



Thames-Coromandel General Policies Reserve Management Plan

May 2019

(Reserves Act 1977 S41(9) - Minor amendment October 2022)

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Section 1: Purpose of this Plan

Reserve management plans provide direction for the day-to-day management of reserves, factors that impact upon these reserves, and establish clear directions for future management and development where appropriate.

The Thames-Coromandel General Policies Reserve Management Plan endeavours to address the broad range of issues associated with reserves in a comprehensive and holistic manner.

1.1. Reserve Management Plan Requirements

The Thames-Coromandel District Council (the Council) has a responsibility as an administering body under section 41 of the Reserves Act 1977 to prepare management plans for the reserves that it manages.

These management plans should:

“... provide for and ensure the use, enjoyment, maintenance, protection, and preservation ... and, ... the development, as appropriate, of the reserve for the purpose for which it is classified”. Reserves Act 1977, section 41(3).

Where a reserve or part of a reserve is not gazetted, as detailed in section 14 of the Reserves Act 1977, a local authority is still required to prepare a management plan detailing the function and management of the reserve.

Open space is recognised as an important component of the urban environment, providing opportunities for recreation and leisure. This management plan provides a framework within which managers can develop a balanced response to current opportunities and address future pressures.

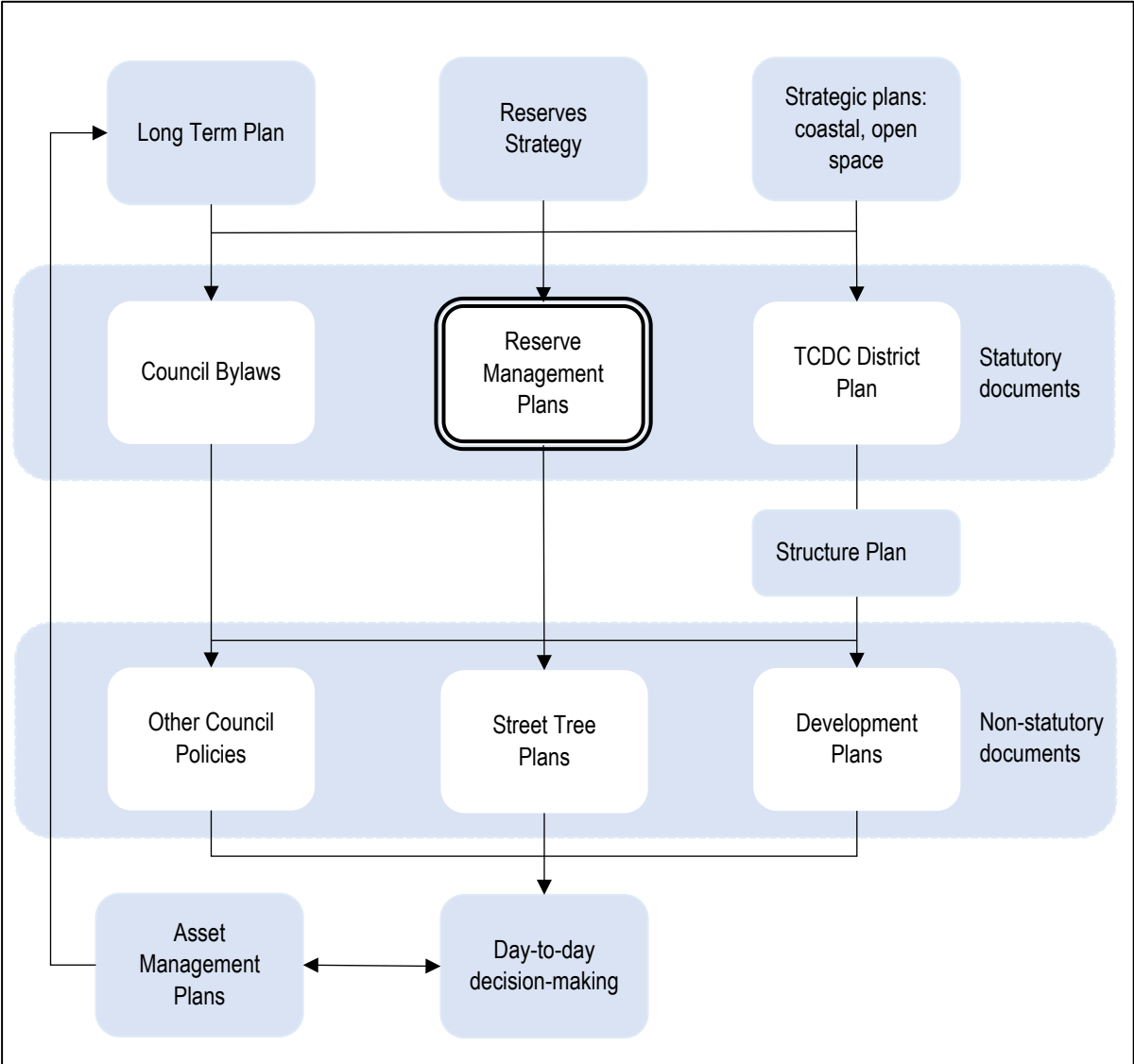
The reserves across the Thames-Coromandel district have a range of historical, cultural and scenic values, and provide valuable open space for a range of recreational activities and settings; from sports ground to historic reserves, from coastal settings to children’s playgrounds. This General Policies Reserve Management Plan identifies objectives and establishes directions for planning, resource management and maintenance of public open space. It clarifies and establishes Council policy and direction, for both council staff and the public.

The Council is required to keep the management plan over reserves for which it is the administering body under continuous review (section 41 (4) Reserves Act 1977). The intention is that the plan be adapted to changing circumstances or increased knowledge. Generally, management plans should be reviewed at a minimum of 10-year intervals.

Note: Council currently prepares its reserve management plans as a separate document for the parks and reserves in each community board area in two parts - Document 1: General Policies and Objectives applying to that Community Board area and Document 2: Individual Reserve Plans.

This General Policies Reserve Management Plan is the first step to a slightly different approach as it will apply to all relevant reserves across the District. The community board plans will then comprise the Individual reserve plans in each community board area. Where there is any inconsistency between this document and the individual reserve management plans, the policies relating to the individual reserve management plans will apply.

1.2. Statutory and non-statutory documents that provide guidance to reserves



Section 2: Reserve Management Plan Process

2.1. Reserves Act Classifications

Under part 3 section 16 of the Reserves Act 1977 it is mandatory that reserves be classified based on their purpose. The Act provides for seven different reserve classifications typically used by local authorities, these being:

- Local Purpose Reserves;
- Government Purpose Reserves;
- Recreation Reserves;
- Historic Reserves;
- Scenic Reserves 'A' and 'B';
- Scientific Reserves;
- Nature Reserves.

Detailed descriptions of each of the reserve classifications and variations are in [Appendix 1: Reserve Classifications](#).

Reserves may have 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 between the lands requiring different classifications.

2.2. NZRA Reserve Categories Framework

The reserves categories framework has been developed by the New Zealand Recreation Association (NZRA) in consultation with the New Zealand parks sector and local councils. It has been in use since 2011 and was reviewed in 2017. While the Reserves Act 1977 provides the legal classification system for reserves, because it is high level, it has been found to have limited application and value for the planning and management of reserves managed by local authorities. The intent of the NZRA reserves framework is to establish an agreed set of lower level reserve categories and associated definitions which can be used consistently across the industry.

In addition to the mandatory Reserves Act 1977 classifications, all of the individual reserves covered in an individual reserve management plan will be categorised using the NZRA reserves categories as part of the review and update of the current plans. A summary of the NZRA reserves categories is shown in table 2.2.1 and the full description of each category and its characteristics is included as [Appendix 2: New Zealand Recreation Association Reserves Categories](#).

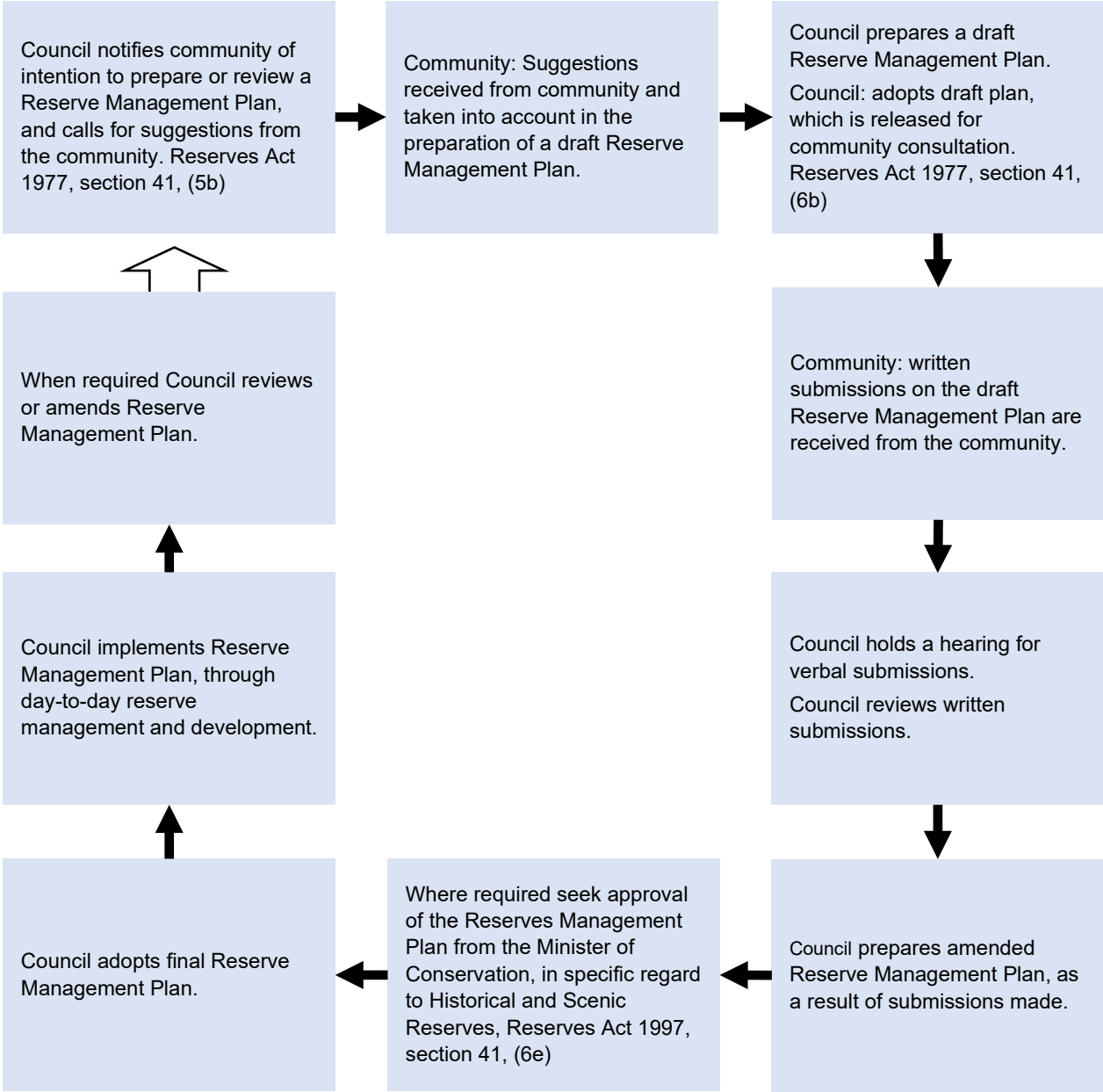
NZRA Reserve Categories

Category	Description/Primary Purpose	Alternative Names
Sports and Recreation	Reserves (often quite large areas) set aside and developed for organised sport and recreation activities, recreation facilities and buildings, often multiple use.	<ul style="list-style-type: none"> • Active • Sports
Neighbourhood	Reserves developed and used for informal recreation and sporting activities, play and family based activities, and social and community activities.	<ul style="list-style-type: none"> • Local • Social Recreation • Community
Public Gardens	Reserves and gardens developed to a very high horticultural standard with collections of plants and landscaping for relaxation, contemplation, appreciation, education, events, functions and amenity/intrinsic value.	<ul style="list-style-type: none"> • Botanic Gardens • Horticultural • Premier
Nature	Reserves that offer the experience and/or protection of the natural environment, containing native bush, coastal margins, forestry, farm parks, wetlands, riparian areas and water bodies.	<ul style="list-style-type: none"> • Conservation • Bushland • Forest • Protected • Environmental
Cultural Heritage	Reserves that protect the built cultural and historical environment, and/or provide for heritage conservation, education, commemoration, mourning and remembrance.	<ul style="list-style-type: none"> • Cemeteries • Cultural • Heritage
Outdoor Adventure	Reserves developed and used for recreation and sporting activities and associated built facilities that require a large scale, forested, rural or peri-urban environment.	<ul style="list-style-type: none"> • Regional • Forest • Farm • All Terrain
Civic	Areas of open space often provided within or adjacent to central business districts, and developed to provide a space for social gatherings, meeting places, relaxation and enjoyment.	<ul style="list-style-type: none"> • Plaza • Community Hub • Town Squares • Streetscape
Recreation and Ecological Linkages	Areas of open space that are often linear in nature that provide pedestrian and cycle linkages, wildlife corridors and access to water margins. May provide for environmental protection, and access to waterways.	<ul style="list-style-type: none"> • Linear • Walkways • Corridor • Green Corridors • Environmental Corridors • Esplanade • Linkage

2.3. Community Consultation

Community consultation plays an important role in the production of any management plan. It provides Council with a sound understanding of relevant local issues from people who are familiar with and use the reserve areas in question. Public involvement and consultation generates an understanding of Council's land management aims, combats misinformation and misunderstanding, and fosters support for Council's programmes and policies.

The procedure for preparing reserve management plans is set out in the Reserves Act 1977. A summary of this process is detailed in the following diagram.



2.4. Aims of this Reserve Management Plan

The Reserves Strategy, approved by Council in 2002, identifies a vision and strategic objectives for reserve provision across the District. The Council wishes to ensure a consistent approach to the management both of physical resources and the provision of publicly funded recreation and leisure facilities.

AIM: Protection of natural, cultural and heritage values

Open space is important for recreation and leisure as well as other values. Council must consider recreational, natural, heritage and cultural values in managing its reserves.

AIM: Open space is available for present and future public recreation and leisure needs

Council's role is important in providing and securing resources, including financial, land or other resources, to meet the needs of present and future users of public recreation facilities and spaces in the District.

AIM: Reserves are accessible, safe, and appropriate

It is the communities' desire to have good access to a range of open space areas. Facilities on these reserves, reflect the needs, and the unique character of that locality. It is Council's legal responsibility to provide safe and healthy facilities.

AIM: Public facilities are available to all users

Outdoor public recreational opportunities are available to anyone, regardless of where they live. Recreation also contributes directly and indirectly to the local economy, especially tourism and retail activity.

AIM: Council will work with community groups to provide and promote recreation and leisure facilities

This identifies a number of different ways that Council may work with the community to provide a better range of facilities and services.

This management plan provides guidance to Council for decision-making on activities that should and should not occur on reserves in the District.

1. Where an activity is considered within this plan, it is not a guarantee that it will occur, due to financial or other considerations, e.g. funding availability within Councils long-term plan.
 - a. Council will use this reserve management plan for decision-making on future activities, and in doing so will take into consideration any requirements of the Reserves Act 1977, Resource Management Act 1991 (RMA) and Local Government Act 2002 (LGA).
 - b. Public consultation may be required, dependent upon the nature of the activity, impacts on the reserve and the implications for other reserve users, reserve neighbours and the public at large.
2. Where an activity is noted as not being permitted on a reserve then that activity will not be approved unless a subsequent review and amendment of the plan is undertaken by Council, in part or in whole, as prescribed within the Reserves Act 1977.
3. Where the reserve plan is silent on an activity, the activity may still be considered. Any decision on whether or not to approve the activity will be weighed against the objectives and policies for the reserve and the general policies on reserves.

2.5. Structure of this Plan

This Reserve Management Plan sets out policy on which applies to all Reserves in the Thames-Coromandel District. The Plan is set out in six policy sections, where the reader will be able to find objectives and policies associated with each subject. The six policy sections are:

- Section 3** Recreation and use
- Section 4** Development
- Section 5** Occupation
- Section 6** Neighbours
- Section 7** Natural and cultural values
- Section 8** Management of reserves

Note: The policy sections should be read as a whole. **This means that more than one objective and/or policy may be relevant in any given situation.** Plan readers should therefore seek to identify all relevant objectives and policies relevant to an issue.

2.6. Revocation of Previous Policies

This management plan replaces the following parts of the previously adopted reserve management plans:

- Thames and Thames Coast Reserve Management Plan – Document 1: Aims, Objectives and Policies, 2006.
- Coromandel/Colville Ward Reserve Management Plan - Document 1: Aims, Objectives and Policies, 2007.
- Whitianga and Wharekaho Reserve management Plan - Document 1: Aims, Objectives and Policies, 2007.
- Mercury Bay South, including Ferry Landing, Cooks Beach, Hahei and Hot Water Beaches, Reserve Management Plan - Document 1: Aims, Objectives and Policies, 2007.
- Mercury Bay North, including Whangapoua, Matarangi, Rings Beach, Kuaotunu, Otama and Opito, Reserve Management Plan – Document 1: Aims, Objectives and Policies, 2008.
- Tairua-Pauanui Reserve Management Plan – Part two: Aims, Objectives and Policies, 2014.
- Whangamata Reserve Management Plan – Part two: Aims, Objectives and Policies, 2014.

The policies contained within this management plan will apply from the date of adoption by the Thames District Council.

Section 3: Recreation and Use

3.1. General Use of Reserves

The primary role of reserves is to provide settings for people to enjoy themselves on a casual and unstructured basis while undertaking traditional activities such as walking, picnicking and informal games. These activities are generally low impact, have little adverse effects on other reserve users and can be undertaken with minimal restriction. Scenic reserves provide for areas of scenic interest or beauty that include significant features or landscapes. Historic reserves include areas with archaeological, cultural and other special interest features or places. These reserves normally allow freedom of public access and may include restrictions on a range of public activities for the protection and well-being of the reserve and its features.

Objective

- 3.1.1. To allow and encourage public use of reserves that does not cause damage and is compatible with the purpose of the reserve.

Policies

- 3.1.2. People will be encouraged to use reserves for a range of activities that are compatible with the reserve purpose and do not impact the environment or other users.
- 3.1.3. Users of reserves shall be responsible for ensuring that their use complies with Council Bylaws, see Appendix 4: Council Bylaws that apply to Reserves.
- 3.1.4. Passive activities may include:
- a. family group picnics and barbecues;
 - b. informal family or group activities including games, recreational activities, and sport;
 - c. walking, running and exercise activities.
- 3.1.5. The dumping of rocks, soil, plant material, wood, hard fill including concrete brick or similar, steel or waste metals, chemicals, food waste, exotic fauna, household waste, building and/or demolition materials is prohibited.
- 3.1.6. Except with prior written approval from Council, the removal of rocks, soil, sand, trees and other plant material is prohibited.
- 3.1.7. The use of firearms, slingshots and projectile firing devices on reserves is prohibited except where authorised in writing, for the purposes of pest animal control by a council approved operator.

3.2. Access

Freedom of entry and access to reserves, as far as is practical, is a key principle of the Reserves Act 1977. However, this is subject to any lease or seasonal use agreement over the reserve and any action necessary for the protection of the reserve and its users.

Objective

3.2.1. Open access, where possible, will be provided to all Council reserves.

Policies

- 3.2.2. The provision of access to Council reserves will be provided unhindered, except:
- a. where degradation may occur to cultural or historical sites through public use;
 - b. where access is unsuitable due to the nature of the terrain;
 - c. where commercial operators have paid a fee to gain private good from the use of reserves (e.g. leases and licences);
 - d. where community groups have been granted exclusive use of a portion or all of the reserve (e.g. leases);
 - e. where necessary for the maintenance or protection of the reserve or the safety of reserve users, part or the entire reserve may be closed for public access; following public notification if required by the Reserves Act 1977;
 - f. where part or all of a reserve is to be closed to public access for maintenance or any event, notification of this will be made prior to the event;
 - g. for vehicle access which will be restricted to formed roads and carparks.
- 3.2.3. Private vehicular access across reserve land, to or from private property will not be permitted except where a formal written agreement exists with Council (e.g. an easement).

3.3. Organised Sport

While the primary role of reserves is to provide settings for people to enjoy themselves on a casual and unstructured basis the use of some reserves or parts of reserves for organised sports and recreation activities is also a traditional and beneficial public purpose. As organised sports use of reserves involves restrictions on full public access to the relevant reserves, there is a need to have policies which balance the benefits of organised sports with maintenance of reserve values.

Objective

3.3.1. To encourage organised sport to take place on a reserve or part of a reserve, set-aside for that purpose, in an efficient and safe manner.

Policies

3.3.2. Where possible, active sports and recreation activities requiring facilities will be grouped to maximise the sharing of facilities.

- 3.3.3. The use of reserve land for the playing of organised sport will:
- a. consider the appropriateness of the activity to the area, and take into account any possible impact this activity may have;
 - b. only be approved when permission for the sporting activity has been sought and obtained from Council;
 - c. not be undertaken during such time when maintenance is being carried out on the land area.

3.4. Fireworks

Groups occasionally wish to use reserves for fireworks displays. These displays are controlled by legislation other than the Reserves Act 1977 and require an outdoor pyrotechnic display compliance certificate.

Objective

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

Policies

- 3.4.2. Fireworks displays will not be permitted on public reserves except for those identified to allow for public events. These events must have council approval and be fully compliant with relevant legislation, regulations, codes, permits and a licensed pyrotechnic technician must be employed to organise and implement the display.
- 3.4.3. Persons or organisations wishing to hold a fireworks display on a reserve will be required to seek prior Council approval.

3.5. Fire

All fires, whether lit naturally, accidentally or deliberately can pose a risk to visitors, native and exotic vegetation, bird and insect species, historic places, artefacts, assets, and adjoining property.

Objective

- 3.5.1. To avoid damage or destruction of reserve land, flora, fauna, buildings and facilities by fire.

Policies

- 3.5.2. The use of open fires, including portable barbecues using solid fuels, will only be permitted in designated areas and when the fire is permitted by controls implemented through the Fire and Emergency New Zealand Act 2017.
- 3.5.3. Persons or organisations wishing to have a fire on a reserve will be required to seek prior Council approval.

3.6. Dogs

Reserves are popular places to walk and exercise dogs. However, dogs can pose a direct threat to people, animals and birds. The Dog Control Bylaw 2016 requires dogs in public places to be kept under continuous and effective control at all times. Owners must also be considerate of other reserve users and remove dog droppings as required by the Bylaw.

Objective

- 3.6.1. To provide for the exercise and recreational needs of dogs and their owners while minimising potential danger, distress and nuisance from dogs to the community generally and wildlife.

Policies

- 3.6.2. The owner of any dog must ensure that the dog is under control at all times and must remove all droppings from the reserve.
- 3.6.3. Except as provided for in Schedule 1 of the [Dog Control Bylaw 2016](#) the owner of any dog in any public place must secure the dog by an effective leash or similar which keeps the dog under continuous control.
- 3.6.4. Dogs are not allowed to enter any public place described in Schedule 1 of the Dog Control Bylaw 2016 as a prohibited area, whether under control or not. Dogs will generally be excluded from the following areas:
- a. nesting, roosting and feeding areas of threatened bird species;
 - b. playgrounds and sports grounds.

3.7. Vehicles

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

Vehicle access on to reserves can cause conflict with how the reserve is used. Vehicles on sports playing surfaces can cause damage to turf, particularly during the winter months. There is however a need for maintenance vehicles and emergency vehicles to be able to access playing fields. Vehicles on reserves can also cause damage to natural, cultural or archaeological features in the reserve area. Physically restricting vehicle access through fences or bollards can be an effective way of restricting vehicle access, under some circumstances, but can reduce the visual amenity and sense of open space.

Objective

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

Policies

- 3.7.2. Except for emergency services vehicles, approved operational purposes, or where written approval for an event has been obtained from the Council, vehicles are prohibited off road on reserves.

3.8. Parking: Vehicles

Most recreational uses will generate demand for parking spaces at reserves. The location and design of parking areas should not be at the expense of the amenity of the reserve area, particularly peak parking areas that may only be used on a few days each year. Forward planning in the layout of parking areas can promote their use for other activities when not in use for car parking.

Objective

3.8.1. To provide parking for vehicles and their passengers.

Policies

3.8.2. Vehicle parking will only be provided where the demand and use of a reserve area requires this facility.

3.8.3. Provide sufficient car and/or trailer parking to accommodate average yearly use without degrading the amenity of reserve areas.

3.9. Parking: Boat Ramps

Recreational use of boat ramps generates demand for parking spaces at reserves. The location and design of parking areas should not be at the expense of the amenity of the reserve area, particularly peak parking areas that may only be used on a few days each year. Forward planning in the layout of parking areas can promote their use for other activities when not in use for car parking.

Objective

3.9.1. To provide safe and reasonable access to launch and retrieve trailer boats.

Policies

3.9.2. As a general principle, boat ramps will only be located where there is suitable water access and adequate off road parking is available.

3.9.3. Where either Council or a community organisation manages a boat ramp;

- a. a fee may be charged;
- b. where fees apply, Council will approve them.

3.10. Aircraft Landings and Take-off

Aircraft landing and taking off from reserves has a large impact on other reserve users due to noise factors, inconvenience on the use of open space, and safety aspects.

Objective

3.10.1. To prevent the use of reserves for aircraft activities.

Policies

3.10.2. The use of reserves by any type of motorised aircraft is prohibited, except for the following circumstances:

- a. for emergency landings of aircraft;
- b. for emergency evacuation of people under the control of the New Zealand Police, NZ Fire Service, St John Ambulance or surf lifesaving organisation;
- c. where a permit has been issued by Council.

3.11. Unmanned Aerial Vehicles (Drones)

The recreational and commercial use of unmanned aerial vehicles (UAVs) or drones can have negative effects on neighbours and other reserves users including noise, potential for injury and impacts on privacy. The Civil Aviation Authority regulates the use of UAV including requiring council approval to be obtained to operate drones over council land.

Council has approved the use of UAV on council land (including reserves) subject to compliance with Council guidelines on the use of UAV over Council land. A copy of the [guidelines](#) can be found on the Thames-Coromandel District Council Website.

Objective

3.11.1. To provide for the use of UAV on reserves while ensuring that other reserves users are not inconvenienced.

Policies

3.11.2. The use of UAVs over Council land is permitted so long as this complies with New Zealand Civil Aviation Authority rules and requirements regarding the use of drones, and Council [guidelines](#).

Flyers must:

- a. be aware of the Office of the Privacy Commissioner guidance on preserving peoples personal privacy by flying over other people or adjoining private property;
- b. take all practicable steps to minimize hazards to persons, property and other aircraft and give way to crewed aircraft
- c. not take photographs of other people without their prior approval;
- d. not operate the UAV over a sports field in use by others;
- e. not operate the UAV within 20 meters of sensitive wildlife habitats or nesting or roosting birds;
- f. not operate the UAV within 20 metres of any public building;
- g. not fly within 4km of any airfield unless as a shielded operation;

The CAA rules allow flying within 4km of aerodromes if you are flying as a shielded operation. This means that you fly your UAV within 100m of a natural or man-made object like trees, buildings and cliffs, and below the top of it. This will keep you out of any flight paths.

3.12. Motorhomes and Freedom Camping

The Council made a Freedom Camping Bylaw on 7 October 2022 to prohibit or restrict freedom camping in reserves and other council areas. A general restriction for all freedom camping in areas in the Thames Coromandel District is that a certified self-contained vehicle must be used.

Objective

3.12.1. To allow for freedom camping in certified self-contained vehicles such as motor-homes on some reserve areas as defined in the Freedom Camping Bylaw.

Policies

- 3.12.2. Freedom camping in reserves defined in Schedule 2 of the Freedom Camping Bylaw is permitted subject to the restrictions in the Freedom Camping Bylaw.
- 3.12.3. Dispensation to freedom camp on reserves other than as outlined in this reserve management plan may be considered upon application to the Council.
- 3.12.4. Users of reserves will be responsible for ensuring that their use complies with the Freedom Camping Bylaw. A copy of the [Freedom Camping Bylaw](#) can be found on the Thames-Coromandel District Council Website.

3.13. Alcohol

Refer to the Council bylaw on alcohol. The Council can place conditions on the use of alcohol in reserves including partial and total bans. Further information on areas subject to partial and total alcohol bans can be found on the Thames-Coromandel District Council website.

3.14. Alcohol Licences

The consumption of alcohol on reserves may be associated with clubs and special events, where the relevant alcohol licence has been obtained. However, the consumption of alcohol can, have adverse effects on reserves, other users and neighbours, arising from noise and damage. These effects may diminish the recreation and landscape values of the reserve. The Sale and Supply of Alcohol Act 2012 governs alcohol licenses.

Objective

- 3.14.1. To allow the granting of alcohol licences for premises on reserves where the values of the reserves are not diminished and the effects on reserve neighbours can be mitigated.

Policy

- 3.14.2. All alcohol licences on reserve land will be in accordance with Council bylaws and policies and the Sale and Supply of Alcohol Act 2012 and regulations.

3.15. Private Ceremonies, including Weddings

Although private ceremonies, such as wedding ceremonies are private affairs, when held on a reserve, the ceremony and photography must be conducted in a manner that does not unduly impact or deter the general public's enjoyment of the reserve.

Council can limit activities and restrict numbers to ensure any disruption from a private ceremony is minimised and the reserve is protected. Private ceremonies must also comply with bylaws and District Plan rules and a resource consent or building consent may be required in some cases.

Objective

- 3.15.1. To allow for a range of private ceremonies and activities on reserves where the activity does not create conflict with other reserve users or have adverse effects on the environment.

Policies

- 3.15.2. Private ceremonies, including weddings and wedding photography may be allowed on reserves subject to permission from Council and provided that the adverse effects on other

users, the reserve and reserve neighbours can be avoided or minimised. Bylaws and District Plan rules will also apply and a resource consent and or building consent may be required in some cases.

- 3.15.3. Requests to hold a private ceremony on a reserve must be made by submitting a permit application to the Council.
- 3.15.4. Vehicle access is not permitted onto a reserve other than in areas designated as roadway carpark areas or council-approved access routes.
- 3.15.5. Apparatus such as canopies or marquees must be free standing and may require a building consent.
- 3.15.6. Rice, birdseed, glitter or confetti (natural flower petals permitted) are not permitted.
- 3.15.7. Non-amplified music is allowed for a private ceremony.
- 3.15.8. Private ceremonies cannot restrict other visitors from the reserve nor block access or pathways.
- 3.15.9. All rubbish and debris generated by private ceremonies must be removed prior to vacating the reserve.

3.16. Horse Riding

Many people in the community enjoy horse riding. Activities such as this can create conflicts with other users and may, if undertaken in inappropriate areas, adversely affect the reserve environment. Given this, it is important that people are aware of where these activities may be undertaken. Restrictions for horse riding are necessary to protect the environment, including the cultural and archaeological values within a reserve, the health, safety and well-being of visitors and reserve operation and management.

Objective

- 3.16.1. To provide for horse riding on some reserves where the activity does not create undue conflict with other reserve users or have adverse effects on the environment.

Policies

- 3.16.2. Horses may only be ridden on reserves where these have areas specifically designated for horses.
- 3.16.3. Where access to the beach is through vehicle points and boat ramps that are on a reserve, horses may be ridden on the reserve for the purpose of accessing the beach.

3.17. Scattering of Ashes and Burial of Placenta

The scattering of ashes from cremation is a deeply significant experience for a loved one's family and friends, however it can be a concern for people using or working in a reserve to realise they may have inadvertently disturbed such remains. Similarly, the burying of placenta on reserves can also cause difficulties.

Objective

3.17.1. To ensure the scattering of ashes or the burying of placenta do not detract from or damage reserve and cultural values.

Policies

3.17.2. The scattering or placement of ashes from cremation and the burial of placenta in reserves is prohibited; except with prior written approval from Council.

Section 4: Development

4.1. Development

Development of reserves should encourage usage and enjoyment of reserve land rather than restrict any future opportunities for use of reserve land. It needs to be recognised that the use of reserves may change over time, therefore whilst new development should consider existing use, it should also ensure that there is provision and flexibility to accommodate future changes in demand and use. Development of a reserve must be consistent with the principle purpose of the reserve and consistent with the requirements of the Reserves Act 1977.

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

Objective

4.1.1. To ensure that any reserve development meets the needs of approved use and users without significant adverse effects on other users, the reserve, or neighbours.

Policies

4.1.2. In evaluating any proposal for a reserve area, Council will consider:

- a. potential environmental impacts and any ecological, cultural, historical, archaeological or spiritual features of the reserve area;
- b. the scale of the proposed facilities in terms of the reserve use, foreseeable future use; or the foreseeable demand for the particular activity;
- c. the materials, siting, design and colour of the proposed structure;
- d. the protection of existing recreation facilities, except where the displacement of these facilities is in the public interest;
- e. possible impacts on neighbours;

- f. the impact on existing network utilities to ensure that activities and development maintain safe distances, including where appropriate, in accordance with the New Zealand Code of Practice for Electrical Safe Distances NZECP 34:2001.
- 4.1.3. Where the potential exists for the use of a reserve to change over time, ensure that new development makes provision for this and does not preclude alternative future uses.

4.2. Buildings and Structures

Under the Reserves Act 1977, any building or structure needs to be compatible with the reserve classification. Buildings and structures have the potential to enhance or detract from the character of a reserve. The Building Act 2004, LGA, RMA, the District Plan and relevant bylaws also influence the construction of buildings on reserves. All policies in this section apply to the decision to place a building on the reserve; they do not apply to decisions related to the granting of a resource or building consent.

Objectives

- 4.2.1. To allow only those buildings and structures that are required to meet reserve user needs.
- 4.2.2. To allow for removal of buildings when no longer required.

Policies

- 4.2.3. The provision of buildings and structures on a reserve will be for sporting, cultural and recreation purposes and to facilitate the appropriate use of the reserve.
- 4.2.4. Buildings and structures will be allowed only where they are necessary to achieve management objectives and policies or are specifically provided for in the individual reserve management plan.
- 4.2.5. Any new buildings or alterations to buildings and structures, will comply with the requirements of the District Plan and Building Act 2004 and Regulations.
- 4.2.6. Where an occupier-owned building is no longer required by an occupier or has become redundant, the occupier will be required to remove the building from the reserve unless the council resolves otherwise.

4.3. Sporting Needs

In providing facilities for sporting needs, Council must take into account the potential impact of these facilities on the reserves, reserve users and reserve neighbours, while ensuring that the needs of the community are met.

Objective

- 4.3.1. To provide a range of sport facilities that:
 - a. allow a community to participate in a variety of sporting activities;
 - b. consider any district wide needs taking into account the size of the surrounding population.

Policies

4.3.2. Recreational activities, such as active sports codes and recreation activities requiring specific facilities will be grouped to maximise the sharing of facilities.

4.3.3. In any development of existing or future active sport or recreation facilities Council may focus public resources and spending on developing a primary active recreation venue for the community.

4.4. Public Toilets and Changing Facilities

Public conveniences such as public toilets and changing facilities support the use of reserves, but are costly to construct and to maintain. Council often receives requests from the community to provide additional toilet facilities and changing rooms on reserves. Public toilets and changing facilities may be provided where the use is expected to be high and sustained.

Objective

4.4.1. To provide public conveniences at appropriate locations where the usage warrants the facility.

Policy

4.4.2. Public conveniences will be provided where necessary and maintained to Council standards.

4.5. Playgrounds

Play is a key part of children's development; it helps build both physical and social skills. As well as providing informal open space for play (for example, to kick a ball around) reserves may contain playgrounds and play equipment.

Objectives

4.5.1. To develop and provide for opportunities for children's play.

4.5.2. To ensure that structures meet the needs of approved use and users.

Policies

4.5.3. Playground equipment will be allowed only where deemed appropriate to the purpose of the reserve.

4.5.4. Playground development and structures will meet all required playground safety guidelines (NZS 5828:2004), regulations and have required consents.

4.5.5. The provision of play equipment or play areas will accommodate a range of age groups.

4.5.6. The provision of play equipment will accommodate a range of accessibility requirements.

4.5.7. The playground will be managed within the required service and maintenance guidelines (NZ 5828:2004).

4.5.8. Where possible shade will be provided in association with playground structures.

4.6. Reserve Furniture

Reserve furniture provides a range of opportunities and settings for users of a reserve, and enhances peoples experience by providing facilities for rest, picnicking and services. It is important that the reserve furniture is at a level appropriate to the reserve and are to a reserves purpose and use.

Objective

- 4.6.1. To provide appropriate reserve furniture to ensure that there are adequate facilities for the public.

Policies

- 4.6.2. Reserve furniture may include, but is not limited to picnic tables and seating, barbeques, rubbish bins, directional or information signage, drinking fountains, park benches.
- 4.6.3. Review the provision of reserve furniture, and provide for reasonable public use. Where new reserve furniture or signs are to be provided, their design and location should be in accordance with the Council design guidelines.

4.7. Lighting

Lighting within Council reserves can be used on facilities and structures. Lighting may improve the security of facilities, reducing the likelihood of vandalism, and improving surveillance of reserves and facilities. The provision of lighting in public places is, however, no guarantee of improved safety. Lighting should only be provided where there is clear public benefit.

Objective

- 4.7.1. To provide lighting only where the costs of developing, maintaining and replacing this lighting is met by the beneficiaries.

Policies

- 4.7.2. The Council will only fund lighting on Council reserve land where there is clear public benefit.
- 4.7.3. Where the Council owns a facility that is occupied by another group on the basis of a landlord/tenant arrangement, it is the tenants' responsibility to provide for lighting.
- 4.7.4. Where any lighting may be provided for on Council reserves it will not unduly impact on affected parties including reserve neighbours.
- 4.7.5. Lighting design should take into account the reserve use and lighting purpose, and where possible incorporate efficient downward lighting.

4.8. Walkways

Some of the reserve areas throughout the District could be linked with a walking path network. This would cater for the enjoyment of the user and provide community health benefits. The walking path network could also be linked together in conjunction with networks provided by other entities such as the Department of Conservation. These walking routes once established should be promoted to local residents and visitors for health and tourism benefits.

Objectives

- 4.8.1. Promote walkways that link the reserve areas of Thames Coromandel district.
- 4.8.2. Promote tracks and walkways with linkages to adjoining Council reserves in neighbouring areas.
- 4.8.3. Promote walkway linkages to adjacent DOC and other organisations reserves and tracks.

Policies

- 4.8.4. Promote walkways to and through reserve areas that are suitable to a range of people's abilities and provide linkages between reserves and to the coast. Where appropriate, follow the Standards New Zealand Handbook 8630 (SNZ:HB 8630:2004) to determine the type of facilities to be provided.
- 4.8.5. Provide appropriate walkway signage.
- 4.8.6. When assessing a walkway route cultural values should be considered and known archaeological sites should be avoided.
- 4.8.7. When assessing a walkway route environmental values should be considered and sites of high unmodified habitat and ecosystem significance should be avoided where the construction, presence and use of the walkway will be detrimental to those values.
- 4.8.8. Where appropriate, using SNZ:HB 8630:2004, provide for shared use cycling in conjunction with walking.

4.9. Signage

Council bylaws regulate the use of advertising and hoarding signage.

Objective

- 4.9.1. To ensure consistent sign information and minimise visual clutter on Council Reserves.

Policies

- 4.9.2. All applications for signs on any Council reserve must be made in writing to Council.
- 4.9.3. Only signage that is related to a reserve, to the use of a reserve or is required by legislation will be allowed, unless specifically approved by Council. Where an external agency is required by legislation to place signage in a reserve this must be done in consultation with Council.
- 4.9.4. All signage must meet the requirements of Council bylaws, the District Plan and any resource consents.

- 4.9.5. The number of signs on Council reserves will be kept to the minimum number required to inform the reserve user.
- 4.9.6. Where possible, a reserve will have signage with its name.

Section 5: Occupation

5.1. Multipurpose Facilities

Some existing reserve facilities could sustain higher levels of use, and the sharing of such facilities would prevent unnecessary duplication and cost. Sub-letting of facilities by sports bodies can generate revenue and spread the load of paying for overheads such as power. Such uses must however be consistent with the purpose for which the reserve is held. For example, commercial activities such as offices may not be appropriate on recreation reserves whereas a childcare facility may be if it can be demonstrated that the facility is ancillary to the use of the reserve (i.e. children are cared for while caregivers use the reserve). Other than in this case, commercial child care facilities and kindergartens are generally incompatible with the purpose for which Council administers the reserve.

Objectives

- 5.1.1. To encourage the sharing of existing facilities to prevent unnecessary duplication or expansion of facilities.
- 5.1.2. To support the utilisation of buildings on reserves where such use is consistent with the purpose for which the reserve is managed.

Policies

- 5.1.3. The multiple use of buildings and other facilities by sports and cultural bodies will be actively encouraged.
- 5.1.4. Permit the occupation of buildings and other facilities for ancillary uses where these are consistent with the purpose for which the reserve is managed and where such uses will support and sustain further recreational use of the reserve.

5.2. Occupation Agreements (Leases, Licenses and Permits)

The term occupation agreement refers to any lease, licence, permit, easement (including right-of-way and telecommunication agreement), exchange of letter, or other agreement reached between the Council and a person, organisation, or company to occupy part of a reserve (including below ground assets). An occupation agreement is also sometimes referred to as a concession.

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

A variety of activities undertaken on Council reserves require a specific authorisation for the occupation of space. Leases, licences, permits or easements are the most common forms of authorisation granted by the Council to a person, organisation, or company that is occupying or using part of a reserve, long term.

Applications for a lease, licence, permit or easement on reserve land, held under the Reserves Act 1977, must meet the statutory requirements defined in the Act, as well as the objectives and policies in this Plan or Individual Reserve Management Plan.

*A **lease** grants a legal right for exclusive possession of reserve land for specified activities.*

*A **licence** gives a non-exclusive right over the land, for specified activities, and may be granted for commercial activities, grazing or activities contemplated in section 74 of the Reserves Act 1977.*

*A **permit** gives a right to carry out a specified activity on reserve land that does not require an interest in the land e.g. one-off events for 1-12 days (e.g. circus, music concert, weddings).*

*An **easement** gives a precise right of access, or a right to lay infrastructure (that is, to use the land in a particular way). It must be registered on the land title or Gazette notice for the land.*

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

It is also important to note that depending on the activity, other permits or consents may be required of the applicant before an agreement can be exercised e.g. resource consent under the RMA, or an alcohol licence.

Objectives

- 5.2.1. To allow for the occupation of reserves for approved uses and facilities by the granting of leases, licences, permits or easements.
- 5.2.2. To protect reserve values by minimising the number of buildings, easements and utilities on reserves.
- 5.2.3. To allow the use of a reserve for special activities where that use is compatible with the designated purpose of the reserve area.
- 5.2.4. To recover costs to the Council and community, for processing of applications and managing the reserve.
- 5.2.5. To ensure adequate compensation is provided to remedy or mitigate the adverse effects of all utility, stormwater discharge, drainage rights and underground facilities on reserves.

- 5.2.6. To undertake a case-by-case assessment of activities that are not covered by this plan.
- 5.2.7. To process applications for lease and/or license agreements on reserves in an efficient, consistent and transparent manner.
- 5.2.8. To minimise the impact of easements on the public use, enjoyment or visual amenity of reserves.

General Policies

- 5.2.9. Activities that require approval, include, but are not limited, to:
 - a. all commercial activities on or across reserve land;
 - b. activities that require exclusive use of, all or part of a reserve, including public and private events;
 - c. telecommunication and radio-communications stations;
 - d. any other similar activities which are not specifically provided for in this Plan.
- 5.2.10. Written applications for a lease, licence, permit or easement shall be made to Council.
- 5.2.11. All costs associated with leases, licenses, permits or easements are the responsibility of the holder of the occupation agreement.
- 5.2.12. Fees or rent will be payable on all occupation agreements, according to Council policy to:
 - a. cover administration costs;
 - b. reflect market value.
- 5.2.13. Public notification will be undertaken where the occupation agreement has:
 - a. exclusive use of an area of reserve;
 - b. the potential for high impact on the environment of surrounding area.
- 5.2.14. Notification will be made in a manner consistent with the requirements of the Reserves Act 1977. The applicant will be responsible for meeting any costs of public notifications and hearings if required.
- 5.2.15. Notwithstanding 5.2.14 above, the notification of proposed lease agreements, licences, permits or easements will not be required where the lease licence, permit or easement is in conformity with and contemplated by an approved reserve management plan.
- 5.2.16. A bond may be required for using a reserve. The following factors will be considered in assessing the amount of a bond:
 - a. the size of the activity;
 - b. the possibility of damage to the reserve.
- 5.2.17. A bond will be set at such a level that any possible damage can be repaired at no cost to Council. Amounts in excess of repair costs will be refunded. If a bond does not cover the cost of repairing damage, the difference will be charged to the occupation agreement holder and/or group using the reserve.
- 5.2.18. Payment of bond to Council is required at the time of making an application.

5.2.1 Leases

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

Under the RMA, an interest in land over 35 years may be subject to the applicant having an interest in that land. As such Council will only issue a lease for a period of 35 years less 1 day (i.e. 34 years, 364 days).

The leasing of public land restricts the uses to which it can be put and usually limits use of the land by the general public. Unnecessary duplication of facilities, particularly among organisations that are active for only part of the year, should be avoided.

Policies

- 5.2.19. A lease must be for an activity or purpose which is "compatible" with the reserves legal classification (e.g., a butcher shop is not compatible but a café may be).
- 5.2.20. A lease will be issued where Council grants a person, organisation or company exclusive use of a reserve or a building on a reserve.
- 5.2.21. Where current leases allow for a right of renewal, or new leases are being sought, the lease shall incorporate the appropriate provisions of the First Schedule of the Reserves Act 1977, except where the Council's tenure of the land requires otherwise.
- 5.2.22. Council will maintain current lease agreements.

5.2.2 Licences (other than grazing) and Permits

A licence to occupy grants the non-exclusive right to use a reserve for a specific purpose. Licences for commercial activities such as events, entertainment, street trading, vending, filming, commercial photography, product launches and personal training may be granted subject to an assessment on likely impacts of existing reserve users and the likely benefits of the proposed activity in terms of recreation and reserve promotion or use.

Policies

- 5.2.23. All applicants who wish to hold an activity on a reserve are required to complete an application in writing on the appropriate form, as approved by Council from time to time. Dependent on the scale or potential impact of the activity there may be additional information and compliance requirements including, but not limited to health and safety plans, traffic management plans, public liability insurance and public notification. Information on these requirements will be available from council.
- 5.2.24. Subject to an assessment of the impacts of the proposed activity a licence may be issued where the use of a reserve is non-exclusive and for a period of 13 days to three years. Such licences may have rights of renewal attached and assignment will be at Council's discretion.
- 5.2.25. Subject to an assessment of the impacts of the proposed activity, a permit may be issued where use of a reserve is non-exclusive and for a period of 12 days or less.
- 5.2.26. Council will maintain current license agreements.

- 5.2.27. Should a licence holder wish to enclose part of a reserve and/or charge an entry fee (including for car parking) for a temporary event, this shall only occur as detailed in the conditions of any licence or permit granted.
- 5.2.28. Where part or all of a reserve is to be closed to public access, for an activity, public notification of this will be made prior to the activity causing the closure. Notification shall be made by Council public notice in the local paper circulating in the district at least two weeks before the closure. The activity organisers will be responsible for meeting any cost of public notification.
- 5.2.29. Where there is a possibility of serious damage being caused to the reserve; or disruption to users; neighbouring properties; or property or persons on adjacent public land, Council may require the organiser to have public liability insurance and other appropriate insurance cover. A copy of this will be required prior to the license or permit being issued.
- 5.2.30. Public Liability Insurance of at least \$1 million is required for all commercial activity on a reserve.

5.2.2 Grazing Licences

Some reserves may not at present be required for the purposes for which they were classified or have inadequate demand to justify mowing and other maintenance activities. Section 72 of the Reserves Act 1977 enables Council to issue licences to enable parties other than the Council to graze reserves in order to reduce maintenance costs and keep the land in reasonable condition until such time that it is required for recreational use.

Such agreements will include conditions providing adequate safeguards to prevent the destruction of or damage to any natural, scenic, historic, cultural, archaeological, geological, or other scientific features or indigenous flora and fauna.

Policies

- 5.2.31. Grazing licences may be granted subject to an assessment of the likely impacts on existing reserve users and effects of grazing on the reserve values.
- 5.2.32. Grazing licences may include provision for public access (subject to conditions) where this is appropriate and desirable. Such conditions may include a restriction on dogs or seasonal closures.
- 5.2.33. All grazing licences will include a condition providing adequate safeguards to prevent the destruction of or damage to any natural, scenic, historic, cultural, archaeological, geological, or other scientific features or indigenous flora and fauna.

5.2.3 Easements

An easement lawfully grants the rights for one person to use another person's land for a specified purpose, in this case the use of reserves for access or utility facilities. Easements, in particular for assets above ground, can have a negative effect on reserve values and as such they will be limited and may be declined by Council where alternatives exist or where the impact on the reserve is considered unacceptable.

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

General Policies

- 5.2.3.1 Easements granted will have limited timeframes (e.g. linked to the life of the building or an activity) and annual fees for rental may be required, unless otherwise specified in the agreed terms and conditions of the easement instrument.
- 5.2.3.2 Existing easements may be required to pay rental fees, unless otherwise specified in the agreed terms and conditions of the easement instrument.
- 5.2.3.3 Conditions regarding reinstatement of the site at the completion of the agreement period may also be included with any permission granted. Where easements are not in perpetuity, and requiring reinstatement of the site, the values of the reserves will be re-established.

Policies - Easements for Underground Facilities

- 5.2.3.4 Property owners may be responsible for maintaining utility facilities (stormwater, wastewater, sewerage, water and gas pipes, electrical, telecommunication cables) connecting between their property and the main network operator's facilities.
- 5.2.3.5 Where network operators are not responsible for these connecting facilities, the owner of the private property being serviced by these facilities is responsible for the maintenance of pipes or lines etc. and the reinstatement of reserve following work being carried out on facilities.
- 5.2.3.6 In general, utilities should be located where they will not impact on the use and enjoyment or general amenity of the reserves.
- 5.2.3.7 Where existing utilities are to be upgraded, the utility operator will undertake early and full consultation with the Council as an affected party.
- 5.2.3.8 No future utilities, other than those required for the service of the reserve, will be located on reserves, except where required due to the technical or operational constraints of the network utility as identified during the site or route selection process. Where utilities are required in any reserve they will be provided underground and in such a way so as not to affect areas of cultural and archaeological significance.
- 5.2.3.9 All costs associated with the installation of services under or over a reserve, including costs for making good the affected area during or after construction, any remedial work, or easements will be borne by the utility provider.

5.3. Facilities and Chattels Abandonment

Changes in levels of population and participation sometimes result in sports clubs and groups dissolving, amalgamating or falling into recess. This can result in the abandonment of facilities such as playing courts, practice nets and clubrooms.

Objectives

- 5.3.1. To ensure buildings or structures that are of benefit to reserve users are retained.
- 5.3.2. To ensure that at all times reserves are safe and well-presented public places.
- 5.3.3. To seek the adaptive reuse or relocation of buildings where practical.
- 5.3.4. To ensure the owner of a building or structure is responsible for the maintenance and security of a building until disposal has occurred.

Policies

- 5.3.5. The owner of a building or structure will dispose of the facility under the terms of the lease.
- 5.3.6. Where a building or other structure is no longer required by an occupier or Council, the following steps will be taken in priority order:
 - 5.3.7. The occupier will be required to find a new approved occupier (as permitted by relevant Acts, or policies) or remove the building or structure from the reserve.
 - 5.3.8. If the occupier cannot either find a new suitable occupier or remove the building or structure, then Council will take reasonable efforts to find a new suitable occupier or use for the building.
 - 5.3.9. If no suitable occupier or use can be found, Council will consider moving the building or structure.
 - 5.3.10. If no suitable occupier can be found and the building or structure cannot be relocated and there is no reasonable foreseeable use for the building or structure then it will be demolished.
 - 5.3.11. Council will have the option to tender or sell the building (not the land) as an alternative to demolishing it, providing it can be removed from the site.
 - 5.3.12. Where the building or structure is not compatible with the primary function and values of the reserve, it will be removed from the reserve.
 - 5.3.13. Where Council does not own the building, feasible costs associated with removal or demolition of the building and or structure and reinstatement of the reserve to Council's satisfaction shall be charged to the owner.

Section 6: Natural and Cultural Values

6.1. Amenity Values – Trees, Shrubs and Gardens

Trees are desirable features of reserves. They contribute to the recreation (e.g. shade), landscape, natural and heritage values of a reserve. Trees however, can become nuisances over time, particularly leaves blocking gutters, roots affecting drains and footpaths, and dangerous branches. The Reserves Act 1977, section 42, refers to trees with particular reference to recreation reserves. Thought and care needs to be given firstly to the species selection and placement of trees, and secondly to the long-term maintenance of trees on or near boundaries. As with trees, plantings and garden areas add value and are desirable features of reserves. These planted areas contribute to the aesthetic appearance of a reserve, particularly where the adjoining land is heavily modified with paving or buildings.

Objectives

- 6.1.1. To provide a range of natural shade and shelter opportunities within reserves.
- 6.1.2. To maximise the benefits of trees while avoiding or mitigating adverse effects on reserve neighbours.
- 6.1.3. To provide healthy gardens that make attractive settings for the users of the reserve.

Policies

Trees and Shrubs

- 6.1.4. Tree plantings on reserves will take into account:
 - a. the current Tree Masterplan;
 - b. where appropriate and practical the use of eco-sourced native trees;
 - c. the type of reserve and any specific management policies for that reserve;
 - d. the effect trees may have on neighbouring properties;
 - e. the effect trees may have on facilities;
 - f. the effect trees may have on existing underground and overhead utilities;
 - g. the effect trees may have on surface or subsurface archaeological features;
 - h. the desirability of providing food and shelter for native species;
 - i. ecological and landscape values and considerations.
- 6.1.5. Council will ensure that the type and location of any trees planted on a reserve are selected so that compliance with the Electricity (Hazards from Trees) Regulations 2003 can be achieved.
- 6.1.6. Trees may be planted on reserves to enhance amenity values and provide some shade and/or wind protection.
- 6.1.7. Plantings will generally be developed to be low maintenance in the long term.

- 6.1.8. Where exotic species are planted, these will be selected due to:
- a. the desire for a deciduous species;
 - b. an historical association;
 - c. a particular connection to a place or an individual;
 - d. the desirability of providing food and shelter for native species and nectar feeding birds;
 - e. flowering plants for colour.

Tree Removal

- 6.1.9. Tree removal is covered in the TCDC District Plan and the TCDC District Tree Strategy 2003. In general, council will remove or trim trees to ensure health and safety and will not remove trees for the personal benefit of neighbouring residents except where the circumstances are extreme. [Refer to Appendix 3: for the detailed TCDC District Tree Strategy.](#)
- 6.1.10. If necessary Council may seek a landscape report that assesses the value of the public amenity of the tree that is subject to complaint.
- 6.1.11. Council will consider the following issues when making decisions about trees:
- a. any actual or potential danger to people's health;
 - b. where trees are dead, dying or seriously diseased;
 - c. any undue interference with a neighbour's land, including shading;
 - d. māori cultural values, e.g. removal of dead trees for carving purposes;
 - e. whether the tree is listed in the Significant Tree Schedule in the Proposed District Plan.
- 6.1.12. Network utility operators may be allowed to remove or trim vegetation, subject to compliance with the Electricity (Hazards from Trees) Regulations 2003 and in consultation with Council.

Gardens

- 6.1.13. Gardens and plantings on Council reserves will take into account:
- a. management objectives and policies for the reserve;
 - b. values and considerations;
 - c. use of non-invasive plant species.
- 6.1.14. All plants will be grown in an environment where pruning and cultivation are able to be undertaken to promote a healthy environment.
- 6.1.15. Plant species which are susceptible to pests and diseases will be monitored and where there are no safe or effective methods of control, will be removed.

6.2. Cultural Significance

Many of the Reserves contain sites of Māori or early European use and settlement. Conserving, and enhancing a representative range of these resources will enable current and future generations of the region to continue to appreciate and enjoy the region's unique cultural heritage. Unless historic heritage resources are identified and assessed, strategies for their management cannot be developed. While the Council has identified and assessed many resources, there are still some areas where further work is required. Current records will also have to be periodically reviewed as new information becomes available.

Objectives

- 6.2.1. To protect areas of archaeological and cultural significance within a reserve.
- 6.2.2. To identify and record any archaeological or heritage areas found on reserves.

Policies

- 6.2.3. Develop an inventory for each reserve area detailing known and potential:
 - a. archaeological sites;
 - b. cultural heritage sites and;
 - c. historic associations.
- 6.2.4. Prior to any development on a reserve, any known archaeological sites, structures or features will be identified and avoided where possible.
- 6.2.5. During any reserve development, upon the discovery of any archaeological sites, structures or features, the following actions will be adopted, in accordance with the District Plan:
 - a. all work will cease immediately and all equipment will be shut down in the vicinity of the site, structure or features where the accidental discovery occurs;
 - b. the site structures or features will be secured, including a 20 metre buffer around the location, to ensure that the possible archaeological site, structures or features are undisturbed and the site is safe in terms of health and safety;
 - c. Heritage New Zealand Pouhere Taonga and tangata whenua representatives will be notified and if human remains are discovered, the police will also be notified.
- 6.2.6. Where a discovery addresses matters of significance to tangata whenua, identification and assessment shall be done in partnership with Māori taking into consideration:
 - a. established protocols, cultural procedures and tikanga relating to the discovery, re-burial or removal of taonga and koiwi, and future protection;
 - b. Tangata whenua determination of the disclosure or non-disclosure of sites.

6.3. Landscape

Some reserves contain areas that are representative of the visual and natural qualities of the district. Development of any kind on these particular reserves will be kept to a minimum, and when appropriate, undertaken and managed so as to have minimal physical and visual intrusion. There are spectacular panoramic views from some reserves that enhance the experience and enjoyment of the visitor. In some cases natural re-growth and re-vegetation programs can diminish and obliterate these views, and need to be sensitively managed to retain the recreational amenity of these sites. When planning any development or specific management program, any likely impacts on the reserve and its use need to be investigated and assessed. This will ensure that any potential conflicts are minimised.

Objective

6.3.1. To protect significant landmarks, landscapes and vistas.

Policy

6.3.2. Management and enhancement of the visual and natural quality of a reserve may include, but is not limited to:

- a. conserving dominant landscape features;
- b. protecting cultural associations;
- c. retaining key sightlines, vistas and panoramic views;
- d. ensuring that any development in a reserve is appropriate to the setting;
- e. removing any redundant structures and facilities;
- f. avoiding any buildings or structures on coastal reserves unless they have been specifically contemplated or provided for in the management plan.

6.4. Ecosystems

Maintaining natural ecosystem integrity is key to biodiversity conservation. Some reserves contain a variety of natural ecosystems that are unique to the area. Some reserves also contain rare ecosystems that either naturally cover very small areas or have little of their original extent remaining. The enhancement of natural ecosystems can help to maintain a balance between public use and protection.

Objectives

6.4.1. To safeguard, where possible, representative samples of all classes of natural ecosystems which are characteristic of the area.

Policies

6.4.2. Protect all unmodified natural ecosystems within reserves.

6.4.3. Where appropriate, natural ecosystems that have high ecological values or are representative of rare ecosystems that are under threat will be enhanced.

- 6.4.4. Enhancement of natural ecosystems may include, but is not limited to:
- a. the control and eradication of pest plant and animals as identified in the Waikato Regional Pest Management Plan;
 - b. re-vegetation using eco-sourced plant species, where practical;
 - c. restriction of access to some areas of the reserve;
 - d. where access is difficult or dangerous or where there is a need to protect flora undergrowth or root systems, consideration will be given to building steps and / or boardwalks.
- 6.4.5. Council will work with reserve neighbours to establish linkages across ecosystems, including wildlife corridors, estuarine and coastal margins.
- 6.4.6. Council will support Department of Conservation in the enhancement and protection of rare and threatened ecosystems.

6.5. Indigenous Flora and Fauna

Human development and settlement has had a major impact on indigenous flora and fauna. Some reserves contain areas where indigenous species of flora and fauna survive in their natural communities and habitat. Where possible, public use should have minimal impact on these areas.

Objective

- 6.5.1. To safeguard, as far as practicable, the survival of indigenous species of flora and fauna in their natural communities and habitats, on reserve land.

Policies

- 6.5.2. Public use and activities will not adversely affect areas within reserves that provide natural communities and habitat for indigenous flora and fauna.
- 6.5.3. The removal of indigenous flora and fauna is prohibited except for approved operational purposes or where written approval from Council has been obtained.

6.6. Pest Plants and Pest Animals

The Council as a land manager is required to meet its obligations under the Waikato Regional Pest Management Plan. Where required this may mean eradication of a species or for others this may only require only boundary control, that is taking measures to ensure that a pest plant established on a reserve does not spread off that reserve onto neighbouring properties.

Objectives

- 6.6.1. To manage pest plants identified in the Waikato Regional Pest Management Plan.
- 6.6.2. To control other pest plants where required.
- 6.6.3. To control pest animal and pest plants identified in the Waikato Regional Pest Management Plan.
- 6.6.4. To control other pest animals as prioritised.

Policies

Pest Plants

- 6.6.5. Introduced plant species that have been identified in the Waikato Regional Pest Management Plan will be progressively removed from reserve land areas.
- 6.6.6. Management of particular pest plants in a reserve will be undertaken where identified.
- 6.6.7. Pest plants will be managed as budget and priority are assessed.
- 6.6.8. Council will use alternative weed control measures where cost-effective.
- 6.6.9. Exotic plant species will not be removed where they:
 - a. Have historical or cultural significance;
 - b. Provide a range of amenity values;
 - c. Are not threatening reserve values.

Pest Animals

- 6.6.10. Programmes for the control of pest animals will give priority to where pest species are identified in the Waikato Regional Pest Management Plan, and:
 - a. areas that contain significant habitats, ecosystems, or;
 - b. where the species detract from visitor use and enjoyment.
- 6.6.11. Management of particular pest animals in a reserve will be undertaken where a need is identified.

6.7. Natural Hazards

In order to manage the use and development of reserves within the District Council needs to be aware of natural hazards and their potential impact on the use and safety of reserves. Flooding, coastal inundation, erosion and land instability are the main natural hazards in the Thames-Coromandel District. While this plan does not specifically address these issues, the emphasis is on avoidance rather than protection. It recognises that hazard events are natural occurrences and that locating activities in inappropriate places creates the risk.

Objective

- 6.7.1. To assess the risks of natural hazards to Council facilities and visitors to a reserve.

Policy

- 6.7.2. Facilities shall be located and sited in areas of acceptable natural hazard risk.
- 6.7.3. Ensure that the development or use of any reserve does not worsen the adverse effects of natural hazards.
- 6.7.4. Reserves will generally be left to function naturally in response to flooding and erosion events (i.e. reserve flood plains and/or dunes) with any protective measures being focussed on infrastructure assets.

6.8. Gifts, Commemorative Features and Public Art

Members of the public and community organisations frequently make requests to place monuments, plaques or other memorials on reserves associated with people, traditions or events. While such commemorations can assist in developing community values and mark important historic events, the location and number of such features needs to be appropriate for the site in terms of design.

Public art is one of the more visible and accessible forms of art, and some forms of public art can often be best appreciated if located within reserves. However public art can be controversial, and if located in the wrong place, can be in conflict with the primary purpose of the reserve.

Commemorative features and public art can also add cost to the ongoing maintenance of reserves, and can cause difficulties when the features are damaged, vandalised or require significant maintenance. Difficulties can also arise where the individual or group having made the gift seeks to influence the management of the wider reserve.

Objective

- 6.8.1. To ensure that any gifts, commemorative features and public art are managed in a sustainable manner and are beneficial to the reserve and reserve users.
- 6.8.2. To ensure personal memorials do not detract from or damage reserve and cultural values.
- 6.8.3. To ensure public art is consistent with reserve values.

Policies

- 6.8.4. Council will consider on a case-by-case basis any requests from individuals and/or community organisations for the gifting and/or sponsorship of reserve features including the planting of trees or other special plantings, commemorative furniture and public artworks.
- 6.8.5. Public art and commemorative features may only be installed in reserves with the approval of Council.
- 6.8.6. All proposals will be assessed taking into account:
 - a. the compatibility of the proposed feature in relation to the character and use of the reserve;
 - b. the benefit to the reserve users;
 - c. the ease and cost of maintenance;
 - d. the relevance of the feature to the community and its appropriateness;
 - e. the alignment of any artwork with council policy;
 - f. the suitability of the tree species and planting grade.
- 6.8.7. Any Council approved feature or gift may be acknowledged through the attachment of a small (e.g. 250 x 100 mm) engraved or cast metal plaque associated with the feature.
- 6.8.8. Where a significant gift is involved, Council and the donor group will develop a protocol that sets out the principles of the gift.
- 6.8.9. Where a gift or commemorative feature requires removal, it may or may not be replaced and the discretion of the Council or Community Board.

- 6.8.10. Council will maintain gifts and/or commemorative features except where maintenance by others is agreed as part of the gift agreement (such as in the case of some sculpture). The benefactor will generally retain no ongoing rights or responsibilities in relation to the feature.

Section 7: Neighbours

7.1. Reserve Neighbours

The Council recognises that it needs to be a good neighbour. Council will work with land owners to balance the use and development of reserves with maintaining the amenity values they enjoy.

Objectives

- 7.1.1. To encourage neighbours to be responsive to reserve issues.
- 7.1.2. To allow Council as an affected party to give approval for any adjoining proposal where there is no adverse effects on the reserve values or use.

Policies

- 7.1.3. Council will undertake good communication with the neighbours of our reserves on issues as they arise.
- 7.1.4. Liaise with adjacent landowners with a view to co-operating on matters of mutual interest or benefit including:
- a. the control of pest animals and plants;
 - b. public access;
 - c. maintenance of amenity values, landscape and vistas;
 - d. security issues;
 - e. fire control.
- 7.1.5. Before giving its permission as an affected party, the Council must be satisfied that the matters under consideration are consistent with or at least do not unduly impact on the purpose of the reserve.

7.2. Fences

Reserves adjoin a variety of land uses, private or commercial land, or other reserve or government administered land. The Fencing Act 1978 details general principles how adjoining land occupiers share equally the cost of erecting and maintaining an adequate boundary fence. This Act also details procedures for decisions to be reached on the type of fence, sharing of costs and other fencing related matters.

Boundary fences usually exist to identify the extent of the reserve and to give some privacy and security to the adjoining property. On the other hand it may be desirable to retain the openness of the reserve and to increase visibility and surveillance, in which case landowners may be encouraged not to erect a fence.

Objective

7.2.1. To erect fences or barriers where required to ensure that the reserve can be used safely.

Policies

- 7.2.2. Where private land directly abuts reserve land, Council will endeavour to ensure that the boundary between public and private land is clearly defined where and when required (e.g. clearly visible boundary markers).
- 7.2.3. Where a reserve forms part of a subdivision or a subdivision occurs adjacent to a reserve the Council may seek for a fencing covenant to be placed on the title, in accordance with the Fencing Act 1978, to manage fencing obligations and expectations.
- 7.2.4. Council will meet its boundary fencing requirements as detailed in the Fencing Act 1978, by seeking half share costs of boundary fences.
- 7.2.5. Council and adjoining owners shall determine the type of fence appropriate in each case to the character and use of the reserve, generally with fences at a maximum height of 1.2 metres.
- 7.2.6. Where an adjoining property owner seeks to have a fence higher than 1.2 metres, they shall be responsible for any additional construction costs.
- 7.2.7. Where an adjoining property owner requests a pedestrian gate through a reserve boundary fence, they shall be responsible for the gate and installation costs of a gate that is of a design and standard acceptable to the council.
- 7.2.8. In general, vehicular access onto reserve land to or from private property will not be permitted. Council may grant permission for access where there are exceptional or historical circumstances such as no other feasible access points.
- 7.2.9. Where the fence surrounding a facility is sought by a reserve occupier, the cost of erecting and maintaining an appropriate fence to the satisfaction of the Council will be borne by the occupier.

7.3. Encroachment

In many locations reserves abut private property. In these situations adjoining properties sometimes use the reserve for private purposes that have not been authorised by Council. This is known as encroachment and can include structures, sheds, gardens, seating, fences, paths and other uses which can give the impression of private ownership and discourage the public from using that portion of the reserve. This is problematic as it can have an impact on the use and enjoyment of the reserve space and can cause difficulties when properties are sold without realising the true boundary.

Objective

7.3.1. To prohibit the alienation of public reserve land by encroachment from adjoining properties.

Policies

7.3.2. No encroachments onto public reserve land will be permitted.

7.3.3. Where encroachment has occurred Council may:

- a. give notice to the encroacher/s requiring termination and removal of the encroachment, and reinstatement of the encroached area to the satisfaction of the Council within a specified timeframe, at the owner's cost;
- b. where removal and reinstatement does not occur, then the Council may carry out the removal and reinstatement and recover costs by way of proceedings through the District Court or if necessary through prosecution;
- c. review the provision where required, of re-surveying boundaries and installing boundary marker posts, with costs to be borne by the encroaching property owners.

Section 8: Administration and Management of Reserves

8.1. Naming of Reserves

Council is responsible for the naming and renaming of reserves that are vested in Council. Reserve names seek to reflect the identity of the local area. Section 16 (10) of the Reserves Act 1977 sets out the procedure for officially naming or renaming reserves.

Objective

8.1.1. To acknowledge the links of people and/or events with a place in the naming of reserves.

Policies

8.1.2. The naming of a reserve will consider the following:

- a. Any cultural, historical, or spiritual links with the area;
- b. Any known names of the area.

8.1.3. Council will undertake consultation with Māori, other interested parties and the community, where appropriate, before formal resolution by Council meeting.

8.2. Network Utilities and Utility Operators

Reserves are often seen by Utility Operators as convenient places to locate infrastructure. However, such infrastructure can have an adverse impact on the character of the reserve and its open space qualities. These structures can also make the maintenance of a reserve more difficult and costly.

Providing space for utilities is not the primary function of reserves; any utilities located on reserves should not compromise the primary purpose of a reserve.

Utility providers that seek to install network utilities on reserve land are required to go through a formal process under the Reserves Act 1977. It is important that correct procedures are followed and that no future opportunities are lost due to the presence of utilities.

Objective

8.2.1. To minimise the impact of utilities, on the public use, enjoyment or visual amenity of a reserve.

Policies

- 8.2.2. In general utilities should be located where they will not impact on the use and enjoyment or general amenity of a reserve.
- 8.2.3. No future utilities, other than those required for the servicing of the reserve, will be located on reserves except where required due to the technical or operational constraints of the network utility as identified during the site or route selection process. Where utilities are required in any of these reserves they will be provided underground where practical, and in such a way so as not to affect areas of cultural and archaeological significance.
- 8.2.4. All costs associated with the installation of services under or over a reserve, including costs for making good the affected area during or after construction, any remedial work, or easements will be borne by the utility provider.
- 8.2.5. All new utilities on reserves will require an easement, in accordance with section 48 of the Reserves Act 1977.
- 8.2.6. The operation, maintenance and upgrading of existing utilities will be the responsibility of the utility provider, will be undertaken at the cost of the utility provider and shall not adversely affect the function or values of the reserve.
- 8.2.7. Where existing utilities are to be upgraded, the utility operator will undertake early and full consultation with the Council as an affected party.
- 8.2.8. Network utility operators may be allowed to remove or trim vegetation, subject to compliance with the Electricity (Hazards from Trees) Regulations 2003 and in consultation with Council.

8.3. Promotion

Promotion is important to ensure community and visitors benefit from the provision and maintenance of reserves.

Objective

8.3.1. To provide quality promotional communication for access to and information on reserves.

Policies

8.3.2. Provide signage that encourages visitors to access and use the reserves in the area.

8.3.3. Develop and promote viewing areas.

8.3.4. Develop and promote linkages between reserves.

8.3.5. Ensure there is co-ordination between different agencies (e.g., DOC, Destination Coromandel, iwi and relevant community groups).

8.3.6. Provide signage that informs and educates the user of the reserve, which may include information about historic and cultural sites, the history of a reserve, and significant ecological values or biodiversity assets.

8.4. Bylaws

There are some matters, such as dog control, freedom camping and alcohol bans, that are more effectively dealt with through a bylaws. Where Council controls activities by bylaw this plan refers to the relevant bylaw.

Objective

8.4.1. To provide for controls and penalties for offences on reserves.

Policies

8.4.2. Offences on reserves will be controlled by Council bylaws, and any applicable NZ Government regulation. [Refer to Appendix 4: for Council bylaws that apply to reserves.](#)

8.5. Future Reserve Land Acquisition

Council needs to consider the future acquisition of reserve land whether through actual purchase, reserve contribution funding, or land vested through subdivision approvals. As population growth in the district is predicted to be relatively low in many areas over the next 30 years, there will generally be little need to acquire large tracts of land for organised sports recreation. Smaller reserves may be required to service new subdivisions although this needs careful consideration of the availability and relative ease of access to existing neighbourhood reserves. Many people holiday in the Coromandel region to “unwind” and recreate and the demand for access, particularly for walking and cycling along stream, river and coastal margins remains high. The need to acquire future land areas and linkages will need to be continuously assessed and the key drivers for acquisition are likely to be access and linkages that optimise the use of the current reserves network.

Objectives

- 8.5.1. To acquire future reserves that provide for:
- a. open public recreation space, or;
 - b. linkages between reserves, or;
 - c. access along stream, river and coastline margins.

Policies

- 8.5.2. The acquisition of open space areas for recreation and sport will only be undertaken where there is a clear need for land areas to meet future needs after first considering all other options.
- 8.5.3. Where desirable, Council will pursue the acquisition of land to provide for linkages between reserves, for recreation and conservation purposes.
- 8.5.4. Where possible, Council will seek public access to and along stream, river and coastline margins.

8.6. Disposal of Reserves

There are a large number of reserves in the District which the Council owns and administers. Reserves vested and classified under the Reserves Act 1977 must have their classification status revoked before the land can be disposed of. Council may approve a resolution to revoke the status of a reserve but the Minister of Conservation holds the responsibility of revoking this status for the sale and disposal of formal reserve land.

The Reserves Act 1977 outlines a clear process for administering bodies to follow in revoking reserve status and selling reserve land.

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

Objective

- 8.6.1. Ensure that the revocation and sale of reserve land follows the process outlined in the Reserves Act 1977.

Policies

- 8.6.2. From time-to-time Council may consider revoking reserve status, for reserves which have been vested in Council, where the land:
- a. is no longer required for reserve purposes;
 - b. is no longer suitable for the purpose for which it was classified.
- 8.6.3. Council will consider the sale of reserve land, for reserves which have been vested in Council, where:
- a. It is surplus to requirements;
 - b. It is no longer fit for the purpose for which it was obtained;
 - c. It no longer meets the needs of the community and/or provides no significant long-term benefit to the community.
- 8.6.4. Council will comply with the relevant provisions of the Reserves Act 1977, Public Works Act 1981 and the Local Government Act 2002, as applicable, when revoking reserve status, selling or exchanging reserve land.

8.7. Mana Whenua

Many of our local reserves have a level of cultural importance to local Iwi and Tangata Whenua. The cultural values and importance of these reserves can relate to both the features and natural resources within the reserve and the historical activities that occurred at these sites. Council must consult with and have regard to the views of iwi or hapu before undertaking action and making decisions about reserves for which it is the administering body.

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

Objective

- 8.7.1. To involve mana whenua in reserve management processes in ways which take into account the principles of the Treaty of Waitangi.

Policies

- 8.7.2. Develop and maintain relationships with hapū that give emphasis to:
- a. the identification, assessment and interpretation of cultural information, and;
 - b. identifying opportunities for involvement in the management of reserve areas, and;
 - c. Protection of cultural and spiritual values of reserves.

8.8. Public Involvement and Partnerships

The management and development of reserves, and activities on reserves, can affect reserve users, neighbours, and the local community. It is therefore appropriate for these parties, and other identified affected and interested parties, to be consulted in relation to significant matters that affect reserves.

Objective

- 8.8.1. To ensure that the reserves cater for the needs and values of local communities and the public in general.

Policies

- 8.8.2. Consult and involve individuals, groups and agencies with an interest in the reserves.
- 8.8.3. Support individuals, voluntary groups and agencies, where their actions are in line with the management plan. When undertaking works on reserves individuals, voluntary groups and agencies must:
- a. wear suitable clothing and footwear;
 - b. not be under the influence of drugs or alcohol;
 - c. comply with any health and safety guidance issued by council.
- 8.8.4. Improve / strengthen communication between the public and community groups, and those responsible for managing and maintaining the reserves.
- 8.8.5. Improve management partnership between Council, Department of Conservation and Waikato Regional Council to ensure clear understanding of roles and requirements.

8.9. Safety and Risk Management

The regular maintenance inspections undertaken by Council or their service contractors also function as risk assessment inspections.

Objectives

- 8.9.1. To identify, measure and manage potential hazards in a timely manner to minimize Council exposure to complaints, compensation claims and litigation.
- 8.9.2. To minimise the incidence of vandalism to play equipment and other structures within the reserves.

Policies

- 8.9.3. Continue to carry out an inspection program to identify and eliminate all potential hazards.
- 8.9.4. Graffiti to be removed as soon as possible.
- 8.9.5. Vandalised reserve infrastructure and play equipment to be repaired as soon as practicable or removed if damaged beyond repair and dangerous.

8.10. Management Plan Review

All parts of this Reserve Management Plan will be kept under continuous review in order to be able to adapt to changing circumstances or to adapt in accordance with increased knowledge.

Notwithstanding this, a full review will be undertaken ten years from the final date of approval by Council of this Plan.

Objective

8.10.1. To keep this plan under continuous review in accordance with the Reserves Act 1977.

Policies

8.10.2. This Plan will be reviewed every ten years. In the interim, Thames-Coromandel District Council may determine to review part of, or the entire plan, in response to:

- a. Information which indicates the need for a review or change;
- b. The identification of new management issues or problems for which policy is required;
- c. Changes in national policy including new or amended laws, regulations or other actions;
- d. Policy changes made by Thames-Coromandel District Council.

8.10.3. Any review or change to this management plan will be publicly notified as detailed in section 41(5)(a) (except where the council has determined that written suggestions on the proposed plan would not materially assist in its preparation (section 41 (5A)), 41(6)(a) and 119(b)(i) of the Reserves Act 1977.

8.10.4. Any person or organisation may make a written submission within the time specified in the public notice.

8.10.5. Any person or organisation making a submission can request to be heard in support of their objection or comments on the Plan.

8.10.6. Report proposed work program (maintenance, renewals and capital) to Council and Community Board annually through the annual or long term plan process.

Appendix 1: Purpose of Reserve Classifications under the Reserves Act 1977 and other legislation

Classification of reserves under the Reserves Act 1977 Act identifies the primary purpose of a reserve and helps direct its management, usage and development.

Recreation Reserve

Purpose (section 17)

An area of land (or land and water) possessing open space, and outdoor recreational values especially suitable for recreation and sporting activities and the physical welfare and enjoyment of the public, and for the protection of the natural environment and beauty of the countryside, including recreational tracks in the countryside.

Objectives of Management (section 17)

- Allow the public freedom of entry and access subject to such conditions as are necessary for the protection and well-being of the reserve and for the protection and control of the public using it.
- Conserve those qualities which contribute to the pleasantness, harmony and cohesion of the natural environment and to the better use and enjoyment of the reserve Secondary.
- Manage and protect scenic, historic, archaeological, biological, geological or other scientific features or indigenous flora or fauna or wildlife.
- Maintain value as a soil, water and forest conservation area.

Guidance for Selection

- Area may be totally modified e.g. suitable for sports fields.
- Area may be in a partly natural conditions e.g. suitable for picnic or camp sites or like development.
- Area may be lineal e.g. suitable for recreational walking and/or vehicle use.

Local Purpose Reserve - LPR

Purpose (section 23)

An area of land (or land and water) suitable for a specified local educational or community purpose, which does not duplicate any other reserve purpose.

Objectives of Management (section 23)

- Determined by the purpose.
- Prohibit access to the whole or any part of the reserve except by permit where appropriate.
- Manage and protect scenic, historic, archaeological, biological or natural features.
- Maintain value as a soil, water, and forest conservation area.

Historic Reserve

Purpose (section 18)

An area of land (or land and water) possessing places, objects and natural features as are of historic, archaeological, cultural, educational and other special interest.

Objectives of Management (section 18)

- Manage structures, objects and sites to illustrate with integrity the history of New Zealand.
- Allow the public freedom of entry and access subject to such conditions and restrictions as are necessary for the protection and general wellbeing of the reserve and for the protection and control of the public using it.
- As appropriate, preserve the indigenous flora and fauna and natural environment as far as possible.
- Manage and protect scenic, archaeological, geological, biological, or other scientific features, or indigenous flora and fauna, or wildlife.
- Maintain value as a soil, water, and forest conservation area.

Guidance for Selection

- Area should be sufficiently large to preserve all the significant historic or archaeological features associated with the place, object or natural feature.
- Area should include sufficient additional land as a buffer against incompatible development or as unobtrusive sites for necessary services for management and public use.
- The primary value should be traditional, historic or archaeological.
- through an association with major events, or Māori tradition.
- Area should have immediate interest to the visitor, or be important as a key for continuing research and interpretation of New Zealand history.

Scenic Reserve .A. (Natural section 19(1)(a))

Purpose (section 19(1)(a))

Area of land (or land and water) possessing significant qualities of scenic interest or beauty or significant features or landscapes.

Objectives of Management (section 19)

- Manage for their intrinsic worth and for the benefit, enjoyment and use of the public.
- Preserve indigenous flora and fauna, biological associations and the natural environment as far as possible.
- Exterminate exotic flora and fauna as far as possible.

- Allow the public freedom of entry and access subject to conditions and restrictions necessary for the protection and well-being of the reserve and for the protection and control of the public using it.
- Develop open portions for amenities and facilities where these are necessary to enable the public to obtain benefit and enjoyment from the reserve.
- Manage and protect historic, archaeological, geological, biological, or other scientific features.

Guidance for Selection

- Area should contain one or more natural or associated cultural or heritage features of special significance, or natural landscape of high scenic quality.
- Area should be large enough to protect the integrity of the features and its immediately related surroundings.

Scenic Reserve .B. (Modified section 19(1)(b))

Purpose (section 19(1)(b))

A suitable area of land (or land and water) which by development and the introduction of flora, whether indigenous or exotic, will become of significant scenic interest or beauty.

Objectives of Management (section 19)

- As appropriate to the purpose, preserve the indigenous flora and fauna, biological associations, and natural environment and beauty as far as possible.
- As appropriate, exterminate exotic fauna and (to be extent consistent with purpose) exotic flora as far as possible; allow the public freedom of entry and access subject to conditions and restrictions necessary for the protection and well-being of the reserve and for the protection and control of the public using it.
- Develop open portions for amenities and facilities where these are necessary to enable the public to obtain benefit and enjoyment from the reserve.
- Manage and protect historic, archaeological, geological, biological or other scientific features.
- Maintain value as a soil, water and forest conservation area.

Guidance for Selection

- Degraded natural or semi-natural areas where the public interest warrants restoration or conversion as a scenic attraction.
- Area will generally be small.

Esplanade Reserve

Purpose

A fixed linear area of riverbank, lakeshore or seashore of at least three metres or greater width (usually 20m) either in a natural or modified state available primarily for conservation and public access.

Objectives of Management

Primary (one or more; refer section 229 RMA)

- Maintain or enhance the natural functioning of the adjacent sea, river or lake.
- Maintain or enhance aquatic habitats.
- Protect associated natural values.
- Mitigate natural hazards.
- Enable the public access to or along any sea, river or lake.

Secondary (section 23)

- Manage and protect scenic, historic, archaeological, biological or natural features.
- Maintain value as a soil, water and forest conservation area.

Government Purpose Reserve

Purpose (section 22)

- Area of land (or land and water) suitable for a specified government purpose.

Objectives of Management (section 22)

- Determined by purpose.
- May be administered also under another Act or Acts when another Minister is appointed to control and manage.
- Prohibit access to the whole or part of the reserve except by permit where appropriate.
- Manage and protect scenic, historic, archaeological, biological, cultural, scientific or natural features or wildlife.
- Maintain value as a soil, water and forest conservation area.

National Reserve

Purpose (section 13)

An area of land (or land and water), which protects values of national or international importance.

Objectives of Management (section 13)

- Provide for the application of management policies to protect the values of national or international significance and for the coordination of management with other national reserves.
- Apply other management objectives according to the underlying category of the reserve.

Guidance for Selection

- Area is the best example of particular national or international values.
- Area may be large or small but of sufficient size to protect the integrity of the value for which it is selected.

- May comprise a clustered group of areas without a single major contiguous area.
- Area may contain only one or two outstanding features of specialised interest rather than a range of features of general interest.

Nature Reserve

Purpose (section 20)

An area of land (or land and water) possessing indigenous flora or fauna or natural features which are of special public interest in terms of rarity, scientific interest or importance, or uniqueness.

Objectives of Management (section 20)

- Preserve the area as far as possible in a natural state.
- Preserve indigenous flora and fauna, ecological association and the natural environment as far as possible.
- Exterminate exotic flora and fauna as far as possible.
- Permit entry under controls which protect and preserve the flora and fauna in a natural state.
- Manage and protect scenic historic, archaeological, biological, geological or other scientific features.
- Maintain value as a soil, water and forest conservation area.

Guidance for Selection

- Area should be large enough to ensure the integrity of its ecosystems and to accomplish the management objectives for which it is protected.
- Area should be significantly free of direct human intervention and capable of remaining so.
- Area's biodiversity should be achievable through protection and not require substantial active management or habitat manipulation.

Scientific Reserve

Purpose (section 21)

An area of land (or land and water) possessing ecological associations, plant or animal communities, types of soil, geomorphological phenomena, and like matters of special interest for scientific study, research, education and the benefit of the country.

Objectives of Management (section 21)

- Preserve the indigenous flora and fauna, as far as possible.
- Where appropriate manipulate the reserve (or part of it) for experimental purposes or to gain further scientific knowledge.
- Where appropriate prohibit general access to the whole or part of the area and permit persons with the necessary credentials or qualifications to enter for scientific study or for control and management purposes (section 59).

- Manage and protect scenic, historic, archaeological, biological or natural features.
- Maintain value as a soil, water, and forest conservation area.

Guidance for Selection

- Area should be at least two-thirds in a natural condition, although it may contain limited areas of modified ecosystems.
- Area should be large enough to absorb sustainable scientific and related uses without detriment to its overall long term natural values.
- Area should possess features of special interest for scientific study, research, education and like uses.

Wildlife Refuge or Reserve (Wildlife Act 1953; Reserves Act 1977)

Purpose

Area of land (or land and water), which provides a haven for any classes of wildlife or possesses important wildlife habitat not otherwise protected.

Objectives of Management

- Restrict and control entry and use as appropriate.
- Secure and maintain wildlife habitat conditions necessary to protect the specified classes of wildlife.
- Allow specific human manipulation for optimum management.
- Deliver such benefits to the public as are consistent with the other objectives of management.
- Facilitate scientific research and environmental monitoring associated with wildlife protection.

If subject to the Reserves Act 1977 and if applicable, the reserve will also have the following secondary objectives (section 22):

- Manage and protect scenic, historic, archaeological, biological, cultural, scientific or natural features or wildlife;
- Maintain value as a soil, water and forest conservation area;
- Prohibit access to the whole or any part of the reserve except by permit.


Guidance for Selection


- Area may be natural or have modified ecosystems.
- Size of area should depend on the wildlife protection requirements and may range from relatively small to extensive.

Appendix 2: New Zealand Recreation Association Reserves Categories

Category	Description/Primary Purpose	Alternative Names
Sports and Recreation	Reserves (often quite large areas) set aside and developed for organised sport and recreation activities, recreation facilities and buildings, often multiple use.	<ul style="list-style-type: none"> • Active • Sports
Neighbourhood	Reserves developed and used for informal recreation and sporting activities, play and family based activities, and social and community activities.	<ul style="list-style-type: none"> • Local • Social Recreation • Community
Public Gardens	Reserves and gardens developed to a very high horticultural standard with collections of plants and landscaping for relaxation, contemplation, appreciation, education, events, functions and amenity/intrinsic value.	<ul style="list-style-type: none"> • Botanic Gardens • Horticultural • Premier
Nature	Reserves that offer the experience and/or protection of the natural environment, containing native bush, coastal margins, forestry, farm parks, wetlands, riparian areas and water bodies.	<ul style="list-style-type: none"> • Conservation • Bushland • Forest • Protected • Environmental
Cultural Heritage	Reserves that protect the built cultural and historical environment, and/or provide for heritage conservation, education, commemoration, mourning and remembrance.	<ul style="list-style-type: none"> • Cemeteries • Cultural • Heritage
Outdoor Adventure	Reserves developed and used for recreation and sporting activities and associated built facilities that require a large scale, forested, rural or peri-urban environment.	<ul style="list-style-type: none"> • Regional • Forest • Farm • All Terrain
Civic	Areas of open space often provided within or adjacent to central business districts, and developed to provide a space for social gatherings, meeting places, relaxation and enjoyment.	<ul style="list-style-type: none"> • Plaza • Community Hub • Town Squares • Streetscape
Recreation and Ecological Linkages	Areas of open space that are often linear in nature that provide pedestrian and cycle linkages, wildlife corridors and access to water margins. May provide for environmental protection, and access to waterways.	<ul style="list-style-type: none"> • Linear • Walkways • Corridor • Green Corridors • Environmental Corridors • Esplanade • Linkage

Category Descriptions

Sports and Recreation		
Primary Purpose	Alternate Names	Typical Characteristics
Organised/competition sport and recreation activity, recreation facilities and buildings, often multiple use	<ul style="list-style-type: none"> ▪ Active ▪ Sports 	<ul style="list-style-type: none"> ▪ Sport facilities, e.g. grass fields, hard courts, artificial surfaces ▪ Buildings, e.g. toilets, changing rooms, clubrooms, community centres, community activities ▪ Recreation facilities, e.g. playgrounds, skate parks, half courts, picnic areas, bike tracks ▪ Seating ▪ Landscaping ▪ Usually large size ▪ Leased sites could be small (e.g. the size of a single club)
Description		
<p>A Sports and Recreation Reserve is designed and used for organised or competition sport and recreation, and is often multi-use, providing for a range of community activities and facilities.</p> <p>It is likely to have formally maintained sports turf for a mixture of winter and/or summer sport. The sports turf areas are maintained to an appropriate standard for the sports code use. It may accommodate hard court and built recreation facilities. The determining factor is the provision of bookable sports play facilities, which are the primary purpose of the reserve.</p> <p>Toilets, changing facilities and car parking are likely to be available and some may have resident club facilities.</p> <p>Some reserve may have recreation facilities such as playgrounds, and other facilities serving a wider neighbourhood and community function, creating a multi-function reserve with a wide range of activities occurring. Some reserves may be entirely leased for sports or recreation activity.</p>		
		

Neighbourhood		
Primary Purpose	Alternate Names	Typical Characteristics
Informal recreation and sporting activities, play and family based activities, and social and community activities	<ul style="list-style-type: none"> ▪ Social Recreation ▪ Community 	<ul style="list-style-type: none"> ▪ Playgrounds ▪ Recreation facilities, e.g. skate parks, half courts, bike tracks and other informal recreation activities ▪ Picnic facilities e.g. barbeques/tables/shelters ▪ Usually small areas (up to 2-5 ha) located near or within residential areas ▪ Dog exercise areas and dog parks ▪ May have sports field for junior or informal use ▪ May have buildings, e.g. toilets, community centres/halls, other community service buildings
Description		
<p>A developed urban reserve designed for use predominantly by the local residential community, although the catchment may be wider. Generally smaller in size, ranging from 1,000m² up to 2 hectares. The average useful size is considered to be from 3,000 to 5,000m².</p> <p>The Neighbourhood Reserve should be easily accessible, ideally from more than one road frontage. It will be well maintained and free draining with flat or gently undulating grassed areas for play. The reserve should be safe and provide an attractive welcoming ambiance to the immediate local community (within a ten minute walking distance or 500 metre radius of urban residential properties).</p> <p>Neighbourhood Reserves may provide an open grass area suitable for small scale ball play, children's play equipment, youth recreation facilities e.g. basketball half courts, seating, amenity lighting, paths and attractive amenity planting.</p> <p>Some may contain playing fields but are distinguished from the sports and recreation category by being for casual use and not generally booked for regular sports code use.</p> <p>Some sites may contain buildings used for local community and recreation functions.</p>		
		

Public Gardens

Primary Purpose	Alternate Names	Typical Characteristics
High quality plant collections and landscaping provided for relaxation, contemplation, appreciation, education, events, functions and their amenity/intrinsic value	<ul style="list-style-type: none"> ▪ Botanic Gardens ▪ Horticultural ▪ Premier 	<ul style="list-style-type: none"> ▪ Horticultural / botanical display plantings ▪ Display houses ▪ High quality landscaping ▪ Interpretation, e.g. plant names, historic or horticultural information, visitor centres, education programmes ▪ May be used as a venue for events and functions e.g. weddings, light displays

Description

Public Gardens include reserves that are of significance to the city/district with an emphasis on high quality horticultural displays.

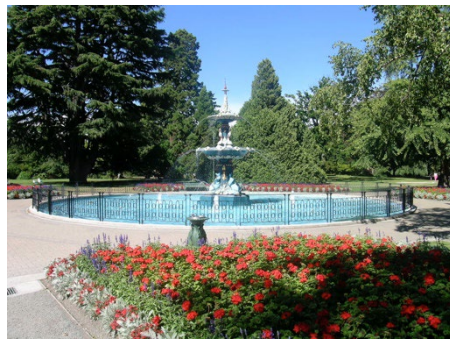
The primary focus for Public Gardens is to create a place of beauty and tranquillity through high quality horticultural design and maintenance and other features as appropriate to the reserve's character. They often also contain historic heritage values.

Public Gardens include, but are not limited to Botanic gardens.

They will generally exhibit one or more of the following values and attributes:

- Peace & tranquillity
- Horticultural excellence and diversity
- Tourist destination
- Particular unique feature or character
- Historic, artistic or cultural values
- Horticultural and/or environmental education

Public Gardens will be developed and maintained to the highest standard. They may also have a "Friends" organisation which supports the Public Gardens, including fundraising for capital development and running volunteer programmes.



Nature

Primary Purpose	Alternate Names	Typical Characteristics
Experience and/or protection of the natural environment	<ul style="list-style-type: none"> ▪ Conservation ▪ Bushland ▪ Forest ▪ Protected ▪ Environmental 	<ul style="list-style-type: none"> ▪ Native bush, coastal margins, forestry, wetlands, riparian areas and water bodies. ▪ Developments to provide facilities for walking, biking, horse riding, camping, picnicking, bird watching, scenic viewing and visitor information

Description

The primary purpose of Nature Reserves is to provide opportunities for people to experience nature. The definition of nature and natural is widely defined to include: native bush areas, wetlands, coastal and lake margins, forestry, farm parks, esplanade and restoration areas or other natural landscapes are considered Nature Reserves.

Development will generally be limited to low impact activities such as walking and bike tracks. Higher use sites may include ancillary visitor facilities such as car parking, signage and toilets, camping facilities and visitor information centres.

Nature reserves may exhibit one or more of the following values and attributes:

- Large scale sites
- Low impact recreation activity
- Intact or relatively intact natural ecosystems
- Unique or threatened NZ native flora and fauna
- Reserve land adjoining the coast
- Natural wetland areas
- Water bodies such as lakes/ponds, streams and/or riparian features
- Outstanding natural landscape or geological features
- Access to the coast and other water ways



Cultural Heritage

Primary Purpose	Alternate Names	Typical Characteristics
Protection of built cultural environment to provide for heritage conservation, education, commemoration, mourning and remembrance	<ul style="list-style-type: none"> ▪ Cemeteries ▪ Cultural ▪ Heritage ▪ Historic 	<ul style="list-style-type: none"> ▪ Cultural heritage features e.g. pa sites ▪ Historic sites, buildings or structures ▪ Memorial sites ▪ Cemeteries

Description

The primary purpose of Cultural Heritage Reserves is to protect and experience our heritage, and provide for interment and remembrance

Generally a low level of development is envisaged for Cultural Heritage Reserves with the objective being to protect the current values. Higher use sites may require ancillary visitor facilities such as car parking, signage and toilets. Restoration and enhancement work may be undertaken to recreate lost values and features.

Cemeteries are provided to provide a location for the interments and remembrance. The primary objective is to create a respectful environment that is attractive, restful and suitable for reflection and grieving. Cemeteries will require a high level of development to meet their purpose and visitor needs. They are included within the reserve network to reflect the wide range of uses and values cemeteries provide.

They will generally exhibit one or more of the following values and attributes:

- Historic sites
- Historic buildings and structures
- Monuments and memorials
- Other sites of cultural or heritage significance
- Cemeteries including both open and closed



Outdoor Adventure

Primary Purpose	Alternate Names	Typical Characteristics
Recreation and sporting activities and associated built facilities that require a large scale, forested, rural or peri-urban environment.	<ul style="list-style-type: none"> ▪ Regional ▪ Forest ▪ Farm ▪ All Terrain 	<ul style="list-style-type: none"> ▪ Rural or peri-urban setting ▪ Large scale ▪ Multiple range of activities ▪ Nature/environment based recreation activities

Description

Outdoor Adventure Reserves enable visitors to experience a variety of recreation activities in a wide range of open space environments.

Outdoor Adventure Reserves will generally be large sites, usually located on the outskirts of the urban areas. The character and management of the reserves varies widely from exotic forestry, farm parks, native bush, coastal and river areas. The recreation activities include those that require the space and separation from urban locations or require particular natural features. Examples include mountain biking, equestrian, rock climbing, wind-sports, motorised recreation, shooting ranges, dirt jump reserves, camping, picnicking, hunting, canoeing/kayaking etc.

The levels of service for Outdoor Adventure Reserves can vary widely depending on the type of reserve and level of use. Also, the level of service may vary from one area of the reserve to another, E.g. entry points may be developed to a high standard with extensive facilities and more remote areas may have minimal services. Internal roading networks may be required in large reserves with multiple use.

Outdoor adventure reserves are generally more developed than Nature reserves, and have more opportunity for lease areas for commercial recreation. The main focus of Outdoor Adventure reserves is the recreation activity which uses the reserve as a natural setting. The main focus of Nature reserves by contrast is experience and protection of the environment.



Civic Space

Primary Purpose	Alternate Names	Typical Characteristics
Areas of open space often provided within or adjacent to central business districts, and developed to provide a space for social gatherings, meeting places, relaxation and enjoyment	<ul style="list-style-type: none"> ▪ Plaza ▪ Community Hub ▪ Town Squares ▪ Streetscape 	<ul style="list-style-type: none"> ▪ Business/retail area location ▪ Hard paving ▪ Soft landscaping ▪ Seating areas ▪ High standard of presentation and maintenance ▪ Associated with council service buildings such as town hall, library, swimming pool

Description

Open space provided within or immediately adjacent to central business districts or other retail/business areas, designed to provide a space for social gatherings, meetings, rest and relaxation, lunch breaks, etc. They may also provide for large public gatherings, events and entertainment.

Civic Spaces provide landscape, amenity enhancement and visual open space relief. They may contain grass, trees, gardens, public art, water features, furniture, paved areas, lighting and heritage features such as memorials, clocks etc. These areas are usually pedestrianised although some may be shared with vehicles.

Civic space may also be used to categorise other streetscape areas.



Recreation and Ecological Linkages

Primary Purpose	Alternate Names	Typical Characteristics
Open space, linkages and corridors, often associated with waterways. Often cater for walking and cycling activities and active transport linkages. May provide for environmental protection, and access to waterways.	<ul style="list-style-type: none"> ▪ Linear ▪ Walkways ▪ Corridor ▪ Green Corridors ▪ Environmental Corridors ▪ Esplanade ▪ Linkage 	<ul style="list-style-type: none"> ▪ Often, but not always linear in nature. ▪ May be alongside waterways such as rivers/streams, lakes, coast or drainage infrastructure, or utilise old rail corridors. ▪ Variable size and often difficult topography. ▪ Grass/tree planting or natural vegetation ▪ Walking and cycling paths and tracks ▪ Often connect or provide access to other reserves or waterways. ▪ Generally a low level of development other than formed paths and trails ▪ Boat ramps and associated facilities

Description

Recreation and Ecological Linkages covers a wide range of purposes, from developed areas with mown grass and trees through to undeveloped green space. They provide an important role in meeting sustainability objectives through protection and enhancement of biodiversity, ecological linkages through the urban environment, urban form and landscape values and opportunities for walking and cycle linkages.

Recreation and Ecological Linkages provide a wide range of functions, from largely unused or inaccessible areas through to areas used actively for picnics, walking, biking and other recreation. They often provide for walkway/transport linkages from one neighbourhood to another or to link reserves together. They may be based on geographic features within the urban environment, where buildings are not possible e.g. stream gullies, drainage areas or steep hillsides.

Generally Recreation and Ecological Linkages will have a low level of development, except where usage and demand warrants it. This may include tracks, reserve furniture and signage. Vehicle access and parking is often limited to nodes or entry points.



Appendix 3: TCDC Tree Strategy – Section on Tree removal

Removing and replacing trees.

Council will remove trees that meet the following criteria:

- trees are dead, dying or seriously diseased;
- trees are a danger to people's safety, including danger from falling limbs, and where the tree obstructs views of traffic or pedestrians;
- trees are damaging structures or services, or endangering property;
- if the tree is a weed species or recognised as environmentally damaging;
- if the tree is to be replaced by a species that contributes more positively to the tree masterplan.

Remedial measures, such as pruning or crown lifting, will be preferred to tree removal where such measures can satisfactorily overcome the issue.

Council's over-riding responsibility is to people's health and safety, and it should take all steps to reduce potential risk from trees.

Remedial measures can often solve issues. This may include removing diseased limbs, crown lifting trees to improve visibility, pruning trees to accommodate overhead wires, or bundling wires through the trees crown. These measures are preferred to removing trees, in particular where the tree has significant value.

Requests to prune or remove trees.

For safety reasons

The process for dealing with requests from people to prune or remove trees is outlined as:

- Requests to prune or remove trees will be assessed in the first instance in terms of potential danger to safety or property. Where there is doubt priority will be given to health and safety.

Requests to prune or remove trees for safety reasons will be prioritised as follows:

1. Immediate Threat: Immediate or same day action will be taken where there is a significant immediate or sudden threat to safety or property.
2. Emerging Threat: Work will be carried out within one month where an emerging threat to safety or property is identified.

For other reasons

Where a person requests pruning or removal of a tree for other reasons or where any threat to safety or property is minor, Council will consider the request in terms of the public value of the tree and the level of affect to the person, against the following criteria:

- Value of the tree: Council will follow the Standard Tree Evaluation Method (STEM) which considers the tree's condition (health), amenity (community benefit), and notability. Greater weight will be given to protecting trees native to the area and those that reinforce the tree

masterplan, whereas weed species or those considered environmentally damaging will generally be removed.

Greater weight will be given to protecting prominent or notable trees. Greater weight will be given to protecting trees with good form and health whereas trees with poor form and poor health are more likely to be removed.

Effect on Resident: Council will consider whether any nuisance or inconvenience on an individual property is significant or minor.

- It is Council's policy to not prune or remove trees for views or minor nuisance effects such as leaf fall or bird roosting.
- However discretion may be exercised where the level of effects is great –for instance a tree completely blocks the outlook from a house, or causes severe shading, or other exceptional circumstance.

Requests to prune or remove trees for other than safety reasons will usually be programmed in to routine maintenance work.

Appendix 4: Council Bylaws that apply to Reserves

Thames-Coromandel District Council controls the management of reserves through a series of bylaws. These are as follows:

- Alcohol Control Bylaw 2018
- Activities in Public Places Bylaw 2017
- Advertising and Signs Bylaw 2017
- Dog Control Bylaw 2016
- Freedom Camping Bylaw 2022
- Parking Control Bylaw 2014

www.tcdc.govt.nz/Council/policies_documents/bylaws.htm

Glossary of Terms

Administering body: the board, trustees or authority appointed to control and manage a reserve (section 2 Reserves Act 1977).

Aircraft: means any machine that can derive support in the atmosphere from the reactions of the air otherwise than by the reactions of the air against the surface of the earth. Includes any one of the following classes of aircraft: aeroplane, balloon, glider, hang glider, helicopter, or microlight.

Appointment to control and manage: the appointment of an administering body to manage a reserve under the Reserves Act 1977 or a corresponding provision in an earlier Act. The land remains vested in the Crown.

Autonomous powers: statutory powers held by an administering body under the Reserves Act 1977 which can be exercised by the administering body without the prior consent or approval of the Minister of Conservation.

Bylaw: means an ordinance affecting the public, or some portion of the public, imposed under the provisions of section 106 of the Reserves Act 1977 and accompanied by some sanction or penalty for its non-performance (section 104).

Certificate of title: a certificate of title under the Land Transfer Act 1952. See also section 116 Reserves Act 1977.

Certified self-contained: means a vehicle designed and built for the purpose of camping which has the capability of meeting the ablutionary and sanitary needs of occupants of that vehicle for a minimum of three days, without requiring any external services or discharging any waste and complies with New Zealand Standard 5465:2001, as evidenced by the display of a current self-containment warrant issued under *New Zealand Standard Self Containment of Motor Caravans and Caravans, NZS 5465:2001*.

Change of purpose: means the change of purpose of a Local Purpose or Government Purpose reserve under section 24 or section 24A Reserves Act 1977. A change of classification would involve a change between two of the classes provided for in sections 17 to 23 of the Act.

Change of use: means any change of use to which a reserve is put. If the changed use is not consistent with the principal purpose for the class to which the reserve belongs then it would be outside the authority of the administering body to allow it. A change of purpose or classification must be considered and the use not allowed if the change is not made.

Classification: putting a reserve into a class under that Reserves Act 1977; or a scenic, or a government or local purpose reserve into a type.

Commissioner: has the same meaning as in section 2 Reserves Act 1977.

Concession: means a lease, a license, permit or easement granted under section 59 of the Reserves Act 1977.

Consultation: a process of seeking the views of an affected party, and carefully considering those views before making a decision.

Council: means in relation to delegated and statutory powers under the Reserves Act 1977; the full Council of the local authority which is the administering body for the reserve; otherwise used to denote the Council as a corporate organisation.

Delegated powers: means powers under the Reserves Act 1977 delegated by the Minister of Conservation under the provisions of section 10 of that Reserves Act 1977.

Discretion: generally refers to the choice of approving or declining an application or proposal under the Reserves Act 1977, or regarding the requirement of complying with specified criteria or considerations.

Disposal of land: in relation to a reserve means the outcome of the process in sections 24 and 25 Reserves Act 1977, which results in the reservation being revoked and the land becoming available for disposal.

District plan: means an operative plan approved by the Council; and all operative changes to the plan.

Domain board: redundant term, now a reserve board or a local authority (section 6(7) Reserves Act 1977).

Easement: generally an interest in land granted under section 48 of the Reserves Act 1977 over a reserve or acquired under section 12 Reserves Act 1977 over private land, or similar.

Esplanade reserve: means a type of local purpose reserve (see section 229 RMA).

Exchange: means an exchange of reserve land for other land (section 15 Reserves Act 1977).

Fee simple: commonly called the freehold. An interest in land, the highest or most absolute interest in land held under the Crown.

Fencing covenant means, under the Fencing Act 1978, a covenant, agreement, or proviso:

- a) that one party to the covenant, agreement, or proviso may not be required by the other party, being the occupier of adjoining land, to contribute towards the cost of work on a fence between the land occupied by the first party and that adjoining land; and
- b) that does not enure for the benefit of any subsequent purchaser for value of the land occupied by the first party

Freedom Camping: means camping (other than at a camping ground) within 200 m of a motor vehicle accessible area or the mean low-water springs line of any sea or harbour, or on or within 200 m of a formed road. See the Freedom Camping Act 2011.

Gazette notice: a notice published in the *New Zealand Gazette*. The Reserves Act 1977 requires certain transactions to be put into effect by such a notice.

Government Purpose Reserve: means a reserve classified under section 16 of the Reserves Act 1977 as a Government Purpose Reserve according to section 22 of that Act.

Hapū: means a number of whānau who extend from a common ancestor with a common interest in land.

He here kia mohio: means duty to be informed.

Historic Reserve: means a reserve classified under section 16 of the Reserves Act 1977 as a historic reserve according to section 22 of that Act.

Iwi: means a number of whānau groups or collections of hapū who have a common ancestry; people.

Kaitiakitanga: means the exercise of guardianship, custodianship, stewardship by the tangata whenua.

Kawanatanga: means government.

Koiwi: means bones, human remains.

Lease: grants an exclusive long term interest in a building or land on a reserve, for a period of up to 18 years that (a) gives exclusive use of the land, and (b) makes provision for any activity on the land that the lessee is permitted to carry out.

Legal description: the unique description of a parcel of land given to it on a Survey Office Plan or a Deposited Plan or a Māori Land Plan. See Survey Regulations 1998
Lessee: means the holder of a lease.

Licence: Short term non-exclusive use of reserve land or buildings for a period of up to 18 years.

Licensee: means the holder of a licence.

Local authority: has the same meaning as in section 2 Reserves Act 1977.

Local Purpose Reserve: means a reserve classified under section 16 of the Reserves Act 1977 as a local purpose reserve according to section 23 of that Act.

Management plan: means a management plan provided for in section 41 Reserves Act 1977.

Mana Māori: means Māori jurisdiction or authority.

Mana whenua: means iwi having authority over land.

National reserve: means an overlay on a reserve declared under section 13 Reserves Act 1977.

Nature Reserve: means a reserve classified under section 16 of the Reserves Act 1977 as a nature reserve according to section 20 of that Act.

Objection: means an objection for the purposes of section 120 of the Reserves Act 1977.

Parcel of land: means an area of land with a unique legal description.

Partnership: (Treaty of Waitangi) see any authoritative Treaty text.

Permit: a grant of rights to carry out an activity that does not require an interest in land.

Public notice: means a notice to which section 119 or some other provision of the Reserves Act 1977 applies.

Recreation reserve: means a reserve classified under section 16 of the reserves Act 199 as a recreation reserve in accordance with section 17 of that Act.

Regional Council: has the same meaning as specified in Part I of the First Schedule to the Local Government Act 2002, and in Part 39A and in sections 684C to 684F.

Regional plan: means an operative plan (including a regional coastal plan) approved by a regional council or the Minister of Conservation under the First Schedule to the RMA, and includes all changes to such a plan.

Registration: means the registration of an instrument under the Land Transfer Act 1952.

Reserve or public reserve: means any land set apart for any public purpose, see section 2 Reserves Act 1977.

Revocation: means the process of reserve revocation under section 24 Reserves Act 1977.

Right: (in land) means generally the same as interest in land, but could be a lesser right e.g. a permit.

Road reserve: means an unformed legal road or a local purpose (road) reserve to which section 111 of the Reserves Act 1977 applies.

Scenic reserve: means a reserve classified under section 16 of the Reserves Act 1977 as a scenic reserve according to section 19 of that Act; there are two types.

Scientific reserve: means a reserve classified under section 16 of the Reserves Act 1977, as a scientific reserve according to section 21 of that Act.

Subdivision: under section 218 RMA the term subdivision of land. Means the division of an allotment, or an application to a Registrar for the issue of a separate certificate of title in circumstances where the issue of that certificate of title is prohibited by section 226.

Submission: means a submission for the purposes of section 120 Reserves Act 1977.

Tangata whenua: means people of the land.

Taonga: means treasure, artefacts.

Territorial authority: means a district or city council as specified in the second schedule of the LGA.

Local Government Act 1974: see section 2 Reserves Act 1977.

Tino rangatiratanga: means iwi authority with control over Taonga; absolute sovereignty.

Transfer: (of title to land) means to transfer to another owner following reserve revocation; section 112 Reserves Act 1977 also applies.

Trust: generally used to refer to the obligations of the administering body under section 40 Reserves Act 1977.

Trustee: has the same meaning as in section 2 Reserves Act 1977.

Ultra vires: means outside or beyond the terms of the proper authority.

Unmanned aerial vehicle: unmanned aerial vehicle (UAV) means an unmanned aircraft that is piloted from a remote station; also known as remotely piloted aircraft system (RPAS), unmanned aircraft systems (UAS) or drones.

Vehicle: Vehicle has the same meaning as given in the Land Transport Act 1998; meaning a contrivance equipped with wheels, tracks, or revolving runners on which it moves or is moved; and includes a hovercraft, a skateboard, in-line skates, and roller skates, but does not include:

- a perambulator or pushchair;
- a shopping or sporting trundler not propelled by mechanical power;
- a wheelbarrow or hand-trolley;
- a pedestrian-controlled lawnmower;
- a pedestrian-controlled agricultural machine not propelled by mechanical power;
- an article of furniture;
- a wheelchair not propelled by mechanical power;

- any other contrivance specified by the rules not to be a vehicle for the purposes of this definition;
- any rail vehicle.

Vested reserve: a reserve which is vested in an administering body and not vested in the Crown.

Note that land which has been declared to be a reserve (section 14 Reserves Act 1977) or has been acquired in trust as a reserve, is treated as vested in the reserves administering body for the purpose of administration of the Reserves Act 1977.

Vesting: means the vesting of a reserve in an administering body (section 26 or section 26A Reserves Act 1977, where the land ceases to be vested in the Crown, or a corresponding provision in an earlier Act [but subject to section 25 Reserves Act 1977] or under some other Act [e.g. on subdivision under the RMA]) and the underlying title or reversionary interest remains with the Crown.

