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Approved by Council: 4 April 2005
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PART 10: RESERVES

10.1 Interpretation - The expression “reserve” in this Bylaw means any open space, plantation, park, garden, ground track or land set apart for public recreation, enjoyment, conservation, beautification, education, research, or other values, and under the management or control of Community and Recreation Services (Parks and Reserves) whether or not dedicated as a reserve under the provisions of the Reserves Act 1977, and also includes the buildings, amenities, vegetation, and memorials therein.

Vehicle – Vehicle includes a contrivance equipped with wheels, tracks, or revolving runners on which it moves or is moved, skateboards, in-line skates, and roller skates. For the purpose of this bylaw, vehicles exclude emergency, service, or authorised vehicles.

10.2 Prohibited Activities

10.2.1 No person, in any reserve, shall -

- (a) Enter or leave any enclosed reserve except through the openings, gateways, entrances or exits provided for that purpose and all gates shall be left open or closed as they are found; or
- (b) Enter or remain on any reserve if the reserve has been closed by the Council; or
- (c) Ride, lead, or take, any animal (except a dog being exercised in accordance with the Bylaw Part 5 – Control of Dogs) on any part of any reserve except upon parts of which have been clearly set aside for such purposes; or
- (d) Cause or permit wastage of any water supply on any reserve or permit any tap or shower on any reserve to run for any longer period than reasonably required; or
- (e) In any manner pollute any water on any reserve; or
- (f) Wilfully obstruct, disturb, annoy or interfere with any other person in the use of enjoyment of the reserve, or behave in a sexually inappropriate manner causing alarm to another person, or use any abusive, or obscene language, or be intoxicated or under the influence of drugs, or noisy or riotous, or in any way misbehave; or
- (g) Place or leave any rubbish or litter of any description, except in any receptacle provided; or
- (h) Throw sticks, stones or other missiles in a way likely to be injurious to any person or likely to damage property; or
- (i) Play musical instruments or sound reproduction equipment to the annoyance of others; or
- (j) Abandon any vehicle on a reserve; or
- (k) Dispose of grey water or sewage except in designated disposal points (such as those provided at campgrounds on reserves).

10.3 Restricted Activities

- (1) The activities listed below in sub clause (2) of this clause are prohibited on all reserves unless either -
 - (a) The Council has resolved that the activities shall be permitted on all reserves or on any particular reserve; or
 - (b) The person or persons engaging in the activity have the written permission of the Council or have made a booking, to undertake the activity. Written permission may be limited by conditions. Conditions can cover, but are not limited to: the charging of fees, the time of the activity, and location of the activity.

- (2) The restricted activities referred to above in sub clause (1) of this clause are -
 - (a) Taking on to any reserve, and the use on any reserve of any firearm, air gun, bow and arrow, catapult, animal trap, or other weapon or device of a dangerous character; or
 - (b) The flying of model aircraft; or
 - (c) The playing or practice of golf; or
 - (d) The erection of stalls, tents, swings, amusement devices or structures of any kind; or
 - (e) Any trading other than in accordance with a Mobile Trading Licence specifically permitting trading in the reserve; or
 - (f) The posting or distributing of notices and the erection of signs; or
 - (g) Disturbing any soil, uprooting any plant or taking any cutting or interfering with, picking or removing any flowers, fruits, seeds, pods, cones, ferns, greenery or other foliage; or
 - (h) Collection of organisms or other objects for scientific, educational or other purposes, disturbance of the environment for the purpose of collecting such objects; or
 - (i) Doing anything that causes any damage to any part of a reserve including the ground surface of the reserve, any plants in the reserve and any building, structure or fixtures thereon; or
 - (j) Holding or conducting or taking part in, any public meeting, or assembly of any kind within any reserve that causes damage to the reserve or unduly restricts other people's use of the reserve; or
 - (k) Setting off any fireworks; or
 - (l) Encroaching into any reserve in a manner that could create an impression that the area is not part of the reserve, including access, gardens, buildings, and structures; or
 - (m) Driving or riding any vehicle (including bicycles), on any part of any reserve except upon parts which have been clearly set aside for such purposes; or
 - (n) Parking or driving a motorised vehicle on a reserve in an area other than in a recognised car park or roadway, or in a way that causes damage to the reserve, inhibits proper use of the reserve, restricts access to the reserve or facilities, or obstruct normal and safe movement of other vehicles or pedestrians; or

- (o) Parking or storing a vehicle, boat or vessel, on a reserve on a regular, periodic, or continuous basis; or
- (p) Camping on any reserve, unless set aside for that purpose; or
- (q) Using of power tools, parking a vehicle or trailer, or using equipment, for removing or cutting vegetation on a reserve; or
- (r) Lighting or cause to remain alight, any fire within any reserve except within a barbecue provided by the Council for that purpose; or
- (s) Depositing or storing any refuse, trade waste, garden refuse, rubble, or debris on a reserve.

10.4 Conditions of Use

- (a) Any person using any reserve is required to obey all lawful or safety directions, signs and conditions of permission, given by any person authorised in that regard by the Council.
- (b) Organised sport may take place only on reserves or parts of reserves set aside for that purpose or as directed or permitted by the Council with a booking and upon payment of any fee fixed by the Council.
- (c) In areas set aside for use by motorised vehicles, excluding sealed carriageways/driveways on reserves listed in Appendix 1, the Council may by resolution prescribe a speed limit to such parts and make other rules for the orderly conduct of traffic and parking. Where no speed limit has been fixed by resolution the driving of any vehicle on that part of the reserve at a speed in excess of 20 kilometres per hour is prohibited. Vehicles must be driven in a manner that does not compromise the safety of other reserve users.
- (d) Road Bylaws will apply to the sealed carriageways/driveways on reserves listed in Appendix 1.
- (e) Any horse being taken into a permitted area (as listed in any management plan or Appendix 2 of this Bylaw) on a reserve will use designated access points.

10.5 Enforcement

- (a) Any vehicle, whether attended or not, in breach of this Bylaw may be removed by any Police or Council officer and impounded at the expense of the driver or owner.
- (b) The Council may remove or alter a work or thing that is, or has been, constructed in breach of a Bylaw, and may recover costs of removal or alteration from the person who committed the breach.
- (c) It is not a defence to any charge that an offence has been committed against part of this Bylaw (other than where compliance with a sign, notice or road marking is an ingredient of the offence) if no sign, notice or road marking was in place at the time such offence was alleged to have been committed.

Appendix 1 List of Sealed Carriageways/Driveways (Considered to be Public Roads) on Reserves – (This list does not include legal roads)

| Road Name | Locality | Park Name |
|----------------------------|---------------|--|
| Braid Road | Dunedin | Town Belt |
| Burma Road | Dunedin | Ross Creek Reserve |
| Butts Road | Dunedin | Logan Park, New Caledonian Sports Ground, Northern Cemetery, University Oval |
| Carnforth Street | Green Island | Green Island Railway Beautification Lease |
| Chamberlain Street | Dunedin | Town Belt |
| Church Street | Port Chalmers | Old Port Chalmers Cemetery, Port Chalmers Town Belt, and unnamed reserve |
| Cluny Street | Dunedin | Bethunes Gully |
| Como Street | Dunedin | Town Belt |
| Cosy Dell Road | Dunedin | Town Belt |
| Cowan Road | Dunedin | Mount Cargill Reserve |
| Drivers Road | Dunedin | Town Belt |
| Duchess Avenue | Dunedin | Town Belt |
| Duke Street | Dunedin | Town Belt |
| Esplanade | Warrington | Warrington Domain |
| Evansdale Glen Road | Evansdale | Evansdale Glen |
| George King Memorial Drive | Outram | Outram Bridge Recreation Reserve |
| Harcourt Street | Dunedin | Town Belt |
| High Street | Dunedin | Town Belt |
| John Wilson Ocean Drive | Dunedin | Ocean Beach Domain |
| Kettle Park Road | Dunedin | Ocean Beach Domain |
| Kyle Street | Dunedin | Cosy Dell |
| Lachlan Avenue | Dunedin | Town Belt |
| Leithbank | Dunedin | Shingle Reserve |
| Littlebourne Road | Dunedin | Town Belt |
| Logan Park Drive | Dunedin | Logan Park |
| Lonsdale Street | Dunedin | Town Belt |
| Lovelock Avenue | Dunedin | Botanic Garden |
| Magnet Street | Dunedin | Otago Harbour Recreational Reserve |
| Maori Road | Dunedin | Town Belt |
| Meadow Street | Dunedin | Town Belt |
| Melrose Street | Dunedin | Town Belt |
| Moana Rua Road | St Kilda | Ocean Beach Domain |
| Newington Avenue | Dunedin | Town Belt |
| Opoho Road | Dunedin | Botanic Garden |
| Peninsula Beach Road | Port Chalmers | Port Chalmers Domain |
| Portobello Road | Macandrew Bay | Macandrew Bay Beach |
| Preston Crescent | Dunedin | Town Belt |
| Queens Drive | Dunedin | Town Belt, Littlebourne Ground |
| Scarba Street | Dunedin | Town Belt |
| Sligo Terrace | Dunedin | Town Belt |
| Stafford Street | Dunedin | Town Belt |
| Stuart Street | Dunedin | Town Belt |
| Tolcarne Avenue | Dunedin | Town Belt |
| Wallace Street | Dunedin | Town Belt |
| William Street | Careys Bay | Unnamed reserve (questionable status) |

Appendix 2 Reserves where Horses are Permitted

- (a) Ocean Grove Recreation Reserve – Tomahawk Beach (beach only), Smaills Beach (below high tide line).
- (b) Waikouaiti Beach (below high tide line)
- (c) Island Park Recreation Reserve Beach (Beach and formal access tracks to beach only)
- (d) Ocean View Recreation Reserve (area leased by Brighton Pony Club)

Access to permitted areas is via formal access tracks only. Horses are not permitted in the dunes of any reserve.