- (v) The development of rural playgrounds on non-council land will be in partnership with the community and in accordance with Council's policy, where no reserve or open space land is available.
- (vi) Reserves will be closed intermittently as required for the undertaking of maintenance or to reduce the negative effects of over-demand on the reserve or open space.
- (vii) The public will be made aware of reserve or open space closures by communication via our websites and in the local media.

Occupation Agreements Leases and Licenses

The leasing provisions of the Reserves Act 1977 emphasise the retention of open space and public accountability for reserves management. On reserves subject to the Reserves Act 1977 leases must be drawn up in accordance with the provisions detailed in Section 54 and the First Schedule of the Act. Requirements differ for parks and open space not subject to the Reserves Act 1977 however the Council acknowledges the provisions of Section 54 and the First Schedule to ensure consistency of the various lease arrangements applicable to the type of reserve.

Council Guidelines (Community and Recreation Group Occupancy)

Reserves are regularly leased by community groups for non-commercial activities. Some reserve land is leased by recreational organisations for the use of club rooms and other facilities. The Council supports and encourages leisure and recreational organisations to develop facilities that service the needs of the organisation and enable greater use of the relevant reserve. Council's preference is for combined use facilities where different organisations can share the same infrastructure (Sportsville Model)

Council Guidelines (Commercial Occupancy)

The provision of access to reserve or open space land for commercial activities may be considered where the lease for a license to operate a commercial business is in accordance with Section 56 of the Reserves Act 1977. Examples of commercial activities includes the sand mining licence on the Whakatāne Western Coastal Reserve near Thornton, and the leasing of reserves for commercial markets, events, or to private camping ground operators. These leases are subject to stricter criteria prior to approval.

Council Guidelines (Other Occupancy)

The Council also issues licences to occupy reserve land as an appropriate management tool. For example, the grazing of certain reserves is encouraged as an inexpensive management tool, a

method of generating revenue, reducing fire risk and the control of pest plant species. Tenancies over classified reserve land are subject to the provisions of Section 73 and 74 of the Reserves Act 1977.

Structures associated with leases and may have a detrimental impact on the natural, cultural, historic, or landscape values of the reserves. It is essential to monitor and regulate any existing or future leases and licenses to protect and preserve the natural qualities of the reserves, whilst providing an appropriate number of compatible facilities for the enjoyment of the users. Any new buildings or structures, or modifications to existing buildings would be subject to the District Plan and may require resource consent.

Objectives

- (i) To manage any leases and licenses in terms of the provisions of the Reserves Act 1977, the Local Government Act 2002, any Council bylaws, and in conjunction with other policies contained within this Plan (such as consultation requirements).
- (ii) To allow leases and licenses provided they do not diminish or threaten the natural, cultural, historic, or landscape values of the reserve/open space and are compatible to the purpose of the reserve.
- (iii) To allow leases for the construction and use of sporting clubrooms and facilities on appropriate reserves in accordance with the Resource Management Act 1991, the Building Act 2004, other relevant statutes and in accordance with this Plan and any applicable Individual Reserve Management Plans.
- (iv) To implement appropriate fees where applicable for the issue and ongoing administration of leases and licences.

Policies

- (i) Leases and licences will be managed according to the requirements of Sections 54, 73 and 74 of the Reserves Act 1977 where applicable, as well as the Local Government Act 2002, applicable bylaws, and policies in this Plan.
- (ii) Licences and leases will be issued on the condition that the archaeological, cultural, and landscape values of the reserves and the formal and informal recreational qualities of the reserve are protected.
- (iii) Erection of buildings and structures on Council reserves will be required to meet the requirements of the Resource Management Act 1991, the Building Act 2004 and other relevant statutes and are in accordance with this document and any applicable Individual Reserve Management Plan.
- (iv) All costs associated with leases and other agreements according to current Council adopted guidelines for the rental charges for the exclusive use of reserve land will be recovered.

Special Purpose Development on Reserves

A number of specialised recreational and sporting facilities are required for conducting recreation and sport activities on reserves including: cricket wickets, long jump pits, tennis courts, skate bowls, pump parks, dog exercise parks etc. and other artificial surfaces. The Council provides some specialised facilities to enable these recreational and sporting activities to contribute to the wellbeing of the Whakatāne District.

These specialised facilities may be provided in the following ways:

- Funded and maintained by the Council.
- Council makes a financial grant towards the provision of the facility with no ongoing financial support for the maintenance of the asset (to be the responsibility of the code or Club involved).
- Council makes a financial grant towards the provision of the facility with ongoing financial support for the maintenance of the asset.
- External funding for development and maintenance of the asset.
- Assistance may be requested through the Annual Plan, the LTP or through external funding mechanisms. Council will assist in some instances with funding applications that are to go to external funding providers. More information can be found in the Whakatāne District Council Community Funding Policy.

Objective

- (i) To facilitate the development of specialised recreational and sporting facilities that promotes the development of sport and recreation in the District.

Policies

- (i) Funding applications made for specialised recreational and sporting facilities to the Whakatāne District Council Community Funding Policy, will be assessed on relevancy to the objectives and principles of this policy.
- (ii) Any specialised recreational and sporting facilities development will be assessed to ensure that it is compatible the current status of the reserve, the Council's long term strategic direction for sports field and reserve development and the Reserves Act 1977.
- (iii) Any proposed development will be assessed to ensure no adverse impact or disadvantage to other formal sporting codes, or other regular users of the reserve or sports field.
- (iv) Consultation will be undertaken with stakeholders of the reserve or open space where specialised recreational and sporting facilities are proposed. Council and the applicator will be required to do this together.
- (v) The applicant will be advised of their responsibility for acquiring all relevant approvals for the development. All developments will be required to meet the relevant legislation and codes to complete the project including Resource Consent and Building Consent if required.

Exclusive Use - Commercial and Community Events and Festivals etc.

The Council receives requests from operators for the use of reserves to conduct commercial and community events and festivals. While this use is encouraged, these types of activities can have effect on general reserve usage and may have long term impacts on the condition of the reserve, the health and safety of users and the surrounding community, and others. The Council has the power to impose such conditions and restrictions considered to be necessary for the protection and general wellbeing of the reserve and for the protection and control of the reserve users, the wider community, and the reputation of the Council as the administrator of the reserve/facility.

Typical requirements that need to be satisfied prior to acceptance of a reserve booking for commercial and community events and festivals include completed application documentation and a venue hire agreement. Other supporting documentation will be required.

The Council is cognisant of the requirements of the Resource Management Act 1991 relating to noise and effluent disposal relating to these activities; the Building Act 2004 in terms of the erection of large marquees, structures over 1.5m high and fire safety egress; the Food Act 2014 relating to food and hygiene in terms of the provision of toilets, refuse disposal, and the sale and provision of food and others. The Council administers and is responsible for the issuing of permits to operate amusement device equipment in consultation with the Department of Labour and Worksafe New Zealand as guided by the Health and Safety at Work Act 2015.

Objectives

- (i) To allow the use of reserves for operators of commercial and community events and festivals and similar operations where this use is compatible with the purpose of the reserve and any applicable Individual Reserve Management Plan.
- (ii) To ensure that the conditions of the Resource Management Act 1991, the Reserves Act 1977, Health and Safety in Employment Act 2015, the Health Act 1956, the Food Act 2014, the related Food Regulations 2015, the Amusement Devices Regulations and any other legislation and policies applicable to the intended activity are met.

Policies

- (i) Exclusive-use users of reserves will be held responsible for ensuring that their activity and associated buildings, structures or other devices comply with the Resource Management Act 1991, the Whakatāne District Plan, the Building Act 2004, Council bylaws and any other relevant statutes. Events and other activities will be allowed on reserves provided that adverse effects to other reserve users and reserve neighbours can be mitigated.
- (ii) Submission of a written application to Council's Places and Open Spaces section will be required for an organised use of reserves and facilities prior to the event being held via the formal booking, reservation and hire procedures.
- (iii) Completed applications for the hiring of Council reserves will be required to be submitted at least 21 days prior to an intended event. Applications that are received will be processed

and the applicant advised as to their acceptance or non-acceptance. Please note that events that require a Traffic Management Plan require up to 12 weeks for processing.

- (iv) Applications will be approved on such terms and conditions as the Council requires, such as the lodging of bonds, payment of hire, acquisition and production of Public Liability Insurance, written approval from the local Chief Constable of the NZ Police, acquisition of appropriate Food and Liquor Licences, provision for toilets, a Waste Management Plan, Crowd Management and submission of a Traffic Management Plan and others.
- (v) Applicants will be required to provide evidence that they have met all the relevant codes, statutory requirements, permits and licences (including those from the Department of Labour and MPI) prior to final approval being granted.
- (vi) Fees and Charges will be applied as detailed in the Council Fees and Charges Schedule for the use of the reserve or reserve facilities.
- (vii) Bonds will be held to repair any damage to the reserve or associated facility as a result of the event. Should the cost of the repair exceed the bond then the applicant will be charged the difference.
- (viii) Public Liability Insurance will be required for all exclusive use commercial and some non-commercial events at the discretion of Council.
- (ix) Events involving the use of exotic animals for exhibition or performance will not be permitted on reserves. Domesticated animals may be used for exhibition, subject to acquiring the relevant MPI Permit. The display of the certificate is a prerequisite prior to Council approval.
- (x) Council reserves the right to decline any application that does not satisfy the specified criteria.
- (xi) Grounds and venues will be required to be reinstated back to original condition at the cost of the event organiser if damage that requires repair use has occurred.



Other Chargeable Facilities

There are a small number of facilities on reserves that are provided and serviced by the Council for public use and enjoyment including electric barbeques and hot water showers. These facilities are provided for specific users of the reserve therefore the cost of operation and maintenance should be charged to the user who benefits from the facility.

Objective

- (i) To recover the cost for the use of the facility where it benefits specific users other than the whole community.

Policies

- (i) A small number of facilities that benefits only a specific group of users will be charged on a user-pays system so as not to incur an unreasonable cost on the local community.
- (ii) Chargeable facilities and the level of recovery will be specified in the Council's Fees and Charges Schedule.

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Section 6: Access To Reserves Policies

Pedestrians

Efficient pedestrian access and circulation systems are critical to the successful use and management of the reserves and coastal areas. The Reserves Act 1977 enables footpaths on reserves where these are for public recreation or enjoyment or are necessary for the public using the reserve. Three types of pedestrian access are described in the NZ Standards for Tracks and Outdoor Visitor Structures; these are paths, short walks and walking tracks. Each type has a different standard in terms of their specifications. The maintenance and enhancement of public access to reserves and coastal areas is a matter of national importance under the Resource Management Act 1991.

Objectives

- (i) To enhance opportunities for people of all ages and physical abilities to access and enjoy reserves and the outdoor environment.
- (ii) To provide an efficient and safe pedestrian access network within and to reserves for a variety of pedestrian uses without damaging the natural, historical, and cultural values of the reserves.

Policies

- (i) Walking tracks and pathways through reserves will be provided and maintained to enhance access to these areas, provide recreational opportunities and greater connectivity to outdoor spaces.
- (ii) Planning for pedestrian access will consider; landscape, recreational, ecological, heritage and community values of the reserve, safety issues (including CPTED concerns) and ongoing maintenance.
- (iii) Written approval of the Manager Places and Open Spaces will be required prior to the construction of new tracks or pathways within or on reserves by any member of the public or service organisation.
- (iv) Pedestrian access within reserves will be designed to an appropriate NZ Standard (such as NZ Standard HB8630:2004 for Paths, Short Walks and Walking Tracks)
- (v) A programme of routine maintenance and renewal for paths and tracks that maintains the appropriate level of service as detailed in the relevant asset management plan will be applied.
- (vi) A programme of staged development of defined pedestrian linkages throughout reserves and coastal areas will be developed as part of a dedicated walkway network.
- (vii) Provide effective entry points and pathways into the reserves and beaches to encourage public pedestrian access while protecting sensitive ecosystems.
- (viii) Drinking fountains, signage and interpretation will be provided to enhance the users experience where appropriate.

- (ix) Horses and motorcycles will be prohibited from pedestrian tracks and footpaths unless a specific exemption is indicated by way of a sign.
- (x) The behaviour of dogs on reserves and tracks over reserves will be enforced in accordance with any Council bylaws and the Dog Control Act to promote pedestrian safety.
- (xi) Dogs will be prohibited from certain tracks and reserves; a list of these reserves will be detailed in any relevant Council bylaws and communicated via web and print media. Complaints will be followed up and owners warned or prosecuted where there is sufficient evidence.

Cyclists and Walkers

Both local and international experience indicates that developing connected facilities in a walking and cycling network better serves the needs of both walkers and cyclists. It also encourages more people to walk or cycle than having isolated facilities. Electric power-assisted bicycles (also commonly known as e-bikes) can be part of this network. E-bikes are defined as pedal cycles with electric motors that do not exceed a maximum power output of 300 watts.

Objective

- (i) The Council will develop a walking and cycling network within reserves where walking and cycling routes/ paths are convenient, attractive and popular forms of everyday transportation and recreation.
- (ii) Council will actively work to create new opportunities to promote cycling throughout the reserve network.

Policies

- (i) A strategic Cycle and Walking Network will be developed and maintained in accordance with the Whakatāne District Walking and Cycling Strategy, and any applicable Individual Reserve Management Plans.
- (ii) Infrastructure within reserves will be continually reviewed and developed such that walking and cycling become more viable and convenient forms of active transport/travel and recreation.
- (iii) The community will be educated about walkways and cycle-ways through reserves by provision of maps, brochures signage, website information etc.
- (iv) Suitable and sufficient numbers of bike racks, drinking fountains and other facilities will be installed at appropriate and convenient locations around popular cycle destinations and include markings on the cycle network map showing where these facilities are located.

Vehicle Access and Car Parking Facilities on Reserves for Reserve Users

Increased use of reserves often leads to greater demands for vehicular access and car parking. As available space is often limited and the construction of these facilities can have detrimental effects on the environmental qualities of the reserves and coastal environment these activities are to be controlled. Occasionally groups request exclusive use of car parking on reserves for special events which may disadvantage other reserve users.

Objectives

- (i) To provide and maintain car parks to a level which is adequate for servicing the usual activities carried out on the reserve.
- (ii) To provide and manage vehicle access, launching of boats and car parking in appropriate locations within the reserves in a manner that does not compromise the natural character values or recreational use of the reserves and in accordance with any requirements contained in Council bylaws.
- (iii) To implement a charge for reserve users who request exclusive parking for special events in accordance with the Council Fees and Charges Schedule.

Policies

- (i) Car parking will be provided and maintained where there is a proven requirement directly related to the use of the reserve, and where it is physically and fiscally feasible to provide such facilities taking in to account capital and maintenance costs.
- (ii) The design of car parking facilities will be investigated so that the natural amenity of the reserve is maintained and the effect of additional stormwater run-off by is reduced by the use of Gobi blocks and other permeable materials.
- (iii) Disabled parking will be provided in accordance with national standards and Councils Engineering Code of Practice for disabled parking including providing accessible linkages to paths.
- (iv) Car parking will be prohibited on areas of reserve other than recognised car parking areas according to any Council bylaws and breaches will be followed up through the issuing of warnings or other enforcement where necessary.
- (v) Car parking on reserves is provided for vehicles associated with recreation and other legitimate use of the reserve. Users will be advised through the application of signage and enforcement.
- (vi) Overnight parking of vehicles in reserve car parking areas (or any other part of a reserve) will not be permitted unless in designated Self-Contained Overnight Parking facilities and are according to the regulations specified in any Council bylaws.
- (vii) Written permission will be provided at Councils discretion for car-parking in areas other than designated car parks on special application.

- (viii) Charges will be levied for exclusive use parking for special events in accordance with the Councils Fees and Charges Schedule.

Service Vehicles for Operational Maintenance and Emergencies

The provision of access to reserve and open space land for operational activities includes; services and activities associated with day to day reserve maintenance (e.g. mowing, refuse collection and gardening) and other intermittent operational activities including the servicing of essential services assets such as telecommunication lines, electricity cables, water and sewerage assets, flood protection, land drainage and emergency management.

Objectives

- (i) To allow for access on reserves to conduct emergency operational activity where adverse effects on the surrounding environment can be remedied or mitigated.
- (ii) To provide efficient and safe access to reserves for operational maintenance of essential services without damaging the natural, historical, and cultural values of the reserves.

Policies

- (i) Access on reserves will be allowed for emergency management and approved operational activities.
- (ii) Access for day to day operational activity will take into consideration; landscape, recreational, ecological, heritage and community values of the reserve, and will be designed to an appropriate standard.
- (iii) Access will be provided in accordance with the resource consent conditions and any Easement agreement.

Grazing Stock, Horse Riding and Driving on Reserves

The Council has a number of reserves that are located within rural townships, or reserves that are located adjacent to rural activity. The Council receives a number of complaints regarding the grazing, riding and tethering of horses, the grazing of stock and the driving of vehicles and riding of motorcycles on reserves. Grazing, riding and driving on reserves may also be covered under relevant bylaws.

Objectives

- (i) To promote the safety of reserve users by preventing the recreational riding of motorcycles or the driving of vehicles on Council reserves unless these are service vehicles.
- (ii) To prevent the riding of horses on all Council owned reserves within the urban townships unless by special arrangement.

- (iii) To allow for grazing of stock on Council owned reserves within the conditions of a formal written agreement between the Council and the lessee in some rural reserves.
- (iv) To minimise the number of complaints regarding riding and tethering of horses, the grazing of horses and stock and; riding of motorcycles and driving of vehicles on Council reserves.

Policies

- (i) Recreational riding of motorcycles or driving of vehicles on Council reserves will be prohibited in accordance with any applicable bylaws.
- (ii) The riding and the tethering of horses on Council reserves will be prohibited in accordance with any applicable bylaws.
- (iii) The grazing of stock will be utilized in limited circumstances to assist with vegetation management or reduce fire risk on reserves in accordance with an adopted Individual Reserve Management Plan or a formal agreement. A fee for formal grazing agreement/licence will be charged. In all other circumstances it will be prohibited.
- (iv) Public complaints regarding riding and tethering of horses, grazing of stock, and riding of motorcycles or driving of vehicles on reserves will be enforced according to the any applicable Bylaw.

Dogs on Reserves and Animal Exercise Areas

Reserves are an ideal place for exercising dogs however Council needs to consider the recreation needs of all users. Potential conflicts may arise between dogs, dog owners, and other reserve users and the proper establishment of native flora and fauna. Effective control of dogs is required in order to minimise danger, distress and nuisance of uncontrolled dogs on reserves to the community and to protect the native wildlife and other reserve users.

Objective

- (i) To act in accordance with Dog Control Act 1996 and Whakatāne District Council's bylaws in relation to dogs on reserves.
- (ii) To protect flora, fauna and wildlife (e.g. Kiwi) in specific reserves from damage or destruction from dogs.

Policies

- (i) Dogs will be allowed on reserves unless specifically excluded as detailed in any relevant bylaws.
- (ii) Public health nuisance will be reduced by preventing dogs from being within all children's playgrounds and other such places as per relevant Council bylaws.

- (iii) Dog prohibited areas will be indicated through signage and other communications. Information on places where dogs can be run on and off lead will be provided on the Council website and other intermittent media releases.
- (iv) In areas where dogs can be run off-lead it will be communicated to dog owners what 'under control' means as per the relevant Bylaw.
- (v) Dog defecation green bags and disposal bins will be provided in dedicated dog exercise parks and where a need has been identified depending on budget.
- (vi) Dogs will be prohibited from all reserves identified as 'Kiwi Zone Areas' and information will be provided on the reasoning behind this including penalties. Where an offender has been identified this will be strictly enforced.
- (vii) Any breach of the relevant Bylaw notified through a service request will be followed up with appropriate enforcement action.



Section 7: Structures And Installations On Reserves Policies

Services and Utilities

The presence of services and utilities can detract from the naturalness and the landscape values of reserves. Existing and proposed services and utilities need to be compatible with the ecological, cultural heritage and landscape values of the reserve.

Objective

- (i) To ensure that only those services and utilities essential for public health, safety and convenience are sited within the reserves suite, and that these utilities are sited in consideration of the archaeological, cultural, geological, and ecological and landscape values of the reserves.
- (ii) To provide permission to network utility companies to carry out necessary maintenance when required.

Policies

- (i) Council will enable the existing network utility and services infrastructure to be maintained, upgraded and replaced as necessary whilst protecting the reserves environment.
- (ii) Regular inspections by network utility companies of utility structures (e.g. Pylons etc.) on reserves will be facilitated through liaison with these operators.
- (iii) Existing services and utilities will be periodically reviewed and critically assessed as to their requirement to be sited on the reserve.
- (iv) The potential human health and environmental risks posed by closed landfill or other contaminated reserve sites will continue to be managed under Solid Waste Asset Management Plan, Whakatāne District Council's Waste Management and Minimisation Plan 2015, or specific management plans (e.g. Awatapu Reserve Management Plan and Mataatua Reserve under Wairaka Park Management Plan).

Construction and Earthworks

The primary focus for most reserves is to enable informal and passive recreation however occasionally there is a need for the Council to carry out construction or earthworks for the purpose of maintaining, protecting and enhancing reserve land or adjacent property. In carrying out these physical works the Reserves Act 1977 generally limits buildings on recreation reserves to sporting and outdoor recreation purposes only. The Building Act 2004, Local Government Act 2002, the Resource Management Act 1991, the District Plan and relevant bylaws also influence whether construction work can take place within reserves. Buildings will generally not be permitted unless they are in the public interest, will improve the functioning of the reserve and do not compromise

the values of the reserve. Well designed, sited and integrated buildings and facilities can enhance the reserves, the public use and enjoyment of them and complement the reserves character and aesthetic values.

Objective

- (i) To ensure that all construction and earthworks sited within the reserves will be carried out under the relevant acts and Council bylaws, and shall be compatible with the ecological, cultural heritage and landscape values of the reserves.
- (ii) To ensure that only those buildings, structures and facilities essential for the convenience, comfort and safety of reserve users are sited within the reserves and that these structures are compatible with the ecological, cultural heritage and landscape values of the reserves.

Policies

- (i) Any earthworks or construction on reserves will not be permitted without Council's prior consent.
- (ii) Any significant earthworks or construction will be justified in terms of the objectives set out in these management policies and in consultation with stakeholders.
- (iii) Existing hard physical works (e.g. sea and retaining walls) will be upgraded where appropriate to maintain protection of reserve land.
- (iv) The construction of hard physical works will be allowed to protect reserves once all other soft engineering solutions have been eliminated. The design of such works will be compatible with the local environment.
- (v) Soft engineering works, community or private dune-care projects, and projects to protect private property on Council reserves will be allowed where the Council have granted permission and/or where the appropriate resource consents have been obtained.
- (vi) Contractors will be required to plan for provision of safe alternative routes where applicable to allow for continued public use of reserves.
- (vii) Council will ensure that reserves are restored back to an appropriate agreed condition at the conclusion of the works and costs applied to the instigator of the works.

Criteria for Buildings and Structures

- (v) Buildings and structures proposed to be located within reserves will be required to be in accordance with the applicable section on leases and licences, and must meet the following assessment criteria:

- Their function aligns with the focus of the relevant reserve and cannot be accommodated more appropriately elsewhere;
- That the impact of any new buildings or structures on the visual integrity of the reserves and it's archaeological, ecological, cultural and landscape values is minimal;
- The presence of the building or structure does not compromise the use of the reserves for informal and formal recreation purposes;
- The particular design of the structure is to be appropriate to the site and consistent with the character of the reserves; and
- No structure, sign or fence will be erected on reserve land without the consent of the Council, and without obtaining relevant construction approvals.

Public Convenience and Changing Facilities

The Council receives demand for public conveniences and change facilities on reserves where people congregate. Users expect that these facilities will be clean, tidy, safe and suitable for use. The expectation is that facilities comply with appropriate legislation. Requests for additional facilities will be considered where the use is expected to be high and sustained or where there are no other facilities that provide that function.

Objectives

- (i) Continue with the incremental upgrade and modernisation of existing facilities and provision of new facilities on reserves where demand dictates.
- (ii) Ensure facilities are safe, hygienic, and adequate for purpose, accessible to the community, and comply with appropriate legislation.

Policies

- (i) Public conveniences on reserves will be provided and maintained in accordance with Council plans and policy.
- (ii) Public conveniences will be clearly defined and designed in accordance with CPTED principles.
- (iii) Where public conveniences and change facilities are provided Council will ensure that they are cleaned and maintained to an appropriate Level of Service.

Playgrounds

The Council provides a number of playgrounds throughout the District for the pleasure and enjoyment of children, caregivers and families. It is important that Playgrounds are safe, inviting and include play equipment which is suited to children of a range of ages and abilities. Playgrounds are more than the presence of pieces of play equipment; the facilities should provide space for ball games, bike riding and other prescribed and inventive/creative play activities. The facilities may also include shade, shelter, signage, seating, waste disposal and barriers/fencing (depending on proximity to vehicular traffic). Key issues of playground placement are the design and location of access points, visibility, and landscape development of the area.

Objectives

- (i) Ensure provision of safe playground environments and equipment for the safety of all playground users according to current NZ Safety Standards.
- (ii) Provide playgrounds throughout the District that cater for a variety of ages and abilities.
- (iii) Consider CPTED principles in the design and upgrade of playground facilities.
- (iv) Support the provision of playgrounds to meet the needs of each community in the District.

Policies

- (i) At least one play ground per urban community will be provided where Council owned reserve land is available.
- (ii) One large scale “Destination” District Playground will be provided in the Whakatāne urban area.
- (iii) Playgrounds will be designed to include equipment that is varied; modern and colourful to maintain interest; provide for a wide age and ability range and incorporate at least three different activities.
- (iv) All existing and new playground/equipment installations will comply with the relevant sections of the Building Code, and meet the NZS 5828:2015 – Playgrounds and Playground Safety Surfacing Standards.
- (v) CPTED provisions will be observed where playground are located including being observable by neighbouring houses and/or public areas, have safe entry and exit points or an open frontage.
- (vi) Complimentary amenities such as seating, signage and litter bins, and structures/trees will be provided for shade into playground facilities where appropriate.
- (vii) Monthly maintenance inspections and annual structural inspections will be conducted on all playground equipment.
- (viii) Dogs will not be permitted in playgrounds in accordance with the Council Dog Control bylaws or other applicable documents.
- (ix) Signage will be erected to indicate that the playground is a Smokefree area according to the Smokefree Policy.



Fencing, Barriers and Gates

The Council has a responsibility to protect the natural, cultural, historic or landscape values of the Council reserves. In some instances this requires fencing, barriers, and or gates. In addition, access may be restricted to reserves and sports fields in locations where it is desirable to enclose service areas, or around the premises of exclusive sporting users by erecting fences, barriers and gates. Reserves adjoin a variety of land uses from rural to urban and residential to industrial settings. 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. Some further guidance on Councils responsibilities may be provided in the Council's bylaws.

Objective

- (i) To erect fences, barriers and gates on reserves where it is necessary to protect reserve values, to ensure the safety of reserve users, and where necessary to avoid, mitigate or remedy the adverse effects of reserve use on neighbours.

Policies

- (i) Council will fully fund, erect and maintain fences, barriers and gates on reserves where it is deemed necessary to protect reserve values, to ensure the safety of reserve users, and where necessary to avoid, mitigate or remedy the adverse effects of reserve use on neighbours.
- (ii) Boundary fencing obligations will be met by Council under the Fencing Act 1978 and in accordance with the Council's Fencing Contributions Policy. The Act exempts the Council from contributing towards fences on roads, service lanes and access ways.

- (iii) All written applications requesting a reserve boundary fencing contribution will be received and assessed prior to any work being undertaken.
- (iv) As a part of a reserve boundary fencing application Council will request the inclusion of a plan of the proposed site and either an official quotation from a recognised fencing contractor or an official quotation for the supply of fencing materials from a recognised supplier.
- (v) The application will be assessed as to the requirement for the fence or replacement fence and the proposed style and type of fence. The applicant will be advised in writing of the Council's decision.
- (vi) Council will pay a contribution on final inspection and the submission of final invoices.
- (vii) Costs for internal enclosure fences required by a reserve occupier to protect assets and facilities will be borne by the applicant.
- (viii) The installation of boundary gates both vehicular and pedestrian from private property on to Council reserves will not be permitted without Council permission. Such applications will be considered on a case by case basis dependant on the effect the gate will have on the reserve values, particularly recreational and ecological values.
- (ix) The painting of murals, or the affixing of any sign on the reserve side of shared fences will not be permitted without the written permission of the Council.

Signage

A proliferation of signs detracts from the natural environment; however users and visitors need to be informed of reserve names, access ways, restrictions on the use of the reserve, safety information, and other relevant information/educational signage. A co-ordinated approach will be adopted to ensure consistency in styles, aesthetic appeal and suitability of use for signs within the reserves.

Objectives

- (i) To adopt a coordinated approach to the design, selection and placement of all signs ensuring that they are integrated into their natural environment and in accordance with an approved theme and/or landscape plan.
- (ii) Signage to be designed to complement the open space and to educate and inform the users of the reserve.
- (iii) To minimise the visual 'clutter' of signs while maximising useful information to reserve visitors.

Policies - General

- (i) All proposed signs will be required to meet the conditions specified in any relevant Council bylaws, the District Plan and any Resource Consent and Building Consent requirements (including installation).

- (ii) All applications to erect signs on reserves will be required to be made in writing to the Council for consideration by the Places and Open Spaces section.
- (iii) Where possible signs proposed by private applicants (non-Council) will be designed so as to blend in and harmonise with the natural features of the reserve and in keeping with approved themes.
- (iv) Sporting Clubs and others operating on reserves may request the erection of directional signs to be included on the standard Council road name sign in accordance with the Council's Road and Traffic Signs Policy and with other Council signage. The cost of producing, installing and maintaining the sign will be charged to the club. The Council may undertake some maintenance of the signs as part of the routine street sign maintenance programme.

Policies - Reserve Signs

- (i) Reserve name signs will be included where deemed necessary at entrances to reserves, sports grounds and walking tracks.
- (ii) Informative, interpretive and educational signage will be installed at appropriate locations to inform visitors of recreation activities, prohibitions, and information, restrictions, and reserve use, cultural, historic and ecological features applicable to the reserve.
- (iii) The number of signs on a reserve will be limited to the minimum number required to meet the information needs of users.
- (iv) Reserve occupiers will be allowed to erect signs indicating the name of the approved club, the representative sporting code, and the logo of the sporting club, in keeping with the terms and conditions of the lease.
- (v) Reserve users will be given approval to erect temporary signage to advertise events on reserves at Councils discretion.
- (vi) Reserve occupiers will be advised that they are responsible for the costs of producing, erecting and replacing signs relating to the particular club. The Council may carry out routine maintenance of the signs on behalf of the club as part of a maintenance programme for Council owned signs.
- (vii) The installation of advertising and commercial information including sponsor logos on reserve signs will not be permitted unless special formal dispensation has been granted. Where dispensation has been granted signs are not permitted to be visible from outside the reserve or to detract from the amenity of the reserve. Such signs should meet the requirements of the District Plan.

Policies - Signs on Buildings on Reserves

- (i) Fixing of signs to the buildings or fences of tenant clubs denoting their premises will be permitted subject to the written approval of the Council and the granting of all relevant statutory consents.
- (ii) Advertising signs erected on buildings on reserves under existing agreements will be permitted to remain for the life of the sign provided these signs have been lawfully established. Signs that have deteriorated may be removed by Council.

Lighting within Reserves and Sport fields

Occasionally there is a need to light reserves and sports fields so that they can be used for activities during the hours of darkness. The height and power of these lights may result in adverse effects on reserve neighbours and the landscape values. Council wishes to avoid, remedy or mitigate these effects through both the District Plan and reserve management processes.

Objective

- (i) To allow for lighting on reserves where the adverse effects on reserve values can be avoided, remedied or mitigated.
- (ii) To allow for lighting on sports fields to increase use.

Policies

- (i) Subject to an approved written application the Council will allow lighting on reserves. All applications will be required to include:
 - A lighting plan showing the location and height of poles, the strength of the lights and the patterns of luminosity;
 - Written evidence of consultation with reserve users and neighbours;
 - A proposed cable plan; and
 - A statement regarding the proposed days and hours of operation.
- (ii) Support for the installation of flood lighting on sports fields will be provided where benefit from maximising the availability of the facility is identified.
- (iii) The applicant will be required to obtain all relevant statutory consents including resource and building consents.
- (iv) The cost of erection, maintenance, operation and replacement of lighting will be borne by the applicant.
- (v) In the situation where a sports club vacates a reserve, the lights will become the property of the Council.
- (vi) Provision of lighting will be considered to enhance community safety if a CPTED assessment indicates this is necessary.

Reserve Furniture

Reserve furniture including the provision of seating, litter bins, bicycle stands, bollards, barbeques and others are an important provision for the utility of a reserve or sports ground. Furniture should at all times enhance the amenity of the reserve and be installed in accordance with an approved landscape plan. A co-ordinated approach will be adopted to ensure consistency in styles, aesthetic appeal and suitability of use for reserve furniture within reserves.

Objectives

- (i) To adopt a coordinated approach to the design, selection and placement of all reserve furniture to ensure they are integrated into their natural environment and in accordance with an approved theme and or landscape plan.
- (ii) To ensure that reserve furniture provided is designed for the comfort and convenience of reserve users.

Policies

- (i) The design, selection and placement of all reserve furniture will be carefully considered to ensure that it is integrated in to an approved landscape plan while being conveniently located and comfortable for a range of reserve users.
- (ii) Reserve furniture will be maintained and replaced on a regular renewal schedule to enhance the amenity values of the reserve.
- (iii) Written requests from individuals or organisations will be considered for the gifting of reserve park furniture. All donations will be received in monetary value of the actual cost of purchase and installation of the item of park furniture.
- (iv) The style and the supplier of all reserve furniture will be required to be approved prior to purchase and installation.
- (v) Any private donator of furniture will be allowed to affix an appropriate plaque no larger than 150mm x 75mm to the donated item with approved wording.
- (vi) Any conspicuous advertising of commercial business or commercial logos will not be permitted onto any Council owned or gifted reserve furniture.

Commemorative Trees and Plaques

A significant number of commemorative trees and plaques have been bequeathed or donated on various reserves to commemorate special events, visits of dignitaries, the passing of local people, and donations. With the passage of time, some of tree plantings assume historic significance, and need to be properly identified, recorded and maintained to a standard consistent with their status. Sites for planting of commemorative trees and placement of plaques are agreed between the donor and the Manager of Places and Open Spaces.

Objectives

- (i) To allow the planting of commemorative trees on reserves where appropriate.
- (ii) To allow the erection of associated plaques near commemorative trees.

Policies

- (i) Planting of commemorative trees and the installation of associated plaques to commemorate significant events and the passing of local people will be accommodated at the discretion of Council when bequeathed by family members.

- (ii) The planting of commemorative trees in reserves will be allowed with written approval of the Council. Applications will be required to include the following information: the tree species, the proposed location for planting, and the initial size of tree.
- (iii) The installation of plaques will be allowed at the discretion of Council. The standard size of the plaque will be no bigger than 150mm wide by 75mm deep and mounted on a concrete plinth that is then set into the ground at the base of the planting. The ownership of the plaque will be vested with the Council. The Council will not be responsible for the replacement of damaged or stolen plaques.
- (iv) Commemorative plantings will be maintained by the Council. The Council is not responsible for the replacement of trees that are damaged by vandalism or die due to natural causes.
- (v) Tree species will be chosen from the species list as detailed in the Councils Urban Tree Strategy. Species outside these lists may be approved only upon written application to Council.
- (vi) The planting of the trees will be overseen in accordance with sound horticultural and arboriculture practices

Art Installations

Art is a valued mechanism to attract community engagement and develop civic ownership by creating an environment of diversity, vibrancy, and expression. It is generally associated with permanent installations like paintings, sculptures or carving. Members of the public and private individuals on occasion make request for installations to be placed on reserves. Installations of commissioned and gifted artworks on reserves are at the discretion of Council in consideration of ongoing maintenance and how the installation fits with existing infrastructure and facilities.

Objective

- (i) To incorporate and maintain artworks that enhance community attachment, are representative of the community, are thought-provoking, and add to the aesthetics of the space.
- (ii) To provide opportunities for the community to contribute to creating unique features within reserves in the form of sculptures, carvings, paintings, local history markers, information boards and others.

Policies

- (i) Appropriate areas/spaces for art installations within the reserve suite and other open spaces will be identified.
- (ii) A variety of artworks will be commissioned from local artists and others to enhance the value of these spaces.
- (iii) Incorporated artworks will be maintained and celebrated through regular maintenance regimes and in some instances interpretation (including plaques) and other promotion.

- (iv) Local artists and crafts-people from various community groups will be engaged with where practicable for the design and manufacture of commissioned art installations to reflect social diversity in the community.
- (v) Capacity for Council and Tangata Whenua to install where appropriate waharoa, pouwhenua and other identifiers will be explored as signifiers to particular reserves and areas of cultural significance.



Section 8: Auxiliary Activities On Reserves Policies

Overnight Parking of Self Contained Vehicles

Reserves are popular places for both domestic and international visitors. Conflict has occurred between locals, business operators and visitors over the use of some reserve spaces for overnight stays in self-contained vehicles. Overnight parking in self-contained vehicles is permitted in any public place within the District, unless it is restricted or prohibited in a specified area, in accordance with Council's Public Places Bylaw.

Objectives

- (i) To provide a self-contained motorhome-friendly approach to overnight camping in the District.
- (ii) To promote safe overnight stays and protection of the environment within designated areas for overnight parking of self-contained vehicles.

Policies

- (i) The location and general conditions of all camping options in the District, including both formal camping grounds and designated self-contained vehicle parking areas, will be communicated with site specific signage, information via communication networks on websites and through published material.
- (ii) Public complaints regarding camping on prohibited reserves or breaches of conditions will be responded to by enforcement, according to the appropriate Bylaw provisions.
- (iii) Users and the community will be educated about camping options, Bylaw and/or Policy provisions and legislative responsibilities.
- (iv) Public awareness of fire hazards in designated camping areas will be publicised through site notices and other Council communications. The lighting of fires and disposal of rubbish on reserve land will not be permitted, as per any relevant Council bylaw, except in those facilities provided in the designated camping areas.

Boats and other Maritime Craft

The Council manages a number of reserves adjacent to water bodies that are designated for maritime activities such as water skiing, personal water craft (PWC) activities, boating and others. Access to ramps, allowance for instructional signage and clear navigational site lines across reserve land must be provided by Council as landowners, as required to provide for continuity of use and safety of users.

Objective

- (i) To deter maritime craft access to water bodies where these activities are not permitted.
- (ii) To allow and encourage access for maritime craft from or to Council reserves where there are designated facilities.

- (iii) In conjunction with the Regional Council and Coastguard facilitate public education and safety associated with operation of PWC and other boating activities.

Policies

- (i) Locations where maritime activities are prohibited will be clearly communicated on adjoining reserves.
- (ii) Access to ramps in permitted areas for maritime activities across Council reserves will be maintained.
- (iii) The installation of user notices/signs by the relevant authorities setting out the rules to be observed by boaties and PWC users will be permitted close to the point of entry to water bodies adjoining Council reserves.
- (iv) Clear navigational site lines for maritime users between waterbodies and land based navigational aids on reserves by ensuring there are no permanent site line obstructions (plantings or structures). When booking events, users will be advised of areas of restriction, to ensure that clear navigational site lines are maintained for maritime users between waterbodies and land based navigational aids on reserves.

Sport Shooting and Hunting on Reserves

The Council has a number of reserves within the rural area and reserves adjacent to water bodies. Natural bush land and grassland reserves may provide encouragement for the illegal shooting of game birds and other animals. Game bird and water fowl hunting is generally not permitted on any reserve or water body administered by Council, unless specifically allowed for within Individual Reserve Management Plans and/or Council bylaws. Licences for game bird hunting are administered by the Eastern Fish and Game Council under the provisions of the Wildlife Act 1953 and the Conservation Act 1987. The Western Whakatāne Coastal Recreation Reserve (WWCRR) Management Plan and the Aniwhenua (Lake Aniwhenua) Reserves Management Plan provides for the shooting of game bird and water fowl.

Objectives

- (i) To prevent shooting of game birds and water fowl on all Council reserves unless specifically allowed for in a specific reserve management plan.
- (ii) To acknowledge the authority of the Eastern Fish and Game Council in the administration and issuing of shooting licences.
- (iii) To clearly identify areas where shooting is permissible by the erection of appropriate information signs and other public information – particularly prior to the duck shooting season.

Policies

- (i) Shooting will be prohibited on any Council reserve unless identified in an Individual Reserve Management Plan.

- (ii) Shooting will be prohibited on Council reserves unless a licence is issued by Eastern Fish and Game Council.
- (iii) Information signs will be erected, where practicable, and communications provided on Council websites identifying areas designated for shooting.

Community Food Gardens

The Council recognises that gardening is a popular leisure activity, and because section sizes are reducing due to residential intensification, the demand for the establishment for community food gardens may increase. The Council also acknowledges the value of community food gardens as an opportunity for localised food production, skill development, social interaction and sustainable land use for selected public reserve land, which otherwise may have little recreational or amenity value. A community food garden can be defined as a small-scale, low-investment, neighbourhood communal gardening venture, where the primary purpose is growing vegetables or fruit for collective use.

Objectives

- (i) To promote the value of community food gardens as a public amenity.
- (ii) To make available some selected public reserves for community food gardens throughout the district.
- (iii) To support the establishment of new community food gardens, guidance on the selection of an appropriate site, and the necessary criteria, should be considered by a management committee prior to establishment.
- (iv) To clearly communicate the criteria for assessing proposals put together by management groups to run community food gardens on Council owned or administered land as specified in the Community Food Garden Guidelines.

Policies

- (i) Applications for community food gardens on reserves will be assessed and approved according to the Community Food Garden Guidelines, Reserves Act 1977, any applicable Individual Reserve Management Plan, Whakatāne District Plan and Council bylaws and/or Policy.
- (ii) Applications will be required to be made by a formalised Management Group. Council will not lease or license land for a community food garden to an individual or allow for individual allotments.
- (iii) The parameters of the lease or license to occupy for the group will be determined by Council and will be co-signed by the Manager of Places and Open Spaces and the Management Group.
- (iv) Applications from groups will be declined where the necessary criteria have not been satisfied, and reasons will be provided for that decision.
- (v) Licenses to occupy will be revoked when conditions of the license have been breached and

notified in writing to the Management Group.

- (vi) For gardens that are disestablished, or where a lease period is completed, the Management Group will be required to return the land to its original state, to the satisfaction of the Manager of Places and Open Spaces.
- (vii) Established community food gardens on public reserves will be actively promoted on the Council website and through other communication media.

Aircraft and Helicopter Landings and Drone (UAV) Operations

The Civil Aviation Authority (CAA) regulates airspace in New Zealand and defines the rules that must be complied with. From time to time, the Council receives requests to land aircraft and helicopters on reserves. In general terms, the landing and taking off of aircraft and helicopters does not affect the reserve or the use of the reserve. There may however be temporary adverse effects from the activity on reserve users and neighbours. Before flying a drone (also known as "unmanned aerial vehicle" or UAV), users must comply with restrictions set by the CAA pertaining to flying over property, people, with cameras and over restricted areas. The Council has no jurisdiction over any aircraft, helicopter or drone whilst in the air.

Objective

- (i) To allow the landing of aircraft and helicopters on reserves for commercial activities, on approval from CAA, where the values of the reserve are not diminished, safety of other reserve users and other operations (e.g. Maritime) are not compromised, and where the effects on the neighbouring properties are minor or can be mitigated.
- (ii) To communicate restrictions set by CAA regarding the use of drones. Current CAA regulations restrict operation of drones within a 4km radius of the Whakatāne Hospital, Whakatāne Airport and Galatea Airstrip by non-certified operators unless it is a sheltered activity.
- (iii) To ensure compliance with regulations regarding landing areas, number of movements and noise restrictions as per the District Plan.

Policies

- (i) CAA and other applicable legislation and relevant guidelines regarding aircraft, helicopter landings, and drone operations will be applied.
- (ii) Aircraft and helicopter landings that have not been given written permission by Council (other than in an emergency) will not be permitted on a Council reserve.
- (iii) Applications for the scheduled landing of an aircraft or helicopter on a Council reserve must be submitted 10 working days prior to the event.
- (iv) Applications must include the following approvals from the Civil Aviation Authority:

- Approved flight plan;
 - Public liability Insurance; and
 - Public Management Plan for cordoning off of the landing site (using safety markers/barriers and signage) whilst the aircraft or helicopter is on the ground and during take-off of the aircraft or helicopter.
- (v) The applicant will be advised that compliance with all conditions of relevant legislation and special conditions of the particular reserve is the responsibility of the applicant.
- (vi) The aircraft must be attended by the applicant/operators at all times whilst on a Council reserve.
- (vii) The aircraft will not be permitted to remain overnight on a Council reserve unless special circumstances dictate.
- (viii) Operators will be required to comply with regulations regarding landing areas, number of movements and noise restrictions as per the District Plan.
- (ix) Council will communicate with CAA if rules regarding the landing of aircraft, helicopters or operations of drones have not been adhered to.



Outdoor Pyrotechnic Displays

The Council from time to time receives reserve booking enquiries from groups or organisations to conduct fireworks displays on reserves. Fireworks displays are controlled by legislation other than the Reserves Act 1977 and require the permission of the Department of Labour prior to proceeding. Handlers must be certified through Worksafe New Zealand via a test certifier. The activity also

requires the approval of a Rural Fire Officer, or NZFS Fire Safety Officer, prior to granting permission. The conducting of formal fireworks displays is allowed on reserves, on condition that the display does not have a negative impact on the reserve. Informal lighting of fireworks is not permitted on Council reserves.

Objective

- (i) To allow formal outdoor pyrotechnic displays on reserves subject to adverse effects on reserve values being avoided, mitigated or remedied.

Policies

- (i) Formal outdoor pyrotechnic displays by organised groups will be allowed on reserves provided that they meet all related criteria.
- (ii) Written applications for pyrotechnic displays will be accepted on the relevant Council form.
- (iii) Decisions on final approval for outdoor pyrotechnic displays will be made once the required permission is received from the Department of Labour, and a FENZ Officer, and when Crowd Control Management Plans and proof of Public Liability Insurance is received.

Liquor in Club Facilities on Reserves

Sports and other clubs located on reserves may choose to see liquor as part of a service that their club provides, and in addition this can be an avenue for clubs to fundraise. The consumption of liquor can however have adverse effects, such as litter and nuisance caused by intoxication, on the reserve, other users and reserve neighbours. These effects may diminish outdoor recreation and landscape values of the reserve. As most club premises are located in residential neighbourhoods, these effects may be significant.

Objective

- (i) To allow the granting of liquor licenses for premises where the values of the reserve are not diminished and where the effects on reserve neighbours can be avoided, remedied or mitigated as per the requirement in any relevant Council bylaw and the Eastern Bay of Plenty Local Alcohol Policy

Policies

- (i) The granting of liquor licences for premises located on reserves will be supported where applicants have met all relevant statutory consents and the conditions of the consent including:

- The conditions and the hours of sale and/or supply are consistent with the Eastern Bay of Plenty Local Alcohol Policy as stipulated by Council;
- The granting of a licence is consistent with the purposes of a reserve such as being associated with a sports clubroom or similar social facility;
- The effects on the reserve, its use and users, and reserve neighbours can be avoided, remedied or mitigated;
- The values of the reserve are not diminished; and
- Application for special liquor licences may be considered for special events on reserves.

Refuse and Waste Disposal

The Local Government Amendment Act (No4) 1996 requires all territorial authorities to adopt a waste management plan that makes provision for the collection, reduction, reuse, recycling, recovery treatment and disposal of waste in the District. The aim of the plan is to avoid nuisance or injury to public health whilst having regard for the environmental and economic costs and benefits to the District. The Council Waste Management and Minimisation Plan was adopted in 2015. The dumping of waste on reserves or the inappropriate use of existing waste disposal receptacles can significantly detract from the amenity values and proper functioning of reserves. It is important that reserve users are encouraged to use disposal receptacles. The Council discourages the disposal of inappropriate waste in reserve areas.

Objectives

- (i) To preserve the recreational, cultural and environmental values of reserves through appropriate disposal and collection of waste.
- (ii) The disposal and collection of waste is to be in accordance with the Local Government Amendment Act (No.4) 1996 and the Council Waste Management and Minimisation Plan 2015.

Policies

- (i) Waste disposal receptacles and facilities in reserves will be provided where they are considered appropriate and regularly emptied.
- (ii) Waste will be collected and disposed of in accordance with the Council Waste Management and Minimisation Plan 2015.
- (iii) The depositing of domestic refuse, trade waste, garden refuse, rubble or debris on a reserve will not be permitted and any persons doing so may be prosecuted.
- (iv) Where a reserve is used for an event or tournament, user groups or event organisers will be responsible for the collection and disposal of all waste.
- (v) Reserve users will be informed that the Council subscribes to a Zero Waste to Landfill Policy which promotes reduction, recycling, reusing and recovering initiatives. Reserve users will be encouraged to reduce, recycle and reuse waste generated when using a reserve for

functions and other activities. This will be communicated via user signage and documentation and general information on Council websites and in publications.

- (vi) Reserve users will be encouraged to comply with a 'pack in pack out policy' where no waste disposal receptacles are provided.

Hazardous Substances

Hazardous substances such as chemicals and biological agents may need to be used in the maintenance of reserves, in some circumstances. It is important to assess the risks and if needed minimise the effects to reserves users or neighbours and the public. Where possible, alternative non-hazardous chemicals or practices should be used to reduce risks and potential negative effects on the environment. The Hazardous Substances and New Organisms Act was updated in 2015 and allows for only approved handlers to use specific chemicals. There are a number of previously commonly-utilised chemicals that are now considered to be hazardous and care should be taken in their use. Organophosphates and carbamates (OPCs) are the active ingredients in some insecticides. They can be used to control a wide range of horticultural pests, but are toxic to people and the environment.

The approval for plant protection insecticides containing organophosphates or carbamates was recently modified under the hazardous substances and new organisms legislation (HSNO).

Objectives

- (i) To ensure that where it is considered necessary to use hazardous substances for maintenance, the application is undertaken in a manner that minimises the potential risk to employees, reserve users and neighbours and the public.
- (ii) To ensure the application of hazardous substances such as agrichemicals is undertaken by approved handlers in a safe and efficient manner that minimises disruption to the public and achieves the desired result.

Policies

- (i) Where hazardous chemicals are applied on reserves, the entire operation will be undertaken in accordance with the Hazardous Substances and New Organisms Act; the Agrichemical User Code of Practice NZS 8409; and in keeping with best practice.
- (ii) Use of hazardous chemicals on reserves will be minimised by considering more environmentally friendly alternatives where practical and financially feasible.
- (iii) When hazardous chemicals are used on reserves, times for application and the methods undertaken will be factored to ensure the risk to reserve users and neighbours is minimised.
- (iv) Public notification in the local newspaper and the Council website will be conducted prior to undertaking large scale chemical applications including the spraying of aquatic weed on water bodies, road side vegetation and specialised herbicide applications on sports fields.

- (v) Council or contracting staff will be suitably qualified to undertake the application or disposal of hazardous substances and will be required to wear the appropriate personal protective equipment (PPE).
- (vi) Warning signs will be erected on site where a reserve has been sprayed or applied with hazardous substances.

Fire Management

Vegetation on the light sandy soils of the coast dries out quickly and is highly flammable much of the year throughout the District. Furthermore, limited access and distance to water supplies adds to the delay in response and fire suppression activities on the coast. Any fire on a reserve threatens the natural values of the reserve, as well as posing a danger to neighbouring properties.

Objective

- (i) To minimise the risk of fire within the reserve, while retaining sufficient firefighting access to rapidly extinguish any outbreak of fire that does occur.

Policies

- (i) Fires will be prohibited in all reserves unless specifically permitted by the Council.
- (ii) Grazing within certain reserves will be allowed (with the exception of sensitive ecological areas such as coastal dunes, protection strips, waterways etc.) to manage weed vegetation and the risk of fire, on the provision that the conditions of the licence are met and/or the practice of grazing is allowed for within the relevant Individual Reserve Management Plan.
- (iii) Access for control of fires on reserves will be allowed when required.
- (iv) Fire breaks will be created on planted forestry reserve land where it is considered necessary to reduce the spread of fire within the block or on to neighbouring properties.
- (v) In fire sensitive reserves adjacent to the coast, public access will be provided only via formal access ways. Informal access will be discouraged, where this is considered appropriate and financially feasible, by the use of barriers, gates, signage and other methods.
- (vi) The public will be notified via the Council website and other media that permits for bonfires on any beach are required between the 1st of October and the 30th of April.