



**DUNEDIN** | kaunihera  
CITY COUNCIL | a-rohe o  
**Ōtepoti**

**Statement of Proposal  
Reserves Management Plan General  
Policies Review 2024**

## Introduction

The Dunedin City Council (DCC) is seeking submissions on its Draft Reserves Management Plan General Policies (the draft plan). This Statement of Proposal provides background information, what is being proposed, reasons for the draft plan, explains how to make submissions and specifies the duration of the consultation period.

The draft plan provides general policies for the use, management, administration and development of all DCC reserves (see Appendix A). Management plans are a requirement under the Reserves Act 1977 for all reserves under the DCC's authority.

The DCC's current Reserve Management Plan General Policies (see Appendix B) has not been comprehensively reviewed since it was adopted in 2005. The draft plan has been updated to reflect emerging issues and best practices, provide improved clarity and guidance regarding reserve decision-making and better consideration of mana whenua values. We would like your views on this.

## Background

The Reserves Management Plan General Policies is an omnibus management plan adopted by the DCC in 2005 to provide general management policies across its reserve network. These policies ensure the proper use, development, maintenance, protection, and preservation of Dunedin's reserves. Under the Act, we're required to regularly review reserve management plans and must consult with the public when we do this.

The DCC prepares individual management plans for specific reserves according to identified priorities and unique or special values. The Reserves Management Plan General Policies are an integral part of these specific management plans and are intended to be read alongside management plans for specific reserves. Where any issue on a reserve is addressed by both the draft plan and a management plan specific to that reserve, then the policies in the specific management plan take precedence.

The DCC provided a notice of intent to review the current plan in May 2023 and invited the public to provide submissions as to how the plan could be improved. The DCC received 96 submissions and these were considered in the formation of the draft plan.

## What we're proposing

The Reserves Act 1977 requires that the DCC publicly notifies the draft reserve management plan, inviting feedback from all interested parties. We will advertise our intention in a local newspaper, notify the media and encourage feedback through social media and the DCC's website. Parks and Recreation Services staff will be available to discuss the proposal and explain how to make submissions.

In the draft plan, we address issues that have emerged since the current plan was adopted, such as climate change and the DCC's commitment to carbon reduction. The draft plan has

stronger acknowledgement of mana whenua as a DCC partner and gives deeper consideration to the impacts of reserve decision-making on Māori values. The draft plan has been updated to reflect changes in best practice, new technologies such as electric vehicles and drones, and align with the DCC's other strategic documents and legislation. The draft plan also provides more detail as to how the DCC evaluates requests and proposals relevant to reserves, their uses, administration and development.

### Have your say

We would like to hear your thoughts about the draft plan and its suitability for managing DCC reserves. Your feedback is an important part of the review and will help shape the final document. The submission period is from **Monday, 27 January 2025 and will close at 5pm on Monday, 31 March 2025.**

If you would like to speak about the draft plan at the Council Hearing, **please indicate in your submission your intention to speak.**

### How to give feedback

A submission form is attached as Appendix C. Submission forms can be sent these ways:

- Online: [www.dunedin.govt.nz/consultation](http://www.dunedin.govt.nz/consultation)
- Emailed to: [parksconsulting@dcc.govt.nz](mailto:parksconsulting@dcc.govt.nz)
- Posted to:  
Draft Reserves Management Plan General Policies  
Parks and Recreation Services  
Attention: S Hogg  
Dunedin City Council  
PO Box 5045  
Dunedin 9058
- Delivered to a DCC service centre or library.

For any queries, please email [parksconsulting@dcc.govt.nz](mailto:parksconsulting@dcc.govt.nz)

### The proposed next steps are:

- The submission period is from Monday, 27 January 2025 to 5pm Monday, 31 March 2025.
- Council Hearing (if required, date to be decided), and consideration of all submissions.
- Adoption of a final plan.

## Documents

Appendix A    Draft Reserves Management Plan General Policies 2024.

Appendix B    Reserves Management Plan General Policies 2005.

Appendix C    Submission Form

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## Appendix A      Draft Reserve Management Plan General Policies 2024

## Reserves Management Plan General Policies



# Table of Contents

1. Introduction and Background .....	14
1.1.Scope and Nature of the Plan .....	15
1.2.Statutory and Policy Context .....	15
1.2.1.Te Tiriti o Waitangi / the Treaty of Waitangi.....	16
1.2.2.Reserves Act 1977.....	17
1.2.3.Local Government Act 2002 .....	17
1.2.4.Resource Management Act .....	17
1.2.5.Other Relevant Legislation .....	18
1.2.6.National Policy Statements.....	18
1.2.7.District Plan.....	18
1.2.8. Council Bylaws.....	8
1.2.9.Relevant Council Strategies .....	19
1.3.Process to Develop the Reserve Management Plan.....	19
1.4.Reserves Classification.....	20
2.1 General Reserve and Open Space Network Policies	
2.1.1 Mana Whenua Partnerships .....	23
2.1.2 Climate Change Considerations.....	26
2.1.3 Cultural and Historic Heritage .....	29
2.1.4 Biodiversity and Natural Landscapes.....	33
2.1.5 Tree Management and Maintenance .....	42
2.1.6 Forestry Management on Reserves .....	49
2.2 Recreation and Use Policies	
2.2.1 Access.....	53
2.2.2 Alcohol Licences .....	56
2.2.3 Drones and Unmanned Aerial Vehicles (UAVs) .....	58
2.2.4 Encroachments .....	63
2.2.5 Public Use and Enjoyment .....	69
2.2.6 Harvest of Traditional Foods and Materials - Mahika Kai.....	73
2.2.7 Lookouts and Viewpoints .....	76
2.2.8 Tracks .....	77
2.2.9 Volunteering and Education .....	79
2.3 Development Policies	
2.3.1 General Reserve Development.....	83
2.3.2. Buildings and Structures .....	86

2.3.3 Car Parking and Vehicle Access.....	92
2.3.4 Lighting.....	96
2.3.6 Signs, Information and Interpretation .....	98
2.4 Administration Policies	
2.4.1 Compliance .....	102
2.4.2 Land Acquisition and Disposal .....	104
2.4.3 Fire Risk Management .....	107
2.4.4 Naming of Reserves and Reserve Features .....	109
2.4.5 Partnerships and Contributions .....	111
2.4.6 Promotion of Reserves .....	114
2.4.7 Use of Hazardous Substances .....	115
2.4.8 Waste Management and Illegal Dumping .....	117
2.5 Authorisations and Approvals	
2.5.1 Authorisation and Approvals – General Policy .....	121
2.5.2 Aircraft and Helicopter Landings .....	124
2.5.3 Ashes and Whenua .....	126
2.5.4 Camping .....	127
2.5.5 Plaques and Memorials .....	129
2.5.6 Commercial Use .....	133
2.5.7 Firework Displays, Bonfires and Floating Lanterns.....	137
2.5.8 Occupation Agreements (Leases, Licences and Easements) .....	141
2.5.9 Public (Network) and Private Utilities.....	131
2.5.10 Public Art.....	153
2.5.11 Research and Taking of Specimens (Including Soil) .....	155
2.5.12 Events.....	157
2.5.13 Commercial Filming and Photography.....	161
Appendices	
Appendix A: Overview of Relevant Legislation.....	137
Appendix B: Overview of Relevant National Level Strategic Documents.....	165
Appendix C: Overview of Relevant DCC Strategic Documents.....	167
Appendix D: Schedule of Reserves Managed Under This Document.....	169
Appendix E: Areas Where Permission for Camping May be Granted.....	170
Appendix F: List of Existing Lookouts and Significant Viewpoints.....	17060



## 1. Introduction and Background

Dunedin city stands as a vibrant and culturally rich urban centre, nestled along the south-eastern coast of New Zealand's South Island. Encompassing an area of approximately 3,314 square kilometres (1,280 square miles), Dunedin's unique blend of history and natural beauty makes it a city that beautifully bridges the past with the present.

Dunedin's population of around 130,000 residents reflects the diversity of its history and modern endeavours. With a blend of indigenous Kāi Tahu culture, European colonial influences, and a growing multicultural presence, Dunedin's demographic profile mirrors its dynamic cultural tapestry. The city's renowned educational institutions, including the University of Otago, contribute to its youthful vibrancy and intellectual energy, attracting students and academics from around the world.

The city's natural environment is equally captivating, characterised by a striking blend of landscapes. The Otago Peninsula, with its rugged coastline and abundant wildlife, including the Royal Albatross and Yellow-eyed Penguin colonies, offers a haven for nature enthusiasts and conservationists alike.

Dotted across the city is a diverse array of more than 100 parks and reserves. This expansive network encompasses a wide range of spaces, from botanical gardens and native bush reserves to foreshore areas. Whether it's finding tranquillity in picnic spots or embracing the thrill of hiking trails, the network caters to an array of outdoor interests.

Beyond providing for recreation, parks and reserves serve as sanctuaries for local biodiversity, fostering ecological diversity and counteracting the impacts of urbanisation. These spaces, abundant with indigenous flora and fauna, play a pivotal role in maintaining the overall health of the city's ecosystems.

Prominent parks include Dunedin Botanic Garden, an award-winning attraction that showcases a splendid collection of native and exotic flora, inviting visitors to explore its themed gardens and conservatories. The Town Belt offers a picturesque green space that wraps around the city, providing residents and visitors with a peaceful retreat for recreation and relaxation while preserving an important part of Dunedin's natural heritage.

Notable spots also include the sprawling expanse of Andersons Bay Inlet, a sanctuary for birdwatchers and nature enthusiasts alike, and the serene Woodhaugh Gardens that nestle along the banks of Water of Leith. The celebrated Otago Peninsula, renowned for its unique biodiversity and coastal allure, hosts several reserves, including Taiaroa Head and Okia Reserve, pivotal havens for wildlife preservation and conservation endeavours.

Dunedin's reserves face numerous risks, including habitat degradation, invasive species, climate change impacts, and increased human activity. Such threats can lead to biodiversity loss, soil erosion, water contamination, and diminished recreational value. A comprehensive reserve management plan is crucial to address these challenges, ensuring sustainable use, conservation, and enhancement of these valuable resources for current and future generations. Through strategic planning and community involvement, Dunedin City Council aims to safeguard and enhance the ecological integrity and cultural heritage of Dunedin's reserves while also enhancing their recreational value for all to enjoy.

## 1.1. Scope and Nature of the Plan

Dunedin City Council (DCC/Council) is responsible for preparing policies for the effective management of Dunedin's reserves.

The Reserves Act 1977 (the Act) requires DCC to have a management plan for the reserves under its control, management, or administration. The management plan provides for and ensures the use, enjoyment, maintenance, protection and preservation, as the case may require, and, to the extent that DCC's resources permit, the development, as appropriate, of the reserve for the purpose for which it is classified under the Act.

Policies included in this Reserves Management Plan General Policies document (Plan) are intended to apply not only to reserves administered by DCC under the Act (as required by law) but also as general guidance for other parks owned/used by DCC in accordance with the LGA 2002, and any other land held/used by DCC under any other legislation which DCC treats in a similar way to reserves under the Act. Accordingly, the term reserve in this Plan is used to refer to all of these categories for ease of reference only. Consideration should be given when applying the Plan to how the land is held or used by DCC.

Section 4 of the Conservation Act 1987 contains an obligation to give effect to the principles of the Treaty of Waitangi. Case law has held that the obligation in section 4 required each of the Acts in the First Schedule to be interpreted and administered as to give effect to the principles of the Treaty of Waitangi, at least to the extent that the provisions of those Acts were clearly not inconsistent with those principles. As such, in performing functions and duties under the Reserves Act 1977, the DCC must give effect to the principles of the Treaty of Waitangi. Treaty obligations are overarching and not something to be considered or applied after all other matters are considered; they should be an integral part of the process at the inception of a proposal.

This Plan has been prepared using the process set out in section 41 of the Act, in consultation with mana whenua, key stakeholders and the public.

The development of this Plan and policies in it allows for a more consistent approach to management of reserves and removes the need for policies to be repeated in each individual reserve management plan.

DCC prepares individual reserve management plans for specific reserves according to identified priorities. The general policies of the Dunedin City Council Reserves Management Plan General Policies are an integral part of these specific management plans. This Plan is intended to be read alongside any individual reserve management plan policy. Where policies in an individual plan and the General Policies in this Plan are in conflict, then the policies in the individual reserve management plan take precedence.

It is imperative that management plans are read in conjunction with the Act, the principal statutory framework dictating procedures for activities contemplated under the management plan. Consideration of other relevant legislation (including bylaws), and council documents and policies is also essential when determining appropriate reserve management practices. Nothing in this Plan avoids the need for activities and development on reserves to comply with other relevant legislation. Applicants for a proposed activity may require separate regulatory approvals and consents such as under the Resource Management Act 1991.

## 1.2. Statutory and Policy Context

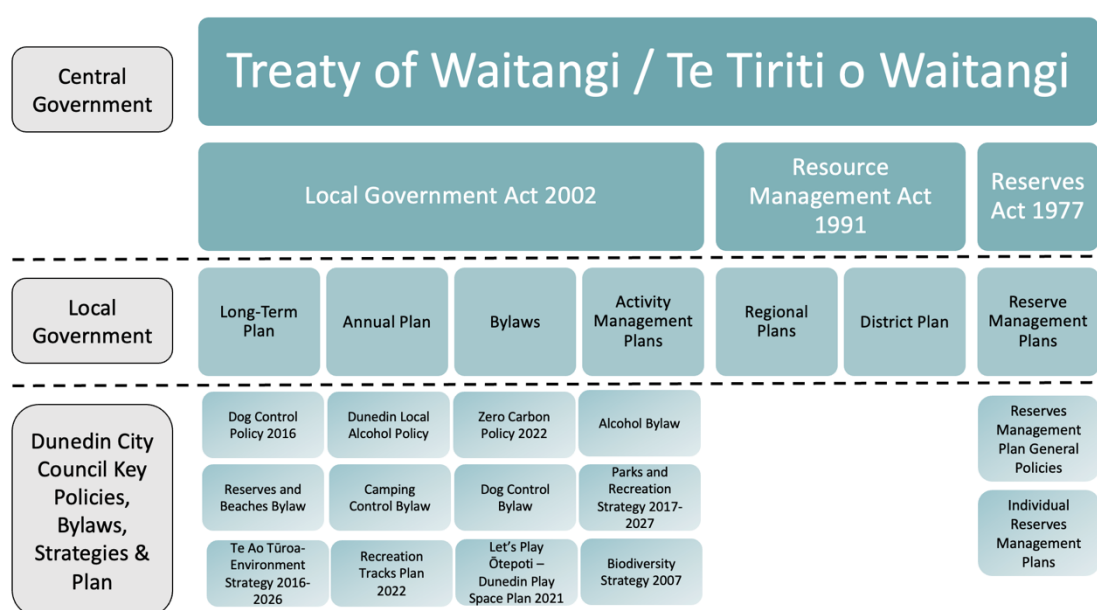
The development and management of reserves and the implementation of this Plan is guided by a range of legislation, policies and Council plans and strategic documents. The main documents influencing the management of reserves are described in the following section.

It is important to note that where land is a reserve administered under the Act any statutory decision-making under the Act must be observed. Where the land is a park or other land treated by DCC as a reserve (but not administer under the Act) there are other statutory processes that could apply to decision making including the requirements in the LGA 2002.

Figure 1 below gives an overview of the wider legislative and statutory frameworks relevant for the management of reserves.

### 1.2.1. Te Tiriti o Waitangi / the Treaty of Waitangi

Te Tiriti o Waitangi / the Treaty of Waitangi (Te Tiriti) is the founding document of New Zealand.



Case law has held that the obligation in section 4 of the Conservation Act 1987 requires each of the Acts in the First Schedule (including the Reserves Act 1977) to be interpreted and administered as to give effect to the principles of the Treaty of Waitangi, at least to the extent that the provisions of those Acts were clearly not inconsistent with those principles. As such, in performing functions and duties under the Act, the DCC must also administer and interpret the Act to give effect to the principles of the Treaty.

The principles of Te Tiriti likely to be most relevant in making decisions on the management of reserves are:

- Partnership – the mutual duties to act towards each other reasonably and in good faith are the core of the Treaty partnership.
- Informed decision making – being well-informed of mana whenua's interests and views. Early consultation is a means to achieve informed decision-making.
- Active protection – this involves the active protection of Māori interests retained under Te Tiriti. It includes the promise to protect te tino rangatiratanga (sovereignty and self-determination) and taonga.

Mana Whenua continue to maintain a presence and relationship with their ancestral sites and landscapes of significance. This relationship also extends to taonga, and sites where historic events

occurred, often within the boundaries of the parks. One way to give practical effect to the principles of Te Tiriti is to enable iwi or hapū to reconnect to their ancestral lands.

The LGA 2002 also contains obligations to Māori, including to facilitate Māori participation in council decision-making processes.

### 1.2.2. Reserves Act 1977

The purposes of the Act can be summarised as:

- providing for the preservation and management of areas for the benefit and enjoyment of the public
- ensuring, as far as possible, the survival of all indigenous species of flora and fauna
- ensuring, as far as possible, the preservation of access for the public
- providing for the preservation of representative samples of all classes of natural ecosystems and landscape
- fostering and promoting the protection of the natural character of the coastal environment and the margins of lakes and rivers.

### 1.2.3. Local Government Act 2002

The LGA 2002 is the primary legislative framework that governs the roles, functions, and responsibilities of local government authorities in New Zealand.

The LGA states the purpose of local government, provides a framework and powers for local authorities to decide which activities they undertake and the manner in which they will undertake them. It outlines the powers and duties of local councils, and the mechanisms for community engagement and decision-making.

The LGA 2002 provides for local authorities to play a broad role in promoting the social, economic, environmental, and cultural well-being of their communities, while taking a sustainable development approach.

The long-term plan and annual plans, local bylaws and development of Council policy are all undertaken in accordance with the LGA 2002.

Parks defined under the LGA 2002 for certain purposes being land acquired or used principally for community, recreational, environmental, cultural, or spiritual purposes (not including land held as reserve under the Act) are subject to certain requirements under the LGA 2002. Reserve outside the Act accordingly often has no statutory process for classification. However, these parks may also have unique attributes that shape how the park is used and valued. When considering the management of parks held or used outside of the Act, consideration will be given to the park's primary purpose to ensure appropriate use and protection.

### 1.2.4. Resource Management Act

The Resource Management Act 1991 (RMA) is the main piece of legislation that sets out how New Zealand should manage its environment. Of relevance to the management of reserves, the RMA sets out what can be in national policy statements and requires the Council to prepare and change a district plan.

### 1.2.5. Other Relevant Legislation

Other legislation has relevance for the management of reserves. Key legislation relevant at the time of writing this document, including a short summary of its purpose is included in Appendix A. This is not a complete list of all relevant legislation that may apply. For detailed information, refer to the legislation itself.

### 1.2.6. National Policy Statements

National policy statements (often referred to as NPSs) enable central government to prescribe objectives and policies for matters of national significance which are relevant to achieving the sustainable management purpose of the RMA.

The NPSs which may be relevant to the management of reserves are:

- National policy statement for freshwater management 2020
- National policy statement for indigenous biodiversity 2023
- New Zealand coastal policy statement 2010
- National Policy Statement on Urban Development 2020

A list of relevant NPSs is included in Appendix B.

### 1.2.7. District Plan

Dunedin's district plan is the Second Generation Dunedin City District Plan (2GP). The provisions in the 2GP relating to the management of Dunedin's reserves are now operative. The 2GP manages Dunedin's reserves by zoning and associated objectives, policies and rules. Some reserves have a Recreation zoning (Section 20 of the 2GP) others have a Residential zoning (Section 15 of the 2GP) while larger key recreational facilities such as Dunedin Botanic Garden (Section 22 of the 2GP) are a type of major facility zone.

The provisions within the 2GP manage the land use activities and the scale and location of buildings and structures that can occur within reserves.

### 1.2.8. Council Bylaws

DCC uses bylaws to regulate various activities on reserves, providing for safe public use and enjoyment and the protection of wildlife and habitat.

At the time of writing this the following bylaws relevant to the management of reserves have been adopted:

- [Camping Control Bylaw 2015](#)
- [Reserves and Beaches Bylaw 2017](#)
- [Dog Control Bylaw 2016](#)
- [Alcohol \(Control Of Alcohol in Public Places\) Bylaw 2004](#)
- [Trading in Public Place Bylaw 2020](#)

Most bylaws simply require compliance with rules for the activity; for example, a person may only exercise a dog off a leash in certain reserves or parts of a reserve. Other activities may require a prior approval. Some activities may need approval under a bylaw, as well as a landowner approval or Reserves Act decision as outlined in this plan.

DCC may amend, replace or repeal any bylaw. The development and review of bylaws is a statutory process and always involves public consultation.

### 1.2.9. Relevant Council Strategies

DCC has a range of strategies and policies that are relevant to the management of reserves.

At the time of writing this Plan, the following were key strategic documents:

- [Parks and Recreation Strategy 2017-2027](#)
- [Recreation Tracks Plan 2022](#)
- [Let's Play Ōtepoti – Dunedin Play Space Plan 2021](#)
- [Te Ao Tūroa, The Environment Strategy 2016-2026](#)
- [Biodiversity Strategy 2007](#)
- [Zero Carbon Plan 2030](#)
- Te Taki Haruru 2023 – Maori Strategic Framework 2023
- [Dunedin Future Development Strategy 2024-2054](#)
- [Dunedin City Second Generation District Plan 2024](#)

Appendix C provides an overview of what the different strategies cover in relation to the management of reserves.

### 1.3. Process to Develop the Reserve Management Plan

The following table summarises some of the section 41 requirements under the Act for preparing management plans, and in brief, the statutory process used to develop all management plans under the Act including management plans for specific reserves. For more detail refer to section 41 of the Act.

Relevant sections of the Reserves Act 1977	Description of Activity
Section 41(5)	Council publicly notifies its intention to prepare the management plan and calls for suggestions within a specific time period. In preparing the management plan full consideration must be given to any comments received. Note this subsection does not apply in the instance that section 41(5A) applies.
Section 41(6)(a) to (c)	The draft plan is made available to the public for comment or objections (not less than 2 months after publication of notice stating the draft plan is available for inspection).

Relevant sections of the Reserves Act 1977	Description of Activity
Section 41(6)(d)	Hearing is held to consider the submissions prior to approval.
	In order to approve the management plan, the draft plan will be edited to reflect the decisions of the hearings panel. The final management plan is presented to council for adoption.

Table 1 Process prescribed by the Reserves Act 1977

This Plan has been prepared having considered:

- submissions and feedback received from members of the public
- relevant statutory requirements
- the history and development of reserves
- current and anticipated future trends in use
- DCC's vision and community outcomes outlined in the Long-Term Plan
- long-term direction for reserves as outlined in the DCC's Parks and Recreation Strategy 2017-2027 and other relevant policies and strategies.

#### 1.4. Reserves Classification

The Reserves Act 1977 requires each reserve held under the Act to be classified according to its principal or primary purpose.

Classification is a mandatory process under section 16 of the Reserves Act which involves assigning a reserve the appropriate purpose or classification.

The present values of the reserve are considered as well as the future "potential" values and the possible future uses and activities on the reserve. Classification is the crucial element in management planning. DCC are actively proceeding with formal classification of reserves under the Act.

The table below gives an overview of the most common reserve classifications as outlined in the Reserves Act 1977, sections 17 to 23.

Reserve classification and section of the Reserves Act	Primary purpose
Recreation Reserve Section 17	"...for the purpose of providing areas for the 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, with emphasis on the retention of open spaces and on outdoor recreational activities, including recreational tracks in the countryside."
Scenic Reserve Section 19(1)(a)	"...for the purpose of protecting and preserving in perpetuity for their intrinsic worth and for the benefit, enjoyment, and use of the public, suitable areas possessing such qualities of scenic interest, beauty, or natural features or landscape that

	their protection and preservation are desirable in the public interest.”
Scenic Reserve Section 9(1)(b)	“...for the purpose of providing, in appropriate circumstances, suitable areas which by development and the introduction of flora, whether indigenous or exotic, will become of such scenic interest or beauty that their development, protection, and preservation are desirable in the public interest.”
Local Purpose Reserve Section 23	<p>“...for the purpose of providing and retaining areas for such local purpose or purposes as are specified in any classification of the reserve.”</p> <p>Examples of purposes include:</p> <ul style="list-style-type: none"> <li>• esplanade</li> <li>• accessway</li> <li>• community use/buildings</li> <li>• utility.</li> </ul>

*Table 2 Common reserve classes under the Reserves Act 1977 and their primary purpose*

Every reserve classification is subject to specific requirements set out in the Reserves Act 1977 to ensure land is managed in accordance with the purpose for which it is held. These requirements cover the planning, management and decision making about what happens on all land held under the Reserves Act 1977.



## 2.1 General Parks and Open Space Network Policies

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## 2.1.1 Mana Whenua Partnerships

### **Comments**

DCC acknowledges the status of Kāi Tahu, Te Rūnanga o Ōtākou and Kāti Huirapa Rūnaka ki Puketeraki as mana whenua and is committed to give effect to the Treaty of Waitangi. Active Partnership with mana whenua brings te ao Māori values such as kaitiakitaka (guardianship/stewardship), whanaukataka (forming and maintaining relationships) and manaakitaka (hospitality) to reserve management.

Active partnership recognises the rakatirataka (self-determination) and wellbeing of mana whenua and underlines the importance of respect and understanding of the Māori culture and heritage in reserve management. This supports better outcomes in reserves especially in caring for the natural and cultural heritage of the whenua and people's enjoyment of reserves.

Dunedin City Council recognises that working in partnership can occur at all levels of decision-making and management.

At governance, management, project and operational levels the DCC is committed to working with mana whenua to develop effective options for greater involvement. This may include co-management of a reserve or priority areas of interest with or across the reserve network.

### **Objectives**

1. *To strengthen partnerships with mana whenua in managing reserves.*
2. *To acknowledge and support mana whenua with their ancestral lands and taoka held within the reserve network.*
3. *To support the expression of Māori identity and culture on reserves.*
4. *To support Māori wellbeing through the use and development of reserves.*

### **Policies**

1. Work with mana whenua to provide greater opportunities for active partnership involvement in reserve management including, but not limited to:
  - a. considering ways to strengthen involvement in reserves identified by mana whenua as having particular cultural significance, such as wāhi tapu, wāhi tūpuna, etc.
  - b. developing effective processes to engage early with mana whenua and work together across projects and programmes of work.
  - c. developing options to engage Māori kaitiaki (guardian) rangers.
  - d. supporting capability and capacity building for active partnership.
2. Acknowledge mana whenua connection to reserves and work to support expression of Māori identity and culture including, but not limited to:
  - a. the inclusion of te reo Māori names, utilisation of Kāi Tahu mita (dialect) and stories for reserves and reserve features.

- b. acknowledgement of mana whenua association with reserves through interpretation.
  - c. encouraging mana whenua leadership in education and interpretation programmes.
  - d. incorporation of local Māori design into new reserve development including the utilisation of local Māori artists, such as toi whakairo (carvers), toi raraka whakarākai (weavers), and other artists.
  - e. supporting relationship building between mana whenua and others, such as local stakeholders and concessionaires.
3. Develop ways to strengthen relationships between DCC's Parks and Recreation staff, contractors and mana whenua, including but not limited to:
- a. building staff and contractor familiarisation with mana whenua values, tikaka (customs and traditional values), mātauraka Māori (traditional Māori knowledge) and context.
  - b. developing and implementing existing relationship agreements or memorandums of understanding.
4. Support mana whenua to recognise their customary relationship to the whenua (land) in reserves such as:
- a. enabling recognition of traditional practices and tikaka.
  - b. making appropriate provision for mahika kai (garden/food gathering place), customary activities and resource use such as harvest and collection of materials for traditional purposes.
  - c. planting of plants for rokoā (traditional Māori medicine) or traditional cultural harvest and supporting the use of non-threatened native plants for these purposes.
  - d. enhancing the mauri (life force) of taoka (treasures) within reserves by supporting native restoration plans, managing pest animal and plant threats, and enabling rāhui (restriction of access) where resources are threatened or in other incidences where rāhui is recommended by mana whenua.
5. Support opportunities to work with mana whenua to improve Māori wellbeing; for example via programmes and services on reserves that provide opportunities for Māori cultural, physical and mental health.

***Relevant documents to be read in conjunction with this section***

<b>Legislation</b>	<p><b>Local Government Act 2002</b></p> <p>Section 4 provides that in order to recognise and respect the Crown's responsibility in relation to the Treaty of Waitangi, local authorities are required to adhere to Parts 2 and 6 of the Local Government Act 2002, which sets out the principles and requirements that are intended to facilitate participation by Maori in council decision-making.</p> <p><b>Resource Management Act 1991</b></p> <p>Kaitiakitanga (or kaitiakitaka) is defined in the Resource Management Act 1991 as <i>"the exercise of guardianship by the</i></p>
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	<p><i>tangata whenua of an area in accordance with tikanga Māori in relation to natural and physical resources; and includes the ethic of stewardship”.</i></p> <p>In applying other legislation such as the Resource Management Act 1991 and the Conservation Act 1987, DCC must also consider any responsibilities under the Treaty of Waitangi, and to tangata whenua, mana whenua, and iwi regarding the management of reserves.</p> <p><b>NPS</b></p> <p>DCC is also obliged to comply with the National Policy Statement for Freshwater Management 2020 (NPS-FM) and the NPS on Indigenous Biodiversity which both have sections on Te Mana o te Wai (Essential Freshwater Regulations 2020).</p>
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## 2.1.2 Climate Change Considerations

### **Comments**

The impacts of climate change are a key challenge for our society. The Dunedin City Council adopted the [Zero Carbon Policy](#) in 2022. The purpose of the policy is to ensure DCC activities minimise greenhouse gas emissions and contribute to achieving city-wide and DCC emissions reduction targets, with the priority being gross emissions reduction. Minimising emissions associated with the operation, use, maintenance, and development of reserves should be a priority to align with the DCC's Zero Carbon Policy.

Reserves have an important role in mitigating climate change. Providing for walking and cycling corridors through reserves can increase active transport use by providing a safer and more enjoyable commute than on-road options. Promoting and enabling use of local reserves for local recreation, events and community gardens can assist local residents to maintain lower carbon lifestyles.

Trees capture and reduce carbon, and also help with flood prevention, reducing city temperatures, and reducing pollution, thus reducing the effects of climate change. When present, wetlands can also be very effective carbon sinks, as well as acting as a natural buffer against extreme events such as flooding and drought. Maximising the climate benefits of reserves should be a consideration in reserve management.

On the other hand, reserves can also contribute to greenhouse gas emissions. For example, through agricultural activity, deforestation, wetland loss and degradation, and reserve activities that burn fossil fuels all contribute to emissions. Travel to and from reserves also has an emissions footprint.

Minimising carbon emissions associated with reserves and their use should also be a priority. For example, to align with the Zero Carbon Policy, the DCC may provide bicycle parking facilities, access along public transport routes or EV charging infrastructure to help facilitate sustainable transport options to access reserves.

The management of reserves may contribute to efforts to adapt the city to the growing effects of climate change. For example, tree planting in reserves could reduce flood risk by intercepting rainfall, absorbing groundwater, and generally slowing the passage of surface water into stormwater systems. Expansion of reserves is likely to increase the proportion of permeable surfaces in urban areas, leading to increased infiltration, and reduced surface run-off, which can reduce flood risk.

Reserves are also vulnerable to the impacts of climate change, including stronger and more frequent storms, higher rainfall levels and intensity, coastal inundation, erosion, longer periods of drought, and greater wildfire threat. Altered weather patterns may have negative impacts such as stress on native biodiversity, an increase in plant and animal pests and the spread of pathogens. Climate change could also change recreational access to areas if the ground is saturated for longer periods, or if roads or access routes become damaged or inundated. The management of reserves should take these potential impacts into account and improve the resilience of reserves and reserve infrastructure to the impacts of climate change.

### **Objectives**

- 1. To manage reserves in a way that minimises greenhouse gas emissions, promotes carbon sequestration and contributes to Dunedin City's climate adaptation goals.*
- 2. To manage reserves in a way that improves their resilience to the impacts of climate change.*

3. *To consider climate adaptation and emissions reduction in decisions relating to the establishment of new reserves.*

## **Policies**

1. Minimise greenhouse gas emissions in the operation, maintenance, and development of reserves. Examples of actions to minimise emissions include:
  - a. Low or no-build options and nature-based solutions in lieu of new infrastructure.
  - b. consider emissions reduction opportunities early in the pre-initiation or conceptual stage of new projects.
  - c. energy efficiency and alternatives to fossil fuels for new or replacement services and assets.
  - d. renewable and reusable materials in reserve design elements.
2. Support DCC and city emissions reduction targets by:
  - a. complementing on-road walking and cycling networks with walking and cycling corridors through reserves.
  - b. supporting initiatives that promote and enable active and public transport modes to travel to reserves.
  - c. exploring potential partnerships with third parties to provide EV charging stations within reserves, to support quicker uptake of electric vehicles (see policies in section **2.3.3 Car Parking and Vehicle Access**).
  - d. promoting and enabling use of local reserves for local recreation and events.
  - e. enabling, where appropriate, use of local reserves for community gardens and food production.
3. Undertake restoration and planting programmes where appropriate to optimise carbon sequestration, reduce flood risk and build resilience to climate impacts, by:
  - a. incorporating climate change considerations in relation to species choice for major planting programmes e.g., in low-lying reserves, prioritise species that have high tolerance to salination events (storm surge) and provide maximum water absorption.
  - b. increasing heat resilience by planting drought and heat tolerant plants, where appropriate.
4. Management of natural hazards on reserves should consider:
  - a. options to minimise interference to natural processes and natural resources.
  - b. assessment of the risks to people, reserve land and reserve infrastructure and reserve values, including historic and cultural heritage, recreational and community values.

5. When a high level of risk to people, reserve land, reserve infrastructure or other assets from a natural hazard in a reserve has been identified, options to manage risks should be identified and, where practical and feasible, interested people and organisations should be informed of any proposed actions prior to implementation.
6. Where public access or infrastructure is vulnerable to natural hazards such as frequent flooding, erosion or land instability, consider protective interventions where feasible, or restricting access, moving assets away from the hazard (managed retreat), planting and/or naturalisation of hazardous areas as appropriate.
7. When planning new or replacement buildings or infrastructure on reserves or contemplating a new lease or licence, consider potential hazards including the long-term impacts of climate change such as sea level rise and coastal hazards; and ways to mitigate those impacts including relocatable buildings, alternate locations or alternative ways to deliver the service.
8. Recognise the risk of increased drought or flooding in design and subsequent maintenance costs of reserve assets such as playing fields.
9. Prioritise nature-based and mātauraka Māori-informed solutions to minimising emissions and improving climate change resilience in reserves.
10. Decision-making about reserve protection should be informed by a holistic view of climate change impacts e.g., in some cases, the establishment of a new reserve may be more favourable than extensive investment in protecting an existing reserve or reserve access that is subject to climate change impacts.

***Relevant documents to be read in conjunction with this section***

<b>Council documents</b>	<b>Zero Carbon Plan 2030</b> The DCC's Zero Carbon 2030 plan aims to achieve net zero carbon emissions by 2030 through a combination of reducing emissions, enhancing energy efficiency, and increasing renewable energy use. The plan prioritizes sustainable transport, waste reduction, and carbon sequestration, while fostering community collaboration and resilience to climate change.
<b>Sections in this Plan</b>	<b>2.3.1 General Reserve Development</b> <b>2.4.2 Land Acquisition and Disposal</b>

## 2.1.3 Cultural and Historic Heritage

### Comments

The presence of historic and cultural heritage values in a reserve provides an opportunity for park users to engage with, acknowledge, and learn about the past, and to develop a sense of identity.

Dunedin retains a diverse heritage, some of which is located in reserves, bearing significance to both Māori and non-Māori settlement. Historic and cultural heritage values include physical/tangible (visible) features, but also intangible stories.

Tangible or visible features include:

- Archaeological sites or features of Māori or non-Māori origin, including:
  - examples of sites or features of Māori origin include pā (earthwork fortifications), kāika (settlements), rua kūmara (pits), urupā (burial places) and middens (food refuse),
  - examples of sites of early colonial origin, including excavated evidence of residential, industrial, and commercial activities such as mills, dams, and water races.
- Historic buildings such as homesteads, churches, community buildings and rural halls, defence and coastal structures, memorials, and/or monuments.
- Historic cemeteries and sites of spiritual significance including urupā.
- Historic gardens, plantings, landscapes, and parks.

Intangible values are tied to cultural connections and stories linked to places. They can include cultural narratives like origin stories, or long-held associations reflecting historic events. Examples of this can be places where important events or activities occurred, or individuals lived, such as tō waka (waka portages), wāhi pakanga (battle sites) and wāhi tohi (ritual sites).

It is important to recognise and protect those cultural and historic heritage features and values, and enable safe access for the public. Management of reserves will, therefore, include protection, retention and interpretation of heritage features and values so that their heritage significance is recognised.

Under Heritage New Zealand Pouhere Taonga Act 2014, all archaeological sites are automatically protected, regardless of whether they have been previously recorded or not.

### Objectives

1. *To ensure that sites of cultural and historic heritage significance are identified, recorded and protected appropriately for the appreciation and education of future generations.*
2. *To work with mana whenua to identify priorities for the preservation and management of Māori cultural heritage.*
3. *To avoid and minimise adverse effects of activities on cultural heritage.*



4. *To support protection of built heritage structures through adaptive reuse (sympathetic conversion)*<sup>1</sup>.

### **Policies**

1. Research, identify and assess reserve assets that are likely to have historic values to determine their significance, and maintenance and preservation requirements.
2. Work with partners and key stakeholders, including mana whenua, to:
  - a. determine priorities for identification, preservation, and management.
  - b. identify tikaka for management, such as public access to wāhi tapu or culturally sensitive areas.
  - c. establish baseline measures and monitoring.
  - d. provide information and interpretation of wāhi tūpuna where appropriate.
3. Manage and protect cultural heritage in accordance with relevant legislation, and consider the following:
  - a. relevant policies and plans such as conservation plans, iwi management plans, cultural values assessments and maintenance plans for heritage assets.
  - b. compatibility with the reserve purpose and values, and where applicable, Reserves Act 1977 classification.
4. Sites of heritage significance will be maintained in a timely manner, in general accordance with the principles of the ICOMOS New Zealand Charter for the Conservation of Places of Heritage Value.
5. Encourage public appreciation of cultural heritage through the development of cultural heritage trails, or provision of information and interpretation, including digitally accessible information.
6. Support the adaptive reuse of historic buildings and structures for the benefit of reserve users and the wider public, where the use does not compromise the historic values of buildings.
7. Before alteration, adaptation or demolition of a structure likely to have historic values, consider the following:
  - a. relevant specialist advice and guidance e.g. specialist heritage reports and principles in the ICOMOS New Zealand Charter
  - b. existing conservation plans, assessments, or maintenance plans
  - c. availability of appropriately qualified specialist trades to undertake the work.
8. Any development work carried out on or adjacent to historic structures, settings and archaeological sites must be carried out in liaison with Heritage New Zealand Pouhere Taonga and be sympathetic to the heritage significance and values.
9. Consider and, where possible, manage heritage features within their wider cultural landscape and the cultural narratives associated with those, as well as their context to help retain their integrity e.g. create visual connections between important cultural landmarks through the installation of pou.

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<sup>1</sup> Adaptive reuse of a building means sympathetic reuse, finding a new purpose for an existing heritage structure e.g. turning old navy barracks into spaces that the community can use.

### ***To note***

- **ICOMOS** (International Council on Monuments and Sites) is an international NGO of heritage professionals dedicated to conserving cultural heritage sites. The ICOMOS New Zealand Charter, e Pumanawa o ICOMOS o Aotearoa Hei Tiaki I Nga Taonga Whenua Heke Iho o Nehe, serves as a widely recognised set of guidelines for heritage conservation in New Zealand. It is used by government bodies, local authorities, and practitioners in the heritage sector.
- All heritage structures identified within reserves will undergo seismic assessments where required in compliance with local government requirements, ensuring safety and preservation in alignment with national standards.
- When archaeological sites, features, or sensitive materials—including previously unknown or recorded kōiwi tangata (human skeletal remains) or cultural sites—are uncovered during park development, the Heritage New Zealand Pouhere Taonga Act 2014 and Accidental Discovery Protocol, as incorporated into the 2GP will apply. Council will work closely with mana whenua to ensure culturally appropriate discovery protocols and tikaka are followed throughout the implementation process.

### ***Relevant documents to be read in conjunction with this section***

<b>Legislation</b>	<p><b>Heritage New Zealand Pouhere Taonga Act 2014</b></p> <p>Protects archaeological sites (whether recorded or not). An approval (called an archaeological authority) from Heritage New Zealand Pouhere Taonga is required where activities impact cultural heritage sites.</p> <p><b>Reserves Act 1977</b></p> <p>Requires that historic and archaeological features are managed and protected in a way that is compatible with the reserve's primary purpose.</p>
<b>Council documents</b>	<p><b>Heritage Strategy for Dunedin City 2007</b></p> <p>Sets out the vision and goals for the sustainable management of Dunedin's heritage. It also provides the framework to guide the DCC's future work programmes and initiatives for heritage across the District. It contains a heritage schedule that identifies known heritage buildings, heritage structures and sites for protection.</p> <p><b>2GP</b></p> <p>Contains rules and regulations, which protect sites and places of significance to mana whenua, and heritage of significance to European and other cultures. Relevant scheduled items include Heritage Buildings and Structures and Scheduled Heritage and Archaeological Sites. Overlays include the Heritage Precinct.</p>

	Other areas mapped and protected include wāhi tūpuna, which represent Kāi Tahu traditional and contemporary cultural landscapes.
Sections in this Plan	<b>2.1.1 Mana Whenua Partnerships</b> <b>2.3.1 General Reserve Development</b> <b>2.3.2 Buildings and Structures</b> <b>2.3.5 Signs, Information and Interpretation</b>

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## 2.1.4 Biodiversity and Natural Landscapes

### Comments

This section covers policies relating to:

- protecting and restoring indigenous biodiversity, including ecosystems, habitats and species
- managing pest plants, pest animals and pathogens
- protecting geological features
- protecting the wider open space network and restoring the mana and the mauri of waterways (including coastlines) in and adjoining reserves.

#### 2.1.4.1 Biodiversity

Aotearoa New Zealand has a high proportion of endemic species – species that are found nowhere else on Earth. Our unique species and special places are valuable for their intrinsic values, the environmental services they perform, what they offer to future generations, and for their contribution towards our identity. However, as outlined in the Department of Conservation *Biodiversity in Aotearoa 2020* report, Aotearoa New Zealand's biodiversity, or variety of plants and animals, is in a crisis. The consequences of human population growth and accompanying resource needs have left plants and animals displaced, often battling to survive; and indigenous ecosystems eliminated or depleted to make way for other land uses.

The National Policy Statement for Indigenous Biodiversity (NPSIB) is an essential part of New Zealand's response to the biodiversity crisis. It provides direction to councils to protect, maintain and restore indigenous biodiversity requiring at least no further reduction nationally, both in rural and urban environments. The NPSIB prioritises the mauri (life force) and intrinsic value of indigenous biodiversity and recognises people's connections and relationships with indigenous biodiversity. It acknowledges the interconnectedness between the health and wellbeing of the environment and communities.

Te Ao Tūroa The Natural World 2016-2026 – Dunedin's Environment Strategy, aims to guide the city toward a climate-resilient future, enhance and sustain the health of its natural environment, and foster a strong sense of connection and responsibility among the community towards environmental stewardship. A key focus of this Strategy is acknowledging mana whenua and their knowledge and understanding of the natural world and the importance of its life-supporting capacity (mauri).

This Plan recognises the traditional and continual tribal authority Kāi Tahu mana whenua have within the rohe of Ōtepoti Dunedin. Exercising kaitiakitaka restores mana and supports wellbeing in a holistic sense. The DCC will work alongside mana whenua in conservation management including water quality improvement, ecological restoration and pest management activities on reserves, including planning, delivery, monitoring and review of activities that enhance the natural environment and restore its mauri. Doing so is reflective of the key directions found in the environmental wellbeing across Autūroa, Autaketake, and Autakata in Te Taki Haruru.

The DCC's reserves are an important part of the interconnected natural world as defined by Te Ao Tūroa, which contain many unique species, habitats and ecosystems. They range from the mountainous remnants of the Dunedin Volcano, including Flagstaff (Whānau-paki) and Mount Cargill (Kapuketaumahaka), to a variety of coastal and lowland wetlands and forests. These areas provide habitat for a range of iconic species such as the world's rarest penguin species - the Hoiho/Yellow-

eyed penguin – which is a nationally endangered species that is declining due to environmental stressors.

The Department of Conservation's Otago Conservation Management Strategy 2016 (partially refreshed in 2022) provides a specific assessment of and direction for Dunedin City within the Eastern Otago and Lowlands/Mauka Atua Place. It notes that whilst public conservation lands and waters include a wider range of nature, scientific, scenic, historic, recreation and wildlife management reserves, wildlife refuge, conservation areas and marginal strips, these areas are generally small and scattered, within a predominant farming and forestry landscape. Consequently, the remaining indigenous forests and wetlands generally have high ecological and landscape significance and actions are focused on protecting, restoring and connecting these reserves.

The DCC is committed to working with mana whenua, community groups and individuals, and other agencies to continue to progress a range of initiatives to achieve these outcomes. In addition to restoring biodiversity for its intrinsic value, these outcomes have the opportunity to support Dunedin's economy and communities to thrive. The DCC recognises that making protected areas accessible to locals and visitors, whilst safeguarding them from damage and unsustainable use, requires careful planning and management.

The Reserves Act 1977 provides for the protection of the natural environment, including native flora and fauna, biological associations and intrinsic worth, through specific reserve classes. These include Scenic Reserves (A and B) and Nature Reserves where the protection of natural values is the focus. Other reserve classes such as Recreation Reserves, also provide for the protection of natural values as a secondary value, whilst their primary purpose focuses on use and enjoyment, as well as public access.

The DCC's District Plan also contains provisions for protecting the natural heritage through the identification of more than 100 areas of significant biodiversity and conservation value.

## **Objectives**

- 1. Recognise the traditional and continual kaitiaki role of Kai Tahu mana whenua in Dunedin's reserve management.*
- 2. To protect and restore a network of habitats and ecosystems and areas of significant ecological/conservation value across the reserves network to increase the indigenous biodiversity across Dunedin.*
- 3. To facilitate public enjoyment of reserves protected primarily for their natural or scenic values while ensuring the preservation of these intrinsic values.*
- 4. To work collaboratively with mana whenua, community groups, individuals and schools in restoring biodiversity in reserves through initiatives such as animal and plant pest control and education and awareness programmes.*
- 5. To continue to monitor the state of biodiversity in Dunedin's reserves network and review effectiveness of actions.*

## **Policies**

1. Align reserve management decisions and actions that impact biodiversity to the DCC's Biodiversity Strategy, Future Development Strategy and to regional and national requirements.

2. Protect, enhance and restore indigenous terrestrial and aquatic ecosystems, including habitat for threatened species, giving particular focus to those reserves identified as regional priorities in relevant regional and local strategies and Areas of Significant Biodiversity Value and Urban Biodiversity Mapped Areas identified in the 2GP.
3. Seek and implement best practices in planting and restoration techniques to enhance management effectiveness and reduce maintenance costs.
4. In addition to sites identified of regional importance, DCC will prioritise protection and restoration efforts based on:
  - a. their representativeness, rarity, connectivity or buffering function, diversity, health and special features.
  - b. enhancing the indigenous species diversity of reserves.
  - c. improving the ecological connectivity of the reserves network.
5. Work collaboratively with mana whenua, volunteer, community organisations and partner organisations to review, deliver, and monitor biodiversity management priorities for reserves, giving priority to:
  - a. supporting work undertaken in reserves by recognised volunteer groups.
  - b. collaboration efforts with Otago Regional Council and other relevant management agencies to co-ordinate and complement efforts across Dunedin City.
  - c. working with mana whenua when planning restoration of natural habitats and planting within parks, including identifying opportunities to enhance taoka species and mahika kai.
6. In addition to considerations for restoration plantings outlined in section **2.1.2 Climate Change Considerations** and tree planting outlined in section **2.6.13 Tree Management and Maintenance**, any plantings undertaken on reserves will:
  - a. be consistent with the overall character and function of the reserve and, where applicable, classification under the Reserves Act 1977.
  - b. utilise species appropriate to soil and microclimatic conditions.
  - c. generally, be indigenous and sourced from the same ecological district.
  - d. generally, be nurturing natural regeneration, be low maintenance and self-sustaining.
  - e. will give regard to retaining and enhancing significant views from the reserve.
7. Consideration may be given to the planting of exotic species<sup>2</sup> where:
  - a. it is consistent with the reserve classification under the Reserves Act 1977 (e.g. not in Nature or Scientific Reserves).
  - b. a need for a fast-growing species to control erosion.
  - c. the species provides a valuable source of food.
  - d. specimen feature trees or hedging.

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<sup>2</sup> Exotic species will not include any species identified in the Otago Regional Pest Management Plan or considered to be an ecological weed threat.

8. Where practicable, foster the resilience of indigenous species, habitats and ecosystems to the adverse effects of unpredictable events, such as climate change or new incursions of pests or pathogens, through an adaptive management response.
9. Investigate and adopt techniques that enhance planting and restoration operations, reduce maintenance requirements or costs, or improve plant viability or resilience.
10. Protect and maintain the long-term viability of indigenous species and ecosystems in low lying areas vulnerable to the effects of future sea level rise by:
  - a. providing for coastal ecosystem retreat in land use planning for parks, so ecosystems and habitats are given space to shift inland.
  - b. implementing land preparation activities and active ecological restoration where necessary to support indigenous ecosystem retreat.
11. Prepare a ten-year reserves network natural heritage outcomes monitoring framework to guide staff, mana whenua and partner organisations in monitoring, reporting and reviewing actions.

#### 2.1.4.2 Pest Plants, Pest Animals and Pathogens

The DCC is responsible for implementing pest control operations on its own land and assisting the Otago Regional Council with regional programmes in accordance with the Otago Regional Pest Management Plan 2019-2029.

The Otago Regional Pest Management Plan identifies a hierarchy of pest plant and animal programmes from site-led, sustained control and progressive containment to eradication and exclusion programmes. More information on the five programmes to manage pests in Otago including the type of programme, the programme purpose/objective and the species under control are found in the current [Otago Pest Management Plan](#).

The DCC also acknowledges the potential risks posed by pathogens, which are microorganisms such as bacteria, viruses, and fungi, that can cause disease in animals and humans. Pathogens can be introduced or spread through various means, such as wildlife, domestic animals, plants, soil, water, air, or human activities. Pathogens can have significant direct and indirect impacts on the ecosystem services, livelihoods, and cultural values associated with public parks and reserves.

The DCC is committed to preventing, managing, and eradicating pathogens that may threaten indigenous biodiversity on public parks and reserves, in accordance with the Biosecurity Act 1993.

#### **Objectives**

1. *To manage pest plants, pest animals and pathogens to protect indigenous biodiversity and, where appropriate, other reserve values.*
2. *To support the implementation of the Otago Regional Pest Management Plan 2019-2029 along with other initiatives such as Predator Free 2050 and Predator Free Dunedin programmes.*

#### **Policies**

1. Plant and animal pest threats will be identified and assessed, and their management prioritised in accordance with the policies and priorities in the Otago Regional Pest Management Plan 2019-2029 and giving priority to reserves containing sites of regional importance.

2. In reserves not identified as containing sites of regional importance, prioritise plant and animal pest management based on presence of:
  - a. ecologically significant areas, including areas important for ecological connectivity.
  - b. areas containing species representative of the indigenous biodiversity of the city (providing control does not have an adverse effect on these species).
  - c. areas in which pests threaten taoka or mahika kai species.
  - d. areas of high amenity and recreation value.
  - e. reserves where volunteer groups and other entities provide capacity to deliver programmes – for example coastal reserves that are habitat for threatened species such as Hoiho/Yellow-eyed penguin or areas with wilding conifer intrusions.
3. Conduct regular monitoring and surveillance of reserves to detect and identify biosecurity threats, including pest plants and animals and pathogens that may be present or emerging.
4. Implement appropriate biosecurity practices and procedures where biodiversity threats have been identified to prevent the spread of pest plant and animals and pathogens on reserves, such as cleaning and disinfecting equipment, vehicles, and footwear, restricting access to infected areas, and disposing of infected materials safely and responsibly.
5. Collaborate with Otago Regional Council, the Department of Conservation and other relevant management agencies to co-ordinate and complement efforts across Dunedin City.
6. Utilise up-to-date, best practice pest management methods, including emerging tools and technologies where applicable.

#### 2.1.4.3 Geological Features

Dunedin has many distinctive and outstanding geological features which are either contained within or accessed through reserves. These can be identified on the New Zealand Geopreservation Inventory's [maps](#). These features hold natural and cultural value.

Geological features change due to natural processes involving water, air, heat and cold, earthquakes and volcanism, and vegetation growth. They can also be destroyed, changed or obscured by human activity, particularly by development or vegetative cover.

For mana whenua, geological events and facts may be linked to origin stories or cultural narratives. Telling the origin stories of geological features is an important and valuable way of providing the bigger story of the formation and natural history of Ōtepoti Dunedin.

#### **Objective**

1. *To protect and value significant geological features on reserves.*

#### **Policies**

1. Protect and maintain significant geological features on reserves:
  - a. identified as Outstanding Natural Features in the 2GP.



- b. identified in the New Zealand Geopreservation Inventory<sup>3</sup>.
2. Maintain visibility and access to geological features for public education and awareness, where this is consistent with protecting their values.
3. Work with mana whenua and geological, volunteer and community organisations to protect and interpret significant geological features on reserves.

#### 2.1.4.4 Wider Open Space Network

In both te ao Māori and Western science, the air, sea and land are all interconnected. Reserves are an important component of a much wider open space network that includes terrestrial habitats and aquatic habitats such as lakes, rivers, streams, harbours and beaches.

Reserve management can contribute to environmental, cultural, social and economic outcomes that have been identified for the wider open space network. It can for example improve the resilience and connectivity of indigenous biodiversity, contribute to Otago's goals to protect and restore water quality and aquatic habitats and enhance access to many of Dunedin's special places for locals and visitors.

#### **Objective**

1. *To recognise the interconnectedness of reserves with the wider environment and manage reserves to promote and positively contribute to efforts to nurture the wider environment including playing a positive role in improving water quality, biodiversity and access.*

#### **Policies**

1. Advocate to protect, restore and enhance indigenous biodiversity that moves between reserves and the wider terrestrial, estuarine, and marine environment.
2. Act as an exemplar for sustainable land management to support restoration of marine habitats and improved water quality in receiving environments.
3. Manage reserves adjoining marine areas, particularly marine reserves, mātaihai and taiāpure areas in a manner that protects, restores, and enhances biodiversity values and ecological connections within the marine areas.
4. Consider assisting maintenance and enhancement of water quality and minimising and mitigating the impacts of climate change, in streams, lakes and wetlands, and indigenous aquatic ecosystems, through but not limited to:
  - a. riparian planting of ecologically appropriate indigenous species and restoration of wetlands.
  - b. planting steep slopes to prevent erosion and sedimentation.
  - c. replacing stormwater infrastructure with naturalised streams, subject to any other technical or legislative requirements e.g. through the 'daylighting' of previously piped stormwater.

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<sup>3</sup> Published and maintained by the Geosciences Society of New Zealand. Maps and site data are available at: <https://services.main.net.nz/geopreservation/>

- d. providing for green stormwater infrastructure, such as wetlands, as part of integrated improvements to parks.
- 5. Work collaboratively with mana whenua, volunteers, adjoining landowners, community organisations and partner organisations to enhance access to areas of significant natural heritage, where this is consistent with protecting their values.

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## ***To note***

### **National Policy Statement on Indigenous Biodiversity (NPS-IB)**

Outlines a comprehensive framework for the protection and management of indigenous biodiversity. It emphasizes sustainable land and water management practices, promoting the maintenance and restoration of ecosystems and habitats that support indigenous species. The policy recognizes the importance of indigenous biodiversity in both rural and urban environments, encouraging local authorities to incorporate biodiversity considerations into planning. With a focus on threatened species and an ecosystem-based approach, the NPS-IB also acknowledges the significance of Māori values and perspectives in biodiversity management, encapsulating the concept of "Te Mana o te Taiao" as a guiding principle. Local authorities and decision-makers are expected to integrate these principles into their planning and resource management processes for the effective conservation and sustainable management of New Zealand's unique indigenous biodiversity.

### **Otago Regional Pest Management Plan 2019-2029**

Prepared under the Biosecurity Act 1993. Its purpose is to provide a comprehensive framework for managing pests in the Otago region of New Zealand. The plan outlines strategies and measures to control and eradicate pests that pose a threat to the environment, agriculture, and biodiversity in the region. It aims to protect and enhance Otago's natural ecosystems, including rivers, forests, and landscapes, by addressing invasive species and minimizing their impact on native flora and fauna.

## ***Relevant documents to be read in conjunction with this section***

<b>Legislation</b>	<b>Biosecurity Act 1993</b> Aims to prevent the entry and spread of harmful organisms that could threaten the country's environment, economy, and human health. It establishes a legal framework for managing biosecurity risks, controlling and eradicating pests and diseases, and outlines responsibilities to safeguard New Zealand's biodiversity and agricultural productivity.
<b>Council documents</b>	<b>Te Ao Tūroa, Dunedin's Environment Strategy 2016-2026</b> Aims to guide the city toward a climate-resilient future, enhance and sustain the health of its natural environment, and foster a strong sense of connection and responsibility among the community towards environmental stewardship.  <b>Dunedin City Council Parks and Recreation Strategy 2017-2027</b> The Dunedin Parks and Recreation Strategy is a document to guide the development and management of recreation facilities and open spaces over a 10-year timeframe. It focuses on supporting community well-being and enhancing natural landscapes in the context of increasing challenges such as population growth, environmental impacts, and economic growth.

	<p><b>Biodiversity Strategy for Dunedin City 2007</b></p> <p>Provides a comprehensive and strategic framework for the conservation and sustainable management of biodiversity in the Dunedin area. This strategy aims to guide decision-making and actions related to biodiversity, emphasising the protection, enhancement, and restoration of natural ecosystems, habitats, and species.</p>
Sections in this Plan	<p><b>2.1.1 Mana Whenua Partnerships</b></p> <p><b>2.1.2 Climate Change</b></p> <p><b>2.2.9 Volunteering and Education</b></p> <p><b>2.3.1 General Reserve Development</b></p>

## 2.1.5 Tree Management and Maintenance

### **Comments**

Dunedin city's trees not only add to the city's aesthetics but also serve as a vital ecological, economic, cultural, and social resource. In the face of the pressing challenges of climate change, trees assume an even more crucial role in carbon sequestration, temperature regulation and stormwater management.

Recognising the DCC's responsibility to steward this invaluable resource, this policy encompasses tree planting, maintenance, protection, and, when necessary, removal of trees from reserves. The intention is to ensure consistency in the DCC's approach to tree management that aligns with community aspirations, service requirements, and decision-making processes.

Trees significantly contribute to mental well-being, air purification, and local amenity enhancement. However, it's essential to acknowledge that trees sometimes pose challenges by damaging infrastructure, obstructing drains, casting excessive shade or posing a safety risk to reserve users and neighbouring properties. To optimise the benefits of trees, DCC aim to plant them in suitable locations, adhering to the principle of "the right tree in the right place".

Safety is paramount in DCC's approach to tree management. While the inherent risk posed by trees is generally low, tree risk needs to be managed in a practical and proportionate manner. Reserve development and maintenance can put trees at risk, but harm to tree health and structural integrity can be minimised through thoughtful planning and the requirement for Tree Protection Management Plans (TPMPs) for any works near trees.

The DCC understands trees have a finite lifespan and may need removal for various reasons. Selective tree removal and replacement programs (succession plans) are integral to preserving the myriad of benefits trees bestow upon our community and ensuring that these natural assets endure for generations to come. However, generally tree removal is a last resort, undertaken only when a tree is in irreversible decline or poses a threat to public health and safety. Removal of trees in reserves generally are subject to legislation including section 42 of the Act relating to preservation of trees and bush. The general policies as to tree maintenance and management are therefore generally subject to any other legislative requirements including the Act.

### **Objectives**

- 1. To provide consistency and clarity in decision making when maintaining, planting, removing and working around trees.*
- 2. To support and contribute to long-term sustainable canopy cover across the city.*
- 3. To reduce issues caused by trees by planting 'the right tree in the right place'.*

### **Policies**

#### Tree Planting

1. When planning tree planting DCC will be guided by the principle of 'right tree in the right place' principle and plant the most appropriate tree species based on:
  - i. site suitability, and the reserve's primary purpose.
  - ii. rooting habits.

- iii. functional and biological attributes.
- iv. biodiversity value.
- v. performance and longevity.
- vi. prospect of creating a shade in high use reserves.
- vii. the potential to contribute to landscape character.
- viii. the DCC's other plans and strategic objectives.

## Maintenance and Risk

2. Tree canopy clearances of trees over paths, tracks and cycleways, will be maintained where it is practical to do so. Where this is likely to cause long or short-term detriment to the tree, the DCC will only prune to the extent required for the interest of public safety.
3. Where trees on private land are obstructing drainage channels or watercourses on private land, Council will act in accordance with relevant law to implement the process for removal of the obstruction. Tree pruning will occur to provide necessary clearances to infrastructure such as power lines, lights and other overhead services. Where the tree is considered significant or of high value and pruning is likely to cause long or short-term detriment to the tree's health and structure, the DCC will engage with the network owner to explore alternative options to pruning, such as the bundling of wires.
4. Where appropriate, trees will be pruned to improve public safety. This may include but is not limited to pruning to improve sightlines or pruning for crime prevention purposes.
5. All pruning shall be undertaken by a works arborist employed or contracted by the DCC or a network utility operator and in accordance with minimum industry standards, or as otherwise required by law.
6. The DCC will not undertake full height reduction pruning to alleviate tree issues such as shading or debris or to establish, retain or enhance views from private property.
7. Where required, consider pruning, branch removal or targeted canopy reductions to address boundary encroachment, enhance views, and reduce shading or debris at a resident's request. This is contingent upon the opinion of a qualified arborist acting on behalf of the DCC, ensuring that such actions do not negatively affect the health or structural integrity of the tree or the ecological, aesthetic, landscape or amenity benefits provided by the tree.
8. Where tree pruning is approved by a qualified arborist acting on behalf of the DCC, is legally compliant, and the benefits are considered solely advantageous to a neighbouring property owner, the owner will be required to meet the financial costs of pruning. The DCC will provide an estimate of the costs for the works for approval before any work begins.
9. Trees in reserves should be maintained to promote structurally sound growth and reduce branch and whole tree failure. This is likely to reduce the risk to people, property and infrastructure.
10. The management of the risk posed by trees shall be prioritised over the amenity or historical value provided by the tree. The management of risk should include tree pruning and/or adapting the area surrounding the tree. Removal should only be considered as a last resort.

## Ecology and Environment

11. Facilitate and support opportunities to provide habitat for indigenous flora and fauna in appropriate reserves.
12. Promote the ecological benefits provided by trees through a tree maintenance programme.
13. Protect and restore the district's ecological integrity and biodiversity value by ensuring native tree species that naturally occur locally are eco-sourced from the relevant ecological district and/or region.

## Community Involvement

14. Encourage community involvement and endeavour to support and enhance community planting and engagement opportunities. Note: read in conjunction with section **2.2.9 Volunteering and Education**.
15. Requests for commemorative tree planting in reserves will be considered in accordance with section **2.5.5 Plaques and Memorials**, and the following:
  - a. The suitability of the site for the proposed species of tree and any planting designs, plans, strategies and policies.
  - b. The requirement for all costs including supply, planting and maintenance of the tree (for an agreed period) to be borne by the applicant.
  - c. A minimum replacement period will be determined with the applicant prior to the tree planting. The tree will be replaced if it dies within this time period.

## Working Around Trees

16. A Tree Protection Management Plan (TPMP) is to be submitted to the DCC for any activity or work proposed near DCC trees where the works are likely to impact on the tree or its root zone.
17. TPMPs are to be developed by the person(s) undertaking/managing the works and must be approved by the DCC prior to work commencing.
18. Development projects on DCC reserve land will prioritise the retention of mature trees through all aspects of the project.
19. Where necessary and appropriate, pruning of tree roots may be approved to facilitate the installation, repair, renewal or maintenance of assets adjacent to the tree.
20. The DCC reserves the right to seek compensation and/or remediation for loss or damage to DCC trees and their immediate environment as a result of works being carried out. Damage or loss will include but is not limited to:
  - a. death or decline of tree(s) health.
  - b. physical damage to the tree(s).

- c. damage to the tree(s) roots and/or rooting environment including compaction or contamination of the soil.
  - d. loss of environmental and ecological benefits provided by the tree.
21. Compensation value will be determined through either the cost of replacement/repair of loss/damage or through an approved tree valuation method, whichever DCC arborists deem to be most appropriate.

## Tree Removal

22. Trees may be removed in the following circumstances subject to legal requirements:
- e. Trees that are in a state of irreversible decline, dead and/or structurally unsound may be removed as part of routine maintenance and renewal programmes, or sooner if urgent action is required for public safety or to avoid damage to property.
  - f. Where the necessary pruning clearances for overhead electric lines (as required by the relevant 'hazards from trees' regulations) are not able to be achieved without causing long term detriment to the tree and no alternative to removal can be reached with the network utility operator.
  - g. Where healthy and structurally sound trees need to be removed to manage or prevent the spread of pests and diseases. This includes the removal of pest trees where they are deemed a threat to indigenous flora and fauna or public health and safety.
  - h. Where felling of the tree is required to comply with rules within the district plan.
  - i. If the removal is in accordance with the provisions of a reserve management plan for the reserve where the tree is situated or the provisions of a management plan for the open space where the tree is situated (such as a park).
  - j. Where removal is part of an approved tree replacement program or succession plan.
23. Tree removal will be considered where:
- k. the tree is causing, or likely to cause, significant damage to buildings, services or property (both public or privately owned), and the damage cannot be reasonably avoided, rectified or mitigated except by removing the tree.
  - l. trees are impeding consented legal access and all other alternatives have been explored and are not viable.
  - m. Wilding trees are considered to be a potential threat as a pest species or cause a nuisance in a particular location.
24. The DCC will consider tree removal to carry out repairs or replace underground infrastructure only when available alternatives have been explored and are considered not viable. When determining what is viable, the cost of the alternatives will be taken into account along with the significance of the tree and the necessity of the works.
25. Approval by the DCC for tree removal to facilitate projects on Council land will consider the project's value to the community, including its impact on public health and the local environment. The decision will weigh the benefits of retaining existing trees against the potential loss of the ecological, aesthetic, and social benefits those trees provide.



26. Tree removal for access to infrastructure may be required in emergency situations. This will only be undertaken where the removal is considered absolutely necessary for immediate access to critical infrastructure, no alternative options are available and where failure to access the critical infrastructure will lead to an unacceptable risk to public health, or significant property damage.
27. Tree removals must be undertaken by, or under the supervision of, a qualified arborist employed or contracted by the DCC or a network utility operator.
28. Trees that are unhealthy, dead and/or structurally unsound may be retained if they do not pose an unacceptable risk to the public or property. This must be established through a DCC-approved risk assessment methodology.
29. The DCC will not remove trees for the following reasons unless approved under sections 23 to 26 of this policy:
  - a. To minimise obstruction of views or commercial signage.
  - b. To reduce leaf or fruit litter and other debris.
  - c. To reduce shading.
  - d. For contributing to allergenic or irritant responses unless approved for health reasons under section 33 of this policy.

### Public Requests for Tree Removal

30. The DCC will assess the request against the criteria in 23 to 26 above. Should the request meet any of the criteria the tree may be removed as part of routine maintenance or sooner.
31. If the tree does not meet the criteria in 23 to 26 above, the DCC will work with the applicant to seek alternative resolutions, such as targeted pruning.
32. Requests for removal of tree(s) will be considered for health reasons where there is confirmation from either the applicant's medical practitioner, a clinical immunologist or the medical officer of health confirming that the tree(s) is/are the sole cause of the applicant's condition and that removal of the tree(s) is the most practicable solution to significantly improving the applicant(s) condition.
33. Requests for removal of tree(s) due to other issues will only be approved under exceptional circumstances and will be required to meet all of the criteria below:
  - a. The issue caused by the tree has a significant effect on the applicant's day to day living.
  - b. The tree is the sole cause of the issue.
  - c. The issue is not able to be mitigated through general maintenance by the property owner e.g. clearing gutters of leaves.
  - d. No pruning intervention can be undertaken which will mitigate the issue caused by the tree.
  - e. No reasonable engineering solution can mitigate the issue caused by the tree.
34. When deciding whether to accept an application for tree removal under 30 to 33 above, the DCC may take into consideration the following:

- a) Any significant cultural, ecological, historical or social attributes of the tree or its contribution to the landscape amenity.
- b) Age and size of the tree.
- c) Length of time the applicant has resided by the tree and whether it was reasonable for them to have known about the concerns raised prior to them residing there.
- d) The useful life expectancy of the tree.
- e) Whether mitigation pruning to alleviate the issue should be considered sufficient.
- f) Succession plan to replace unsuitable trees with ones that are more suitable and cause fewer adverse effects on neighbouring properties.
- g) Any other attributes provided by the tree that are considered important to the local community.

### Costs of Tree Removal

- 35. Where the removal of a tree is requested, and the tree can be removed in accordance with policy 30 and is permitted by the district plan rules and legislation then the DCC will undertake the removal as part of routine maintenance and renewal programmes.
- 36. Where the DCC approves the tree removal request, the DCC may resolve that the applicant pay part or all of the costs, including:
  - a. any costs associated with reporting on the tree removal application.
  - b. any resource consent costs (if required).
  - c. actual cost of tree removal and replacement.
  - d. the value of the environmental, economic and social services provided to the city by the tree (as determined by a best-practice tree evaluation method).
  - e. any other costs associated with removing the tree.

### Vandalism

- 37. Vandalism, damage to or unauthorised removal of DCC trees will be taken seriously and the DCC will look to use the full range of available enforcement powers, including referring matters to the police where appropriate.

### **To note**

- 1. The removal of a tree under policy statement 23(b) (tree's impeding legal access to road) will be undertaken as required to allow access to the road to be established. This is likely to be sooner than the routine maintenance cycle.
- 2. Compliance with the 2GP and any other relevant regulations/laws (e.g. National Code of Practice for Utility Operators 'Access to Transport Corridors') for works within the vicinity of trees will also be required. This may mean in some instances a resource consent will be required, for example works in close proximity to the base of trees on reserve land.

3. Root pruning that is likely to cause long or short-term detriment to the tree should only be undertaken in the interest of public safety (including addressing accessibility issues) and when there are no suitable engineering alternatives.
4. Where an application for tree removal has been approved and costs are to be met by the applicant, projected costs must be supplied to the applicant for approval prior to any removal works being undertaken.

***Relevant documents to be read in conjunction with this section***

<b>Legislation</b>	<p><b>Biosecurity Act 1993</b> - aims to prevent the entry and spread of harmful organisms that could threaten the country's environment, economy, and human health. It establishes a legal framework for managing biosecurity risks, controlling and eradicating pests and diseases, and outlines responsibilities to safeguard New Zealand's biodiversity and agricultural productivity.</p>
<b>Council documents</b>	<p><b>Te Ao Tūroa, Dunedin's Environment Strategy 2016-2026</b> Aims to guide the city toward a climate-resilient future, enhance and sustain the health of its natural environment, and foster a strong sense of connection and responsibility among the community towards environmental stewardship.</p> <p><b>Dunedin City Council Parks and Recreation Strategy 2017-2027</b> The Dunedin Parks and Recreation Strategy is a document to guide the development and management of recreation facilities and open spaces over a 10-year timeframe. It focuses on supporting community well-being and enhancing natural landscapes in the context of increasing challenges such as population growth, environmental impacts, and economic growth.</p> <p><b>Biodiversity Strategy for Dunedin City 2007</b> Provides a comprehensive and strategic framework for the conservation and sustainable management of biodiversity in the Dunedin area. This strategy aims to guide decision-making and actions related to biodiversity, emphasising the protection, enhancement, and restoration of natural ecosystems, habitats, and species.</p>
<b>Sections in this Plan</b>	<p><b>2.1.4 Natural Heritage</b></p> <p><b>2.2.9 Volunteering and Education</b></p> <p><b>2.5.1 Authorisations and Approvals</b></p> <p><b>2.5.5 Plaques and Memorials</b></p>

## 2.1.6 Forestry Management on Reserves

### **Comments**

This policy applies within DCC-owned reserves that contain areas of plantation forestry that are managed for timber production. These areas provide benefits for carbon sequestration, Council income, the facilitation of recreational activities such as walking and biking, and often contain tracks for these purposes.

Native species also often regenerate within plantation areas. Where good native growth occurs, seedlings can be removed from plantation areas prior to operations and then be used to assist with native restoration planting projects.

Plantation forests on reserve land also present a range of challenges for public access and environmental protection. Public access to the reserve and tracks often needs to be restricted to allow plantation operations such as thinning, pruning, or harvesting to occur.

Where plantation trees are removed along watercourses or adjacent to tracks, public areas or native vegetation, the integrity of these features can be compromised.

Replanting with natives or exotics, or development of the reserve at the completion of harvesting, needs to be determined on a case-by-case basis depending on what is appropriate for the reserve, including recreation demands, and what is specified in any management plan or other relevant planning document for the reserve.

Future forestry plantations also need to be considered on a case-by-case basis with consideration of relevant laws, management plans, relevant planning documents, reserve use and environmental and social implications. The carbon benefits of forests and the DCC's emissions reduction targets will also be relevant considerations.

### **Objectives**

1. *To allow for the removal of exotic forestry plantations on reserves and their replacement with sustainable replanting and management regimes that support environmental values, recreational use and public enjoyment.*
2. *To ensure public safety and protection of other reserve values during plantation operations.*
3. *To provide for recreational opportunities compatible with the purpose of the reserve and where appropriate, plantation management.*

### **Policies**

1. Encourage development of recreational opportunities in association with plantation areas, or developments after harvesting, ensuring these are consistent with relevant laws, management plans or strategies where applicable.
2. Enable areas of reserve to be temporarily closed as required to permit forestry plantation operations.
3. Prior to forestry harvesting operations ensure:
  - a. Relevant consents or permits are obtained (and ensure these are compliant with the Act particularly section 42 relating to preservation of trees and bush).

- b. Where appropriate, consider removing native seedlings to be used to assist with native re-planting/restoration.
  - c. Public access restrictions are advertised and sign-posted.
  - d. Consider options and determine a post-harvest replanting or redevelopment plan.
- 4. Ensure forestry plantation proposals, maintenance and operations:
  - a. protect vegetation within ten metres of the edge of any watercourse, or any public walking or biking track from damage as part of the forestry harvesting operation, other than that which is required for the orderly and proper management of the area.
  - b. preserve and maintain all natural watercourses through any forestry plantation.
  - c. proposals for new forestry plantations on reserves are assessed on a case-by-case basis with consideration given to the reserve purpose and existing and planned uses of the reserve.
  - d. ensure sediments or slash generated by forestry management operations do not flow or discharge into waterways.
- 5. Require harvesting operators to:
  - a. obtain any required consents or permits prior to any forestry plantation operations and any other relevant legal requirements.
  - b. take all necessary precautions to minimise damage to soil structure and the site must be left in a condition suitable for restoration planting or development.
  - c. maintain public signage and access restrictions.
  - d. limit storage of hazardous substances on the site to those used during operations and outlined in any contractual agreements.
- 6. Upon completion of timber harvesting:
  - a. Replant or develop reserve areas consistent with relevant laws, DCC plans or strategies or as agreed under policy 3(d) above.
  - b. Reinstate tracks, public areas and waterways damaged during plantation operations to at least the standard that existed prior to the operation commencing.
- 7. Prefer proposals for plantation forestry on reserve land that:
  - a. maintain existing or provide enhanced recreational use and development of the area.
  - b. provide environmental benefits such as improved carbon sequestration, increased biodiversity and wildlife habitat.
  - c. provide financial return to the DCC.
- 8. Assess applications for commercial plantation forestry on reserves against policies 1 to 8 above, the general provisions in policies **2.5.1 Authorisations and Approvals** and **2.5.8 Occupation agreements**.

**To note**

- It is important that forestry operations consider and comply with various provisions of the Reserves Act 1977, in particular section 42 Preservation of trees and bush.
- **National Environmental Standards for Commercial Forestry (NES-CF)** establish consistent nationwide regulations for managing the environmental effects of plantation and exotic continuous-cover forestry, while allowing local councils to impose stricter controls where necessary to address specific environmental concerns. These controls are applied through the 2GP and consenting process.

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## 2.2 Recreation and Use Policies

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## 2.2.1 Access

### **Comments**

The accessibility of a reserve affects how the public can reach, move through and utilize the features and amenities the reserve has to offer.

For safety or management reasons, access to a reserve or part of a reserve may be limited or excluded at times. Examples include limiting night-time vehicle access to prevent unwanted behaviour and limiting access to all or a part of a reserve for authorised activities, maintenance or development works, or protection of natural and cultural values. The DCC will balance public access and reserve management with discretion.

Pedestrian access and movement within a reserve should be safe, suitable, and clear. Paths and tracks should be built and maintained to meet the needs of users. The DCC aims to enhance the access and enjoyment of reserves for people with limited mobility, the elderly, and those with young children, by removing physical obstacles that hinder access and incorporating Universal Design Principles into the design of certain new reserves or reserve facilities.

### **Objectives**

- 1. To ensure the public has freedom of entry, access and use of the reserves appropriate to their purpose, subject to any necessary conditions, restrictions, rāhui or limitations of use from time to time.*
- 2. To improve access to and through parks recognising the range of visitor abilities and the need to support a range of transport forms.*

### **Policies**

- Access to reserves will generally be free of charge to the general public, except that:
  - DCC may charge for the use of facilities and services.
  - A third party may stipulate a charge for use of DCC facilities or services, or reserve entrance and/or carparking charges as per the conditions of an approved licence or lease.
- Public access to and along the coast and waterways will be promoted, protected and improved where practicable.
- Safe and accessible routes to public facilities located on reserves will be provided and maintained.
- When renewing or developing reserve accessways, the DCC will consider:
  - catering for multiple forms of active transport, micromobility solutions and all-ability access while managing conflicts between different modes of transport.
  - impacts on reserve values.
  - design to enable better accessibility and use, for all people regardless of their age, size, ability or disability. Examples include installing signage, removal or reorientation of physical barriers for ease of access for pedestrians or micromobility users.



5. The DCC will retain the discretion to limit vehicular and pedestrian access to reserves subject to the provisions of the Reserves Act or any bylaw requirements, including where:
  - a. limiting vehicle access to reserve car parks at night is desirable.
  - b. an activity or event has been granted the right to restrict public access as part of its conditions or an Authorisation (2.5.1).
  - c. an existing occupation agreement in place.
  - d. access may disturb or endanger protected wildlife.
  - e. maintenance or development work is being carried out on the reserve.
  - f. there are unfavourable ground conditions or a biosecurity risk.
  - g. the reserve or area requires remediation for public safety – for example to address a physical hazard.
  - h. a rāhui is in place.
6. All motor vehicles (except authorised vehicles) must keep to formed accessways or parking areas. Where damage results to reserves from unapproved vehicle use, costs of remediation will be sought.
7. Emergency services and maintenance service vehicles are permitted on all areas of reserves in the course of their duties. With DCC authorisation and advance booking, emergency service vehicle may be permitted on appropriate reserves for training or demonstration purposes.
8. Temporary vehicle access to reserves may, in special circumstances (e.g. for events) be granted for specific finite purposes and then terminated at the completion of the event or purpose.
9. Parks and Recreation Services staff will work with DCC's Transport department to improve open space outcomes including:
  - a. providing better access to parks via the road network
  - b. where unformed legal road acts as an open space.
10. Where part or all of a reserve is to be closed to the public for event use, notification of this will be made prior to the activity causing the closure. Notification will be made in Otago Daily Times at least one week before the closure. Where closure is required by a body other than the DCC, that body will be responsible for meeting the cost of public notification.

***Relevant documents to be read in conjunction with this section***

<b>Legislation</b>	<p><b>Reserves Act 1977</b></p> <p>Some activities or events may require the temporary closing of all or part of a reserve. Leases granted under Sections 54 or 56 and concessions under Section 59A of the Reserves Act 1977 may restrict access by the general public to areas of reserves.</p> <p>Sections 53 and 55 of the Reserves Act 1977 relate to the powers of the Council in respect to closing or temporarily restricting access to reserves.</p>
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	<p>Section 53 of the Reserves Act 1977 will apply to any event organiser wishing to charge admission fees to access exclusive areas.</p> <p><b>Reserves and Beaches Bylaw 2017</b></p> <p>Clause 10.6 provides for the closure of Dunedin reserves and beaches, temporarily, or during such hours as the Council may determine.</p>
<b>Sections in this Plan</b>	<p><b>2.1.1 Mana Whenua Partnerships</b></p> <p><b>2.2.5 Public Use and Enjoyment</b></p> <p><b>2.3.1 General Reserve Development</b></p> <p><b>2.5.1 Authorisations and Approvals</b></p>

## 2.2.2 Alcohol Licences

### **Comments**

DCC has a Local Alcohol Policy to provide guidance to the District Licencing Committee (DLC) about aspects of the sale and supply of alcohol in Dunedin. The Alcohol (Control of Alcohol in Public Places) Bylaw 2004 sets out the public places alcohol cannot be consumed.

There are some situations where the selling of alcohol on reserves may be permitted, subject to the site or venue being properly licenced. Typically, on-licences are used for cafes and restaurants, club licences for clubrooms and special licences for events. The DLC will seek input from DCC on any licence application and Parks staff will consider existing Authorisation granted under this policy, and mitigating effects on the reserve values, users and neighbours.

Alcohol sales may serve as a revenue source for reserve occupiers such as clubs with building leases and event organisers. However, careful management is essential to minimise adverse effects on reserve values, users, and neighbours, contributing to community well-being. DCC may set conditions in Authorisations, such as occupation agreements, granted under this Plan to manage potential adverse effects. Conditions may cover hours of operation, host responsibilities, venue location and design, zero waste and other matters considered relevant to protect the public use and enjoyment of the reserve and the reserve values.

DCC works with Te Whatu Ora Southern - Health NZ, Police, lessees, event organisers and other partner organisations to minimise alcohol related harm in the community.

### **Objectives**

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

### **Policies**

- Facilitating the granting of alcohol licences for premises located on reserves, only where:
  - the granting of a licence is consistent with the purposes of the reserve.
  - the effects on the reserve, its use and users, and reserve neighbours, can be avoided, remedied or mitigated.
  - the values of the reserve are not diminished.
- Applicants will be responsible for ensuring that all relevant statutory consents are obtained and that the conditions of these consents are met.
- Where the holder of a reserve occupation agreement has been granted a valid alcohol licence and is seeking a new or renewed occupation agreement, a consideration of granting the occupation agreement will be satisfactory compliance with the terms of that alcohol licence.

**To note**

Commercial events held in reserves, such as music concerts/festivals, require a licence to operate on the reserve and an alcohol licence to serve alcohol. Usually, a resource consent is required as well. Part of the requirements are to have an Alcohol Management Plan or similar on which various agencies have provided input.

**Relevant documents to be read in conjunction with this section**

<b>Legislation</b>	<a href="#">Sale and Supply of Alcohol Act 2012</a> - Section 143 describes additional requirements that apply to large-scale events. <a href="#">Alcohol (Control of Alcohol in Public Places) Bylaw 2004</a>
<b>Council documents</b>	<a href="#">Dunedin Local Alcohol Policy</a>
<b>Sections in this Plan</b>	<b>2.5.1 Authorisations and Approvals</b> <b>2.5.8 Occupation Agreements</b> <b>2.5.12 Events</b>

## 2.2.3 Drones and Unmanned Aerial Vehicles (UAVs)

### **Comments**

Flying drones, (also known as UAVs (unmanned aerial vehicles), RPASs (remotely piloted aircraft systems) and unmanned aircraft) have become an increasingly popular recreational activity, as has their use for commercial purposes. Operating drones and UAVs in or over parks can raise a number of issues and concerns, both for the natural environment and for the enjoyment and safety of park visitors. These include noise, wildlife disturbance, public safety, visual intrusion, and privacy where drones are equipped with cameras.

The operation of drones and all UAVs model aircraft is governed by the Civil Aviation Authority of New Zealand (CAA). All operators must comply with Part 101 of the Civil Aviation Rules. The key requirements of this Rule are set out in the Notes section below. Under this Rule, all operators must have the permission of the owners of land they operate over, whether public or private.

The DCC's Reserves and Beaches Bylaw 2017 prohibits use of drones and UAVs weighing more than 1.5kg in or over reserves and beaches unless approved by the DCC (except in an emergency situation) and prohibits use in any Ecologically Sensitive Area except for approved conservation activities where prior permission has been granted.

The DCC has set the limits on the types, size and weight of UAVs that can be safely flown on reserves without specific approval first being obtained from the DCC, provided that operators adhere to conditions of operation.

### **Objectives**

1. To minimise the potential impacts of the use of drones and UAVs on reserve settings and users, while allowing people to enjoy a popular recreational activity.

### **Policies**

1. The following types of drones and UAVs are permitted to operate on or over DCC-owned and operated reserves and beaches:
  - a. electric-powered multi-rotor remote-controlled aircraft of the type commonly referred to as "drones" that weigh less than 1.5kg.
  - b. fixed-wing electric-powered remote-controlled aircraft with less than 2.0 m wingspan and weighing less than 1.5kg.
  - c. all hand-launched remote-controlled gliders with less than 2.0 m wingspan and weighing less than 1.5kg.
  - d. bungee or winch launched remote-controlled gliders with less than 2.0 m wingspan and weighing less than 1.5kg, with a tow line less than 15 m in length.
  - e. single rotor electric-powered remote-controlled helicopters with a rotor-span less than 0.5m and weighing less than 1.5kg.
  - f. electric-powered remote-controlled fan-jets with less than 2.0m wingspan and weighing less than 1.5kg.

2. Any person operating a drone or UAV permitted under Policy 1, must comply with the following conditions of operation on a reserve:
  - a. operators must comply with CAA Rule Part 101. Restrictions and requirements of Part 101 are outlined in the Notes section at the end of this policy.
  - b. be considerate of other park users.
  - c. not operate within 20 metres of other users of the reserve.
  - d. not operate over or within 50 metres of livestock on reserves, sensitive wildlife habitats such as wetlands, identified nesting areas or roosting birds, dogs or horses.
  - e. not overfly adjoining private properties without the owner's permission.
  - f. not operate within 20 metres of the boundary of an adjoining private property unless the operator has the permission of the private property owner.
  - g. not operate within 20 metres of or over any buildings and over-head wires.
  - h. not operate over any booked reserve space without the permission of the person who has made the booking.
  - i. not operate over any vehicle accessways or car parks.
  - j. not operate over dry flammable vegetation.
  - k. not operate over any Ecologically Sensitive Area.
  - l. immediately cease operation if requested by DCC staff.
3. Where drone or UAV is more than 1.5kg and up to 25 kg, but would otherwise comply with Policy 1 above, an operator must obtain an exemption from the requirements of the Reserves and Beaches Bylaw to operate from or over land owned and/or managed by DCC. The operator will be required to comply with the conditions as set out in Policy 2, and any further requirements the DCC deems necessary.
4. All UAVs 25 kg and over or not meeting the specifications or not meeting the conditions set out in Policy 2, above must seek specific approval to operate from or over land owned and/or managed by the DCC. Any approval will be subject to the policies in section **2.5.1 Authorisations and Approvals** and the conditions of operation set out below:
  - a. if the operator is unable to comply with CAA Rule Part 101 the operator must be certified under Part 102 of the CAA Rule and abide by CAA rules at all times.
  - b. operators must be Members of UAVNZ and be subject to the UAVNZ Code of Conduct.
  - c. flights must be logged on AirShare prior to launch.
  - d. operators prepare and has an approved operations plan showing areas to be flown, buffer areas, time of operations and location of operator.
  - e. operators prepare and have an approved hazards and risk management plan which outlines the nature and probability of risks and hazards occurring and proposed mitigation and responses.
  - f. operators must carry public liability insurance to the satisfaction of the DCC.

- g. the operation area must be clearly delineated by cones, tapes or similar devices.
  - h. not to overfly or operate within 20 meters of other park users or adjoining private properties.
  - i. not to overfly or operate within 50 meters of wildlife or stock on the park.
  - j. the operator is able to provide proof of DCC approval if requested by a member of staff and cease operations if requested by a member of staff.
5. The commercial use of drones and UAVs on or from reserves requires approval from the DCC. Use for commercial purposes includes:
- a. commercial filming and photography.
  - b. real estate photography.
  - c. research that has commercial outcomes.
  - d. monitoring and surveillance.
  - e. training where a fee is charged.
  - f. delivery of materials or packages.
  - g. or any other commercial purpose which the DCC determines.
6. Training flights conducted to meet 'recent flight experience' requirements for operators certificated under Part 102 of the CAA Rule, is not treated as a commercial operation. All applications for this activity will be assessed by the DCC on a case-by-case basis and any approvals may include conditions which require the activity to relocate to another reserve or cease altogether, if the activity becomes detrimental to the enjoyment of other reserve users.
7. The DCC will not consider an application to fly over public land for the delivery of products without CAA endorsement of the operation and the operator can demonstrate minimal risk to persons using the reserve. There may also be requirements to be met under other DCC Bylaws, such as Trading in Public Places Bylaw.

**To note:**

**AirShare** is the hub for recreational and commercial drone operators in New Zealand. The site can be accessed at <https://www.airshare.co.nz/>

**Relevant documents to be read in conjunction with this section**

<b>Legislation</b>	<p><b>Civil Aviation Authority of New Zealand (CAA) Rules</b></p> <p>Part 101 of the <a href="#">CAA Rule</a> apply to drones and UAVs weighing less than 25kg. Under this Rule you must:</p> <ol style="list-style-type: none"> <li>1. not operate an aircraft that is 25 kg or larger and always ensure that it is safe to operate.</li> <li>2. at all times take all practicable steps to minimize hazards to persons, property and other aircraft (i.e. don't do anything hazardous).</li> </ol>
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	<ol style="list-style-type: none"> <li>3. fly only in daylight.</li> <li>4. give way to all crewed aircraft.</li> <li>5. be able to see the aircraft with your own eyes (e.g. not through binoculars, a monitor, or smartphone) to ensure separation from other aircraft (or use an observer to do this in certain cases).</li> <li>6. not fly your aircraft higher than 120 metres (400 feet) above ground level (unless certain conditions are met).</li> <li>7. have knowledge of airspace restrictions that apply in the area you want to operate.</li> <li>8. not fly closer than four kilometres from any aerodrome (unless certain conditions are met).</li> <li>9. when flying in controlled airspace obtain an air traffic control clearance issued by Airways Corporation of New Zealand. Use should be made of the AirShare website to gain contact details for aerodrome operators and ATC units.</li> <li>10. not fly in special use airspace without the permission of the administering authority of the area (e.g. military operating areas or restricted areas).</li> <li>11. have consent from anyone you want to fly above.</li> <li>12. have the consent of the property owner or person in charge of the area you are wanting to fly above.</li> </ol> <p><b>CAA Part 102</b> - The CAA may accredit some operators to fly over public or private property without landowner permission under Part 102 CAA Rule. Operators must provide evidence of these credentials if requested by the DCC.</p> <p><b>Delivery of products</b> - The delivery of products (parcels) will normally involve the overflying of private and public land. To do this the operator must obtain exemption from compliance with Rule 101.207(a)(1)(ii) from CAA.</p> <p><b>DCC Reserves and Beaches Bylaw 2017</b> – Clause 10.14 and 10.15 of this Bylaw specifically relate to the operation of aircraft (including drones and UAVs) from or over DCC reserves and beaches. The Bylaw includes a schedule of Ecologically Sensitive Areas in which drone use is prohibited.</p>
<b>Council documents</b>	<a href="#">DCC's Flying a Drone brochure</a>
<b>Sections in this Plan</b>	<p><b>2.5.1 Authorisations and Approvals</b></p> <p><b>2.5.12 Events</b></p> <p><b>2.5.13 Commercial Filming and Photography</b></p>



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## 2.2.4 Encroachments

### Comments

An encroachment on reserve land is any unauthorised use of a reserve that either partially or totally results in:

- a reduction in the opportunity for the DCC and public to make use of the land and enjoyment of it; and/or
- detrimental impact on the reserve's natural or cultural values.

The concern this raises is that private individuals are taking advantage of publicly owned and managed reserve land for their private benefit, most often without the prior knowledge of the DCC as the landowner.

Encroachments often arise when adjoining property owners make use of reserve land to gain access to their property, build structures or expand landscape features (see table 1 below) without prior consent from the DCC. Some encroachments may be minor and easily rectified. However, some can be substantial permanent structures such as driveways or buildings that significantly impact the public use and enjoyment of the reserves.

While a comprehensive review has not been undertaken, DCC staff are aware that there are many existing encroachments currently located on reserve land. Others often only become known when there is change in ownership of property, members of the public inform the DCC or when further use, development and/or maintenance of the area is proposed by the DCC. Access encroachments are of particular relevance to the Dunedin Town Belt but are also a problem in other reserves.

**Table 1: Types of encroachments on reserve land**

Type of encroachment	Description	Examples
Occupation of reserve land (permanent structures)	Long-life structures on a permanent foundation, or of immovable state and proportion.	Buildings, concrete patios, swimming pools, paved parking areas, decks erected on concrete foundations, services, utilities, masonry walls and riprap.
Occupation of reserve land (temporary structures)	Short to medium – term structures on non-permanent foundation, or of a moveable state.	Gardens/landscaping, fences, portable implement sheds, trampolines, steps and ladders.
Private Access over reserve land (property access)	Vehicle or pedestrian access across public land to private property	Unauthorised formed or unformed roads, driveways, accessways, cable cars, pedestrian paths or tracks.

As the landowner of the reserve, the DCC has the same right as private landowners to demand the removal of an encroachment or to remove the encroachment itself. On the basis of this and the objectives and policies outlined below, the DCC's position is to progressively remove encroachments as and when staff resources are available, and prevent all new encroachments.

On occasion, there may be exceptional circumstances that need to be considered during the encroachment resolution process. In these instances, further investigation and assessment is necessary to determine the most appropriate method of resolution. Occasionally, this may result in staff recommending to decision makers that an encroachment be formalised.

Resolving encroachments can require considerable staff time and resource. With this in mind, once an encroachment has been identified, there is a need to determine priorities.

Prioritising encroachments necessitates consideration of circumstances such as public health and safety, as well as the presence of exceptional circumstances. Additionally, it involves evaluating the ability to prevent new encroachments or the redevelopment of existing ones, especially in cases where recreational use is hindered, or environmental, historic, or cultural values are compromised or at risk.

### **Objectives**

1. *To ensure reserves are provided primarily for community use and benefit and environmental protection, not for exclusive use by private or commercial users.*
2. *To enable the public to have continued unrestricted and safe access to, and use of, reserve land for their welfare, benefit and enjoyment.*
3. *Provide a consistent and equitable approach to removing, legalising, regularising, reducing and minimising encroachments on reserve land.*
4. *To reduce the costs incurred by the DCC relating to the resolution of encroachments and/or reinstatement of unrestricted public use of the reserve.*

### **Policies**

1. Decline all future requests for permanent private use of or benefit from reserve land for access or occupation.
2. For an encroachment to be considered for formalisation, it must meet at least one of the following exceptional circumstance criteria:
  - a. It is necessary for public safety e.g. retaining walls that are preventing slippage.
  - b. There is evidence of historic DCC decisions e.g. the previous reliance on incorrect historical boundary markers and/or DCC resolutions, previous approvals or consents that have been granted by the DCC or its predecessors.
  - c. Practicalities and costs significantly outweigh the benefits of resolving the encroachment.
  - d. There are significant public benefits or opportunities to be gained e.g. landscaping enhancements, improved public access, structures that provide additional recreational opportunities or more useable reserve land and it can be demonstrated that:
    - i. public access, use and enjoyment is maintained and not discouraged nor prevented.
    - ii. the encroachment does not indicate or provide an impression of private land ownership to users of the reserve.
    - iii. environmental, historic or cultural values are not or will not be compromised.
    - iv. there are no immediate or future public safety issues.

- v. the activity or structure complies with relevant statutory and legislative requirements.
  - vi. there is no on-going cost or liability to the public.
  - vii. mechanisms exist for the removal of the structure if required by the DCC.
  - viii. the encroaching party is willing to pay all costs associated with formalising the encroachment, a rental charged and any ongoing maintenance.
3. In considering applications to formalise access encroachments, the DCC will use the following criteria:
- a. Does the encroachment detract from the reserve's recreational, landscape, ecological, cultural heritage or other values?
  - b. Is the encroachment required or beneficial for reserve management reasons?
  - c. Is alternative access available?
  - d. Are there any exceptional reasons why the encroachment should not be terminated (e.g. the property has no legal frontage)?
  - e. Can the accessway be made a legal road?
  - f. What is the life expectancy of the building that the accessway is servicing (e.g. life of garage without structural improvements)?
  - g. The history of "pleasure of Council" accessways.
  - h. Whether the property owner is willing to meet the full costs to formalise the encroachment if allowed, including any annual fees
4. Applications to formalise encroachments will be assessed on a case-by-case basis, with decisions made solely at the discretion of the DCC.
5. Priority for resolving encroachments will generally be given to those where the following circumstances exist:
- a. The encroachment doesn't meet the exceptional circumstances criteria in this policy and removal and reinstatement is relatively simple and inexpensive.
  - b. New encroachments are in development, or there is redevelopment of existing encroachments, i.e. where there is the ability to prevent these from being completed/established.
  - c. There are public health and safety or liability issues.
  - d. Existing public access or recreational use of the reserve is prevented or compromised.
  - e. Planned future recreational use or access is compromised, and environmental, historic or cultural values are compromised, or may be in the future.
6. A licence to occupy (and noted on the LIM report on the encroaching party's land) is the preferred solution for the semi-permanent occupation of DCC land with a structure. This includes the payment of a rent charge along with obligations or covenants the encroaching party must observe at the discretion of the DCC.

7. Right of Way easements will only be considered in situations where access across reserve land is required to land that is otherwise practically inaccessible. The easement instrument will be prepared by DCC's solicitors and may contain the following terms:
  - a. The easement will be granted for a specific purpose i.e. vehicle access.
  - b. The easement will not provide exclusive use of the easement area and the public will be able to have unimpeded access to the easement land.
  - c. The easement will be registered on the record of title and run with the land (i.e. transfer to future owners in perpetuity).
  - d. The easement may be surrendered by agreement, and if appropriate, termination clauses can be inserted into the easement instrument at the discretion of the DCC.
  - e. The beneficial owner will be required to pay an appropriate fee to DCC. The amount of the fee shall be determined at the sole discretion of DCC.
8. Applications for Right of Way easements will be assessed on a case-by-case basis, with decisions made solely at the discretion of the DCC.
9. All costs of formalising easements are to be met by the encroaching party, and the DCC will not contribute to the cost of formation or maintenance or upgrading (e.g. surface and drainage improvements, signage) of the right-of-way.
10. The DCC will only consider land exchange to resolve an encroachment where exceptional circumstances exist and the land offered to DCC by the encroaching party contains better land values than those occupied by the encroachment, or the DCC determines at their discretion that resolving the encroachment is a high priority and that there are no other suitable options available. DCC may approve exchange of land at its sole discretion.
11. Consideration for land exchange should be based on equivalent values in exchange, or land plus payment of cash value where unequal land values are present. All costs of exchange are to be met by the encroaching party. Mana whenua consultation is required, and the transfer of land needs to meet statutory processes i.e. notification and consultation requirements of the Reserves Act 1977 and the Local Government Act 2002.
12. Where applications to formalise an encroachment are declined, the applicant will need to remove the encroachment and reinstate the site at their own expense to the satisfaction of the DCC, within 6 months of the notice date.

### ***To note***

#### **General**

When considering an encroachment resolution option, it must be borne in mind that the "mistakes of the past are not to become precedents for the future". The DCC's decision-making ability must not be unduly impeded when carrying out its role and duties, even if this means that sometimes it must make hard and unpalatable decisions.

#### **Public notification**

The requirement for public notification needs to be assessed against relevant legislation on a case-by-case basis. Minor easements in some circumstances may not trigger the need for public

notification. However, in general, revocation and sale of reserve land, land exchange and easements will all require notification under the Reserves Act (or in the case of exchange under Section 15AA of the Reserves Act and the Resource Management Act 1991), and legal advice should be sought in each case.

If objections are received to the proposal as a response to public notification/consultation processes, a hearing may be needed to consider and review the responses. Submitters would have the opportunity to be heard at a hearing and the hearings committee (administering body) have the power to approve or decline the proposal.

### **Reserves Act 1977**

In the case of land held under the Reserves Act 1977, where transferring or selling an interest in the land is proposed (e.g. easements, sale or land exchange), public notification is required in accordance with:

- a. Section 15 Minister may authorize exchange of reserves for other land.
- b. Section 15AA Administering body may authorize exchange of recreation reserve land for other land (consultation required under the Resource Management Act 1991).
- c. Section 24 Change of classification or purpose or revocation of reserves.
- d. Section 48 Grants of Rights of way and other easements.
- e. Section 119 Notices.
- f. Section 120 Rights of objection and of making submissions.

### **Local Government Act 2002 (LGA)**

In the case of the s.138 Restriction on disposal of parks (by sale or otherwise):

- (1) A local authority proposing to sell or otherwise dispose of a park or part of a park must consult on the proposal before it sells or disposes of, or agrees to sell or dispose of, the park or part of the park.
- (2) In this section, - dispose of, in relation to a park, includes the granting of a lease for more than 6 months that has the effect of excluding or substantially interfering with the public's access to the park.

### **Related legislation, policies and documents**

Act	Section	General Provision
<b><i>Building Act 2004</i></b>	<i>Section 363A</i>	Requires any person who owns, occupies, or controls premises to which the public has access must have a valid building consent. This liability passes to DCC for any structures located on land that it administers, regardless of whether it has given landowner approval for the structure to be there. Obtaining a building permit should be a condition of approval.

<b>Fencing Act 1978</b>	General Section 24	Requires removal of encroaching fences.  Gives jurisdiction to the courts to resolve matters relating to fences under this Act.
<b>Local Government Act 2002</b>	<i>Section 138</i>	Restrictions on disposal of parks by (sale or otherwise).  Note: For the purposes of section 138 'dispose of' includes the granting of a lease for more than 6 months that has the effect of excluding or substantially interfering with the public's access to the park.
<b>Reserves Act 1977</b>	<i>Section 3(1)(a)</i>	Provides for the preservation and management of reserve land for the benefit and enjoyment of the public.
	<i>Sections 16 -23</i>	Requires the administering body to control and manage the land in accordance with the appropriate provisions of the Act so as to ensure the use enjoyment, development, maintenance and preservation of the reserve for the purpose for which it was acquired.
	<i>Section 44</i>	Unauthorised use of reserve.
	<i>Section 48</i>	Grants of rights of way and other easements.
	<i>Section 94</i>	Offences on reserves.
<b>Resource Management Act 1991</b>	<i>Section 88</i>	Joint application for resource consent and exchange of recreation reserve land

## 2.2.5 Public Use and Enjoyment

### Comments

Dunedin's wide selection of reserves enable a variety of experiences, from adventure and excitement to tranquillity and contemplation. Their diverse landscapes and amenities facilitate a range of informal activities such as walking, cycling and picnicking, through to organised activities such as sporting events and community gardens. More than just areas for leisure, these spaces serve as communal hubs for arts, culture, and social gatherings. The DCC's *Parks and Recreation Strategy 2017 -2027* outlines the importance of these activities in supporting Dunedin's communities to thrive.

All recreational activity needs to be managed in a way that enriches people's experience while minimising adverse effects on others and on the natural, historic, and cultural values of the reserve. Activities must also be consistent with the reserve's classification under the Reserves Act 1977. For example, in historic reserves, protection of historic values is the primary focus of the reserve and recreation activity is managed as a secondary outcome. In recreation reserves, the focus is on providing areas for recreation, with other values, such as scenic, historic or archaeological values managed as a secondary outcome.

Many activities on reserves are allowed as of right and supported by the DCC where they contribute to individual and community wellbeing and the protection and enhancement of reserve values. This includes relaxing, picnicking, playing, informal games, photography for personal use and walking, running and cycling.

Activities on reserves that have the potential to impact either the environment or other reserve users, or require the temporary allocation of space, are either managed by specifying locations where they can occur and generic conditions on the activity, by a booking system with conditions of use or through case-by-case permissions or authorisations (refer to section 2.5 Authorisations and Approvals). In some cases, the requirements of DCC bylaws or other legislation may also apply to the activity.

Dog walking, horse riding, drone (UAV) and remotely piloted aircraft system use and camping are all activities that can occur in specific locations and which have conditions that reserve users must comply with. Formal sport and other community formal activities which use the DCC's facilities are generally managed through a booking system with standard conditions; with event approvals used for one-off events such as tournaments. Commercial activities, research and collection, cultural harvest, events and the development of structures for exclusive use are activities that generally require authorisation in the form of either a permit, lease or licence.

The DCC recognises it can improve equity and wellbeing by making reserves accessible and welcoming to everyone through decisions on the location and nature of infrastructure on reserves and through how it manages activities. Providing for a diverse range of activities, reducing restrictions where possible and streamlining booking and approval processes, are important considerations in activity management to achieve the DCC's vision for parks of "*Dunedin's communities are more active, more often, in facilities and parks and open spaces that are connected and valued*".

### Objectives

1. *To enable recreational use and enjoyment of reserves for all users, where that use does not compromise the reserves' values or impact other reserve users and which is in accordance with legislation and the DCC's bylaws and policies.*



## ***Policies***

1. Facilitate recreation use of reserves where it is compatible with:
  - a. the reserve's classification or primary purpose.
  - b. the policies in this Plan and any conditions set out in any applicable law including the DCC's bylaws.
  - c. the protection and enhancement of the other reserve values, existing approved activities and the public use and enjoyment of the reserve.
  - d. the health and safety of the reserve users and affected stakeholders.
2. Enable recreational use and enjoyment of reserves through:
  - a. establishing a network of reserves with the aim that all residents have access to a reserve area within 400 metres of their home, providing recreation and physical activity opportunities that appeal to a diverse range of communities, including low-cost options.
  - b. responding to shifts and changes in demand for recreational activities.
  - c. activating reserves through events, programmes and other initiatives including authorised activities.
  - d. managing a range of bookable facilities such as sportsfields, turfs, courts and community buildings.
  - e. increasing the capacity and resilience of reserves to host more recreational activities where compatible with other park values and other approved activities.
  - f. promoting opportunities that may broaden reserve user's experiences, such as public art and interpretation.
  - g. recognising the value of reserves in providing respite from the negative aspects of urban development such as noise and pollution.
  - h. ensuring reserve land is retained, with the only exception being where the benefits derived by the community from the sale of reserve land are deemed to be of greater value and benefit to the public.
3. Provide for and manage the impacts of recreational use through a range of mechanisms, including, but not limited to:
  - a. ensuring the design, scale, location, construction and maintenance of reserve infrastructure protects and enhances reserve values.
  - b. managing recreational use on a network wide basis, recognising not all opportunities can be provided in every reserve.
  - c. utilising any relevant legislation, including DCC bylaws to set parameters or conditions on activities.
  - d. utilising a booking system to manage the allocation of reserve land and bookable facilities.

- e. requiring the authorisation of activities that have the potential to impact the reserve's values, existing approved activities, other reserve users or reserve neighbours.
  - f. clearly communicating to reserve users what activities are prohibited through signage and online information.
4. Work with stakeholders and communities to create a network of accessible, affordable and fit-for-purpose bookable facilities on reserves that provide for a range of formal sport and recreation activities.
5. Do not permit unauthorised encroachments onto reserves where these are deemed to have an adverse or negative impact on the reserve, its values and or the enjoyment and appreciation of the reserve by the public.
6. Prohibit hunting on reserves unless part of an approved pest animal control programme.
7. Prohibit any animals to be brought on to reserves, except for dogs exercised in accordance with the Dog Control Bylaw and horses under the provisions of the Reserves and Beaches Bylaw, unless part of an event approved under section **2.5.12 Events** or a lease or licence granted under section **2.5.8 Occupation Agreements**.
8. Prohibit golf on reserves outside of designated golf courses.
9. Prohibit unauthorised activities that disturb the ground, such as metal detecting.
10. Prohibit the unauthorised removal of any organic or inorganic items from reserves, including sand, stones and fossils.
11. Require authorisation for the organised use of reserves eg. sporting tournaments or festivals and evaluate proposals in consideration with the policies under section **2.5.1 Authorisations and Approvals** and **2.5.12 Events**.
12. Require authorisation for commercial activities on reserves in accordance with the policies in section **2.5.6 Commercial Use**.
13. Users of reserves shall be responsible for ensuring that their activity and any associated buildings, structures or other devices complies with the Resource Management Act 1991 and its instruments (including the 2GP), the Building Act 1991, DCC's bylaws and any other relevant legislation.

***Relevant documents to be read in conjunction with this section***

<p><b>Legislation</b></p>	<p>Reserves Act 1977</p> <p><a href="#">Dunedin City Council Bylaws:</a></p> <ul style="list-style-type: none"> <li>• Reserves and Beaches Bylaw</li> <li>• Trading in Public Places Bylaw</li> <li>• Dog Control Bylaw</li> <li>• Alcohol (Control of Alcohol) in Public Places Bylaw</li> <li>• Camping Control Bylaw</li> </ul>
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<b>Council Documents</b>	Parks and Recreation Strategy 2017 - 2027
<b>Sections in this Plan</b>	<b>2.1.1 Mana Whenua Partnerships</b> <b>2.2.1 Access</b> <b>2.3.1 General Reserve Development</b> <b>2.3.5 Signs, Information and Interpretation</b> <b>2.4.1 Compliance</b> <b>2.4.8 Waste Management and Illegal Dumping</b> <b>2.5.1 Authorisations and Approvals</b> <b>2.5.6 Commercial Use</b> <b>2.5.11 Research and Collection of Specimens, Including Soil</b> <b>2.5.12 Events</b>

## 2.2.6 Harvest of Traditional Foods and Materials - Mahika Kai

### Comments

The Dunedin City Council acknowledges the status of mana whenua in Ōtepoti Dunedin, represented by each rūnaka (namely Te Rūnanga o Ōtākou and Kāiti Huirapa Rūnaka ki Puketeraki) and the need to make appropriate provision for the harvest and collection of material for cultural purposes. Additionally, the DCC recognises and supports efforts to enhance areas through programmes involving native planting, and the role seed collection and propagation has in that.

Mahika kai encompasses the traditional gathering of foods and other resources, the places where they are gathered, and the practices used in doing so. Mahika kai has formed the basis of the Kāi Tahu culture and economy for hundreds of years and remains at the core of tribal economic development today. Kāi Tahu in Otago were especially reliant on mahika kai as the colder climate in southern Te Waipounamu means that kūmara doesn't grow in the region. As a result, Kāi Tahu in this area had a relatively nomadic lifestyle and went where the mahika kai was abundant and in season – kaimoana being a classic example. This lifestyle was unique to southern Kāi Tahu, and mahika kai has played a large part in shaping Kāi Tahu tribal identity.<sup>4</sup>

Mahika kai includes manu (birds), kai moana (seafood) and rākau (plants). Animals like birds, fish, kōura and shellfish provided a food source, while plants and trees supplied weaving materials from the bark and leaves. Dyes could be extracted from the leaves, roots and mud. Trees also provided raw materials for tools, waka, housing, weapons and other uses.<sup>5</sup>

Efforts are made today to restore some of these traditional mahika kai, through ecological restoration and planting of species such as pikao (*Desmoschenus spiralis*), establishing pā harakeke (flax gardens) and gardens for rokoā (traditional medicines), specifically for the purpose of cultural harvest, as well as education about cultural practices and tikaka (protocols).

This policy seeks to balance the preservation of reserves and their natural, cultural, recreational and amenity values with the continuation of cultural practices and traditions by Kāi Tahu mana whenua. Its aim is to ensure processes under the various legislation (see notes section below) are followed, including articles within the Treaty of Waitangi (particularly Article 2), and materials are harvested in a sustainable manner, following appropriate tikaka.

Due to legislative requirements, the harvesting of cultural materials from reserves require approval from the DCC and in some cases, the Minister of Conservation and/or other organisations. Applications will be assessed in line with section **2.5.1 Authorisation and Approvals** and the policies outlined below. If harvested materials are to be used for commercial purposes, the section **2.5.6 Commercial Use** also applies.

### Objectives

1. *To recognise, respect, and support Kāi Tahu culture and traditions in their relationship with reserves, while protecting the natural, recreational and amenity values of reserves and complying with legislative requirements.*
2. *To ensure the sustainable harvest of cultural materials, including food.*

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<sup>4</sup> Source: <https://aukaha.co.nz/mahika-kai/>

<sup>5</sup> As above

## **Policies**

1. Work with mana whenua and relevant authorities to develop guidelines and protocols for sustainable cultural harvest, according to tikaka, ensuring the protection of taoka (treasures) and the promotion of kaitiakitaka (guardianship). This may include limitations or restrictions on the quantity and type of materials that can be harvested and locations for harvesting.
2. Applications for the collection or harvest of cultural materials will be considered on a case-by-case basis.
3. The processing of any application will consider the sustainability of the species sought, the reserves status, potential effects on the reserve values and other reserve users, and a determination made by the DCC as to whether the effects are considered minor or significant and any relevant legislation.
  - a. For applications deemed to have no more than minor effects, the DCC will adopt its *Protocol for the harvest and collection of cultural materials* with appropriate conditions.
  - b. Where an application is deemed to have significant effects, these applications will require full assessment of those effects and suitable mitigations and will be considered in accordance with Sections 49 and/or 50 of the Reserves Act 1977.
4. Where the *Protocol for the harvest and collection of cultural materials* is used, the DCC may include conditions specific to the location/s e.g. for safety.
5. Advice may be sought from mana whenua through an endorsed representative(s) or the Komiti Taoka Tuku Iho (Otago) as required.
6. For applications assessed to have minor effects, the DCC will adopt a protocol for the harvest and collection of cultural materials that aligns with the tikaka of mana whenua. This may include conditions for harvest.
7. Work with mana whenua to identify reserves (or areas within reserve) to be planted in traditional cultural plants which can be used as sites for sustainable harvest areas as appropriate.
8. The taking of flora and fauna for commercial purposes will, in the main, not be permitted.

## **To note**

1. To enable Ngāi Tahu in Otago to manage the supply of their taoka species for cultural or other uses (such as museum displays), Ngāi Tahu and DOC have established a process to oversee the allocation of these taoka. This is implemented by the Komiti Taoka Tuku Iho, which is made up of representatives of Otago rūnaka, the DCC, DOC, the Otago Museum, and an independent member.
2. Kaitiakitanga (kaitiakitaka) is defined in the Resource Management Act 1991 as “the exercise of guardianship by the tangata whenua of an area in accordance with tikanga Māori in relation to natural and physical resources; and includes the ethic of stewardship”.

***Relevant documents to be read in conjunction with this section***

<p><b>Legislation</b></p>	<p>The Reserves Act is listed in the First Schedule to the Conservation Act 1987. Section 4 of the Conservation Act 1987 contains an obligation to give effect to the principles of the Treaty of Waitangi. Case law has held that the obligation in section 4 required each of the acts in the First Schedule to be interpreted and administered as to give effect to the principles of the Treaty of Waitangi, at least to the extent that the provisions of those acts were clearly not inconsistent with those principles. As such, in performing functions and duties under the Reserves Act, the DCC must give effect to the principles of the Treaty of Waitangi.</p> <p>The Reserves Act 1977 and Wildlife Act 1956 must be considered when assessing applications to ensure those approved do not contravene any provisions of these statutes and any other legislation. Unauthorized activities including the taking of flora and fauna have penalties under relevant legislation.</p> <p>Delegation to DCC of Ministerial powers under section 49 of the Reserves Act 1977 exist.</p> <p><b>The Reserves Act 1977</b></p> <p>Section 42(1) Preservation of Bush</p> <p>Section 46(1) Grant of Rights to Māori</p> <p>Section 49 Taking of Specimens</p> <p>Section 50 Taking or Killing of Fauna</p>
<p><b>Sections in this Plan</b></p>	<p><b>2.1.1 Mana whenua partnerships</b></p> <p><b>2.5.11 Research and Collection of Specimens (Including Soil)</b></p>

## 2.2.7 Lookouts and Viewpoints

### **Comments**

The DCC has a number of significant reserves located on the hills around the city that provide free access to magnificent views of areas of stunning natural beauty, including forests, beaches, the sea, and urban and rural scenery.

Preserving these views and vistas, particularly from formal lookout sites and significant viewpoints is important. Sympathetic reserve development and vegetation management is required to support public access to and enjoyment of these views from within reserves.

### **Objectives**

1. *To preserve and maintain views from reserve lookouts and significant viewpoints.*

### **Policies**

1. Maintain significant view shafts and vistas from reserves including those identified in **Appendix F**
2. Consider the preservation of viewshafts and vistas from reserves, through appropriate planting in the vicinity of viewshafts and, where necessary, pruning or removal of vegetation.
3. DCC will work with neighbours and land developers, where possible, to advocate for the protection of significant views from reserves.

### **To note**

This policy only considers views, viewshafts from within the boundary of a reserve and does not include views from neighbouring residential properties that intersect with a park.

Section 42 of the Reserves Act 1977 outlines the DCC's responsibilities relating to the preservation of trees and Bush.

## 2.2.8 Tracks

### Comments

Dunedin City's tracks keep our communities connected and provide social, cultural, educational and recreational benefits. They foster wellbeing for the people of Dunedin, and they contribute to our tourism industry and local economy.

Dunedin has a diverse network of tracks, offering a wide variety of experiences and opportunities. These tracks have been developed through collaborative efforts between the Dunedin City Council, Department of Conservation and other organisations.

The track network supports a range of uses from walking, to biking and endurance tramping. The increasing popularity of electric bikes, e-scooters and other electric powered devices may impact usage levels and necessitate attention to managing potential user conflicts, as well as track construction and maintenance requirements. Topography, user safety and the increasing impact of climate change (see section **2.1.2 Climate Change Considerations**) will also need to be considered.

The *Outdoors in Otepoti, Recreation Tracks Plan 2022*, moves beyond track management and maintenance with the four primary goals being *Collaborative Partnerships, Opportunities for Everyone, a Connected Track Network and Enriched Experiences*.

This policy aligns with the Recreation Tracks Plan and aims to provide a management framework to support the goals of the plan and enable it to be delivered in a way that is sympathetic to other reserve values and other uses.

### Objectives

1. To work collaboratively with others in the development, management and maintenance of the tracks network.
2. To improve and manage access through reserves for park users with varying abilities while supporting a range of transport forms, such as walking, cycling, horse riding (if allowed under the Reserves and Beaches Bylaw) and use of micromobility options such as e-scooters, e-bikes.
3. To provide a safe and connected track and path network that offers a range of experiences and opportunities for current and future recreation and conservation needs.
4. To provide a recognised and consistent approach to the maintenance and construction of tracks and paths, providing the right tracks in the right place that enhance the network, whilst protecting existing reserve values.
5. To facilitate access through reserves for development, maintenance and ecological restoration.

### Policies

1. Continue to provide a range of multi-use tracks that provide a range of experiences within the reserves network, whilst protecting natural, cultural and heritage values of the reserve.
2. Use best practice standards as the basis for developing, maintaining and renewing tracks and for communicating what types of tracks are available for visitors across the city aligned



with the SNZ HB 8630: 2004 Tracks and Outdoor Visitor Structures Handbook and the New Zealand Mountain Bike Trail Design and Construction Guidelines.

3. Work with volunteers or partners wishing to maintain and develop tracks, considering section **2.2.9 Volunteering and Education**, in noting that formal approvals are needed in line with section **2.5.1 Authorisations and Approvals**, and require formal agreements with clear and consistent standards for construction and maintenance activity.
4. Consider providing for micromobility options including e-scooters, e-bikes and other e-driven devices where they do not affect other reserve users, or impact the reserve (refer to the notes section of this policy for definitions and information relating to this policy)
5. When expanding, enhancing or renewing the track network consider:
  - a. improving the connectivity within and between parks, other public land, unformed legal road, community destinations and recreation opportunities.
  - b. improving accessibility of tracks for people with low mobility.
  - c. complement the on-road walking and cycling networks by providing for walking and cycling corridors through reserves in order to help support active transport solutions and support the city's emissions reduction target.
  - d. opportunities for interpretation of natural values and cultural and historical story-telling.
6. Apply the following principles when upgrading and developing tracks:
  - a. work with mana whenua to co-design tracks and track networks including within the context of any existing co-management arrangements.
  - b. consult with the community, lessees and other park and recreation agencies when planning significant changes or when creating new tracks (other than minor rerouting).

**To Note:**

Sections 17 to 23 of the Reserves Act 1977 for considerations and requirements for the development of reserves aligned with their classifications. For example, for Scenic Reserves (under section 19 of the Act) development needs to be compatible with the principal or primary purposes of a reserve, to enable the public to obtain benefit and enjoyment from the reserve.

Under this policy an electric bike (e-bike) is defined as:

- An electric power-assisted bicycle is a pedal cycle to which is attached one or more auxiliary electric propulsion motors having a combined maximum power output not exceeding 300 watts.
- Any cycles with motors (electric or combustion) over 300 watts are classified as a motorised vehicle as per the New Zealand Transport Agency (NZTA) definition and therefore are only allowed where a motor vehicle is allowed.

The Reserves and Beaches Bylaw includes limitations on where and how vehicles and horses can be used on reserves and beaches.

## 2.2.9 Volunteering and Education

### **Comments**

Many of the DCC's policies and strategies, including the Biodiversity Strategy 2007, Parks and Recreation Strategy 2017-2027 and Te Ao Tūroa – The Natural World Dunedin's Environment Strategy 2016-2026 are built on the premise of working together with the community to achieve better outcomes for people and the environment.

Volunteering in reserves is a vital aspect of community engagement and environmental stewardship.

The DCC is fortunate to have many organisations, groups and individuals who volunteer their time and resources to enhance or maintain reserves in Dunedin. This may be in the form of one-off or on-going maintenance, development, or educational projects. This contribution enables the DCC to continue to provide a range of high quality recreational, educational and amenity opportunities and achieve identified biodiversity outcomes.

Volunteering on reserves allows groups and individuals to contribute resources that facilitate their chosen recreational activities or conservation outcomes, contribute in a positive way and in turn increase their wellbeing and sense of belonging.

Volunteer activities and projects on reserves need DCC approval before work can begin. Compliance with the Health and Safety at Work Act 2015, the Reserves Act 1977, other relevant legislation and DCC policies is also required. Some activities, such as earthworks may require other regulatory approvals such as a resource consent. It is the responsibility of volunteers to obtain these approvals and cover relevant costs, prior to any work taking place. Discussions with DCC staff should take place in the early stages of a proposal being developed to ensure that the activity is appropriate and permitted under the DCC's policies. Required documentation, such as a Work Plan and Health and Safety Plan are best developed with input from DCC staff.

Certain activities undertaken by volunteers, such as the use of chemical sprays or chainsaws require relevant qualifications and approval by the DCC. The DCC will endeavour to support volunteers to receive required training and provide appropriate tools and equipment when resources allow.

School groups and other educational organisations also use reserves for school projects and outings. Involving such groups with restoration and enhancement projects on reserves creates a sense of ownership and interest in the values of the reserve. This approach may reduce the amount of vandalism that can occur at neighbourhood parks and reserves as children who have been involved with restoration projects are less likely to vandalise their work, or that of their schoolmates.

Commercially operated 'Nature School' enterprises wanting access to reserves to undertake their programs require a separate commercial concession licence to undertake these activities, see **2.5.6 Commercial Use**.

### **Objectives**

1. *To encourage and support safe and effective community and school participation in the management, maintenance, development, and monitoring of the reserves.*
2. *To support volunteers working on reserves to work safely and in alignment with Council policies and relevant statutory requirements.*

3. *Collaborate with educational institutions and organizations to develop and implement programs that promote environmental awareness and conservation within the community.*

### **Policies**

1. Continue to support volunteers in enhancing and maintaining reserves through a range of mechanisms.
2. Provide guidance to volunteers that supports their activities and safeguards their health and safety while working on reserves.
3. Approval from DCC is required for volunteer activities prior to work commencing. Proposals must include a proposed Work Plan and Health and Safety Plan and align with the policies set forth in section **2.5.1 Authorisation and Approvals** and be formalised through an agreement.
4. Volunteers carrying out work that has been approved by the DCC must have appropriate training and use appropriate tools and equipment.
5. Volunteers wishing to use power or mechanically driven tools or chemicals must provide evidence of relevant qualifications and a Health and Safety Plan to the DCC for approval.
6. Unless otherwise agreed, the organisation carrying out projects requiring resource or building consents will be responsible for obtaining such consents prior to starting the projects.
7. Opportunities for schools and communities to be involved on-the-ground will be promoted, and actively sought in some cases (e.g. for ecological restoration and monitoring programmes) as a reserve education and awareness tool.

### **Relevant documents to be read in conjunction with this section**

<b>Legislation</b>	<p><b>Reserves Act 1977</b></p> <p>Restricts certain volunteering and educational activities to protect the values of reserves. These restrictions vary depending on the reserve's classification, ensuring that activities align with the specific conservation and recreational requirements of each type of reserve.</p> <p><b>Health and Safety at Work Act 2015</b></p> <p>Different requirements may apply for volunteers working under direct DCC supervision and volunteers working as part of an organisation with paid employees. Advice is available from DCC on the different requirements for Health and Safety plans, workplans, etc.</p> <p><b>Resource Management Act 1991/ District Plan</b></p> <p>Some activities such as vegetation removal may require a resource consent.</p>
<b>Council Documents</b>	<p>Biodiversity Strategy 2007</p> <p>Parks and Recreation Strategy 2017-2027</p>

	Te Ao Tūroa – The Natural World - Dunedin's Environment Strategy 2016 – 2026
Sections in this Plan	<b>2.1.5 Tree Management and Maintenance</b> <b>2.4.5 Partnerships and Contributions</b> <b>2.5.1 Authorisations and Approvals</b> <b>2.5.8 Occupation Agreements</b> <b>2.5.11 Research and Collection of Specimens, Including Soil</b>

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## 2.3 Development Policies

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## 2.3.1 General Reserve Development

### Comments

Reserve development may involve the creation of new reserves or enhancing existing ones by introducing new built infrastructure and amenities like playgrounds, sports infrastructure, toilets and changing rooms. Developments may be undertaken by the DCC itself, or by a corporate or community group authorised by the DCC. Built infrastructure, landscaping, and restoration planting are some of the reserve developments necessary to enable public use and enjoyment of reserves and the protection and enhancement of landscape, natural, historical, cultural, recreational, and educational values. Development can also include walkways, cycleways and boating facilities to connect to recreational and community spaces. It can also include development of green infrastructure such as trees and vegetation that provide amenity, shelter, shade and stormwater or erosion management. Green infrastructure that contributes to natural heritage is addressed in the policies of section **2.1.4 Biodiversity and Natural Heritage**.

The natural values of Dunedin's reserves are essential for a positive visitor experience and for preserving Dunedin's landscapes. Development of built infrastructure must be coherent and sympathetic to the character and values of a reserve and adverse effects either avoided, mitigated or remedied.

Before development takes place, it is important to understand community needs and preferences. This should be based on investigations of demographics, population growth and use patterns, as well as direct engagement with the community to understand preferences.

Site-specific constraints and risks should also be considered when development takes place, as should changing environmental conditions resulting from climate change and other environmental hazards. Any development should also consider whole-of-life costs of proposed developments.

The DCC is committed to creating a network of open spaces and facilities that are fit-for-purpose, accessible, safe, high quality, connected and valued. It recognises the need for reserves to be well managed and maintained and environmentally sustainable.

For reserves held under the Reserves Act 1977, development must comply with the provisions of the Act. Recreation reserve classification provides for a wide range of park development whereas there are greater restrictions and additional considerations when developing infrastructure to support the use of scenic and historic reserves.

There are a number of considerations and requirements in the general development of new reserves developed as part of subdivisions, which are covered in the [Dunedin Code of Subdivision and Development](#) and the associated New Zealand standards.

### Objectives

- 1. To design and develop reserves using best practices and standards that protect and enhance the landscape, ecological, cultural, recreational, and educational values of the reserves.*
- 2. To facilitate recreational use and enjoyment of reserves through provision of appropriate infrastructure that meets the needs of approved use and users without significant adverse effects on the values of the reserve.*
- 3. To promote sustainability and resilience in the reserves by adopting technologies, materials and design informed by science and mātauraka Māori that reduces environmental impacts, responds to and helps to mitigate climate change effects, and improves health and well-being.*

4. *To foster collaboration and partnership with mana whenua, stakeholders, and the community in the development and use of the reserve, and to ensure that their views and aspirations are considered and reflected.*

## **Policies**

1. Provide, monitor and maintain structures, facilities and fixtures to a standard that meets legislative and public safety requirements and relevant service levels, and which complements the values of a reserve.
2. Development of built infrastructure in reserves should consider the following:
  - a. the classification or purpose of the reserve.
  - b. the impact the location and design of the infrastructure has on the natural, cultural, landscape/landform and character of the reserve, reserve users and any approved activities such as utilities.
  - c. whether the location may be subject to environmental hazards including stormwater overland flow paths, areas prone to flooding, sea level rise, land instability and erosion; and options to mitigate those hazards.
  - d. technologies, materials or design that enable greater, more flexible use and consider health promoting environments, and the impacts of climate change.
  - e. minimising the opportunities for vandalism and crime and improving public safety including using Crime Prevention Through Environmental Design (CPTED) techniques.
  - f. universal design<sup>6</sup> and how people of all ages and abilities use, access and enjoy the reserve.
  - g. options for environmentally sustainable design, including collection of rainwater, minimising energy requirements and considering carbon footprint in the construction and ongoing maintenance.
  - h. outcomes and recommendations of needs assessments, concept plans and/or relevant specialist assessments.
  - i. the potential to work with partners to deliver the reserve development.
  - j. maintenance and asset renewal requirements.
3. Work with Kāi Tahu mana whenua on proposed developments including options to protect and enhance reserve values that are significant to them and ways to acknowledge and share their connection to the reserve.
4. Development proposals for new reserves will require a reserve master, concept, detailed development plan and/or landscape plan. These must be approved by the DCC.
5. The DCC may prepare plans to guide the development of existing reserves where this is not sufficiently detailed in a management plan and the reserve development requires a coherent approach to the reserves wider use, balancing complex matters and protecting its values.

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<sup>6</sup> Universal Design is the design and composition of an environment so that it can be accessed, understood and used to the greatest extent possible by all people regardless of their age, size, ability or disability.

6. Reserve master, concept, landscape and detailed development plans need to consider and provide direction on the following matters at the level of detail appropriate to the plan type:
  - a. vision and design principles.
  - b. core values and existing features such as topography, trees/vegetation, viewshafts, buildings, sites of significance to mana whenua and waterways.
  - c. site challenges and constraints such as district plan provisions, pests and weeds, geotechnical risks, location of underground utilities and other existing approved uses, and overland flowpaths.
  - d. character and values of the surrounding area.
  - e. access to the reserve.
  - f. mana whenua, key stakeholder and community needs and aspirations.
  - g. direction on which reserve values will be enhanced.
  - h. proposed buildings, structures, plantings, landscaping and signage.
  - i. construction and maintenance requirements.
  - j. implementation plan.
7. New plantings should comply with [Te Ao Tūroa, The Environment Strategy](#) and the relevant policies in **2.1.2 Climate Change Considerations** and **2.1.4 Biodiversity and Natural Heritage**.
8. The extent of public consultation on development plans for reserves will be guided by the DCC's [Significance and Engagement Policy](#) and the relevant legislative requirements under the Reserves Act and Local Government Act.
9. The DCC will seek to provide shade in high use parks, primarily through tree planting, where practical and as resources permit.

***Relevant documents to be read in conjunction with this section***

<b>Legislation/Standards</b>	<p><b>Reserves Act 1977</b></p> <p>Plays a key role in guiding the development of public reserves by setting out principles for their management, including how they are developed for public use and enjoyment. It ensures that development aligns with the purpose of the reserve classification (e.g., recreation, conservation, historic preservation), and requires careful planning to protect natural and cultural values. Development must be sustainable, enhance public access, and provide for recreational opportunities while safeguarding the ecological and heritage significance of the reserve.</p> <p><a href="#">Dunedin Code of Subdivision and Development</a> and associated New Zealand standards.</p>
<b>Council Documents</b>	<b>Significance and Engagement Policy/Kaupapa here hirahira whakatūtaka</b>
<b>Sections in this Plan</b>	<b>2.1.2 Climate Change</b>



	<b>2.1.3 Biodiversity and Natural Heritage</b> <b>2.1.4 Trees</b> <b>2.1.5 Forestry Management on Reserves</b> <b>2.3.2 Buildings and Structures</b> <b>2.5.1 Authorisations and Approvals</b>
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## 2.3.2. Buildings and Structures

### Comments

The Reserves Act 1977 generally limits buildings on recreation reserves to those necessary for sporting, community (e.g. scout halls) and outdoor recreation purposes only. Although Section 53 of the Act does allow local authorities the discretion (subject to Minister consent in some cases) to erect “buildings and structures for public recreation and enjoyment not directly associated with outdoor recreation”, its primary reference is to the DCC’s provision of facilities “associated with and necessary for” outdoor recreation e.g. stands, pavilions and gymnasiums.

Reserve occupiers with leases granted under section 54(1)(b) of the Act may erect similar building types or, if it is deemed to be in the public interest, “buildings and structures for sports, games, or public recreation not directly associated with outdoor recreation.” However, this is subject to Minister consent under the Act. The erection of buildings may also be permitted as part of any concession licence on reserve land leased for commercial operations where buildings or structures are necessary for, or that are of public recreational benefit. See section **2.5.6 Commercial Use**.

### Clubrooms and Community Facilities

Clubrooms can be necessary to facilitate public use of reserves and associated sport facilities. Other buildings, such as community halls, can also provide a venue for other core functions that the DCC delivers or supports. They can, however, also reduce the open space character and amenity of reserves and require significant investment and ongoing maintenance.

Options to utilise existing facilities through repurposing existing, unoccupied facilities and sharing facilities with other clubs should be investigated prior to planning new buildings, provided the use is compatible with the requirements of the Act.

Where new buildings are considered essential and in accordance with the Act, the DCC will seek to retain as much open space as possible, protecting the amenity values and physical features of a reserve (e.g. trees and other vegetation). Co-location of facilities and the development of hub/sportsville models for clubs and community groups is one way this can be achieved and has a multitude of other benefits such as shared administration and costs and greater community connections.

In addition to the general matters to be considered outlined in section **2.3.1 General Reserve Development**, the emissions footprint associated with construction and ongoing usage of buildings (particularly for DCC-owned buildings) should be considered in the context of the DCC’s Zero Carbon Policy and associated procurement requirements.

In most cases requests to install or significantly upgrade reserve infrastructure and buildings will require formal approval from the DCC in accordance with section **2.5.1 Authorisations and Approvals**. Regulatory approvals such as resource or building consent are also likely to be required and will need to be obtained by the applicant.

## Toilets, Showers and Changing Rooms

The DCC provides public toilets, showers and changing rooms throughout Dunedin. Generally, these facilities are either located for use on sports fields, reserves with playgrounds, reserves adjoining beaches and town centres. Clubs who lease reserves also often develop buildings that contain toilets and changing facilities, some of which may be available for use by the public.

It is important that the facilities are functional, accessible and inclusive and contribute to the amenity of the reserve.

Several organisations, such as New Zealand Rugby, have developed best practice guidelines for changing rooms and toilets with a focus on making facilities more accessible and inclusive. The DCC will refer to these guidelines and best practice from other councils when planning or assessing plans for new facilities or significant upgrades to existing facilities.

## Playgrounds

Dunedin has a range of play spaces; with 89 local playgrounds, 19 community playgrounds, 3 destination playgrounds, a pump track and 11 skateparks. Let's Play Ōtepoti - Play Spaces Plan 2021 set the vision of "Ōtepoti where play is for everyone". This includes the provision of accessible playgrounds for all ages, abilities and cultures, and providing varied, challenging, fun, safe and sustainable play options.

The DCC has a goal of providing play opportunities within easy walking distance of most homes. Many reserves offer natural environments, mown flat areas and/or playgrounds to facilitate play. The DCC will continue to develop play areas in accordance with the Play Spaces Plan 2021.

## Temporary Structures and Containers

The DCC occasionally receives requests to erect temporary structures such as stages, platforms, scaffolding towers, and marquees on reserves. The DCC will evaluate these requests in accordance with the Reserves Act 1977 to assess their impact on the reserve and other users. If authorised, conditions may be included within approvals to minimise any negative effects. Temporary structures may also need to meet requirements under the District Plan, the Building Act 2004 and any other legislative requirement.

The DCC also receives requests from clubs and groups wishing to store equipment in cargo shipping containers or relocatable sheds on reserves. This may be in conjunction with an existing lease where more storage space is required, or from a club that uses the same reserve regularly without leasing a specific area or having clubrooms. Subject to any other legislative requirements, the use of containers or small relocatable sheds may be acceptable for some reserves where it will not significantly interfere with reserve values or public use and enjoyment. The storage container or relocatable shed must be in good overall condition and the club or group may be required to repair and/or paint it as necessary. An application for a formal agreement with appropriate conditions is required once an appropriate location is determined by the DCC. Use of containers on reserves will be limited to a two-year term to allow clubs/groups to assess their storage needs and consider long-term requirements. Clubs needing long-term storage will need to arrange alternative permanent storage, such as using other club facilities or constructing permanent storage.

## **Objectives**

2. *To increase public use and enjoyment of reserves through the provision of buildings and structures that meet the needs of approved uses and users without significant impact on the values of the reserve, reserve users or reserve neighbours.*
3. *To ensure that buildings and structures on or proposed for reserves meet accepted standards of construction.*
4. *To maximise the amount of public open space within the reserve network without buildings on it.*
5. *To provide an inclusive and accessible network of playgrounds that meets diverse community needs and offers play opportunities for all ages and abilities.*
6. *To consider the provision of public toilets, accessible toilets and showers, and changing facilities at suitable reserves or facilities, where there is a proved need for these services.*

## **Policies**

### **Buildings**

1. Encourage maximum utilisation of existing buildings on reserves through sharing of facilities and/or repurposing existing buildings.
2. Encourage activities that don't require a reserve setting for their activity to explore venues and locations outside of the reserve network prior to considering a building on the reserve network.
3. Where buildings (or other structures, including cargo containers) are proposed to be located or relocated on a reserve, including replacement, additions and extensions the proposal will be assessed against **2.3.1 General Reserve Development** and the following criteria:
  - a. The impact of the proposed building on reserve values, including amenity, physical features and recreational opportunities,
  - b. the conservation of open space, significant vegetation and significant landscape features.
  - c. the effects the proposed building, or the activities associated with its use may have on reserve neighbours.
  - d. whether a building is required or whether there are existing buildings or structures that might cater for the activity,
  - e. whether buildings can be shared or co-located,
  - f. the materials, siting, design and colour of the proposed building,
  - g. the scale of the proposed facilities in relation to the anticipated use of the reserve for outdoor recreation, the projected demand for indoor recreation facilities, or the expected demand for the specific activity involved,
  - h. the protection of existing outdoor recreation facilities, except where the DCC determines that their displacement by the proposed structure's erection or extension is in the public interest.
  - i. the requirements of the 2GP,
  - j. future plans of the applicant/evidence of strategic vision,
  - k. whether the building design allows for maximum community use,
  - l. rationale for bulk, design, height and location and alternatives considered,

- m. potential impacts generated by ancillary activities including parking and access to service areas,
  - n. the condition of a container or relocatable shed,
  - o. the financial viability of the proposal including funding to construct the building and fund ongoing costs of maintenance and other operating expenses, and
  - p. establishing clear time limits for temporary or relocatable buildings and structures.
- 4. Feasibility studies will be required to inform the DCC's decision making in all cases where proposals are:
  - a. for developments costing over \$100,000, and/or
  - b. increase the area of the reserve occupied, and/or
  - c. result in occupiers having debt levels of \$10,000 or more.
- 5. Any applications by a third party to locate a building on a reserve, will be assessed in line with these policies, the Reserves Act 1977, and section **2.5.1 Authorisations and Approvals**.
- 6. The following conditions, without limitation, will be placed on any permission for erecting buildings on reserves:
  - a. The applicant is responsible for obtaining all resource and building consents before work commences on the site.
  - b. The applicant must comply with all bylaws, regulations and statutes pertaining to the construction and operation of the building.
  - c. The exterior colour scheme for the proposed building is to be submitted to Parks and Recreation Services for approval before construction commences or a resource consent application is lodged.
  - d. Any development, maintenance and replacement of landscaping associated with the building (including resource consents) is the responsibility of the applicant. Landscape plans (including maintenance standards) are to be submitted to the DCC before planting commences.
  - e. The occupier must keep the area immediately surrounding the building and construction site maintained in a safe, clean and tidy condition at all times.
  - f. A bond will be required from the applicant before work commences on the site. The bond, less any expenses incurred by the DCC, will be refunded on completion of the contract.
  - g. Permission to undertake the proposed development will lapse if construction does not commence within two years of the grant of this permission.
  - h. All costs associated with the application and the resulting development are to be met by the applicant.
- 7. An occupation agreement will be required for all non-DCC owned or administered buildings and structures on reserves in line with policies in section **2.5.8 Occupation Agreements**. This requirement includes those buildings and structures where the DCC owns and administers part of the facility and those where the DCC has contributed financially to the building.
- 8. Requests from clubs and organisations asking the DCC to take over ownership of buildings or facilities will be considered on a case-by-case basis.

## Toilets, Showers and Changing Rooms

9. Consideration may be given to providing public toilet, shower and/or changing facilities on reserves, where there is a proven need and where adverse effects can be avoided or mitigated, in line with **2.3.1 General Reserve Development**.
10. The DCC may consider joint funding/maintenance of public toilets and changing facilities within buildings on reserves owned by third parties where these facilities will be available to the general public and while there is a proven demand for these services.
11. Toilet, shower and/or changing facilities on reserves will be designed to be:
  - a. functional,
  - b. accessible and inclusive,
  - c. easy to maintain, and
  - d. in a style and location that does not detract from the values of the reserve, and that has minimal environmental impact.

## Playgrounds

12. Develop playgrounds and play spaces in line with the DCC's Play Spaces Plan 2021 and Implementation Plan.
13. The development of new play facilities or redevelopment of existing ones will take into account:
  - a. meeting the local community needs for play opportunities.
  - b. the effect the play infrastructure will or does have on other reserve users.
  - c. siting with regard to sun, shade and shelter from wind, and ability for passive surveillance by other reserve users and passers-by.
  - d. diversity of play opportunities, including providing for different age ranges and abilities across the network.
  - e. universal design to make the play as accessible as possible.
14. The DCC will provide shade over playgrounds where there is a clear need and as resources allow; with a preference for planting shade trees, rather than built structures.
15. The DCC will explore opportunities to provide more natural play opportunities that encourage exploration.

### ***Relevant documents to be read in conjunction with this section***

<b>Legislation</b>	<b>Reserves Act 1977</b>  The Act allows for construction of buildings and other facilities if they align with the reserve's purpose and management plan. Any development must support the use and enjoyment of the reserve by the public, while ensuring minimal impact on its natural or historical values.
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	The Act also allows administering bodies, such as the DCC, to lease parts of a recreation reserve for the construction of buildings and facilities necessary for public recreation or enjoyment. This includes sports facilities or community buildings, provided they are consistent with the reserve's purpose.
<b>Council documents</b>	<b>Let's Play Ōtepoti - Play Spaces Plan 2021</b>
<b>Sections in this Plan</b>	<b>2.1.2 Climate Change Considerations</b> <b>2.1.3 Cultural and Historic Heritage</b> <b>2.2.5 Public Use and Enjoyment</b> <b>2.3.1 General Reserve Development</b> <b>2.5.1 Authorisations and Approvals</b> <b>2.5.8 Occupation Agreements</b>

### 2.3.3 Car Parking and Vehicle Access

#### **Comments**

Car parks and vehicle accessways within reserves help facilitate general reserve use, recreational activities, or improve accessibility to open space facilities and destinations, like beaches. Some activities, like some water sports, may require users to bring equipment like boats and trailers onto the reserve. However, the presence of car parks and roads can reduce the available space for reserve activities and pose environmental concerns like polluted stormwater runoff.

The DCC will occasionally provide exclusive use of reserve car parks to user groups in support of special events. However, it is important to strike a balance so that these groups do not unfairly benefit at the detriment of other reserve users. The DCC may also provide exclusive car parking through a lease or license when a user group, such as a sport club, can demonstrate such a need. In these instances, the benefit to these groups will be offset through the cost the DCC will charge for the facility.

Commuter parking, freedom camping and long-term use of reserve car parks for parking or storage of vehicles, boats and other items is also an issue in some reserves. Careful management of these parking areas is necessary to ensure access for general reserve users is maintained and the introduction of traffic control devices and enforcement of these parking areas may need to be implemented.

In the future, there may be demand for increased reserve parking to accommodate more use. Given the limited availability of reserve land, continuing to expand car parking to meet increases in demand may not be feasible, desirable or practical. The provision of car parking and vehicle access in reserves needs to be carefully considered to ensure the impact on the usability of reserves, reserve neighbours and reserve values is minimised.

Alternative modes of travel to a reserve are encouraged (also see section **2.1.2 Climate Change Considerations**) and the DCC may provide bicycle parking facilities or EV charging infrastructure to facilitate low-emissions travel to these spaces. When determining the appropriate number of car parks for a facility, the DCC will seek to provide these at a level and in locations that do not detract from the use of low-emissions modes of travel.

Where appropriate, access to reserves for people with disabilities shall be recognised and prioritised in the design, construction, and maintenance of reserve infrastructure. This includes ensuring that new constructions and upgrades of existing facilities, such as carpark areas, incorporate features to enhance accessibility, such as hardened surfaces from carparks to sports pavilions and ensuring accessibility even when facilities are locked or chained. These measures aim to promote inclusivity and ensure that public reserves are accessible to all members of the community, regardless of physical ability.

#### **Objectives**

- 1. To provide and maintain car parks and vehicle access to a level that is adequate to the purpose and usual use of the reserve.*
- 2. To provide and manage car parking areas on reserves primarily for reserve users and take appropriate enforcement action against owners of vehicles that violate parking restrictions.*
- 3. To recover some of the costs of car parks through occupation agreements and Authorisations with occupiers that benefit from car park provision.*

4. *To support and encourage visitors to make use of low carbon transport modes when travelling to or through parks.*
5. *To facilitate access to parks and reserves for all users, including the disability community, where this is appropriate and practicable.*

## **Policies**

1. Car parks on reserves are for vehicles associated with recreation and other legitimate use of the reserve.
2. Car parking areas will be provided on reserves where there is a proven requirement directly related to the use of the reserve, and where it is both appropriate and financially feasible to provide a car parking facility.
3. Car parks may be closed to the public at sign-posted times of day, to facilitate reserve maintenance or development, or in instances in which exclusive use has been provided by the DCC to a particular group.
4. For existing car parks and when developing car parks, consider policies in section **2.3.1 General Reserve Development** and the following:
  - a. ability to meet parking demand during general use of the park.
  - b. options for improving walking, cycling and public transport access to reduce reliance on private vehicle transport.
  - c. locating these closest to site boundaries and adjoining roads to minimise the loss of usable recreation space.
  - d. incorporating water-sensitive design to reduce stormwater runoff and contaminants entering the stormwater system.
  - e. providing designated car parking and access for reserve users with limited mobility.
  - f. providing for EV car charging and secure bike parking to help facilitate more low-emission transport options to access reserves.
5. Consider the options for managing demand for car parking where capacity is regularly exceeded and is impacting reserve users, including but not limited to:
  - a. time limits or other parking restrictions, enforcement and parking charges.
  - b. opportunities to disperse demand, for example through the scheduling of sports fixtures.
  - c. encourage community organisations and clubs to develop their own alternative travel plan that encourages use of public transport, carpooling and other low-emissions forms of transport.
  - d. opening access to the reserve next to public transport routes.
  - e. communicating with relevant parties to improve public transport options at peak times.
  - f. managing exclusive use by community organisations and clubs.



6. Temporary car parking in areas other than recognised parking areas, including use of vehicles on reserve land, may be permitted upon the written approval of the DCC.
7. Exclusive use of car parks may be allowed for special sporting, community, commercial or recreational events. Applications for the exclusive use of car parking will be considered in accordance with the policies in sections **2.5.1 Authorisations and Approvals** and **2.5.12 Events** and charges may be applied where the exclusive use is commercial in nature.
8. Where an application for exclusive use of a car park is successful the DCC will arrange for public notification of this use. Applicants will need to meet the costs of public notification.
9. Ensure occupation agreements for use of reserves prohibit subletting of car parks included in leased or licenced areas.
10. The DCC may require inclusion of conditions in leases or licences (or a provision in lease or licence fees) requiring contribution to the provision or maintenance of car parking on reserves where their occupation is a clear and significant factor in the need for car parking or maintenance.
11. Consider applications for EV charging stations in reserve car parks considering the policies in section **2.1.2 Climate Change Consideration** and in accordance with the policies in sections **2.5.1 Authorisations and Approvals** and **2.5.9 Public and Private Utilities** and with the following:
  - a. alignment with current DCC EV charging infrastructure policies and strategies.
  - b. the number of parking spaces and the impact of a dedicated or non-dedicated EV charging space(s) on general reserve use.
  - c. proximity to other EV charging locations located outside the reserve.
  - d. the location, alignment and extent of both underground and above-ground EV charging infrastructure required to be located in the reserve (i.e. length and alignment of power cables through the reserve and location of charging points.
  - e. the potential for EV charging infrastructure to encumber future reserve development or use.
  - f. the potential benefit of the charging point to reserve users.

***Relevant documents to be read in conjunction with this section***

<p><b>Legislation</b></p>	<p><b>Reserves Act 1977</b></p> <p>Section 44 prohibits the use of vehicles (including boats and caravans) for overnight accommodation unless specifically provided for in a Reserve Management Plan or specific consent has been granted by the Minister.</p> <p>Section 94 (1) (l) - it is an offence to trespass on a reserve with a vehicle.</p> <p>Section 105B – it is an offence to use any vehicle on a reserve (in areas not set aside for this specific purpose) without</p>
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	<p>authorization from the administering body (DCC).</p> <p><b>Freedom Camping Act 2011</b></p> <p>Provides enforcement provisions relating to use of reserve car parking areas by campers including unauthorised camping and damage to the environment.</p> <p><a href="#">Dunedin City Council Bylaws:</a></p> <p>DCC bylaws can also be used to restrict pedestrian and vehicular access to help ensure public safety, avoid public nuisance, and prevent damage and misuse of reserves and reserves. For example, the following Dunedin City Council Bylaws all allow council to restrict pedestrian and vehicular access to help ensure public safety, avoid public nuisance, and prevent damage and misuse of parks and reserves:</p> <ul style="list-style-type: none"> <li>○ Reserves and Beaches Bylaw</li> <li>○ Traffic and Parking bylaw</li> <li>○ Rooding Bylaw</li> </ul> <p><b>Camping Control Bylaw</b></p> <p>Schedule B of the Camping Control Bylaw 2015 states that self-contained vehicles may camp at any DCC controlled land not specified in Schedule A subject to a number of specified conditions, with additional conditions being able to be placed on specific sites.</p>
<b>Council documents</b>	<p><b>Zero Carbon Plan 2030</b></p> <p>DCC's Zero Carbon 2030 plan aims to achieve net zero carbon emissions by 2030 through a combination of reducing emissions, enhancing energy efficiency, and increasing renewable energy use. The plan prioritizes sustainable transport, waste reduction, and carbon sequestration, while fostering community collaboration and resilience to climate change.</p>
<b>Sections in this Plan</b>	<p><b>2.3.1 General Reserve Development</b></p> <p><b>2.5.1 Authorisations and Approvals</b></p> <p><b>2.1.2 Climate Change Considerations</b></p>

## 2.3.4 Lighting

### Comments

Lighting is often seen as something that can increase levels of safety or capacity, by lighting popular pedestrian and cycle routes or playing areas. Lighting can also add enjoyment and appreciation of parks and reserves by lighting natural features.

From a Crime Prevention Through Environmental Design (CPTED) perspective, lighting must send the right messages to the public about the safe and appropriate use of space at different times of day and night. Lighting should also provide good visual guidance and orientation and support visibility for park users. Lighting should not be provided in areas not intended for nighttime use, therefore avoiding a false impression of safety.

Generally, the DCC's position is to only consider providing lighting where there is clear public benefit. However, where groups wish to provide lighting themselves, the DCC needs to have a robust assessment process to ensure the right amount of light in the right place at the right time and only what light is needed.

### Objectives

1. *To encourage lighting technologies or design that enables greater energy efficiency, more flexible use of reserves and extends the use and capacity of playing surfaces.*
2. *To support the installation of reserve lighting that provides for and encourages recreational use and enjoyment of reserves, particularly through the winter months.*

### Policies

1. When considering the renewal or development of reserve lighting consider the policies in section **2.3.1 General Reserve Development** and the following:
  - a. the level of benefit to the public through providing lighting.
  - b. CPTED principles and/or the result of a CPTED audit for the reserve.
  - c. impact on the park environment including open space character and physical features.
  - d. impact on park assets that may attract inappropriate use.
  - e. impact of light pollution on the neighbours and the wider night sky.
  - f. technology and design that enables greater, more flexible use, health and safety for park users and energy efficiency.
  - g. impact on fauna and habitat.
2. As a minimum, require applications from clubs or groups for lighting on reserves to:
  - a. provide a lighting plan showing the location and design of poles, cables, the strength and type of lights and the patterns of luminosity.
  - b. provide a statement regarding the proposed days and hours of operation.

- c. consult with all likely affected parties including other reserve users and reserve neighbours.
- d. obtain all relevant statutory approvals i.e. resource and building consents.
- e. meet all costs associated with erection, maintenance, operation and replacement of sports field lighting or other lighting that otherwise wouldn't normally be provided to support general public use of the reserve.
- f. agree to remove all lighting installed by a sports club or code within three months of them vacating a reserve if required by the DCC.

***To note***

Specific provisions of leases and licences should clearly articulate the responsibilities of the lease or licence holder with regard to provisions and costs associated with operation and maintenance of lighting (including replacement where necessary and ownership at the end of any arrangement with DCC, as well as other matters outlined in this section), particularly where lighting is not for the benefit of the general public's use of the reserve or facility.

***Relevant documents to be read in conjunction with this section***

<b>Council documents</b>	<b>2GP</b> The effects of light outside of reserves e.g. light spill on neighbours are considered through the resource consent process and rules within the 2GP.
<b>Sections in this Plan</b>	<b>2.3.1 General Reserve Development</b> <b>2.5.8 Occupation Agreements</b>

## 2.3.6 Signs, Information and Interpretation

### Comments

Reserve signage and interpretation can inspire visitors to explore the area and increase awareness of a reserves' special values, recreational opportunities and provide site-specific information on appropriate behaviour, hazards, its past, significant places and stories or unique features.

Identification and wayfinding signs are important, particularly on larger reserves or where paths intersect. Poorly designed or located signage can impact on user experience, safety and other park values such as amenity.

Recognising Kāi Tahu place names can be a starting point to exploring cultural narratives and customary practises including wāhi tapu, mahika kai, and areas where taoka species of flora and fauna may be present.

Signs and the poles that support them can create visual and physical clutter in reserves, become a hazard in themselves or become a target for graffiti and vandalism. The proliferation of signage in reserves can occur unless there is careful oversight - ensuring any third-party signage has been authorised, redundant signage is removed promptly, and new regulatory rules or information is incorporated into existing signage as much as possible. Minimising proliferation helps maintain the aesthetic integrity of natural spaces and reduce visual clutter.

Sports clubs and groups occupying reserves may derive financial support from corporate sponsorships. This often entails the club or group acknowledging that support through display of corporate sponsors signage. This is a legitimate means of financial support for these clubs and sports. However, advertising or sponsorship signs are not permitted within reserves without the DCC's authorisation (see sections **2.5.1 Authorisations and Approvals** and **2.5.8 Occupation Agreements**).

### Objectives

- 1. To provide signs to support the safe use of the reserve and to showcase the natural, historic and cultural values of the reserve, while minimising clutter and the adverse impact of signage proliferation.*
- 2. To support signs and interpretation that are accessible and understandable to people of different ages and abilities.*
- 3. To allow for the display of corporate sponsors signage in association with properly authorised clubs and groups.*
- 4. To support using te reo Māori language.*

### Policies

- Signs on reserves will be primarily provided to:
  - advise the name of the reserve and the names of any reserve occupiers.
  - inform users of recreational facilities, significant reserve values, opportunities or events.
  - provide directions, distances, timeframes for walking, track conditions and recommended routes.

- d. inform users of hazards, gate closing times and safety messages such as water quality, reserve closures or relevant bylaws and rules.
  - e. interpret sites and significant features.
  - f. promote environmental stewardship and responsible visitor behaviour.
  - g. Identify any land areas that may be of cultural significance to mana whenua.
2. When planning the design, content and location of signs or information, consider:
- a. The DCC's style and brand guidelines
  - b. alignment with the SNZ HB 8630: 20045 Tracks and outdoor visitor structures handbook
  - c. combining signs as much as possible to reduce clutter and maintenance,
  - d. options to make the sign or information more accessible to people of different ages and abilities through the use of icons and symbols, and accessible placement.
  - e. indicating reserve occupier names, a symbol or logo and a directional arrow.
3. Integrate signs into the park so they do not detract from natural and cultural or amenity values of the park, such as by:
- a. limiting the number of messages conveyed on reserves to the most important,
  - b. combining messages (from different council departments and external agencies) on one sign to reduce clutter and maintenance,
  - c. attaching signs to buildings or existing structures where practical or appropriate (but not onto heritage features or fabric).
4. Track and trail signage will be positioned to ensure tracks can be easily located and followed.
5. Support the location of civil defence, emergency management and public safety signage on reserves.
6. Evaluate requests for interpretive signage on a case-by-case basis and consult with mana whenua, Community Boards and interest groups in the development of new interpretive signs.
7. Consider and assess requests by properly authorised clubs and groups for third-party signage on a case-by-case basis in accordance with **Policy 2.5.1 Authorisations and Approvals** and:
- a. alignment with the provision and intentions of all other policies in this section.
  - b. require the signage to meet any other relevant DCC signage standards.
  - c. prefer authorised groups and clubs to attach approved signage to a club building, facility, or combined sign located within the reserve, where practical.
  - d. require commercial / sponsorship signage displayed within, at or on a reserve to:
    - i. be temporary (removable).
    - ii. if permanent, be positioned to be inwardly facing and not visible from outside the reserve.

- iii. not to detract from the amenity of the reserve.
  - iv. reviewed on an annual basis by clubs, removed when sponsorship agreements terminate and only be in place for a maximum of 12 months in exchange for a one-off sponsorship contributions.
  - v. Existing advertising signs under existing agreements will be allowed to remain for the life of the sign provided these signs have been lawfully established.
8. The DCC retains the right to refuse any requests for signage and require the immediate removal of any signage on reserves that is unauthorised or deemed, solely in its opinion, to be of poor condition, unlawful or objectionable in content, or otherwise unsuitable.
9. The DCC may set a charge for the erection of any sign.

***Relevant documents to be read in conjunction with this section***

<b>Legislation</b>	<p><b>2GP</b></p> <p>Regulations on the number, size and location of signs are prescribed within the District Plan. Requirements may be specific to the type of sign (e.g temporary, freestanding, election signage) and the zoning of the signage location.</p> <p><b>Reserves and Beaches Bylaw</b></p> <p>Clause 10.9.1(c) prohibits the posting or distributing of notices or the erection of any signs in reserve or beaches without authorisation.</p>
<b>Sections in this Plan</b>	<p><b>2.1.1 Mana Whenua Partnerships</b></p> <p><b>2.4.5 Partnerships and Contributions</b></p> <p><b>2.5.5 Plaques and Memorials</b></p> <p><b>2.5.8 Occupation Agreements</b></p>

## 2.4 Administration Policies

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## 2.4.1 Compliance

### **Comments**

The DCC encourages public use and enjoyment of reserves that doesn't compromise reserve values or unduly impact other reserve users. Adverse effects from most activities on reserves can generally be effectively managed; however, some activities are unacceptable. Unacceptable activities on reserves include wilful damage such as graffiti, using the reserve in inappropriate ways so as to cause a safety hazard to other uses such as playing golf on sportsfields, ignoring instructions or prohibitions and undertaking activities that require approval without the necessary permissions.

The DCC uses bylaws to make rules about a range of behaviours and activities on reserves. These are available to view on the DCC's website. These bylaws specify which activities are prohibited and which require prior permission from the DCC. There is also a range of legislation that specify rules related to reserve use which can be used to address unwanted behaviours, such as sections 95 to 103 of the Reserves Act 1977.

The DCC's approach to ensuring compliance with relevant legislation, bylaws, and policies is based on the '4Es model'<sup>7</sup> of Engage, Educate, Enable and Enforce. This involves initially consulting and connecting with users, running education initiatives and having easily understood information on websites and signage, and providing warnings. When breaches of legislation occur, the DCC may take enforcement action, which can include imposing infringements or prosecution in serious cases. The focus is to create positive behaviour change and, in some circumstances, cost recovery associated with prosecution or reserve remediation.

### **Objectives**

1. *To achieve high levels of compliance with rules set to enable recreational use and enjoyment of reserves that doesn't compromise the reserves' values and/or unduly impact other reserve users.*
2. *To recover costs associated with prosecution and significant costs resulting from any direct action taken to remedy effects where there is non-compliance.*

### **Policies**

1. Use educational approaches to encourage positive reserve behaviour in accordance with the legislation and policies that apply to reserves.
2. Utilise punitive enforcement tools such as infringement notices, prosecution and trespass for repeat or significant offending, or when these measures are determined to be necessary to deter or improve compliance.
3. Regularly monitor offending and damage to reserves and facilities to develop an understanding of offences, effects and efficacy of compliance approaches.
4. Assess risk to reserve values or other reserve users to prioritise signage, other education methods and compliance resources.

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<sup>7</sup> The 4Es model is drawn from the CESIG Regional Sector Strategic Compliance Framework 2019-2024

5. Collaborate with the New Zealand Police and other enforcement agencies, mana whenua, key stakeholders such as lessees, volunteer groups and local communities to promote positive behaviour and encourage compliance with rāhui, policies and legislation.
6. Encourage reserve neighbours and users to report offences on reserves to the DCC.
7. Pursue prosecution where the DCC has the necessary evidence of an offence being committed and there is public interest in a prosecution and seek reparation orders for any damage to a reserve or the costs of repair resulting from the offence.

### ***To note***

Legislation and standalone policies take precedence over the General Polices Reserve Management Plan and where possible duplication of content has been avoided.

Nothing in this section is to be read as to limit or prevent the DCC from taking any appropriate action to ensure compliance with or prevent a breach of any relevant legislation or policy.

### ***Relevant documents to be read in conjunction with this section***

<p><b>Legislation</b></p>	<p><b>Reserves Act 1977</b></p> <p>Sections 93 to 105 outline the Offences and Infringement Offences under the Act, setting out powers of enforcement and penalties.</p> <p>Reserves (Infringement Offences) Regulations 2019; schedule 2, sets out the penalties for Infringement Offences under the Act.</p> <p>Other legislation:</p> <ul style="list-style-type: none"> <li>• Crimes Act 1961</li> <li>• Land Transport Act 1998</li> <li>• Local Government Act 2002</li> <li>• Summary Offences Act 1981</li> <li>• Trespass Act 1980</li> </ul> <p><u><a href="#">Dunedin City Council Bylaws:</a></u></p> <ul style="list-style-type: none"> <li>• Reserves and Beaches Bylaw</li> <li>• Trading in Public Places Bylaw</li> <li>• Dog Control Bylaw</li> <li>• Alcohol (Control of Alcohol) in Public Places Bylaw</li> <li>• Camping Control Bylaw</li> </ul>
<p><b>Sections in this Plan</b></p>	<p><b>2.1.1 Mana Whenua Partnerships</b></p>

## 2.4.2 Land Acquisition and Disposal

### **Comments**

Generally, the DCC will retain existing reserve land for public use and community benefit ensuring that it remains available for future generations and maintain its environmental and recreational value.

From time to time, the DCC may acquire land to create new reserves or extend existing reserves, enhance locations for increased utilization, or develop and improve reserve assets for greater community benefit. The DCC may consider the sale or disposal of existing reserve land where this can fund the acquisition of more suitable land for reserves or for other situations where there are environmental, amenity or recreation benefits to the community.

Land acquisition includes through gifting, purchase, land exchanges, council leases of private land, reserve contributions and esplanade reserve acquisition, or negotiation of private agreements such as esplanade strips, public access easements and covenants.

Reserve disposal, where supported, would involve the revocation of reserve status and sale or exchange of the land.

As land acquisition, disposal and exchange processes can be complex and costly, the DCC will only initiate these activities where the benefits to the reserve or community are judged to be significantly high.

Where land disposal and exchange processes are initiated by a private entity, these will have a higher level of scrutiny to determine the actual benefits to the reserve or community.

### **Objectives**

1. *To utilise land acquisition (including gifting), boundary adjustment, sale or other disposal or exchange mechanisms to improve and enhance the provision of reserve land and amenity and assist management of reserve values for public benefit and enjoyment.*

### **Policy**

1. Land acquisition, disposal or exchange (including boundary adjustment) may be considered where the outcomes will benefit the reserve values and/or the community by:
  - a. protecting significant historic heritage, outstanding natural features, or significant amenity landscapes.
  - b. improving the natural functioning or integrity of places, and in particular the long-term protection of Significant Natural Areas, including, but not limited to, Areas of Significant Biodiversity identified within the 2GP.
  - c. improving the physical, ecological, recreational or landscape linkages between places.
  - d. securing or improving access to and along water bodies.
  - e. providing quality open space and recreation opportunities within walking distance of urban homes.
  - f. providing sufficient sports facilities to allow the community to be active, healthy and engaged in sport on a regular basis.

- g. improving recreational opportunities and access to reserve land, particularly under-utilised reserve areas.
  - h. improving recreation outcomes where existing reserve land is subject to climate change impacts.
  - i. servicing new residential developments, or areas in which future growth is anticipated.
2. Reserve land acquisitions associated with new developments or areas of growth will be guided by provision targets within the DCC's Open Spaces Plan.
  3. Disposal of reserve land may be considered where:
    - a. the reserve land is no longer required for recreation or any other reserve purposes or is no longer required for its reserve classification or any alternative purposes.
    - b. the public benefit is deemed to be better met through the land being privately owned.
  4. When considering disposal of reserve land, the DCC will consider:
    - a. any international, national or regional significance of the land.
    - b. natural, cultural or historic heritage values recognised in the 2GP or other regulatory planning documents.
    - c. whether the area represents a habitat, ecosystem or native species that is under-represented, or has the potential to improve representation through restoration.
    - d. the area's importance to the function or integrity of the wider open space network.
    - e. the current or future amenity or utility of the land.
    - f. the role the reserve land plays in securing practical access to reserves, rivers or the coast.
    - g. if the land provides access to watercourses.
    - h. the impacts of climate change.

***Relevant documents to be read in conjunction with this section***

<p><b>Legislation</b></p>	<p><b>Reserves Act 1977</b></p> <p>Section 24 provides for the revocation of reserve status and change of classification or purpose and outlines the process to be followed, including public notification and notice in the Gazette. Section 25 states the effect of revocation or change of classification or purpose of reserves and section 82 sets out the process for application of proceeds from any sale.</p> <p>Sections 15 and 15AA allow for the exchange of reserves for other land subject to section 83 relating to proceeds from exchange.</p> <p><b>Local Government Act 2002</b></p> <p>Section 138 requires the DCC to consult on any proposal to dispose of parks (by sale or otherwise). A park under the Local</p>
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	Government Act 2002 is defined as land acquired or used principally for community, recreational, environmental, cultural, or spiritual purposes (but does not include land that is held as a reserve under the Reserves Act 1977). Disposal under this section of the Local Government Act 2002 also includes the granting of a lease for more than 6 months that has the effect of excluding or substantially interfering with the public's access to the park.
<b>Council Documents</b>	<b>(Draft) Open Spaces Plan</b>
<b>Sections in this Plan</b>	<b>2.1.1 Mana Whenua Partnerships</b> <b>2.1.2 Climate Change Considerations</b> <b>2.3.1 General Reserve Development</b>

## 2.4.3 Fire Risk Management

### **Comments**

Fires, whether lit naturally, accidentally, or deliberately can pose a risk to reserve visitors, flora and fauna, historic places, artefacts, park assets, water supply catchments and adjoining property. Fires on reserves are generally prohibited and require DCC's prior approval.

The risk of fire increases during certain times of the year. Fire and Emergency NZ monitor and advertise fire risks and associated seasonal restrictions on specified activities.

A warming climate is likely to cause an increase in extreme fire weather days and longer fire seasons, as well as more meteorological droughts. For this reason, measures need to be taken to minimise the risk of fires starting in, or adjacent to, reserves, and to minimise damage to the reserve should a fire start.

The DCC will work with Fire and Emergency NZ, adjoining landowners, mana whenua and other agencies to reduce the risk of fires affecting reserve values and assets, adjoining properties and the wider public open space network. Actions will range from educating reserve users and setting Authorisation conditions to minimise the risk of fires starting, to developing and managing reserves to support the suppression and control of fires through various ways including the design of infrastructure, access to water sources, species selection and removal of fire prone vegetation. DCC will also work with partners to improve readiness, response and recovery planning should a fire occur.

### **Objectives**

1. *To prevent and reduce the risk of fire damage and harm resulting from any fire occurring on or near reserves by effective visitor and operation management of fire risks and reserve development decisions.*

### **Policies**

1. No person, without prior approval of DCC, may light a fire in a reserve.
2. No fires will be permitted when a Prohibited Fire Season has been declared.
3. Despite policy 1, a person may use any gas fired barbeque, or other self-contained cooking device that has been provided by the DCC for that purpose.
4. No person may leave any device or fire under subclauses (1) and (3) unattended.
5. The person that lights any form of fire is responsible for safely containing the fire and extinguishing the fire.
6. Ensure reserve development planning and maintenance programmes such as planting plans, new park infrastructure and mowing regimes considers fire risk, control and suppression.
7. Take all reasonable measures to ensure reserves are kept clear of all fire hazards that could endanger adjacent properties, in accordance with legislation including bylaws.
8. Not use open fires for operational purposes, with the rare exception of controlled burning of logging by-product from tree felling operations subject to regional and district plan

requirements, consents and any other legislative requirement, when these cannot be chipped or disposed of in any other way.

9. Ensure Authorisations granted under this Plan, take into consideration fire risks and have conditions of approval to avoid fire damage and harm.
10. During times of extreme fire danger a reserve may be closed to protect public safety, or certain activities may be temporarily restricted if they pose additional risk.
11. Support and liaise with Fire and Emergency NZ to provide for the prevention, detection, control and suppression of fire within the reserve, in accordance with legislation including bylaws.
12. Assist and co-operate with Fire and Emergency NZ on all fire control measures in accordance with legislation including bylaws and regulations, to reduce the risk of damage by fire to reserves, reserve users and adjoining properties.
13. Distribute Fire and Emergency NZ's monthly fire danger outlook reports to community groups and volunteers to raise awareness of fire risks, including those that may be heightened by specific group activities.
14. Prepare a wildfire response plan for high-risk reserves in collaboration with Fire and Emergency NZ, Civil Defence and local communities, including:
  - a. analysing reserve-specific wildfire threats such as Guy Fawkes celebrations.
  - b. prioritising response planning and ongoing management required.
  - c. ensuring access for emergency vehicles.
  - d. maps of water locations.
  - e. ensuring water is available for firefighting when water levels are low.
11. Prepare and implement fire recovery plans where necessary, which will include revegetation options and weed control priorities.
12. Partner with Fire and Emergency NZ in legal action, including the recovery of fire suppression costs taken against a person or persons who lights, or causes to be lit, any fire on a reserve without permission.

***Relevant documents to be read in conjunction with this section***

<p><b>Legislation</b></p>	<p><b>Fire and Emergency New Zealand Act 2017</b></p> <p>Establishes the authority and responsibility of Fire and Emergency NZ (FENZ) to reduce fire hazards, enforce fire restrictions, and respond to fires on public land, including reserves. It empowers FENZ to work with local authorities to manage fire risks through prevention strategies, education, and regulatory measures, ensuring public safety and the protection of natural and cultural assets within reserves from fire-related dangers.</p> <p><b>Reserves and Beaches Bylaw 2017</b></p>
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	Clause 10.11 prohibits the lighting of fires or the setting off of fireworks in reserves or beaches without authorisation.
<b>Sections in this Plan</b>	<b>2.5.7 Firework Displays, Bonfires and Floating Lanterns</b>

## 2.4.4 Naming of Reserves and Reserve Features

### Comments

Naming of reserves or reserve features, such as a track or lookout, offers an opportunity to reflect on the cultural, natural or recreational values of a place and tell its story. Names and stories can strengthen the sense of place and identity of the local communities.

Traditionally, many reserves have been informally named for administrative purposes, often after the nearest street. In the past, European heritage and names were often favoured in naming reserves and reserve features. While it is important to capture those stories, it needs to be recognised that Kāi Tahu heritage and stories have not been well acknowledged.

Naming or renaming reserves and reserve features with a Kāi Tahu name would contribute to increasing the visibility of te reo Māori which is recognised as a taoka (treasure) and redressing the cultural imbalance of the past in the naming of reserves.

Engaging with mana whenua on the cultural and historical relationship with the land enables:

- recognition and celebration of the significance of mana whenua stories.
- recognition of Māori names as entry points for exploring historical narratives and customary practices, or as representing whakapapa connections to place - these can be incorporated into the development of sites and enhance sense of place connections.
- correction of historically incorrect spelling of Māori names.
- recognition of Kāi Tahu place names through signage and wayfinding.

The DCC recognises the importance of respecting the names presented by mana whenua, including the reinstatement of original Kāi Tahu place names as taoka. This means that the DCC may invite mana whenua to provide a name for a reserve or reserve feature.

Dual naming of reserves or features will also be considered as part of naming a new reserve. This is where there are two names for one place, a te reo Māori and an English name, and neither is a translation of the other.

An English-only name for a new reserve or reserve feature may also be supported for example to reflect European heritage values.

The continuity of a name and ease of identification with a name are also important considerations. Any proposed new names should have strong rationales to support them.

### Objectives

1. *That the names of reserves and reserve features reflect the area's natural and cultural heritage or significant reserve values.*



2. *To support Kāi Tahu names for reserves and reserve features to promote visibility of te reo Māori in the community.*

### **Policies**

1. When naming a reserve or reserve feature, DCC will invite mana whenua to either:
  - a. work together to identify a name.
  - b. provide a name (which may form part of a dual name).
2. Where mana whenua have been invited to provide a name for a reserve or reserve feature this will be honoured by using that name.
3. Where a reserve or reserve feature name has been a condition of the acquisition of the land, the agreement will be honoured by using the name.
4. The DCC may consult with the community or with particular groups in the community (such as historical societies) about any proposed name for a reserve or reserve feature or the intention to invite a name to be gifted.
5. New names given to reserve or reserve features should meet the following criteria:
  - a. they will not be offensive.
  - b. they will generally not be named after living people.
  - c. they should not include sponsor names.
  - d. reserve names should not already be in use elsewhere in Ōtepoti/Dunedin urban area as this creates confusion for emergency services and maintenance staff.
  - e. consider the appropriateness of using the same name as contiguous reserves.
6. Dual naming of reserves will be considered as part of naming a new, unnamed or informally named reserve. For consistency the format will be te reo Māori/English.
7. If an English name is being sought, either as a stand-alone name or as part of a dual te reo Māori/English name, the values of the reserve will be considered together with the following:
  - a. the primary purpose or use of the reserve.
  - b. any natural features in the reserve or landscape.
  - c. the historic name or names for the land.
  - d. any historical or cultural feature or association with the reserve.
  - e. any significant event or public figure relevant to the reserve or local area.

### **To note**

Section 16 (10) of the Reserves Act 1977 outlines the procedure for formally declaring by Gazette names or renaming reserves.
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## 2.4.5 Partnerships and Contributions

### **Comments**

The DCC is increasingly entering into partnerships with a variety of community groups, governmental entities, and commercial organisations. These collaborations offer the DCC opportunities to enhance reserves and their facilities, which might not be possible otherwise. In turn, the partnering groups or organisations gain the chance to provide valuable services and benefits to the community, with recognition for that in some cases.

Corporate and commercial businesses are progressively prioritising community well-being and enhancement. They seek to fulfil these goals by funding or contributing to projects such as reserve developments and planting programmes. This is frequently a method for corporations to give back to the community in a tangible, positive manner. For instance, a company providing multi-year funding to support native revegetation programmes.

Additionally, partnerships or community contracts can be established with non-profit groups or service organisations that aim to donate resources, funds, or facilities to improve a local reserve. When designed appropriately and managed effectively, these projects become valuable assets to the community. Contributions can be acknowledged with small plaques or signs that credit the partner group or organisation.

Each partnership with groups or organisations will be evaluated to ensure suitability for the location, type of reserve involved, impact on the reserve and its users, demonstrated need, and provision for ongoing operational costs. In the case of in-kind contributions, partnerships must meet health and safety and any other statutory requirements.

The DCC may decline contributions if the proposed development is unsuitable for the location, raises construction and maintenance concerns, or doesn't align with relevant legislation and DCC policies and plans.

Significant sponsorships may warrant more substantial acknowledgments, such as naming the facilities after the sponsoring group or organisation. Examples include the West Harbour Recreation Trail – a Rotary Club of Dunedin project, or Fulton Hogan's Cycle Smart at Marlow Park, where playgrounds or other facilities provided by organisations are named accordingly. Naming of reserves or facilities is negotiated case-by-case, following relevant DCC policies (see section **2.4.4 Naming of Reserves and Reserve Features**).

### **Objectives**

- 1. To consider entering into partnerships for reserve development, enhancement and maintenance where this is suitable for a location, there is a demonstrated need, alignment with DCC plans, strategies and policies, and sufficient provision for ongoing maintenance, repairs, and renewals.*
- 2. To grow strategic partnerships with businesses, government agencies, non-profit organisations, and community groups that support reserve enhancement.*
- 3. To formalise partnerships through written agreements.*
- 4. To acknowledge the contributions made through partnerships, where these do not detract from the reserve values and are aligned with relevant DCC plans, strategies and policies.*

## **Policies**

1. The DCC will explore and develop partnership opportunities for reserve development or enhancement to benefit the community.
2. Partnerships will be pursued based on their strategic alignment with the goals and objectives for reserves as outlined in this policy and other relevant Council documents. The DCC will prioritise collaborations that bring unique expertise, resources, and value to the enhancement efforts.
3. When entering into partnership agreements, the DCC will consider the following:
  - a. alignment of values of the partner organisations with DCC vision, values, objectives and community outcomes.
  - b. suitability of the location.
  - c. whether there is a demonstrated need for facilities.
  - d. alignment with relevant legislation, including requirements under the Reserves Act 1977.
  - e. effects on the reserve, reserve values, other reserve users and reserve neighbours.
  - f. alignment with DCC plans, strategies and policies.
  - g. financial sustainability of partner organisations and proposals for partnership and reserve enhancement, including sufficient provision for ongoing maintenance, repairs, and renewals.
  - h. mana whenua's position on the proposal.
4. Partnerships will be recognised through written partnership agreements. Partnership agreements may include, but not be limited to, information about:
  - a. the nature of the partnership.
  - b. roles and responsibilities of the partners.
  - c. timeframes of the agreement, including reviews.
  - d. specific conditions.
  - e. conflict resolution mechanisms.
  - f. agreements on partnership recognition, including potential naming rights.
5. In some instances, partnerships may require there to be a suitable authorisation by way of a lease, licence or other form of authorisation.
6. Partnership agreements will be reviewed on a regular basis to ensure partnerships continue to remain relevant and effective in meeting objectives. Amendments may be made as needed, with the consent of all involved parties, to address changes in circumstances and priorities.
7. Where appropriate, contributions to reserve enhancement may be acknowledged through media and appropriate plaques or signage (see sections **2.3.5 Signs, Information and Interpretation** and **2.5.5 Plaques and Memorials**).
8. Details of acknowledgements on plaques and signs will be negotiated on a case-by-case basis and depend on the level of contribution and must comply with DCC policy and specifications.

9. DCC is under no obligation to accept partnership offers or offers of contributions to reserves enhancement or development, that it considers inappropriate or where conditions associated with the contribution are unacceptable.

***Relevant documents to be read in conjunction with this section***

<b>Legislation</b>	<b>Health and Safety at Work Act 2015</b> Sets out responsibilities for parties involved in reserve activities, including DCC, contractors, and community groups.
<b>Sections in this Plan</b>	<b>2.1.1 Mana Whenua Partnerships</b> <b>2.2.9 Volunteering and Education</b> <b>2.3.5 Signs, Information and Interpretation</b> <b>2.4.4 Naming of Reserves and Reserve Features</b> <b>2.5.5 Plaques and Memorials</b>

## 2.4.6 Promotion of Reserves

### **Comments**

Dunedin offers a variety of reserves, tracks, and other recreational opportunities for locals and visitors to enjoy. However, the public is sometimes unaware of the reserve network, how to access them, and the values, experiences and activities available in them.

Increased public awareness of local reserves and activities fosters community engagement, participation, enhances group viability, and ensures reserves are valued. This awareness and feeling of connection can also contribute to crime prevention and effective asset management. Additionally, council promotion supports tourism, unlocking economic benefits for the community.

Many tools, including signage, brochures, maps, newsletters, media releases, websites and social media, can be used to improve awareness and enhance the experience of reserves.

### **Objectives**

1. *To increase public awareness of reserves, their values and activities available.*
2. *To promote reserves for tourism purposes where this does not conflict with other reserve uses and values.*

### **Policies**

1. DCC will create promotional materials for reserves aimed at residents and visitors to appreciate and understand cultural, historical, ecological, and recreational reserve values and increase use and participation.
2. Tourism activities and their promotion must not be to the detriment of the values and natural character of the reserves or to their recreational use by the public.
3. Support a range of events on reserves to help promote reserves, increase community awareness and encourage greater use and enjoyment of them.

### **Relevant documents to be read in conjunction with this section**

<b>Council Documents</b>	Ōtepoti Dunedin Destination Management Plan
<b>Sections in this Plan</b>	<b>2.3.5 Signs, Information and Interpretation</b> <b>2.5.13 Commercial Filming and Photography</b>

## 2.4.7 Use of Hazardous Substances

### **Comments**

Hazardous substances, such as agrichemicals and pesticides may need to be used in the maintenance of reserves in some circumstances, such as in the control of invasive plant species, pests, or diseases that could harm native ecosystems. These substances help maintain the health and appearance of reserves and their enjoyment by the community. It is important to assess the risks and if needed minimise the effects to reserve users or neighbours. Where possible alternative methods, chemicals or practices will be used to reduce risks and effects. All hazardous substance applications shall be undertaken in a safe, responsible and effective manner with minimal adverse impact on human, non-target animal and environmental health.

### **Objectives**

- 1. To ensure that where it is considered necessary to use hazardous substances on reserves, application is undertaken in a manner that minimises the potential risk and disruption to reserves users and neighbours. Alternative methods of control will be used where appropriate.*
- 2. To ensure the application of hazardous substances is undertaken in a safe, responsible and effective manner with minimal adverse impact on human, non-target animal and environmental health.*

### **Policies**

1. DCC will minimise the use of hazardous chemicals on reserves by exploring environmentally friendly alternatives where these are safe, practical, effective and financially feasible.
2. Where hazardous chemicals are to be applied on reserves, the operation must be undertaken in accordance with all relevant laws and codes of practice.
3. Applicators shall consider the pesticide that poses least risk to humans, non-target animals and the environment, but effectively deals with the identified need.
4. Where hazardous chemicals are to be used on a reserve, consideration will be made regarding the timing and method of application to ensure the risk to reserve users and neighbours is minimised.
5. Only suitably qualified contractors, staffers or approved volunteers may handle, apply, store and dispose of hazardous substances, and must use appropriate safety equipment.
6. Reserve users and neighbours will be notified of hazardous substance application in accordance with substance safety requirements.
7. Applicators must operate in accordance with a site-specific Health and Safety Plan, approved by the DCC that identifies the risks associated with the use of a hazardous substance and how these will be controlled.

**To note**

Hazardous substance applications must avoid harm to human health, safety, ecosystems, sensitive areas, and non-target areas as per the Otago Regional Council's Regional Plan: Air and Regional Plan: Water.

**Relevant documents to be read in conjunction with this section**

<b>Legislation</b>	<b>Hazardous Substances and New Organisms Act 1996</b> Responsible to the Environmental Protection Authority as a national level environmental regulator.  <b>Health and Safety at Work Act 2015</b> Establishes responsibilities for parties involved in reserve activities, including Council, contractors, and volunteers.
<b>Sections in this Plan</b>	<b>2.1.4 Biodiversity and Natural Landscapes</b> <b>2.1.5 Tree Management and Maintenance</b>

## 2.4.8 Waste Management, Littering and Illegal Dumping

### **Comments**

DCC operates a Waste Management and Minimisation Plan/Te Mahere Whakamimiti Para 2020 and Litter Compliance Policy, which aim to reduce, recycle and reuse waste and prevent littering and illegal dumping across the City.

Litter is unsightly, unpleasant and hazardous, with significant negative impacts on the environment. Providing litterbins in reserves can facilitate the convenient disposal of waste, catering to the expected uses of the reserve. However, there are several challenges associated with this:

- the high cost of providing, emptying, and maintaining litter bins
- visual effects of litter bins and potential waste overflows during peak times
- encouraging vermin such as possums, wasps, and rodents
- lack of waste separation/recycling
- misuse for domestic and commercial waste

Generally, the DCC encourages individuals and groups to take responsibility for minimizing and disposing of their own waste, rather than relying on reserve facilities. However, the DCC will continue to provide litter bins at high-use reserves and those that are frequented for activities that typically generate more waste, such as picnic areas and playgrounds.

Depositing domestic refuse, trade waste, garden refuse, rubble, debris or abandoning vehicles on a reserve is prohibited and an offence under the Reserves Act 1977, the Litter Act 1979 and is a breach of the DCC Reserves and Beaches Bylaw. You can be infringed or prosecuted in the District Court for these types of offences. The DCC's approach to ensuring compliance with these laws is based on the 4Es model<sup>8</sup> of Engage, Educate, Enable and Enforce, and is outlined in the policies in section **2.4.1 Compliance**.

### **Objectives**

1. *To preserve reserve's recreation, cultural, and environmental values through appropriate collection and disposal of litter and other waste.*
2. *To take appropriate action against offenders of illegal dumping on reserves.*

### **Policies**

1. The DCC will continue to review and provide appropriate approaches to waste management in reserves, in accordance with the Waste Management and Minimisation Plan, Litter Compliance Policy and national initiatives to address litter in public places.

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<sup>8</sup> The 4Es model is drawn from the CESIG Regional Sector Strategic Compliance Framework 2019-2024



2. The DCC will provide public litter bins and, where appropriate, recycling bins or stations, in strategic locations within some reserves, ensure that they are maintained regularly and encourage the public to use bins provided.
3. When evaluating requests for new bins in reserves, the DCC will consider:
  - a. the number of visitors to the reserve, to determine the demand for waste disposal facilities.
  - b. the activities that take place in the reserve which might generate more waste.
  - c. the potential impact of bins on local wildlife, including the risk of attracting vermin and other pests.
  - d. the costs associated with the installation, emptying, and maintenance of the bins.
  - e. the potential for bins to overflow, especially during peak times.
  - f. alignment with any relevant DCC waste minimisation and collection strategy or policy.
4. The DCC may remove bins as required to minimise waste issues within reserves and to encourage users to take responsibility for their waste, emphasising a rubbish-free policy.
5. DCC may take enforcement action, including infringement and prosecution action against any person found to be illegal dumping or littering in a reserve.
6. Where a reserve is used for an event or tournament, the organisers will be responsible for the collection and approved disposal of all associated litter and waste.
7. The DCC continues to accept offers from volunteer groups and organisations to undertake 'clean up days' and promote personal responsibility to prevent litter from becoming an environmental and health hazard.

***Relevant documents to be read in conjunction with this section***

<p><b>Legislation</b></p>	<p><b>Litter Act 1979</b></p> <p>Outlines the powers and duties of local authorities, including provision of receptacles in public places. It also outlines options for offences, penalties, and enforcement under the Act.</p> <p><b>Waste Minimisation Act 2008</b></p> <p>Encourages a reduction in the amount of waste by putting a cost on waste and encouraging product stewardship. The legislation requires all territorial authorities to conduct a waste assessment in their districts and to review their operative Waste Management and Minimisation Plans.</p> <p><b>Aotearoa New Zealand Waste Strategy 2023</b></p> <p>The waste strategy is a roadmap for the next three decades for a low-emissions, low-waste society built upon a circular economy.</p> <p><b>Reserves Act 1977</b></p>
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	<p>Under Section 94(2)(a) it is an offence to deposit domestic refuse, trade waste, garden refuse, rubble, or debris on a reserve without Council approval.</p> <p><a href="#">Dunedin City Council Bylaws</a></p> <ul style="list-style-type: none"> <li>• Reserves and Beaches Bylaw</li> <li>• Trading in Public Places Bylaw</li> <li>• Dog Control Bylaw</li> </ul>
<b>Council Documents</b>	<p><a href="#">Waste Minimisation And Management Plan 2020</a> - Te Mahere Whakamimiti Para</p> <p><a href="#">Litter Compliance Policy</a></p>
<b>Sections in General Policies</b>	<p><b>2.2.5 Public Use and Enjoyment</b></p> <p><b>2.4.1 Compliance</b></p> <p><b>2.5.8 Occupation Agreements</b></p> <p><b>2.5.12 Events</b></p>

## 2.5 Authorisations and Approvals

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## 2.5.1 Authorisation and Approvals – General Policy

### **Comments**

Most everyday recreational sporting and leisure activities on reserves are encouraged and do not require approval from the DCC. However, there are other activities that require approval so that the DCC can ensure that these activities are managed properly to avoid any loss of amenity or impact on other reserve values or users of the reserve.

Where DCC is the landowner or administering body of a reserve special permission, or approval must be obtained from the DCC for the exclusive use of a reserve, or to carry out activities that has the potential to impact the reserve or other reserve users.

### **Objectives**

- 1. To ensure a consistent and balanced approach in assessing proposals requiring landowner approval.*
- 2. To ensure impacts on the reserve and its users are considered and managed effectively.*

### **Policies**

- The policies below need to be read in conjunction with relevant approval policies for specific activities in the following sections of this document.
- Activities will need to be authorised if they:
  - require authorisation, approval or a permit under the Reserves Act 1977, relevant DCC bylaws or other relevant legislation.
  - require exclusive use of a reserve or an area of a reserve (this could be for temporary or permanent activities).
  - change the physical environment of a reserve, e.g. ground disturbance, plant removal or planting.
  - require a temporary or permanent building or structure to be built or installed.
  - are commercial in nature, are for private gain or financial reward, such as a coffee cart, corporate promotional stands or commercial recreational activity.
  - seek an interest in land or buildings such as a lease or licence or agreement in favour of an individual, a club, a group or a corporate organisation.
- When assessing a proposal that requires approval, the assessment will consider:
  - whether a proposal complies with the requirements of the Reserves Act 1977 and other legislation, including DCC bylaws.
  - whether there is an existing Reserve Management Plan.
  - whether a proposal is suitable for the site.
  - whether a proposal is compatible with the primary or intended purpose the reserve is held for, including classification under the Reserves Act 1977.

- e. whether a proposal is compatible with any existing permitted use or activity within a reserve.
  - f. what alternative options or locations have been considered, either within or outside the reserve to accommodate the proposal, and why these are not considered suitable.
  - g. the degree to which the proposal is consistent with open space values, management principles and strategic outcomes sought in other guiding documents.
  - h. consistency with mana whenua values, particularly any impacts on taoka or mahika kai.
  - i. the capacity of the reserve to accommodate the proposed activity.
  - j. impacts of the proposal on the reserve and its current and anticipated uses/users, including:
    - i. whether impacts are widespread or contained.
    - ii. whether impacts affect significant values.
    - iii. whether impacts are temporary or permanent.
    - iv. whether the proposal impacts the functionality of the reserve.
    - v. cumulative impacts resulting from similar activities over time.
  - k. Whether the impacts identified can be satisfactorily mitigated.
  - l. whether the proposal results in benefits to reserve users, the local community and mana whenua.
4. Activities with significant impacts on a park or its users should be assessed with a high degree of rigour including expert advice where necessary to understand those impacts.
  5. A Health and Safety Plan addressing potential risks associated with the proposed activity may be required.
  6. A charge may be levied for processing of approvals and an annual charge may also be payable.
  7. The DCC may decline an application for approval if:
    - a. the impact of the proposal is deemed not compliant with relevant legislation or Council documents.
    - b. the nature and scale of impact is considered inappropriate and outweighs potential benefits to the community.
    - c. the activity is incompatible with the purpose, values or current use of the reserve.

**To note**

Additional approvals may be required to comply with regulatory requirements in addition to those listed above. These may include:

- certain approvals under the [DCC's Bylaws](#);
- resource consent in accordance with the Resource Management Act 1991;

- Building consents in accordance with the Building Act 2004;
- Alcohol licences under the Liquor Licensing Act and the Sale and Supply of Alcohol Act 2012 and the [Alcohol \(Control of Alcohol in Public Places\) Bylaw 2004](#)

In some cases, formal public notification will be required by legislation, such as the Reserves Act 1977 or the Local Government Act 2002 (LGA). Requirements for consultation are set out in the relevant Act.

Even if the legislation does not require public notification, the DCC may choose to speak to key stakeholders or, if it believes it is in the public interest, undertake public consultation to better understand wider community views.

***Relevant documents to be read in conjunction with this section***

<p><b>Legislation</b></p>	<p><a href="#">Dunedin City Council Bylaws:</a></p> <ul style="list-style-type: none"> <li>• Reserves and Beaches Bylaw</li> <li>• Trading in Public Places Bylaw</li> <li>• Dog Control Bylaw</li> <li>• Alcohol (Control of Alcohol) in Public Places Bylaw</li> <li>• Camping Control Bylaw</li> </ul>
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## 2.5.2 Aircraft and Helicopter Landings

### Comments

Occasionally, the DCC receives requests for aircraft and helicopter landings for various purposes, such as emergency services, tourism, filming, events and research. Aircraft and helicopter landings may have adverse impacts on parks and reserves, such as noise, disturbance, damage, pollution and risk of accident. Because of their potential impacts on reserve users and the environment, they need to be carefully managed and require approval from the DCC.

The DCC also sets noise limits within the 2GP for use of helicopters and other aircraft within the City.

Nothing in this policy overrides any Civil Aviation Authority requirements or permits a breach of any relevant District Plan or other statutory requirement.

### Objectives

1. *To allow aircraft and helicopter landings on reserves, or events on reserves involving the use of helicopters and aircraft, where the values of the reserve are not diminished and where the effects on reserve users, neighbours, the environment, and wildlife, can be adequately managed.*

### Policies

1. Other than in an emergency, the use of any part of any reserve for an aircraft take-off or landing, requires prior written authorisation from the DCC.
2. Applications for the use of reserves for aircraft take-off or landing will be assessed in line with policies in section **2.5.1 Authorisations and Approvals**.
3. Where the aircraft take-off or landing on reserves is associated with a commercial activity, the operator of the aircraft or helicopter will be required to apply for a concession licence as outlined in section **2.5.6 Commercial Use**.
4. DCC approval will:
  - a. define the area within which the activity is to be carried out.
  - b. specify the times during which the activity can take place.
  - c. specify the fee and/or bond amount.
  - d. may include conditions to avoid, remedy and mitigate adverse effects of aircraft activity necessary for the protection of reserve values and reserve users. Conditions may include requirements for insurance, certifications, health and safety plans and notification of reserve users and neighbours.

### To note

The DCC may consult with the Department of Conservation regarding proposed aircraft activities in reserves in which protected wildlife may be harmed or disturbed.

***Relevant documents to be read in conjunction with this section***

<p><b>Legislation</b></p>	<p><b>Civil Aviation Act 1990</b></p> <p>This is the primary legislation governing civil aviation in New Zealand. It establishes a regulatory framework to ensure the safety, security, and efficiency of civil aviation operations.</p> <p><b>Reserves Act 1977</b></p> <p>Section 94 of the Reserves Act outlines offences on reserves under this Act. Section 94(1)(l) relates (among other vehicles) to aircraft, which are considered to be trespassing if using a reserve without being authorised.</p> <p><b>Reserves and Beaches Bylaw</b></p> <p>Clause 10.14 places restrictions on vehicle use in reserves and beaches, including aircraft.</p>
<p><b>Council documents</b></p>	<p><b>2GP</b></p> <p>Helicopter and other aircraft movements may be restricted by the District Plan to minimise noise pollution and disturbance.</p>
<p><b>Sections in this Plan</b></p>	<p><b>2.2.3 Drones and Remotely Piloted Aircraft Systems</b></p> <p><b>2.5.1 Authorisations and Approvals Policy</b></p> <p><b>2.5.6 Commercial Use</b></p>



### 2.5.3 Ashes and Whenua

#### **Comments**

The scattering of ashes from cremation holds deep significance for the family and friends of a loved one, reflecting diverse cultural practices. The DCC provides a designated area for ash scattering at the rose gardens of the Andersons Bay Cemetery. Ash can also be interred within dedicated ash plots available for purchase within DCC cemeteries.

Unapproved ash scattering can affect the health of plants and in some cases may be culturally offensive, for example, where it may affect mahika kai, wāhi taoka or wāhi tapu. There are no water-based ash scattering areas in DCC cemeteries.

The burying of placenta / whenua on reserves is not permitted.

#### **Objective**

1. To ensure the scattering or placement of ashes, or the interment of other human remains is not culturally offensive and does not impact the reserve, reserve users or maintenance staff.

#### **Policy**

1. The scattering or placement of ashes from cremation or burial of placenta/ whenua in reserves, or in any place that is not in an area dedicated for this purpose, is not permitted.

#### **To note**

Further information regarding DCC burial policy can be found within the DCC's Practices and Procedures Manual for Cemeteries and Crematorium document.
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## 2.5.4 Camping

### Comments

Camping on reserves is regulated by the DCC through a combination of the Reserves Act 1977 and Freedom Camping Act 2011 and any bylaws made under these Acts.

The Camping Control Bylaw allows the DCC to grant discretionary consent to camp on local authority land on receipt of a written application, in specific cases, where the DCC considers that granting of that consent would not be contrary to the purpose of the bylaw. Consent may be granted with or without conditions and is at the absolute discretion of the DCC.

This policy primarily relates to applications to camp on reserves as part of a group event or activity; all other policy guidance related to camping on reserves is contained in the relevant reserve management plans, Camping Control Bylaw or legislation referenced above.

### Objectives

1. *To provide a consistent approach to requests for discretionary exemption to camp on reserves and ensure camping occurs in a way that does not compromise reserve values and is consistent with relevant legislation.*

### Policies

1. Assessment of any application for camping will consider:
  - a. the camping provisions and restrictions included in relevant reserve management plans and land listed in **Appendix E** ministerial consent granted under s44(1) of the Reserves Act 1977 enabling camping on the reserve and the Camping Control Bylaw.
  - b. The authorisation assessment policies in sections **2.5.1 Authorisation and Approvals** and **2.5.12 Events**.
  - c. access to amenities such as toilets and potable water.
2. DCC will generally only support camping on reserves in vehicles that have been issued a certificate of self-containment under the Plumbers, Gasfitters and Drainlayers Act 2006. Any exception to these provisions is at the discretion of the DCC and will be considered in accordance with Policy 1 above.

### Relevant documents to be read in conjunction with this section

<b>Legislation</b>	<b>Reserves Act 1977</b>  Section 44 does not permit use of a reserve for personal accommodation, including camping, unless an exception under the Act applies.  Exceptions can apply where consent is granted by the Minister of Conservation (which is delegated to DCC), or if the exception
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	<p>is defined in a Reserve Management Plan.</p> <p><b>Freedom Camping Act 2011</b></p> <p>The default position under the Freedom Camping Act 2011 is that freedom camping is permitted for certified self-contained vehicles in any local authority area unless it has been restricted or prohibited in a bylaw or other enactment. Conversely the default position for camping in non-self-contained vehicles is that it is not permitted in any local authority area unless it has been specifically provided for in designated campgrounds or in a bylaw.</p> <p><b>Dunedin City Council Camping Control Bylaw 2015</b></p> <p>Defines three scheduled areas in which camping is permitted, restricted to certified self-contained vehicles and prohibited. DCC regulates freedom camping on land it owns, uses or administers through a bylaw made under the Freedom Camping Act 2011 and is the primary mechanism for enforcement of any non-compliant freedom camping on this land.</p> <p>The Bylaw also provides for the DCC to grant a discretionary consent to camp on receipt of a written application.</p>
<b>Sections in this Plan</b>	<p><b>2.5.1 Authorisations and Approvals</b></p> <p><b>2.5.12 Events</b></p>

## 2.5.5 Plaques and Memorials

### *Comments*

Reserves are often seen as desirable places to commemorate people and events. Often, they are requested by people to celebrate a life, especially where that person had a personal connection with a reserve or the wider community.

Memorials can take many forms, in the past they often were in the form of monuments such as obelisks, statues and pillars, or other structures such as gates, park benches or artworks. They may also appear as landscaping or planting. Today, plaques are often a metal plate fixed to surfaces like a park bench.

While memorials for individuals can contribute to park development through the provision of seating and implementation of planting plans, they can also offer benefit to the wider public where they commemorate people or events of significance. They may help build understanding across cultures, serve as a reminder of historical events or societal culture or have education benefits. It is important that the significance of plaques and memorials is recorded by the DCC and that ongoing maintenance requirements and responsibilities are agreed and planned for at the time of authorisation.

While there are many benefits, plaques and memorials within reserves can create a feeling of solemnity and exclusivity, and their message and the atmosphere they create aren't always appropriate or conducive to the use and enjoyment of reserve. Uncontrolled plaques and memorials can also lead to a perception of clutter and can inhibit future reserve development.

The DCC must consider the appropriateness, scale, quantity and location of plaques and memorials to ensure they do not detract from the natural setting and the public use and enjoyment of the reserve. Alignment to the DCC's reserve development plans and design guidelines are also important considerations; particularly given that the removal of plaques and memorials later is frequently an emotive issue. For these reasons, the DCC requires approval for all plaques and memorials.

Memorials that take the form of furniture or other structures can be costly and complex to facilitate, in finding suitable locations that will complement reserve values, in their construction and their ongoing maintenance. The DCC encourages people with memorial proposals to make contact with Parks and Recreation staff early in the planning process so these considerations and potential alternatives can be discussed.

The DCC facilitates a programme called 'Trees for Families' by providing designated sites in reserves for commemorative tree planting. The intent of this programme is to respond to community demand, efficiently manage community requests, create community connections to the reserve network and implement approved planting plans.

Reviewing outdated plaques and memorials is an important aspect of managing parks. Providing a balanced historical view that is reflective of the history of the place or people of the area may mean adding to, or revising, their existing messaging. Removal may be required when they are cluttering a park, impacting options for renewal or improvements, or reducing people's enjoyment of the park. It is important to work with mana whenua, heritage specialists and community stakeholders when reviewing existing plaques and memorials to ensure different views are considered.

Interment of placentas or ashes on reserves in association with commemorative plantings or plaques is generally not permitted (refer to section **2.5.3 Ashes and Whenua**). People are encouraged to bury the ashes of a loved one at one of Dunedin's public cemeteries.

## Objectives

1. *To support the community to commemorate significant events and people through plaques and memorials on reserves where this is aligned to planned reserve development and doesn't detract from the reserve values and the public use and enjoyment of the reserve.*
2. *To ensure the long-term treatment of plaques and memorials is understood and accepted prior to approval being granted.*
3. *To preserve and protect plaques and memorials within reserves that hold cultural, historical, or commemorative significance.*
4. *To record the significance of approved plaques and memorials and facilitate public engagement and understanding by providing interpretative information about their significance.*

## Policies

1. Require formal approval in accordance with the policies in section **2.5.1 Authorisations and Approvals** for all new plaques and memorials outside of DCC-facilitated commemorative planting events.

## Commemorative Tree Planting

2. Support planting of trees or other special plantings to commemorate significant civic events and people in the life of the city.
3. Support commemorative planting events on reserves for communities to celebrate and commemorate loved ones and personal significant events.
4. Decisions on memorial plantings and their ongoing management will be made in accordance with the policies in section **2.1.5 Tree Management and Maintenance**.
5. Maintain trees and other plants planted in accordance with DCC approval. The DCC accepts no obligation to maintain or replace memorial plantings that were not approved or where the planting was not in accordance with approval conditions.
6. Planting approvals may require the applicant to meet the costs of providing the tree and maintaining it for a period of time.

## Plaques and Memorials

7. Encourage people seeking plaques and memorials on reserves to engage with the DCC early in the planning phase.
8. Encourage people seeking personal plaques and memorials to commemorate people to consider participating in the 'Trees for Families' programme or other ways to commemorate individuals.
9. Generally, require the costs associated with providing a memorial to be met in full by the applicant and any ongoing maintenance responsibilities agreed upon in writing before a plaque or memorial is installed.

10. When assessing an application for a plaque or memorial the following criteria will be assessed in addition to the matters outlined policy 3 of section **2.5.1 Authorisations and Approvals**:
- a. whether it is relevant to the proposed location and are associated with a group or event of significance; being a person, group or event of enduring interest to mana whenua and/or the wider community.
  - b. whether it acknowledges people who have contributed in a significant way to the development of the reserves network.
  - c. whether it acknowledges event(s) within the park of historical, environmental or cultural significance, or the opening or naming of a park or a major facility on the park.
  - d. whether it acknowledges the gifting of significant land to the Dunedin reserves network or was a condition of a gift of land.
  - e. it acknowledges a collective community action for the reserve.
  - f. whether it contributes to the development of the reserve and the public use and enjoyment of the reserve.
11. Maintain a register of approved plaques and memorials to capture their historic significance and maintenance programme.
12. Work with mana whenua to assess applications for plaques and memorials within reserves containing sites of significance to mana whenua.
13. Maintain plaques commemorating civic events. Plaques for other events will generally be required to be maintained by the organisation or individual that erected it.
14. Remove existing plaques or memorials when necessary, where:
- a. improvements of enhancements to the park are approved.
  - b. an associated park asset (such as a park bench with plaque) is to be renewed.
  - c. the plaque or memorial has fallen into disrepair.
  - d. the plaque or memorial was not approved.
15. The DCC reserves the right to remove any commemorative plaque if circumstances arise that warrant reconsideration of its display.
16. Where personal plaques or memorials are proposed for removal, make all reasonable efforts to notify the applicant or family.
17. Work with mana whenua and communities to update cultural narratives associated with existing plaques and memorials where the opportunity arises.

***To note***

<p>The DCC may determine some memorial proposals to be more appropriate for evaluation as pieces of public art, in which case the policies in section <b>2.5.10 Public Art</b> would apply.</p>
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***Relevant documents to be read in conjunction with this section***

<b>Legislation</b>	<b>Reserves Act 1977</b> Section 3 states that any action taken by a local authority must align with the general purposes of the Act, ensuring that plaques or memorials do not detract from the reserve's primary purpose.
<b>Sections in this Plan</b>	<b>2.1.5 Tree Management and Maintenance</b> <b>2.5.1 Authorisations and Approvals</b> <b>2.5.3 Ashes and Whenua</b> <b>2.5.10 Public Art</b>

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## 2.5.6 Commercial Use

### **Comments**

The DCC occasionally receives applications for the use of reserves for short-duration or ongoing commercial activities.

Short-duration commercial ventures include a range of activities like mobile vendors (such as coffee carts and ice cream vans); equipment hire (including water sports or bicycle hire); fitness classes; guided tours; events that charge for entry and commercial arts, cultural and creative activities. Policies relating to commercial film and photography can be found within section **2.5.13 Commercial Film and Photography**.

Ongoing commercial activities may include kiosks, cafés or accommodation facilities such as holiday parks. The policies within section **2.5.9 Public and Private Utilities** should be read with regard to commercial utility infrastructure and activities.

Commercial activities can add to the user experience and provide additional services, activate parks and enhance existing activities in a reserve. They can also help educate people about the cultural or natural heritage of reserves. Activities, such as filming, whilst not contributing directly to the public's enjoyment of a reserve, can help to promote Dunedin and its reserves and generate revenue streams to reinvest into the reserves network.

All commercial activities require an application and formal approval by Council.

Commercial activities must be appropriate for a reserve and not adversely impact its values, uses or users, or neighbours. The DCC will use conditions to outline controls on approved commercial activities to ensure that the adverse effects of commercial activities are avoided, remedied or mitigated.

Revenue gained from any fees related to commercial activities can assist with the ongoing maintenance of the wider reserve network or renewal or development of its assets.

Public notification of a commercial proposal may be necessary and a resource consent and/or land use consent may also be required.

All costs associated with an application for commercial activities on reserves are to be carried by the applicant.

### **Objectives**

1. *To provide for commercial activities in reserves where they enhance the public use and enjoyment of the reserve and are aligned to the reserve's values, classification or primary purpose, and the policies of this Plan.*

### **Policies**

1. Applications for commercial activities in reserves must be made in writing and contain the following information:
  - a. a description of the activity, including place(s) and duration
  - b. relevant information relating to the applicant, including any information relevant to the applicant's ability to carry out the proposed activity.



- c. a statement outlining whether the activity:
    - i. can be provided for, or located outside the reserve,
    - ii. is in the public interest to be located on the reserve,
    - iii. will impede the use of the reserve for its primary purpose,
    - iv. is compatible with any existing permitted use or activity within the reserve, and
    - v. is compatible with relevant legislation and the policies in this Plan.
  - d. an outline of infrastructure required to enable the activity and where this is proposed to be located,
  - e. any betterment to the reserve values and/or reserve users,
  - f. an outline of temporary and permanent effects on the reserve and reserve users, adjoining properties and wider open space network, and measures to avoid, remedy or mitigate any adverse effects, and
  - g. where relevant, an outline of mana whenua and stakeholder engagement undertaken and their positions.
2. When assessing a proposal for a commercial activity, the assessment will consider the relevant objectives and policies within section **2.5.1 Authorisations and Approvals**, the matters contained in Policy 1 above and whether the activity results in a financial benefit to DCC that can be reinvested into the reserve network.
  3. DCC approval for commercial activities will:
    - a. specify the nature of the activities the commercial operator can provide,
    - b. define the area within which the activity is to be carried out,
    - c. specify the times (over the year and during the day) during which the permit holder or licensee can operate,
    - d. define the signage (if any) permitted in association with the permit or concession,
    - e. specify the fee and/or bond amount,
    - f. outline reporting requirements, and
    - g. may include conditions necessary for the protection of reserve values and reserve users.
  4. Approvals may provide for the exclusive use of part of a reserve for a specific period in accordance with the Reserves Act 1977.
  5. Approvals will not be transferable to another operator.
  6. Where commercial activities in reserves are likely to impact on Kāi Tahu values, DCC will partner with mana whenua on initiatives to develop commercial operators' knowledge, awareness and ability to mitigate effects on mana whenua values in relation to the services they provide in DCC's reserves.
  7. The applicant will be responsible for ensuring that they fully comply with any statutory requirements, the 2GP and any relevant bylaws.

8. DCC will monitor and evaluate approved commercial activities to assess the effects of the approvals and apply an adaptive management approach to future decision-making based on this assessment.
9. Temporary commercial activity applications need to be made at least ten working days prior to the event.

***Relevant documents to be read in conjunction with this section***

<p><b>Legislation</b></p>	<p><b>Reserves Act 1977</b></p> <p>Section 53 Powers (other than leasing) in respect of recreation reserves.</p> <p>Section 54 Leasing powers in respect of recreation reserves (except farming, grazing, or afforestation leases).</p> <p>Section 59A Granting of concessions on reserves administered by the Crown.</p> <p>Section 61 Powers (including leasing) in respect of local purpose reserves.</p> <p><b>Conservation Act 1987</b></p> <p>Part 3B establishes that commercial use of public conservation land, including reserves, must be consistent with the protection and preservation of the land's natural and historic values. It requires that commercial activities, such as tourism or resource extraction, are managed to ensure that they do not compromise conservation goals. Concessions (permits) are required for such activities, and they must align with the sustainable management and use of the reserve's resources while providing public benefits.</p> <p>Commercial use activities within reserves must also be in compliance with the <b>Resource Management Act 1991</b> for environmental impacts, the <b>Building Act 2004</b> for structural safety and compliance, and the <b>Health and Safety at Work Act 2015</b> for ensuring the safety of workers and the public.</p> <p><b>Reserves and Beaches Bylaw 2017</b></p> <p>Clause 10.9 prohibits trading, other than in accordance with a Mobile Trading Licence in reserves or beaches without authorisation.</p>
<p><b>Council Documents</b></p>	<p><b>2GP</b></p>
<p><b>Sections in this Plan</b></p>	<p><b>2.2.5 Public Use and Enjoyment</b></p> <p><b>2.5.1 Authorisations and Approvals Policy</b></p>

	<b>2.5.12 Events</b>
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## 2.5.7 Firework Displays, Bonfires and Floating Lanterns

### Comments

Firework displays and bonfires on reserves have traditionally been part of events such as New Year's Eve and Guy Fawke's celebrations. Floating lanterns, which are propelled by a small open fire have also become popular to use. In recent years, communities have developed a greater awareness of issues associated with these displays such as cost, fire risk, public safety risks, pollution and distress to animals. Alternatives to pyrotechnics, such as projection, laser shows, and drone shows are continually being improved and utilised.

While the DCC strongly supports alternatives to pyrotechnics being considered, it recognises there may still be occasions where firework displays are appropriate. This may include large, professionally organised displays to celebrate a particular event, a display where the public pay to attend, or where community organisations wish to have fireworks in a safe, controlled environment.

The DCC has prohibited individual unauthorised firework use, bonfires and floating lanterns on reserves but may approve applications for professionally organised displays where adverse impacts on other users, neighbours, wildlife and the reserve and wider public open space values can be appropriately managed.

Professional, organised displays require a range of permissions from the DCC, as the administrator of the reserve (where applicable). Organisers will also need to provide compliance certification from WorkSafe and the Civil Aviation Authority where relevant and approval from Fire and Emergency New Zealand. In some instances permits from KiwiRail and NZ Transport Authority may also be required. Payment of any bonds or fees and obtaining public liability insurance (to the satisfaction of the DCC) will be required as part of the approval process.

The event organiser must secure all necessary approvals, pay any bonds or any fees and obtain relevant insurance prior to the event and provide evidence of these to the DCC when required. The organiser must ensure their own legal responsibilities with the display event any comply with all approval conditions and any other legal requirements..

Bonfires and the release of floating lanterns as part of events will generally not be approved.

### Objectives

- 1. To allow fireworks displays on reserves if all necessary approvals have been obtained, provided that any adverse effects on reserve values, the natural environment, and wildlife are avoided, remedied, or mitigated to the satisfaction of the DCC.*

### Policies

1. Lighting fireworks on reserves is prohibited unless it is part of a DCC-approved display.
2. DCC will generally not provide approval for bonfires and floating lanterns.
3. Applications for firework displays must be made in writing at least 20 working days prior to the proposed event and contain the following information:
  - a. description of the pyrotechnic display and health and safety plan, including a display plan showing:
    - i. the discharge area and exclusion zone.

- ii. the position of firing points, number of firings from each point and direction of flight of pyrotechnics.
    - iii. audience location and evacuation routes.
    - iv. position, number and types of firefighting equipment.
    - v. and buildings within the exclusion zone.
  - b. any necessary statutory and regulatory approvals.
  - c. reserve site description.
  - d. why alternatives to pyrotechnics and/or alternative locations were discounted.
  - e. whether it is in the public interest to be located on the reserve.
  - f. outline of temporary and permanent effects on the reserve and reserve users, adjoining properties and the wider open space network and measures to avoid, remedy, and mitigate adverse effects.
  - g. summary of mana whenua and stakeholder engagement and position.
4. DCC may ask for any additional information, at any time, at its sole discretion.
  5. Fireworks displays will generally not be approved within 100m of forests and conservation areas or in areas with a high fire risk.
  6. The degree of risk to the wellbeing of wildlife and neighbouring pets and stock should be low and likely to be effectively avoided, remedied or mitigated.
  7. Applications will be assessed against the policies in section **2.5.1 Authorisations and Approvals**, with a specific focus on:
    - a. Fire risk.
    - b. Public safety.
    - c. Adverse effects on reserve users, neighbours and animals.
  8. DCC approval will:
    - a. specify the nature of the activities that are permitted.
    - b. define the area within which the activity is to be carried out.
    - c. specify the times during which the display can take place.
    - d. define the signage (if any) permitted in association with the permit or concession.
    - e. specify the fee or bond amount.
    - f. specify the requirements of Public Liability Insurance, including the minimum sum-insured.
    - g. may include conditions to avoid, remedy and mitigate adverse effects of displays, necessary for the protection of reserve values and reserve users. Conditions may include requirements, certifications and authorisations and notification of reserve users and neighbours. It may also require remediation of the reserve which will be at the full cost of the organiser.

**Relevant documents to be read in conjunction with this section**

<p><b>Legislation</b></p>	<p>All events involving pyrotechnic displays require a compliance certificate from WorkSafe and a permit from Fire and Emergency NZ. Additionally, these events may be subject to further statutory requirements.</p> <p><b>Reserves Act 1977</b></p> <p>Administering local authorities such as the DCC control events in reserves through bylaws and management plans and has the power to manage activities such as fireworks and bonfires in these areas and impose restrictions or prohibitions in order to protect the environment, wildlife, and public safety.</p> <p><b>Fire and Emergency Act 2017</b></p> <p>Establishes the authority and responsibility of Fire and Emergency NZ (FENZ) to reduce fire hazards, enforce fire restrictions, and respond to fires on public land, including reserves. It empowers FENZ to work with local authorities to manage fire risks through prevention strategies, education, and regulatory measures, ensuring public safety and the protection of natural and cultural assets within reserves from fire-related dangers.</p> <p><b>Health and Safety at Work Act 2015</b></p> <p>Sets out responsibilities for parties involved in reserve activities, including DCC, contractors, and community groups.</p> <p><b>Health and Safety at Work (Hazardous Substances) Regulations 2017</b></p> <p>Requires the management and control of hazardous substances, including those used during activities in reserves like fireworks and bonfires. These regulations aim to minimize risks to health and the environment by establishing guidelines for the handling, storage, and disposal of hazardous materials.</p> <p><b>Civil Aviation Act 2023</b></p> <p>Governs all civil aviation systems in NZ, with emphasis on preventing aviation accidents and incidents. The Act includes provisions related to the use of fireworks, especially aerial fireworks displays, establishing safety regulations for flight operations to ensure fireworks do not pose hazards to aircraft or public safety. The Act requires coordination with relevant authorities for any planned fireworks events to comply with airspace regulations and minimize risks to both people and the environment in and around reserve areas. The Act also provides</p>
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	<p>for the creation of Rules for use of unmanned aircraft including drones which must be complied with when operated in reserves.</p> <p><b>Reserves and Beaches Bylaw 2017</b></p> <p>Clause 10.11 prohibits the lighting of fires or the setting off of fireworks in reserves or beaches without authorisation.</p>
<b>Sections in this Plan</b>	<p><b>2.4.3 Fire Risk Management</b></p> <p><b>2.5.1 Authorisations and Approvals Policy</b></p>

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## 2.5.8 Occupation Agreements (Leases, Licences and Easements)

### Comments

Occupational agreements are used to formalise approvals for the longer-term use of reserve land (including below and above ground) and to outline legally binding conditions of approval to protect reserve values, users and neighbours. These refer to leases, licenses, easements (including rights-of-way, underground utilities, telecommunication agreements, etc.), exchange of letters, or other agreements reached between the DCC and a person, organisation, or company.

Occupation agreements may be granted to provide space in reserves for organisations delivering services that serve community needs and/or enhance the reserve's values or to formalise alternative management arrangements.

A lease grants a legal right for exclusive possession of reserve land for specified activities and are typically only granted for the area required for a building or structure.

A licence gives a non-exclusive right over the land for use of land with no fixed assets, and can only be granted for certain commercial activities, grazing or activities contemplated in the Reserves Act 1977.

An easement is a right to carry out some form of authorised activity on a reserve where a lease or licence is not appropriate. Easements are typically used to formalise approvals to provide access to distribute or convey fuel, electricity and water. These easements are covered under the policies within section **2.5.9 Public and Private Utilities**. Easements may also be used to formalise other access rights over reserves.

Occupation agreements may be granted over land held under the Reserves Act 1977 and Local Government Act 2002. The DCC's power to grant occupation agreements over reserves varies depending on the classification of a reserve and the rights transferred to the DCC from the Crown. Each agreement will need to refer to specific sections of the Reserves Act 1977 dealing with the particular type of reserve under consideration (see To Note section below for relevant sections of the Reserves Act that apply to different types of reserves).

Occupation agreements may be granted for grazing, farming, gardening, or similar activity, especially where these may assist with the maintenance of currently unused open space.

Depending on the activity, other regulatory approvals such as a resource consent may be required before an occupation agreement can be exercised.

### Objectives

- 1. To protect reserve values and outcomes sought for the reserve, including minimising loss of public access and the ability to develop a reserve, when considering an occupational agreement.*
- 2. To provide opportunities, where appropriate, for community activities which enhance the reserve users' experiences, support reserve values or encourage a wider range of reserve users.*

### Policies

1. The assessment of an application for an occupation agreement should consider the assessment criteria in section **2.5.1 Authorisation and Approvals** and the following:



- a. if consideration has been given to other non-public locations for the activity/facility and why are these not suitable.
  - b. options to provide for shared use or public use and access to park space or facilities where appropriate,
  - c. any sport or recreation or community needs provision plan or assessment, and compatibility with a network view of the need for that activity to occur on a park, and
  - d. the viability of the proposed activity.
2. Leases, licences and easements will be used to formalise uses of reserves.
3. Leases will generally be granted for the building footprint and possibly a 1 metre curtilage; with right of way easements, licences and/or user agreements preferred for any additional temporal occupation.
4. Conditions may be imposed in any occupation agreement to protect reserve values, the health, safety and wellbeing of visitors, and to facilitate reserve operations and any relevant legislation. These include but are not limited to:
  - a. the location and duration of the activity.
  - b. the times of day or year the activity may be undertaken.
  - c. measures for mitigating adverse effects on the environment and natural and heritage resources.
  - d. methodology and measures for monitoring the effects of the activity.
  - e. the number of people (including participants, spectators and support staff / volunteers) who may participate.
  - f. the use of park facilities or services.
  - g. health and safety factors.
  - h. a trial period to assess the effects of the activity on the park.
  - i. meeting accreditation and/or training requirements.
  - j. any modifications/alterations to the proposed activity and associated infrastructure and if applicable arrangements for compensation for improvements upon termination of the agreement,
  - k. the review of the approval and/or any conditions imposed.
  - l. any other matter the DCC considers relevant to ensure the activity is compatible with the objectives of this plan.
5. The DCC may require as-built plans of any buildings, structures or facilities and maps of any underground services owned by third parties under an occupation agreement.
6. All costs associated with the application for, processing of and formalisation of an occupation agreement are the responsibility of the lessee or holder of the agreement.
7. Rent will be payable on all occupation agreements except where the DCC has determined that no rent is payable.
8. Leaseholders are responsible for the health and safety of users of their facilities, and those affected by their operations.

**Relevant documents to be read in conjunction with this section**

<p><b>Legislation</b></p>	<p><b>Reserves Act 1977</b></p> <p><i>For general leasing and licencing see the following provisions of the Reserves Act 1977 and other relevant provisions in the Act and other legislation:</i></p> <p>Sections 53 and 54 (recreation reserves);</p> <p>Sections 55 and 56 (scenic reserves);</p> <p>Section 57 (nature reserves);</p> <p>Sections 58 and 58A (historic reserves);</p> <p>Section 59 (scientific reserves);</p> <p>Section 59A (granting of concessions on reserves administered by the Crown/ where Council is appointed to control and manage a reserve vested in the Crown);</p> <p>Section 61 (local purpose reserves);</p> <p>Section 61A (aerodrome purpose reserves);</p> <p>Section 67 (racecourse reserves); and</p> <p>Section 73 (recreation reserves leased for farming, grazing, afforestation, or other purpose).</p> <p><i>For licences relating to grazing, gardening and removing timber or flax:</i></p> <p>See section 74 of the Reserves Act 1977 and related provisions in the Act and other relevant legislation.</p> <p><b>Other agreements:</b></p> <p>Reserves Act 1977 section 53(1)(d) to (f) – authorisation/ granting of temporary use, temporary exclusive use and other agreements.</p> <p><b>Local Government Act 2002</b></p> <p>For parks held under section 138 of the Local Government Act 2002, the council must consult on the granting of a lease for more than six months that has the effect of excluding or substantially interfering with the public's access to the park.</p> <p><b>Conservation Act 1987</b></p>
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	Part 3B describes the concession requirements within all conservation areas
<b>Sections in this Plan</b>	<b>2.5.1 Authorisations and Approvals</b> <b>2.5.6 Commercial Use</b> <b>2.5.9 Public and Private Utilities</b>

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## 2.5.9 Public (Network) and Private Utilities

### **Comments**

Utilities in this Plan refers to infrastructure providing telecommunications or radio communications services, electricity generation or transmission services, and systems for water, wastewater and stormwater. Examples include cell phone towers, power lines, transformers, scientific monitoring and research infrastructure, water pipes, filtration systems and pumpstations for water, wastewater and stormwater, and associated infrastructure. These utilities may be owned by private individuals, such as a privately owned water pipe passing under a reserve and connecting to a main, or by network utility operators, such as an electricity provider owning transmission pylons on reserve land.

Public and private utilities provide essential services to the community across Dunedin and may enhance facilities within reserves. Utilities may also 'unlock' land adjacent to reserves for development where it is zoned for intensification or changes in land use.

Reserves are often perceived as convenient and logical places to locate public and private utilities. However, the location, construction, operation, maintenance and decommissioning of utility structures can have significant impacts on the reserve and its values, the public's use and appreciation of the reserve and the wider open space network values. The opposite also applies, particularly as vegetation in the reserve can threaten the integrity of infrastructure over time (for example, through root intrusion).

Individually, and cumulatively, utilities can result in a range of adverse effects on reserves values such as:

- restrictions on community access, use and future development,
- impacts on natural, cultural, heritage, landscape and recreational values,
- the need to trim trees and vegetation to avoid power lines, and
- temporary or permanent loss of reserve land and amenity and aesthetic values and
- negative impacts on the reserve and its users during installation or access for maintenance.

In general, DCC does not support the use of reserves for public and private infrastructure, unless:

- it can be shown there are no other suitable alternative sites.
- there is a clear benefit to the reserve or wider open space network.
- the adverse effects of the activity can be adequately mitigated.

Any requests for new utilities or variations to existing utilities on reserves is subject to the provisions of the Reserves Act 1977 (dependent on the type of reserve involved) and any legislation applicable to the type of utility. Additionally, the DCC will usually seek to register an easement, and Section 48 of the Reserves Act 1977 outlines the process for considering utility easements and when public notification is required for such proposals. Section 48A of the Reserves Act 1977 addresses how proposals for telecommunications stations will be assessed and when public notification will be triggered.

Even if public consultation isn't required under the Reserves Act 1977, it may still be required under DCC's Significance and Engagement Policy.

DCC may prohibit access to a local purpose reserve under section 23(3) of the Reserves Act 1977 if a reserve closure is required to construct the utility.

Any approvals granted by DCC for use of reserves for public or private utilities will be formalised in an occupation agreement, usually as an easement or possibly a licence or other agreement, that will specify conditions of installation and remediation, ongoing use, maintenance, repair, upgrade and removal at the end of the agreement term. There will be a high expectation of compliance with conditions for the protection and enhancement of reserve values.

Historically some utilities were constructed without formal occupation agreements, particularly by network utility operators who established their utilities under legislation (but some conditions may have been agreed with DCC at the establishment phase). Network utility operators are provided certain rights, including rights to access private land for maintenance, perform emergency works without consent in some cases, and may be exempt from certain local planning rules. As different legislation governs each type of utility, the legislative requirements for access and maintenance may vary.

Existing network facilities legally established under legislation do not require occupation agreements if no such agreement is in place, unless these facilities have been materially altered so that the access rights provided under the relevant legislation no longer applies.

For existing network facilities which do not require occupation agreements, DCC may set conditions or expectations regarding access and maintenance of these utilities to the extent this is permitted under the relevant legislation. The conditions are to ensure DCC is aware of these activities and negative effects are mitigated. Policies below provide notification and reporting requirements and distinguish between utilities held privately and those held by network utility operators. DCC's policies apply unless the network utility operator's activities are legally exempt under the applicable legislation.

Information provided through the formal easement process will be included in DCC's database to record details of the easement and its location.

In some cases requests to install or significantly upgrade utilities on reserves may trigger the requirement for other regulatory approvals such as resource consent and stormwater connection approval.

Costs associated with utility requests, formalisation (including resource consent, building permits, survey and legal) and compliance with conditions of approval will be expected to be met by the applicant.

## **Objectives**

- 1. Consider applications to locate utilities on reserves only where it can be shown by the utility owner/operator that there is no other suitable site off reserve where the facility can be located. Cost is not a primary determinant.*
- 2. To protect reserve values, reserve users and reserve neighbours from the adverse effects associated with utilities being sited on reserves.*
- 3. To seek restoration and enhancement of reserves and/or the wider public open space network values through utility upgrades and new utilities.*
- 4. To ensure private utility owners and network utility operators meet all conditions of approval by DCC if utility requests are approved.*

5. *To recover all reasonable costs associated with the consideration and formalisation of any approved public and private utility requests and seek fees and charges appropriate to the type and scale of the utility.*
6. *To allow private utility owners and network utility operators that don't require occupation agreements conditional access to reserves in accordance with the provisions of this Plan, any conditions agreed at the establishment phase and the relevant sections of the applicable legislation, for the purpose of inspection, maintenance, and operation, of their existing facilities.*
7. *Develop closer working relationships with network utility operators with the goal of recording information on existing utilities on reserves, establishing formal occupation agreements, improving communication channels, and increasing understanding of the policies in this Plan and relevant legislation to protect public open space values.*

## **Policies**

### **General**

1. All public and private utility operators/owners are required to apply for a formal occupation agreement (easement, licence or other agreement) with the DCC for any:
  - a. new facilities constructed within reserves;
  - b. existing facilities within reserves which have not been legally established; or
  - c. existing facilities within reserves that have been materially altered so that the access rights provided by the relevant legislation no longer applies.
2. Public utility operators and private utility owners will be required to meet all costs associated with the formalisation of any approval.
3. The occupation agreement will be prepared by DCC's solicitors and the terms and conditions of the occupation agreement shall be determined at the sole discretion of DCC.
4. Generally, the DCC will need to be satisfied that there is no other alternative location for the utility and the effects of the proposed use of reserves will not significantly impact the reserve values, reserve users, or wider public open space network.
5. Approval of occupation agreements for new and existing public or private utility facilities set out in Policy 1 above will generally not be granted where:
  - a. the request doesn't meet the requirements of the Reserves Act 1977.
  - b. the utility can be reasonably provided for/located outside the reserve network.
  - c. existing structures or facilities can reasonably be shared or co-located.
  - d. it could reasonably be built on another reserve site with significantly less potential adverse effects.
  - e. it is not in the public interest to be on the reserve.
  - f. it impedes the use of the reserve for its primary purpose.
  - g. the adverse effects of the reserve values, reserve users, reserve neighbours, and public open space network cannot be avoided or adequately mitigated or remedied.

- h. the proposed utility is inconsistent with an existing occupation agreement.
- 6. Where an existing utility is present on reserve land and is not approved for an occupation agreement, the owner/operator of that utility will be required to remove the utility at their own cost and remediate the reserve back to its original condition, to the satisfaction of the DCC.
- 7. Subject to the requirements in policy 5 above, support the installation of utilities that support reserve operations and recreational use of the reserve and/or enhance the reserve or wider open space network values.
  - a. Collaboratively work with utility providers, as appropriate, on utility projects that
    - a) avoid the use of reserves for utilities or
    - b) benefit reserve values and users or the wider community.
- 8. Seek, wherever practicable, to have overhead power reticulation undergrounded on reserves.
- 9. Seek, wherever practicable, water sensitive/ low impact design for stormwater infrastructure
- 10. Occupation agreements including easements will be for a specified period of time or in appropriate cases will be permitted in perpetuity, at the discretion of the DCC.
- 11. All costs associated with the location of services through or over a reserve, including the cost of any mitigation work and restoration of the affected area to its original state, shall be borne by the entity undertaking the works to the satisfaction of DCC.
- 12. Generally, require compensation (either in the form of one-off compensation payments or annual rental or fees) for use of the reserve, based on approved fees and charges, as a condition of occupation agreements granted unless the utility benefits the reserve and reserve users.
- 13. Generally, require the removal of the utility and reinstatement of the reserve at the end of the occupation agreement unless DCC is satisfied that:
  - a. this will have a greater impact on the reserve values than leaving the utility in-situ; and
  - b. the infrastructure will not present any long-term health and safety risks or operational issues.

## Administration

- 14. Applicants should have a pre-application meeting with the DCC.
- 15. Applications seeking to establish public or private utilities on reserves must be made in writing on the approved form and should contain the following information:
  - a. description of the proposal.
  - b. reserve site description (including titles).
  - c. a statement outlining whether the utility:
    - i. can be provided for, or located outside, the reserve and why these alternative options cannot be used.
    - ii. is in the public interest to be located on the reserve.
    - iii. will impede the use of the reserve for its primary purpose.

- iv. is compatible with any existing permitted use or activity within the reserve.
  - v. is compatible with the relevant legislation and policies in this Plan.
  - vi. requires a resource consent or building permit and whether these have been obtained.
- d. detailed outline of infrastructure to be installed.
  - e. detailed plans showing the location of the proposal construction area, infrastructure layout and easement.
  - f. construction methodology and programme.
  - g. maintenance programme.
  - h. betterment to the reserve values and/or wider open space values achieved through the utility.
  - i. outline of temporary and permanent effects on the reserve and reserve users, adjoining properties and wider open space network and measures to avoid, remedy or mitigate adverse effects.
  - j. outline of mana whenua and stakeholder engagement and position.
16. Public consultation decisions must be made according to the requirements of the Reserves Act 1977 and the Local Government Act 2002.
  17. When assessing an application to locate utilities on a reserve or to upgrade an existing utility the following criteria will be assessed, in addition to the matters outlined in policy 3 of Section 2.5.1 Authorisations and Approvals:
    - a. adverse effects on the reserve, wider public open space network values and reserve neighbours and proposed measures to avoid, remedy and mitigate these effects.
    - b. benefits to the reserve and wider public open space network.
    - c. mana whenua's position on the proposal.
  18. Formalise DCC's decision to approve public or private utilities through an occupation agreement prepared by DCC's solicitors to specify conditions related to pre-construction, construction and post-construction phases.
  19. Require easements for all underground utilities to provide for the ongoing occupation of the utility and these will be required to be surveyed and registered post construction.
  20. The applicant will be responsible for covering all expenses related to the application and its processing.

### Private Utility Owners Without Formal Agreements

21. If private utilities have been legally established, occupation agreements are not required and private utility owners will be permitted conditional access to reserve land to inspect, maintain or operate existing works, with the permission of the DCC, subject to any relevant legislation.
22. Notice of an intention to enter a reserve to inspect, maintain or operate existing facilities must be given by way of a written application which must detail the work to be carried out and any potential adverse effects on the reserve or users, and any mitigation proposed.



23. The DCC may impose conditions of access to ensure the protection of reserve values, neighbours and users, and the reinstatement of the reserve to the satisfaction of the DCC.

### Network Utility Operators Without Formal Agreements

24. Network utility operators are required to have occupation agreements with the DCC for any facilities constructed on reserves if the network utility operators do not have automatic access rights in relation to the utility under the relevant legislation.
25. If no occupation agreements are required for network utility operators to access their facilities due to access rights provided under legislation, network utility operators must adhere to the following general conditions when undertaking work on their facilities or such other conditions imposed by DCC in writing, provided that these conditions are not inconsistent with the relevant provisions of legislation applicable to the utility:
- a. Notice of an intention to enter a reserve to inspect, maintain or operate existing facilities must be given by way of a written application which must detail the work to be carried out and any potential adverse effects on the reserve or users, and any mitigation proposed.
  - b. Network utility operators are required to give reasonable notice (14 days) of their intention to enter a reserve to inspect, maintain or operate existing facilities.
  - c. Where a network utility operator is required to undertake emergency work on a reserve, the contractor involved shall, where possible, inform DCC on the same working day before commencing any work.
  - d. Where emergency work is required outside of normal DCC office hours, the network utility operator or contractor involved must contact the DCC at the beginning of the following working day and arrange an inspection for reinstatement.
  - e. Where emergency work is undertaken, the network utility operator must provide, within seven days, a written report detailing the operation, any reserve damage caused, and how damage will be repaired and the area reinstated to DCC's satisfaction.
  - f. Where temporary closures of reserves are required to allow network utility operators to carry out works safely, the network utility operator concerned will be responsible for meeting all costs associated with the closure.

### Vegetation Management

26. The following applies to network utility operators subject to any formal agreements with DCC and provisions of the relevant legislation:
- a. Network utility operators will be permitted conditional access to reserves to trim or remove vegetation for the purposes of utility installation, access or maintenance required to ensure the safety and functionality of the lines, support structures or other

facilities. This should be undertaken in consultation with DCC and approval obtained at least 14 days prior to work being undertaken.

- b. Where removal or trimming of vegetation from a reserve is required in an emergency, the network utility operator or contractor must inform DCC where possible, on the same working day before commencement of any operation. If commencement is required outside of normal office hours the network utility operator or contractor must contact DCC at the beginning of the following working day.
- c. Network utility operators will be required to tidy and reinstate sites damaged because of work carried out under the above policies to the satisfaction of DCC. Conditions and charges may be attached to any permission granted.

**To Note:**

Where vegetation is to be trimmed or cleared in conjunction with overhead power lines, Transpower's service specification "Management of Trees near Transmission lines" standard will be used by that company's contractors. Additionally, all work shall be in compliance with the Ministry of Labour's "Code of Practice for Safety and Health in Tree Work, Part 1 and 2", the "New Zealand Code of Practice for Electrical Safe Distances (NZECP 34:2001)" or their replacement documents and amendments.

**Relevant documents to be read in conjunction with this section**

Legislation	<p><b>Resource Management Act 1991</b></p> <p>Section 166 - Defines "network utility operator".</p> <p>Section 10 - Provides certain protection to network infrastructure through 'existing use' rights.</p> <p><b>Reserves Act 1977</b></p> <p>Section 48 and 48A – Rights of way and easements and use of reserves for communication stations.</p> <p>Section 119 and 120 – Public consultation requirements</p> <p>Section 23(3) – Local Purpose Reserve closures</p> <p><b>New Zealand Electrical Code of Practice</b></p> <p>Provides minimum safe distances from electrical works</p>
Council documents	<b>Significance and Engagement Policy</b>

Sections in this Plan	<b>2.5.1 Authorisations and Approvals</b> <b>2.5.8 Occupation Agreements</b>
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## 2.5.10 Public Art

### Comments

The DCC's Public Art Framework provides overarching guidance for the integration of new artworks into the existing collection, ensuring a holistic approach, for both artworks gifted to the DCC or placed on DCC land. Various forms, such as paintings, sculptures, or carvings can often be best appreciated if located within reserves. However, some art can be challenging, and if located in the wrong place, can conflict with the primary purpose of a reserve. The DCC may require that any public art be accompanied by a landscape assessment, detailing how the public art will fit within the proposed setting.

Offers of public art gifts to the DCC undergo the same evaluation process as new commissions, to ensure consistency and transparency. This process guarantees that all public art, irrespective of origin, enriches the city's collective artistic landscape. In cases in which art is gifted, a formal agreement will be established between the DCC and the 'gift giver' that outlines conditions of the acceptance including a suitable location for installation of the art piece, ongoing maintenance and any legislative requirements.

### Objectives

1. *Ensure that permanent public art installations in reserves align with the reserve's values and character.*
2. *Seek to collaborate with a diverse range of artists, including Kāi Tahu mana whenua and Māori artists to create pieces that are complimentary to a reserve's cultural, historic and natural values, when public art opportunities arise.*

### Policies

5. Permanent public art may only be installed in reserves with the formal approval of DCC in accordance with the policies in section **2.5.1 Authorisations and Approvals** and:
  - a. the location of any public art installation must be in keeping with the purpose, scale and values of the reserve and reserve uses.
  - b. must not unduly impact on the cost of reserve maintenance and operational activities.
  - c. once any other required regulatory consent approval or other legislative requirement has been obtained.
6. Where an artwork is approved as a gift to the DCC, a formal agreement will be established, detailing the:
  - a. ownership of the artwork.
  - b. ownership of the copyright of the artwork.
  - c. maintenance requirements of the artwork including which party will be responsible for ongoing maintenance costs.
  - d. types of maintenance or repair work that would require further consultation with the artist before being undertaken.
  - e. decommissioning process for the artwork.

7. The DCC will explore opportunities to engage with Kāi Tahu mana whenua and Māori artists to provide cultural pieces on reserves, including whakairo (carvings), pou whenua or tohu whenua.
8. Decisions on public art must be made in accordance with the DCC's Ara Toi – Arts and Culture Strategy and Public Art Framework.
9. All public art must comply with the requirements of any legislation, regulations, and statutory plans including the District Plan, and the Building Act 2004 as applicable.

***To note***

This policy does not apply to graffiti vandalism prevention measures or works where the primary purpose is not to develop a piece of art (e.g., it is ancillary to a development work).

***Relevant documents to be read in conjunction with this section***

<b>Legislation</b>	<b>Building Act 2004</b> Public art pieces may be subject to the requirements of the Building Act 2004
<b>Council documents</b>	<b>2GP</b> Public art pieces are subject to the requirements of the District Plan
<b>Sections in this Plan</b>	<b>2.1.1 Mana Whenua Partnerships</b> <b>2.3.1 General Reserve Development</b> <b>2.3.2 Buildings and Structures</b> <b>2.5.5 Plaques and Memorials</b>

## 2.5.11 Research and Taking of Specimens (Including Soil)

### **Comments**

The DCC receives a number of requests from researchers at educational and research institutions across New Zealand wishing to carry out research and scientific training on DCC reserves. Some of these are straightforward requests to permit data collection, while others may involve modification of a site or the collection of specimens or material from the reserve.

Research on reserves may benefit the DCC by providing information that may assist with the management of reserves or increased knowledge of species and ecology.

The removal of material or taking of specimens as part of a research programme may have more significant adverse effects on reserve values than other methods of research, with the nature of each project influencing the extent of these implications. For this reason, the DCC needs to assess the effects of a proposal rigorously before making a decision on an application.

The Reserves Act 1977 has specific rules relating to the taking of specimens from reserves. The DCC has delegated authority from the Minister of Conservation to grant permission for taking of specimens from reserves (section 49 of the Act) and the taking and killing of fauna (under section 50 of the Act). The DCC has an established permit system in place to manage the authorisation of research and collection activities on reserves.

### **Objectives**

1. *To ensure that any research and collection of specimens is properly authorised and follows sustainable processes to ensure the protection of reserves and their flora and fauna.*

### **Policies**

1. The DCC may permit appropriate research activities including collection of flora and fauna samples on/from reserves it administers where it is deemed not detrimental to reserve values.
2. Require formal applications to be made for an Authorisation to undertake research or collection of samples from reserves.
3. When assessing applications to undertake research and collection of specimens on reserves consider the policies within section **2.5.1 Authorisations and Approvals**, and the following criteria:
  - a. the degree to which research adds value to the DCC's management of reserves and is aligned to the objectives and policies of this plan.
  - b. the nature of the project and credentials of the applicant.
  - c. the public benefits of the research.
  - d. the equipment and techniques to be used, especially with respect to the taking of samples.
  - e. The size and/or quantity of samples and whether these are to be observed on-site or removed for analysis.

- f. strategies and actions which are proposed to avoid, remedy or mitigate and monitor any adverse effects, including health and safety of the research on reserve users and natural and cultural resources.
  - g. whether the results will be publicly available and the dissemination of results is planned.
  - h. any impediment to public access to the park.
  - i. any rāhui placed on the reserve.
4. Authorisations granted for research and collection of specimens will be issued in accordance with Section 49 of the Act, and may include:
- a. conditions specific to the reserve and activity.
  - b. requirements for further approvals, such as approval from an ethics committee.
  - c. conditions specific to the ownership of the samples and the intellectual property generated from the research.
  - d. the DCC receiving copies of publications produced as a result of research carried out on reserves.
  - e. acknowledgement within publications of DCC permitting the activity.

***Relevant documents to be read in conjunction with this section***

<p><b>Legislation</b></p>	<p><b>Reserves Act 1977 – Section 49</b></p> <p>The Minister may from time to time, by writing under his or her hand, and subject to such conditions as he or she may impose in that behalf, grant any qualified person who in the Minister’s opinion has the necessary credentials a right to take specified specimens of flora or fauna or rock mineral or soil from a reserve for scientific or educational purposes, provided the taking of such specimens does not unduly deplete the number of any species, damage ecological associations, or damage the values of the reserve:</p> <p>provided that nothing in this section shall authorise the doing of anything with respect to fauna that would contravene anything in the Wildlife Act 1953 or in any regulations or Proclamation or notification under that Act.</p> <p>Activities under section 49 of the Reserves Act 1977 have been delegated to DCC.</p>
<p><b>Sections in this Plan</b></p>	<p><b>2.2.9 Volunteering and Education</b></p> <p><b>2.5.1 Authorisations and Approvals</b></p>

## 2.5.12 Events

### **Comments**

Events help to connect communities, celebrate diversity, contribute to the local economy, and attract people to the city. The DCC receives a number of applications or requests for the use of reserves for one-off or short duration events. These can differ in scale, duration and level of impact on a reserve, from large scale events such as music festivals and sports tournaments to small private events, such as weddings. Where there is a commercial nature to the event, either professional organisation or corporate sponsorship, then the policies within section **2.5.6 Commercial Use** apply.

It is important that the DCC considers the potential adverse impacts an event may have on a reserve, reserve users and neighbours, while also considering the benefits events can bring to communities and the city as a whole.

In addition to DCC approval for an event, a [Hire Agreement](#) (to book the reserve) and a short duration concession licence/permit (for use of less than 6 consecutive days) in accordance with the Reserves Act 1977 may also be needed. Additional approvals such as resource consents for restricted activities, building consents for temporary structures or alcohol licenses for the sale of alcohol may also be necessary. It is the responsibility of the event organiser to ensure that all required consents, licences and approvals are in place.

**Small Scale Events** are considered those:

1. that attract fewer than 250 attendees.
2. have a short duration (less than 6 consecutive days).
3. have minimal effects on the reserve, other reserve users or reserve neighbours.

**Large Scale Events** are considered those:

1. That attract more than 250 people.
2. Have a short duration (less than 6 consecutive days).
3. Have potential for significant effects on the reserve, other reserve users or reserve neighbours.

Event organisers must ensure that event applications are received with sufficient time to allow for these to be assessed.

All events must comply with relevant legislation and any DCC policies.

Fees may be charged for uses, where a person or group gains special or exclusive benefits.

Any reserve used for an event must be left in the condition in which it was before the event. Event organisers may be charged a refundable bond to ensure potential cost for the DCC to carry out remedial work from an event to a reserve is covered.



## **Objectives**

1. *To protect reserve values from the impacts of event activities, large groups of people and event infrastructure, including risks to cultural, historic, natural and recreational values.*
2. *To ensure events are well-managed, to optimise community benefit and minimise impacts on reserve users and neighbours.*

## **Policies**

1. Applications for events will be considered on a case-by-case basis.
2. The assessment of these applications will be undertaken in line with the assessment framework set out in the objectives and policies in section 2.5.1 Authorisations and Approvals and consider:
  - a. the nature and purpose of the event including how it will provide for public access and enjoyment.
  - b. the date(s) and duration of the event.
  - c. if there is established use of the reserve for the proposed activity.
  - d. how provision for safety (including the safe preparation and sale of food), security, accessibility (including for persons with mobility issues) and waste on the site will be managed.
  - e. the effect on reserve users including stakeholders and neighbours.
  - f. the financial resources and track record of the event organizer and/or its sponsors.
  - g. whether other required approvals (e.g. resource consent) have been granted.
  - h. alignment with other relevant DCC policies and strategies.
3. Approval will not be granted for events that are, in the reasonable opinion of the DCC, likely to cause adverse effects on the reserve, the reserve values, amenity, environment (including plants and animals), other reserve users including stakeholders or neighbours and in which the DCC's view cannot be adequately managed or mitigated.
4. Large Scale Events such as circuses, fairs and concerts may be limited, at the discretion of the DCC, to certain reserves where their impacts can be effectively managed.
5. Circuses, side-shows, or similar users of reserves must be authorised by the DCC before bringing any animals for performance or exhibition. Permission will not be provided for the use of exotic animals.
6. A Hire Agreement must be submitted no less than 3 weeks prior to a Small Scale Event, and no less than 4 months prior to a Large Scale Event.
7. DCC bylaws and use restrictions under the Reserves Act 1977 and any other relevant legislation will apply to all events.
8. Conditions and charges may be attached to any approval and hire agreement given for the use of reserves for special events.
9. Where an event is commercial, a separate commercial concession or Short Duration concession licence/permit (see section **2.5.6 Commercial Use**) is required and relevant concession fees will be charged.

10. Applicants wishing to charge an entry fee, or similar, to a one-off event that requires exclusive use of a reserve and involves temporary closure of part or all of a reserve, will need to make enquiries prior to the event date to ensure an application for the appropriate occupation agreement or concession can be considered by the DCC.
11. The DCC will retain the right to require a refundable bond from an event organiser and retain the discretion to expend the bond to reinstate the reserve should this be required.
12. Any reserve used for an approved event will be left in the condition in which it was found prior to the event, to the satisfaction of the DCC.
13. The DCC may require event organisers to provide advanced notification to affected parties.
14. The DCC may require event organisers to hold public liability insurance with a sum insured amount determined by the DCC based on the scale and nature of the event.
15. The event organiser may be a PCBU under the Health and Safety at Work Act 2015 and required to comply with the requirements of that Act. The DCC reserves the right to demand a copy of a Health and Safety Plan in order to assess any application.

### ***To note***

General guidance on running events on public land and information requirements for different scale and types of events can be found on the [Dunedin City Council](#) website.

Some of the additional regulatory approvals that may be required, often for high impact, large scale events, are listed below. Additional approvals or requirements may include, but are not limited to:

- Compliance with relevant Health and Safety legislation
- Resource consents for erecting temporary structures or exceeding permitted noise levels in accordance with the Resource Management Act 1991/ District Plan requirements
- Building consents for temporary structures, as per the Building Act 2004
- Alcohol licences under the Sale and Supply of Alcohol Act and the Alcohol (Control Of Alcohol in Public Places) Bylaw 2004
- Compliance with the Animal Welfare Act 1999
- All events require a discretionary exemption under the Reserves and Beaches Bylaw 2017 and must comply with all bylaws
- Holding Public Liability Insurance to the satisfaction of the DCC
- Section 53 of the Reserves Act 1977 will apply to any event organiser wishing to charge admission fees to access exclusive areas.

### ***Relevant documents to be read in conjunction with this section***

Legislation	Health and Safety at Work Act 2015
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	<p>Sets out responsibilities for parties involved in reserve activities, including DCC, contractors, and community groups.</p> <p><b>Reserves Act 1977</b></p> <p>The Act allows administering local authorities such as the DCC to control events in reserves through bylaws and management plans.</p> <p><b>Supply and Sale of Alcohol Act 2012</b></p> <p>Serves as the legal framework governing the sale, supply, and consumption of alcohol.</p> <p><b>Reserves and Beaches Bylaw</b></p> <p>Clause 10.10.1 requires all organised events to be properly authorised by the DCC.</p> <p><b>Alcohol (Control of Alcohol in Public Places) Bylaw</b></p> <p>Controls the sale and consumption of alcohol in Dunedin's public places.</p>
<b>Council Documents</b>	<p>The <u>Festivals and Events Plan</u> describes the DCC's role in supporting festivals and events to connect with and celebrate Dunedin people, and their diversity. The plan aims to create event opportunities and support festivals and events to help achieve DCC's broader vision and objectives for social wellbeing, economic development, arts and culture, and parks and recreation.</p>
<b>Sections in this Plan</b>	<p><b>2.2.2 Alcohol Licences</b></p> <p><b>2.5.1 Authorisations and Approvals</b></p> <p><b>2.5.6 Commercial Use</b></p>

## 2.5.13 Commercial Filming and Photography

### Comments

Dunedin's reserves, with their breath-taking landscapes and diverse ecosystems, provide an attractive backdrop for a range of both small-scale and large-scale film projects, from wildlife photography, music videos, documentaries and television series, through to high-profile movie productions.

Attracting commercial film projects can bring immediate economic benefits, such as increased demand for local services including hospitality, transportation, and accommodation. Moreover, the exposure from featuring Dunedin's natural beauty in film and media can enhance tourism, drawing visitors keen to experience the locations first-hand.

Small-scale productions may not draw significant commercial value but are important for their artistic and cultural contributions. Promoting local culture and values through these projects can highlight the unique identity of Dunedin, fostering a deeper appreciation and respect for its heritage among both residents and visitors.

However, to safeguard the environmental and social integrity of these cherished spaces, it is imperative for the DCC to implement controls on commercial filming and photography activities. Unregulated activities can lead to environmental degradation, including damage to flora and fauna, littering, and increased erosion from heavy equipment. It can also disrupt the enjoyment of these areas by local residents and visitors seeking tranquillity and recreation. By enforcing regulations, such as requiring permits, limiting the size and duration of film crews, and setting conditions for environmental protection, the DCC can balance the economic benefits with the need to preserve the natural and cultural values of Dunedin's reserves. These measures ensure that the reserves remain protected and accessible for future generations while still leveraging their appeal for commercial purposes.

### Objectives

1. *To facilitate commercial filming and photography that showcases Dunedin's natural and cultural values while minimising negative effects on the reserve, its values and users.*

### Policies

4. All commercial filming and photography activities in reserves must be authorised by the DCC's Parks and Recreation department before activities commence or equipment is brought onto the reserve.
5. The DCC may consult with relevant partners, agencies and stakeholder groups to minimise impacts of commercial film and photography projects on reserve users and reserve values.
6. The assessment of applications for commercial filming and photography in reserves will be undertaken in line with the assessment framework set out in the objectives and policies in sections **2.5.1 Authorisations and Approvals**, **2.5.6 Commercial Use** and also consider:
  - a. The type of project and its associated risks and benefits,
  - b. the date(s) and duration of the project,
  - c. effects on reserve users including stakeholders and neighbours,
  - d. the potential for disturbances to habitat, flora and fauna
  - e. if there is established use of the reserve for film activities
  - f. how provision for health and safety, traffic management, and waste on the site will be managed
  - g. whether other required approvals (e.g. resource consent) have been granted
  - h. equipment, temporary structures and vehicle access requirements

7. Applications for commercial filming and photography must be lodged at least three working days before shooting is to commence. For applications involving complex logistics or locations, central Dunedin city locations or traffic management, a longer lead time may apply.
8. The applicant may be required to hold public liability insurance to the satisfaction of the DCC.
9. Applicants will need to book reserves or reserve facilities through the DCC's [online booking system](#).

### **To note**

Film permits are required for all commercial filming on DCC property and are managed by the the DCC's Enterprise Dunedin department. Fees may apply according to the DCC's Film Location Fee policy. Additional charges may be incurred for filming at certain locations owned or administered by the DCC, depending on the project's type, complexity, and size. Permit applications can be lodged and managed through the [FilmApp](#) portal, which also provides further information regarding fees and filming in Dunedin.

### **Relevant documents to be read in conjunction with this section**

<b>Legislation</b>	<p><b>Health and Safety at Work Act 2015</b></p> <p>Establishes responsibilities for parties involved in reserve activities, including Council, contractors, and community groups.</p> <p><b>Marine Mammals Protection Regulations 1992</b></p> <p><b>Wildlife Act 1953</b></p> <p>Imposes restrictions on activities that may disturb or harm marine mammals or other protected wildlife.</p> <p><b>Privacy Act 2020</b></p> <p>Governs the collection, storage, use and disclosure of personal information. Personal information can only be collected for a lawful purpose and in some cases, requires an individual to give consent if their personal information, including contact details and their image is to be captured during filming or photography.</p>
<b>Sections in this Plan</b>	<p><b>2.2.3 Drones and Remotely Piloted Aircraft Systems</b></p> <p><b>2.4.6 Promotion of Reserves</b></p> <p><b>2.5.1 Authorisations and Approvals</b></p> <p><b>2.5.6 Commercial Use</b></p>

## Appendix A: Overview of Relevant Legislation

Name of Act	General Provision
<a href="#"><u>Biosecurity Act 1993</u></a>	Aims to prevent the entry and spread of harmful organisms that could threaten the country's environment, economy, and human health. It establishes a legal framework for managing biosecurity risks, controlling and eradicating pests and diseases, and outlines responsibilities to safeguard New Zealand's biodiversity and agricultural productivity.
<a href="#"><u>Building Act 2004</u></a>	Sets out the rules for the construction, alteration, demolition and maintenance of new and existing buildings in New Zealand.
<a href="#"><u>Civil Aviation Act 1990</u></a>	<p>Is the primary legislation governing civil aviation in New Zealand. It establishes a regulatory framework to ensure the safety, security, and efficiency of civil aviation operations.</p> <p>Allows the making of rules in relation to civil aviation which includes the flying of drones and unmanned aerial vehicles, as well as operation and landing of aircraft and helicopters in reserve.</p>
<a href="#"><u>Conservation Act 1987</u></a>	Promotes the conservation of New Zealand's natural and historic resources. The Act provides a framework for managing and protecting conservation areas. Administered by the Department of Conservation, the Act establishes principles for conservation management and public participation, reflecting the nation's commitment to safeguarding its ecological and cultural treasures for current and future generations.
<a href="#"><u>Fencing Act 1978</u></a>	Regulates the construction and upkeep of dividing fences between neighbouring properties, offering guidelines for cost-sharing and dispute resolution. In the context of reserves, the Act becomes relevant when a reserve shares a boundary with private property, determining how expenses should be treated between the local council responsible for the reserve and the adjoining private property owner. This legal framework helps maintain amicable relationships between reserves and neighbouring properties by establishing clear responsibilities.
<a href="#"><u>Freedom Camping Act 2011</u></a>	The default position under the Freedom Camping Act 2011 (and Self-contained Motor Vehicles Legislation Act 2023) is that freedom camping is permitted for self-contained vehicles in any local authority area unless it has been restricted or prohibited in a bylaw or other enactment. Conversely the default position for camping in non-self-contained vehicles is that it is not permitted in any local authority area unless it has been specifically provided for in designated campgrounds or in a bylaw.

<a href="#"><u>Health and Safety at Work Act 2015</u></a>	The New Zealand Health and Safety at Work Act 2015 serves as a comprehensive framework aimed at ensuring the health and safety of workers across various industries. Emphasising a proactive approach, the legislation requires employers to actively manage and minimise workplace risks to ensure a safe working environment. By fostering collaboration and shared responsibility among employers, employees, and stakeholders, the Act aims to establish and maintain high standards of workplace safety throughout New Zealand.
<a href="#"><u>Heritage New Zealand Pouhere Taonga Act 2014</u></a>	The Heritage New Zealand Pouhere Taonga Act 2014 (“HNZPTA”) is about the identification and preservation of the New Zealand’s historic and cultural heritage and replaces the Historic Places Act 1993. Under the HNZPTA the Historic Places Trust has been renamed Heritage New Zealand Pouhere Taonga (“Heritage NZ”). Purpose of the HNZPTA is to identify and protect all cultural and heritage sites for the benefit and enjoyment of all New Zealanders for many years to come. An approval (called an archaeological authority) from Heritage NZ is required where activities impact cultural heritage sites.
<a href="#"><u>Litter Act 1979</u></a>	Outlines the powers and duties of local authorities, including provision of receptacles in public places. It also outlines options for offences, penalties, and enforcement under the Act.
<a href="#"><u>Resource Management Act 1991</u></a>	<p>The Resource Management Act 1991 requires local authorities to sustainably manage, protect and enhance significant natural and physical resources and control the effects of activities on the environment. Of particular relevant to reserves, the RMA requires the Council to:</p> <ul style="list-style-type: none"> <li>• Recognise and provide for public access to and along rivers</li> <li>• Preserve the natural character of wetlands and rivers and their margins</li> <li>• Maintain and enhance the quality of the environment and amenity values</li> <li>• Provide for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other tāonga</li> <li>• Have particular regard to kaitiakitanga.</li> </ul>
<a href="#"><u>Sale and Supply of Alcohol Act 2012</u></a>	<p>The Sale and Supply of Alcohol Act 2012 in New Zealand serves as the legal framework governing the sale, supply, and consumption of alcohol. The primary purpose of the Act is to regulate and manage the sale of alcohol in a manner that minimises harm to individuals and communities.</p> <p>The legislation outlines licensing requirements for venues selling alcohol, including provisions for hours of sale and responsible service practices. By promoting the responsible and controlled sale of alcohol, the Act aims to contribute to public safety and well-being while allowing for the enjoyment of alcohol in a socially responsible manner.</p>
<a href="#"><u>Self-contained Motor Vehicles Legislation Act 2023</u></a>	Amends the Freedom Camping Act 2011 and the Plumbers, Gasfitters and Drainlayers Act 2006 and introducing new criteria relating to fixed toilets, wastewater and freshwater systems, and rubbish facilities and a new warrant system for motor vehicle self-containment. There is a two-year transition period between mid-2023 and 7 June 2025 when all vehicles must be certified under the new regulations. Refer to <a href="http://mbie.govt.nz/freedomcamping">http://mbie.govt.nz/freedomcamping</a> for more information.
<a href="#"><u>Waste Minimisation Act 2008</u></a>	Encourages a reduction in the amount of waste by putting a cost on waste and encouraging product stewardship. The legislation requires all territorial authorities to prepare and review waste management and minimisation plans in their districts.

## Appendix B: Overview of Relevant National Level Strategic Documents

Name of document	General Provision
<b>New Zealand Coastal Policy Statement (NZCPS)</b>	The New Zealand Coastal Policy Statement (NZCPS) addresses the management and protection of New Zealand's coastal areas, including its marine environment, landscapes, and cultural heritage. It provides guidance to local councils to manage coastal development sustainably, safeguard natural character, and promote public access. This NPS supports a balanced approach that integrates economic and social activities with ecological preservation, enhancing the resilience of coastal communities to natural hazards and climate change.
<b>National Policy Statement on Indigenous Biodiversity (NPSIB)</b>	Outlines a comprehensive framework for the protection and management of indigenous biodiversity. It emphasizes sustainable land and water management practices, promoting the maintenance and restoration of ecosystems and habitats that support indigenous species. The policy recognizes the importance of indigenous biodiversity in both rural and urban environments, encouraging local authorities to incorporate biodiversity considerations into planning. With a focus on threatened species and an ecosystem-based approach, the NPSIB also acknowledges the significance of Māori values and perspectives in biodiversity management, encapsulating the concept of "Te Mana o te Taiao" as a guiding principle. Local authorities and decision-makers are expected to integrate these principles into their planning and resource management processes for the effective conservation and sustainable management of New Zealand's unique indigenous biodiversity.
<b>National Policy Statement for Freshwater Management (NPSFM)</b>	<p>The National Policy Statement for Freshwater Management (NPSFM) requires us to improve degraded water bodies and avoid further loss or degradation of natural wetlands and streams.</p> <p>The NPSFM outlines a comprehensive framework for managing New Zealand's freshwater resources sustainably. It focuses on maintaining and enhancing water quality and quantity, ensuring that freshwater ecosystems are protected and restored. This document guides local councils in developing and implementing policies that address water pollution, ecosystem health, and water allocation, aiming to balance the needs of various users while safeguarding the long-term health of freshwater systems.</p>
<b>National Policy Statement on Urban Development (NPSUD)</b>	<p>The National Policy Statement on Urban Development (NPSUD) aims to promote well-planned, compact urban growth that minimizes environmental impacts, supports housing affordability, and enhances quality of life. It encourages local councils to align their planning and infrastructure investment with urban development goals, fostering more efficient land use and transportation systems, promoting vibrant communities, and ensuring access to essential services.</p> <p>Clause 3.5 of the NPSUD requires that Council must be satisfied that additional infrastructure, which includes public open space, to service the development capacity is likely to be available.</p>



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## Appendix C: Overview of Relevant DCC Strategic Documents

Name of document	Overview
<b>Parks and Recreation Strategy 2017-2027</b>	<p>The Dunedin 2017-2027 Parks and Recreation Strategy is a forward-looking roadmap that outlines the city's vision and objectives for the development and management of its parks and recreational spaces over a ten-year period. This strategic document aims to enhance the quality of life for Dunedin's residents and visitors by promoting accessible, diverse, and well-maintained parks and recreational facilities. With an emphasis on community engagement, the strategy seeks to cater to the evolving needs and preferences of the population, fostering a sense of pride, well-being, and environmental stewardship.</p> <p>Central to the strategy is the integration of parks and recreation within the fabric of the city's identity, catering to all age groups and demographics. It advocates for sustainable practices, environmental preservation, and responsive planning, aligning with broader national and regional objectives. The strategy envisions dynamic, inclusive, and vibrant parks and recreation areas that reflect the unique character of Dunedin, while also addressing challenges and opportunities in a rapidly changing urban landscape.</p>
<b>Recreation Tracks Plan 2022</b>	<p>The Dunedin Recreation Tracks Plan 2022 outlines a comprehensive strategy to enhance and manage the city's recreational tracks network. With a focus on providing diverse and enjoyable outdoor experiences for residents and visitors, the plan aims to cater to a wide range of activities such as walking, running, biking, and nature exploration. It underscores the importance of accessibility, safety, and sustainability while fostering a strong connection between the community and the natural environment. By identifying priority areas for track development and improvement, the plan seeks to create a well-connected network that contributes to the overall well-being and recreational options available to the people of Dunedin.</p>
<b>Let's Play Ōtepoti – Dunedin Play Space Plan 2021</b>	<p>Let's Play Ōtepoti – Dunedin Play Space Plan 2021 is a comprehensive strategy for the development and enhancement of play spaces in Dunedin. The plan aims to create inclusive, engaging, and safe play environments that cater to the diverse needs of the community, especially children and families. It provides a roadmap for the design, implementation, and maintenance of play spaces, considering factors such as accessibility, diversity, and alignment with community aspirations. The plan seeks to promote active, imaginative, and social play while contributing to the well-being and enjoyment of residents in Dunedin.</p>
<b>Te Ao Tūroa, The Environment Strategy 2016-2026</b>	<p>Te Ao Tūroa – The Natural World: Dunedin's Environment Strategy 2016-2026" is a strategic framework that outlines Dunedin's vision and goals for environmental sustainability and well-being over a ten-year period. This comprehensive strategy focuses on preserving and enhancing the natural environment by addressing challenges such as biodiversity loss, climate change, and sustainable resource management. Through community engagement, partnerships, and innovative approaches, the strategy aims to create a resilient and thriving city that balances the needs of its people with the</p>

	conservation of its unique natural heritage. "Te Ao Tūroa" guides policies, actions, and initiatives that promote a healthier, more sustainable relationship between Dunedin's residents and the environment they inhabit.
<b>Biodiversity Strategy 2007</b>	The Biodiversity Strategy for Dunedin 2007 addresses the conservation and management of biodiversity within the city of Dunedin. The strategy outlines a comprehensive approach to protect and enhance the city's unique ecosystems, native species, and natural landscapes. It includes goals, objectives, and actions to mitigate the impacts of human activities, habitat loss, and invasive species on Dunedin's biodiversity. The strategy likely emphasizes collaboration among local communities, government agencies, and environmental organizations to ensure the sustainable coexistence of urban development and the preservation of natural habitats. By providing a roadmap for biodiversity management, the strategy aims to secure a healthier and more ecologically balanced environment for both present and future generations in Dunedin.
<b>Zero Carbon Plan 2030</b>	The DCC's climate emergency declaration committed Ōtepoti Dunedin to becoming a carbon neutral city by 2030. The Council acknowledged that all levels of government need to act, and that a business-as-usual transition to a low carbon economy is inadequate. Reducing emissions must be one of Ōtepoti Dunedin's highest priorities. The Zero Carbon Plan maps out the changes Ōtepoti Dunedin needs to become a Zero Carbon city, and the actions the Dunedin City Council (DCC) will take to help bring about those changes. The Zero Carbon Plan builds on work already underway and identifies additional actions that are needed for Ōtepoti Dunedin to achieve its emissions reduction goals.
<b>Te Taki Haruru – Maori Strategic Framework</b>	The key purpose of the Te Taki Haruru is to provide a framework to operationalise the Treaty of Waitangi partnership between mana whenua and Council. It establishes te ao Māori (Māori world view) aspirations that will guide the DCC's contribution to Māori wellbeing across Ōtepoti Dunedin.
<b>Dunedin Future Development Strategy 2024-2054</b>	<p>The purpose of the FDS is to promote long term strategic planning by setting out a high-level strategic vision for how Dunedin will be supported to:</p> <ul style="list-style-type: none"> <li>• Achieve well-functioning urban environments in their existing and future areas</li> <li>• Provide at least sufficient development capacity for housing and business land needs over the next 30 years to meet demand</li> <li>• Assist with the integration of planning decisions under the RMA and infrastructure planning and funding decisions.</li> </ul>
<b>Partially Operative Dunedin City Second Generation District Plan 2024</b>	The purpose of the District Plan is to assist the Council in carrying out its functions under the RMA. The District Plan reflects the functions and the purpose of the RMA, which is to promote sustainable management.

Appendix D: Schedule of Reserves Managed Under This Document

(Link to online register)

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## Appendix E: Areas Where Permission for Camping may be Granted

- The Oval (circuses, fairs and similar events)
- Bayfield Park (circuses, fairs and similar events)
- Brighton Domain
- Portobello Domain
- Market Reserve
- Bucklands Crossing
- Forrester Park
- Long Beach Domain

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## Appendix F: List of Existing Lookouts and Significant Viewpoints

- Barns Lookout – St Clair
- Mornington Park Bush – Preston Cres
- Prospect Park
- Queens View – Robin Hood Park
- Rotary Park
- Scott Memorial – Port Chalmers
- Signal Hill Recreation Reserve Lookout
- Taieri Lookout
- Three Mile Hill Lookout
- Unity Park
- Craigieburn Reserve - Tanners View
- Northern Cemetery - Brackens lookout



# **Reserves Management Plan General Policies**



**1 March 2005**



# CONTENTS

<b>1.0</b>	<b>INTRODUCTION .....</b>	<b>1</b>
<b>2.0</b>	<b>ADMINISTRATION POLICIES .....</b>	<b>2</b>
2.1	PROPOSED DISTRICT PLAN.....	2
2.2	COUNCIL AS AN AFFECTED PARTY .....	3
2.3	COMMUNITY CONSULTATION .....	5
2.4	TANGATA WHENUA, MANA WHENUA AND IWI .....	6
2.5	NAMING OF RESERVES .....	7
2.6	ENFORCEMENT .....	8
2.7	USE OF HAZARDOUS SUBSTANCES .....	10
2.8	PEST ANIMAL AND PLANT CONTROL .....	11
2.9	TREES AND TREE MANAGEMENT.....	13
2.10	FORESTRY MANAGEMENT ON RESERVES .....	16
2.11	LOOKOUTS AND VIEWPOINTS .....	18
2.12	FENCING.....	19
2.13	PROMOTION OF RESERVES.....	21
2.14	FIRE CONTROL .....	22
2.15	HERITAGE CONSERVATION .....	24
<b>3.0</b>	<b>USE POLICIES .....</b>	<b>25</b>
3.1	USE OF RESERVES .....	25
3.2	SPECIAL EVENTS.....	27
3.3	PUBLIC ACCESS AND RESERVE CLOSURE.....	29
3.4	EXCLUSIVE USE .....	31
3.5	COMMERCIAL USE – CONCESSIONS (OTHER THAN LEASES OR LICENCES).....	33
3.6	ENCROACHMENTS .....	34
3.7	OCCUPATION AGREEMENTS .....	39
3.8	NETWORK UTILITY OPERATORS .....	46
3.9	LIQUOR LICENCES .....	53
3.10	SIGNS .....	54
3.11	PARTNERSHIPS AND SPONSORSHIPS .....	56
3.12	COMMEMORATIVE PLAQUES AND TREES .....	57
3.13	TRACKS .....	59
3.14	CAR PARKING .....	61
3.15	RESERVE LIGHTING .....	62
3.16	SPORTSFIELD LIGHTING .....	65
3.17	LITTER CONTROL AND DUMPING.....	66
3.18	CAMPING.....	68
3.19	CIRCUSES AND SIDE-SHOW OPERATORS .....	69
3.20	AIRCRAFT AND HELICOPTER LANDINGS .....	71
3.21	FIREWORKS DISPLAYS .....	73
3.22	RESEARCH AND EDUCATION .....	74
3.23	HARVEST OF CULTURAL MATERIAL OR HARVEST OF MATERIAL FOR CULTURAL PURPOSES ....	75
3.24	VOLUNTEERS WORKING ON RESERVES.....	76
<b>4.0</b>	<b>DEVELOPMENT AND CHANGE POLICIES.....</b>	<b>79</b>
4.1	LANDSCAPE.....	79
4.2	CHANGES IN RECREATIONAL FACILITY USE.....	80
4.3	BUILDINGS AND STRUCTURES (INCLUDING PLAYGROUNDS) .....	82
4.4	TOILET AND SHOWER FACILITIES.....	84
4.5	ABANDONMENT .....	86

<b>5.0</b>	<b>APPENDICES.....</b>	<b>88</b>
5.1	APPENDIX ONE: RESERVES MANAGED UNDER THIS DOCUMENT.....	88
5.2	APPENDIX TWO: STANDARD CONDITIONS OF USE.....	91
5.3	APPENDIX THREE: BONDS.....	92
5.4	APPENDIX FOUR: AREAS WHERE PERMISSION FOR CAMPING MAY BE GRANTED .....	93
5.5	APPENDIX FIVE: CRITERIA FOR ASSESSING APPLICATIONS FOR CAR PARK LIGHTING .....	94
5.6	APPENDIX SIX: EVALUATION OF TREE COMPLAINTS.....	95
5.7	APPENDIX SEVEN: SCHEDULE OF RESERVES FOR THE PLANTING OF COMMEMORATIVE TREES... .....	96
5.8	APPENDIX EIGHT: OPERATIONAL POLICY: KEYS TO RESERVES .....	97
5.9	APPENDIX NINE: EVALUATING PROPOSALS FOR NEW BUILDINGS ON RESERVES .....	99
5.10	APPENDIX TEN: ABANDONMENT PROCESSES.....	100
5.11	APPENDIX 11: RESERVES WHERE HORSES ARE PERMITTED .....	101
5.12	APPENDIX 12: LIST OF EXISTING LOOKOUTS AND SIGNIFICANT VIEWPOINTS .....	102
5.13	APPENDIX THIRTEEN: APPROVAL FROM COUNCIL.....	103
5.14		
5.15		

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Thanks to staff, and Councillors Hudson and Hanan, who provided advice and assistance during the management plan review.

# 1.0 Introduction

The Dunedin City Council (“the Council”) is responsible for preparing policy for the management of Dunedin’s reserves. As part of this function the Council, as an administering body under the Reserves Act 1977, is required to prepare management plans for the reserves under its management. Management plans may also be produced for areas that are not reserves. Management plans should:

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

Management plans under the Reserves Act 1977 outline the Council’s general intentions for the use, development and maintenance of its reserves. The aim of the Reserves Act 1977 is to ensure reserve development and enjoyment are based on sound planning, and that the needs of the public are clearly identified. Management plans must also be read in conjunction with the Reserves Act 1977, which is the overriding statutory document of procedures to be followed to give effect to activities permitted under the Management Plan. Other Acts must also be considered when determining appropriate management for reserves.

Reserve management planning does not occur in a vacuum, rather it is guided by broader aims, objectives and policies. Some of this guidance originates from the aims and objectives of the Council and statutory documents, such as the District, Annual or Strategic Plan. Other non-statutory documents, such as the Recreation Strategy, Track Policy and Strategy, and Play Policy, also provide direction for the objectives and policies contained in management plans.

Three sections make up this document. The ‘Administration’ policies set the Council’s approach to statutory issues. The ‘Use’ section presents policies that guide the Council’s response to applications to use reserves. Likewise, the ‘Development’ section contains policies that guide the Council’s response to development applications and changes in facility requirements.

The General Policies document has been produced to incorporate policies applying to all reserves. This allows a more consistent approach to management and removes the need for policies to be repeated in each management plan. This document contains policies applying to all reserves in Dunedin City including those not classified as reserves under the Reserves Act 1977.

The Council prepares individual management plans for specific reserves according to identified priorities. The general policies of the *Dunedin City Council Reserves Management Plan: General Policies Section* are an integral part of these specific management plans and is intended to be read alongside the specific management plan policies. Where any issue on a reserve is addressed by both the *General Policies Section* and a management plan specific to that reserve, then the policies in the specific management plan take precedence.

## 2.0 Administration Policies

### 2.1 Proposed District Plan

#### **Comments**

Management plans set out the manner in which activities are undertaken and areas are used. Under the provisions of the District Plan, compliance with management plans may be imposed as a condition of resource consent. This may extend to the manner in which activities will be carried out or how the adverse affects of activities will be managed. Specific policy dealing with development, such as the siting and building of structures on recreation reserves, is set out in the Reserve Management Plan - General Policies section under 'Use Policies', 'Development and Change Policies'. Consent for activities on reserves is required from the Council independent of consent requirements under the Building Act 1991, Resource Management Act 1991, Reserves Act 1977 and the Regional and District Plans.

#### **Objectives**

- 1 *To ensure the management and development of reserves takes account of and mitigates or remedies any adverse effects as a result of development on or near the reserve that will impact on the primary purpose of the reserve.*
- 2 *To ensure that any development on reserves complies with all relevant statutory and legal requirements.*

#### **Policies**

- 1 Activities and future development on and around reserves are managed in accordance with the Resource Management Act 1991, the Reserves Act 1977, the Building Act 1991, the Reserves Management Plan - General Policies, and the District Plan.

Policy Implementation		
Policy	Delegation/responsibility	Legislation/Council Policy
1	-	RMA 1991, Reserves Act 1977, Building Act 1991

## 2.2 Council As An Affected Party

### *Comments*

Under the Resource Management Act 1991, the Council (as reserve owner or manager) is an affected party where a proposal on land adjacent to a reserve does not meet the requirements of the District Plan. The Council's landowner consent and approval as an affected party is also required for activities on reserves that require resource consent, e.g. the development of clubrooms or facilities. The Council also comments on subdivision applications and developments. This may involve taking financial contributions or land as the reserve contribution, taking esplanade reserves or strips as determined by the District Plan, or negotiating public access rights.

Community and Recreation Services may provide permission as an affected party after a formal application has been lodged. Permission cannot be given prior to this as it removes Council opportunity to comment or require conditions if the proposal/application changes. Council would also have no means of seeking redress under the Resource Management Act 1991 should the activity have adverse environmental effects at any stage.

The Council's main concerns in these cases are that there are no adverse effects on reserve values or uses, or that effects are mitigated, and that, where appropriate, recreational opportunities are secured.

### *Objectives*

- 1 *To give the Council's approval as an affected party where a proposal has no adverse effects on reserve values or use.*
- 2 *To secure reserve land or recreational opportunities made available through the consent process.*

### *Policies*

1. Before giving its permission as an affected party, the Council must be satisfied that any adverse effects on:
  - a. recreation values;
  - b. landscape values;
  - c. ecological values; and
  - d. any other appropriate considerations (eg cultural, heritage, social/community values);can be avoided, remedied or mitigated.
2. The standard affected persons consent form may only be signed after a resource consent application has been formally lodged with Council.
3. The Council will seek conditions on any resource consent or designation where necessary.
4. Where a reserves contribution is required, the Council will take financial contributions unless it determines that taking land is appropriate and beneficial, or is required by the District Plan.
5. The Council will take reserves contributions owed with each stage of subdivision, unless other options are determined appropriate.
6. The Council will not accept landscaping as part of the reserves contribution, unless determined appropriate, in which case consent conditions regarding landscape standards and timeframes will be required.
7. The Council will not accept private reserves, covenanted areas within the subdivision, protection of historic features, provision of parking, or beautification as being an alternative to reserves contribution or justifying reductions in reserves contribution.
8. Where a designation is proposed, the Council will require evidence of consideration of alternative methods to the proposal.

<b>Policy Implementation</b>		
Policy	Delegation/responsibility	Legislation/Council Policy
1	Officer	
2	CARS Manager	
3	Officer	
4	Officer	Land acquisition and Disposal. Land identified in MP or as policy re financial contributions
5	Officer	
6	Officer	
7	-	
8	Officer	

## 2.3 Community Consultation

### *Comments*

Development of reserves, including policy that guides the management of reserves, may have significant effects on users and adjoining property owners. Considering this, it is appropriate for user groups, reserve neighbours and the general public to be consulted so that issues of concern can be identified and acceptable solutions agreed upon. The development of reserves and their future management also requires input from users and non-users of reserves to take account of the demand and potential demand for reserves. Strategic planning for reserves in this sense needs to include community consultation to ensure the resource is managed to a sustainable level in light of its functions and purpose under the Reserves Act 1977.

### *Objectives*

- 1 *To consult the community on the development of a reserve and in the review or preparation of policy that governs the management of a reserve.*
- 2 *To ensure the outcomes from the community consultation process reflects the function and purpose of the reserve.*

### *Policies*

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

Policy Implementation		
Policy	Delegation/responsibility	Legislation/Council Policy
1	Officer	Reserves Act, Participation and Consultation Policy and Guidelines (DCC)
2	Officer	
3	Officer	

## 2.4 Tangata Whenua, Mana Whenua and Iwi

### *Comments*

The Council has an obligation under the Treaty of Waitangi, Resource Management Act 1991, Reserves Act 1997, Local Government Act, and the Conservation Act, to consult with Tangata Whenua, Mana Whenua and iwi regarding the management of reserves.

### *Objectives*

- 1 *To ensure that proposals and management of the Council's reserves are considered in accordance with the principles of the Treaty of Waitangi and Part Two of the Resource Management Act 1991.*

### *Policies*

- |   |   |   |  |
|---|---|---|--|
| 1 | That Tangata Whenua, Mana Whenua and iwi be consulted regarding proposals for, and management of, reserves. | 2 | That the Council take account of concerns or issues raised by Tangata Whenua, Mana Whenua and iwi during the consultation process. |
|---|---|---|--|

Policy Implementation		
Policy	Delegation/responsibility	Legislation/Council Policy
1	Officer	Resource Management Act, Reserves Act, Conservation Act, Treaty of Waitangi.
2	Officer	



## 2.5 Naming of Reserves

### *Comments*

The Council occasionally receives new reserves either through purchase or reserve contribution during the subdivision process. Each of these reserves should be given an official name to ensure ease of identity.

In the past, reserves have been named through common acceptance and usage by the local community, resolution of the local authority or at the request of the donor of the reserve.

The Reserves Act 1977 is one of the Acts contained in the First Schedule to the Conservation Act 1987. Section 4 of the Conservation Act requires that the Acts should be interpreted and administered so as to give effect to the principles of the Treaty of Waitangi. The Council must consult with and have regard to the views of iwi or hapu before undertaking action and making decisions for those reserves it administers. Where a reserve is officially named under the Reserves Act 1977, consultation with iwi or hapu is required. The Council may consider the option of dual naming of reserves where appropriate to reflect Maori and European heritage.

### *Objectives*

- 1 *To name reserves through formal Council resolution, after consulting interested parties for comment.*

### *Policies*

1. All reserves vested in or administered by the Council must have an appropriate formal name.
2. Proposed names must be approved by resolution of the Council.
3. Names for reserves will be established after consultation with donors, user groups, community groups in the vicinity of the reserve, the community board, iwi or hapu, and other interested parties.
4. All proposed reserve names will be publicly advertised. The public will be given one month to comment on the proposed name.
5. Where appropriate the Council may consider the option of dual naming for reserves.

Policy Implementation		
Policy	Delegation/responsibility	Legislation/Council Policy
1	-	
2	CDC/Full Council	
3	Officer	
4	Officer	
5	CDC/Full Council	Conservation Act, Treaty of Waitangi

## 2.6 Enforcement

### Comments

While most activities on reserves generally do not have adverse effects on reserves and reserve users, some activities are unacceptable. Unacceptable activities on reserves include: Willfully damaging reserves, using the reserve in inappropriate ways, and ignoring instructions or prohibitions.

The Council only prosecutes people in extremely serious cases because it can be difficult to obtain evidence capable of standing up in court. An education process, instead of the courts, is usually used to resolve issues. This approach includes issuing written warnings to identified offenders.

### Objectives

- 1 *To reduce the level of offences on reserves.*
- 2 *To maintain reserves to required standards without additional costs from offences falling on the Council.*

### Policies

- 1 The emphasis of Council enforcement of reserve's bylaws will be on advising and educating the public and, where offences do occur, to use persuasion and warnings to obtain compliance.
- 2 Symbols indicating activities banned by Bylaws may accompany reserve name signs.
- 3 The Council will encourage reserve neighbours and users to report suspected offences on reserves.
- 4 If an individual can be identified as an offender or someone involved in an offence (eg the owner of a car involved in an offence) a verbal or written warning may be given.
- 5 Educational signage may be erected in areas that are prone to offences.
- 6 Media releases may be used as a tool for raising awareness about offences.
- 7 Where damage is caused to any reserve or facility, and the person causing the damage can be clearly identified, the costs of repairing the damage will be on-charged to that person.
- 8 Compensation may be in the form of approved and supervised labour.
- 9 The Council will co-operate with appropriate projects initiated by the Police.
- 10 Where an individual can be identified as a repeat offender, the Council may take legal action.
- 11 A register of reported offences will be kept by the Council.

Policy Implementation		
Policy	Delegation/responsibility	Legislation/Council Policy
1.	Officer	
2.	Officer	
3.	Officer	
4.	Officer	
5	Officer, Police	
6	Officer	
7	Officer	
8	Officer	

9	-	
10	Officer, CDC	Sec 94 Reserves Act
11	Officer	

## 2.7 Use of Hazardous Substances

### Comments

Hazardous substance, such as chemicals and biological agents, may need to be used in the maintenance of reserves in some circumstances. It is important to assess the risks and if needed minimise the effects to reserve users or neighbours. Where possible alternative chemicals or practices should be used to reduce risks and effects.

### Objectives

- 1 To ensure that where it is considered necessary to use hazardous substances on reserves, application is undertaken in a manner that minimises the potential risk and disruption to reserve users and neighbours. Alternative methods of control will be used where appropriate.
- 2 To ensure the application of hazardous substances is undertaken in a safe, responsible and effective manner with minimal adverse impact on human, animal and environmental health.

### Policies

- 1 Where hazardous chemicals are to be applied on reserves, the entire operation must be undertaken in accordance with all relevant Acts and codes of practice.
- 2 The Council will minimise the use of hazardous chemicals on reserves by exploring environmentally friendly alternatives, including biological control, where practical and financially feasible.
- 3 Where hazardous chemicals are to be used on a reserve consideration will be made regarding the times for application and methods undertaken to ensure the risk to reserve users and neighbours is minimised.
- 4 The Council or contracting staff will be suitably qualified to undertake the application or disposal of hazardous substances and must be provided with an appropriate level of safety equipment.
- 5 Warning signs will be erected on site where a reserve has been sprayed or applied with hazardous substances.
- 6 The 'Pest Animal and Plant Control' section of this document is to be used in conjunction with this section.
- 7 The Council's 'Use of Agrichemicals Policy' will be complied with for all agrichemical applications applied to reserves.

Policy Implementation		
Policy	Delegation/responsibility	Legislation/Council Policy
1	Officer, Contractor	Health and Safety Act, Relevant Codes of Practice, DCC Agrichemicals policy, Hazardous Substances and New organisms Act 1996.
2	Officer	
3	Officer, Contractors	
4	Officer, Contractors	Health and Safety Act
5	Contractor	
6	-	
7	Officer, Contractors	DCC Agrichemicals policy

## 2.8 Pest Animal and Plant Control

### **Comments**

Various pest animal and plant species exist on reserves. Control of undesirable plants and animals is essential to ensure the protection of desirable reserve flora and fauna.

A weed or pest plant is an undesirable species growing in a location where it detrimentally impacts on the values of the desirable indigenous or other vegetation, or other values of the reserve.

Introduced native species such as *Coprosma lucida*, *Coprosma robusta* and *Brachyglottis repanda* may smother other significant native species. Where some species restrict the proper growth of native species, therefore compromising the preservation of the bush, appropriate permission from the Minister of Conservation will be sought to allow its removal. Section 42 of the Reserves Act 1977 allows trees or bush to be destroyed or cut where it is necessary for the management and preservation of other trees and bush.

Wilding seedlings of woody tree species such as pine or sycamore may spread within reserves either from a seed source within the reserve or on adjacent properties. Control may be carried out in conjunction with adjoining neighbours as appropriate.

A pest animal is an undesirable species in a reserve capable of damaging the reserve's native flora and fauna or other values of the reserve. The Council has obligations for pest animal and plant control under legislation such as the Biosecurity Act 1993, Biodiversity Strategy, and the Regional Pest Management Strategy. The Council has programmes and contracts in place for monitoring and controlling pest species.

In the past, problems have been encountered on reserves with straying stock due to poor or no fencing. Some boundary fences may, from time to time, require maintenance and the Council will liaise with the adjoining landowners regarding the maintenance or construction of boundary fences. The Fencing Act 1978 specifies landowner responsibilities and standards.

### **Objectives**

1. *To control pest plants and animals listed in the Regional Pest Management Strategy or undesirable flora and fauna on reserves where they adversely impact on the values of the reserve.*
2. *To comply with the Regional Pest Management Strategy, relevant Acts, codes of practice, and Council policies.*
3. *To control introduced native species that significantly restrict the proper growth and functioning of significant native habitat areas.*
4. *Where appropriate, co-ordination with adjoining landowners on undesirable animal and plant control will be undertaken.*
5. *To ensure adequate boundary fencing is provided on reserves where wandering stock is a threat to the ecological values of the reserve.*

### **Policies**

1. Pest plant species will be controlled to levels specified in relevant legislation or where they encroach upon ecological, scenic and recreational values on the reserves.
2. Management and control of animal pests will be undertaken to minimise damage to
- desirable reserve fauna, ecosystems, ecological corridors and processes.
3. In the case of Scenic reserves, exotic flora and fauna will be exterminated or removed unless the Minister of Conservation determines otherwise.

4. The Minister of Conservation's permission will be sought for the removal of introduced native species that restrict the proper growth and functioning of significant native areas. This will be done when appropriate environmental advice has been received.
5. Animal control will be undertaken in a humane and ethical way, and in accordance with any relevant Acts and Council policies.
6. Steps will be taken to co-ordinate pest plant and animal control activities with adjoining landowners where appropriate.
7. Permission from the Minister of Conservation will be sought for the removal of bush and trees from Scenic reserves.
8. Permission from the Council will be sought for removal of bush and trees from Recreation reserves.
9. Any wandering livestock or domestic animals, or any feral animals, will be removed, impounded or destroyed after due notice has been given, ie following statutory processes.
10. The 'Use of hazardous substances' section will be used in conjunction with this section.

<b>Policy Implementation</b>		
Policy	Delegation/responsibility	Legislation/Council Policy
1	Officer	Regional Pest Management Strategy, Biosecurity Act 1993, Biodiversity Strategy
2	Officer	
3	Minister	Section 19 Reserves Act
4	CDC - Recreation or Local Purpose Reserve Minister - Scenic Reserve	Sec 42 Reserves Act
5	Officer	Reserves Act, Conservation Act 1987, Wildlife Act 1953
6	Officer	
7	Minister	Section 42 Reserves Act
8	CDC	Section 42 Reserves Act,
9	CDC – can authorize person to carry out work	Section 96 Reserves Act
10	-	

## 2.9 Trees and Tree Management

### *Comments*

Trees are desirable features on reserves. They contribute to the recreational, landscape, ecological and heritage values of reserves. However, at times, neighbours may consider trees located on reserves have adverse effects on their property. The main type of complaints are about shading, blocked views, leaves blocking gutters, roots affecting drains and footpaths, and dangerous branches. Problems may also occur where utility infrastructure is located on reserves, as the location of such infrastructure may conflict with the location or growth of vegetation. While the Council has generally undertaken remedial action to resolve these problems, property owners may seek redress through the courts if they are not satisfied with the Council's response.

Section 129C, of the Property Law Act 1952, specifies considerations and actions available by the Courts in regard to trees adversely affecting neighboring property. Under subsection (5) of this section, the District Court, under application by any land occupier, may order the occupier of any other land to remove or trim trees where it is necessary to remove or prevent, or to prevent the recurrence of:

- a) *Any actual or potential danger to the applicant's life or health or property, or to the life or health of any person residing with the applicant; or*
- b) *Any undue obstruction of a view that an occupier would otherwise be able to enjoy from the applicant's land or from any building used for residential purposes erected on that land; or*
- c) *Any other undue interference with the reasonable enjoyment of the applicant's land for residential purposes.*

In considering obstructions to views or other interference, the court must take into account subsection (6):

- a) *The interests of the public in the maintenance of an aesthetically pleasing environment:*
- b) *The desirability of protecting public reserves containing trees:*
- c) *The value of the tree as a public amenity:*
- d) *The historical, cultural, or scientific significance (if any) of the tree:*
- e) *The likely effect (if any) of the removal or trimming of the tree on ground stability, the water table, or run-off.*

Subsection (11) requires the court to give "regard to the time when the applicant became the occupier of his land in relation to the time when the wrong commenced." An order may still be made if "the applicant became the occupier of his land after the wrong commenced."

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

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

It is evident from these legal provisions (and case law) that some consideration needs to be given, firstly, to the planning, placement and choice of tree species in the vicinity of properties adjoining reserves and utility infrastructure and, secondly to the long term maintenance of existing trees close to adjoining properties.

Any tree felling or trimming close to overhead transmission lines is to be carried out in compliance with the 'Electricity (Hazards from trees) Regulations 2003' or its equivalent replacement.

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

### **Objectives**

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

### **Policies**

#### *Tree complaints*

- 1 Before making any decision about tree complaints, the Council will prepare a tree report that provides information outlined in Appendix 6.
- 2 If necessary, the Council will seek a landscape report that provides comment on the value, as a public amenity of trees subject to complaint.
- 3 The relevant provisions in the District Plan will be followed in decision-making about trees.
- 4 All applications must be in writing so that the Council has a permanent record of the application.
- 5 Where a complaint is not upheld, but there is no merit to keeping specific trees, the Council will allow unsuitable species to be replaced with more suitable species, provided that no costs accrue to the Council. A formal agreement setting out the proposed works and responsibilities, including a bond, is necessary for the implementation of this policy.

#### *Tree Planting*

- 1 Tree planting on reserves will take into account:
  - 1.1 management objectives and policies for the reserve;
  - 1.2 the effects trees will have on adjacent properties at the time of planting and in the future (eg shading, loss of views, root damage,

leaf fall, overhanging branches);

- 1.3 the effects trees will have on underground and overhead services, and any clearance distances required;

and

- 1.4 landscape considerations.

- 2 Trees planted in reserves should be of an appropriate species for that reserve. The species and planting plan is to be discussed with appropriate Council staff at the time.

#### *Wood removal*

- 1 Wood from felling and pruning operations will be disposed of at no cost to Council in the following priority order:
  - 1.1 Council organised contracts;
  - 1.2 non-profit community groups where the proceeds of the sale are being used for Council approved projects; and
  - 1.3 members of the public where the wood is for personal use only and will not be sold.
- 2 The written permission of the Council will be required prior to the removal of wood.
- 3 It will be a condition of all wood removal permissions that all wood is removed from the site, and the site is left in accordance with Council standards. Any damage caused to the site will be required to be restored to Council standards by the person responsible for the damage.
- 4 Except when written permission is given



by the Council, no person will be allowed to use a chainsaw, park a vehicle or trailer, or use equipment for removing firewood from a reserve.

- 5 No live or standing trees are allowed to be removed during wood removal operations.
- 6 No wood will be allowed to be removed from scenic reserves and areas managed for conservation and ecological purposes, except for approved safety, landscape and

management reasons.

- 7 In scenic reserves and areas managed for conservation and ecological purposes, felled and fallen trees will be left for habitat management purposes, where safe and not visible from surrounding roads and paths.
- 8 Specific wood removal policies in reserve management plans will take precedence over these general policies.

Policy Implementation		
Policy	Delegation/responsibility	Legislation/Council Policy
<i>Tree Nuisances</i>		
1	Officer	Property Law Act 1952, Section 42 Reserves Act, District Plan
2	Officer	
3	Officer	District Plan
4	-	
5	CDC – Tree on Recreation or Local Purpose reserves Minister – Native flora on Scenic reserves Full Council - Exotic flora on Scenic reserve	Sec 42 Reserves Act
<i>Tree Planting</i>		
1	Officer	
2	Officer	
<i>Wood Removal</i>		
1	Officer, Contractor	
2	CDC - Recreation or Local Purpose reserves	Sec 42 and Sec 53(o) Reserves Act
3	Officer	
4	CDC - Recreation or Local Purpose reserves	Sec 42 Reserves Act
5	-	
6	CDC - Recreation or Local Purpose reserves Minister – Scenic reserves, native vegetation Full Council - Exotic flora on Scenic reserve	Sec 42 Reserves Act
7	-	
8	-	

## 2.10 Forestry Management On Reserves

### **Comments**

The Council owns a number of reserves containing areas of plantation forestry that are managed for timber production. These areas can facilitate recreational activities such as walking and biking, and often contain tracks for these purposes. Public access to these tracks is routinely closed to allow plantation operations such as thinning, pruning, or harvesting to occur.

Where plantation trees are removed along watercourses or adjacent to tracks, public areas or vegetation, care must be taken to preserve the integrity of these features.

Replanting with natives or exotics, or development of the reserve at the completion of harvesting, will be determined on a case-by-case basis depending on what is appropriate for the reserve and what is specified in the management plans for the reserve. The Council has no current plans to establish new forestry plantations. If any forestry plantations are proposed in the future, they will be considered on a case by case basis with consideration to relevant management plans, reserve use, environmental and social implications.

Native species may regenerate within plantation areas. Where good native growth occurs, seedlings can be removed from plantation areas prior to operations. These seedlings could then be used to assist with native restoration planting projects. Section 42 of the Reserves Act 1977 will be complied with.

### **Objectives**

4. *To allow for the removal of forestry plantations on reserves and their replacement with a more sustainable management regime for recreational use and public enjoyment.*
5. *To ensure public safety and protection of reserve values during plantation operations.*
6. *To provide recreational opportunities compatible with the purpose of the reserve and plantation management, where appropriate.*

### **Policies**

1. Areas of reserve will be temporarily closed as required to permit forestry plantation operations. Public access restrictions will be advertised and sign-posted during operations.
2. No vegetation within ten metres of the edge of any watercourse must be removed or damaged as part of the harvesting operation, other than that which is required for the orderly and proper management of the area.
3. All natural watercourses through the site are to be preserved and maintained intact.
4. Sediments generated by forestry management operations will not be permitted to flow or discharge into waterways.
5. There must be no discharge or storage of hazardous substances on the site except for those to be used during operations, and outlined in any contractual agreements.
6. Tracks, public areas and waterways damaged during plantation operations will be reinstated to at least the standard that existed prior to the operation commencing.
7. Upon completion of timber harvesting, areas will be replanted or developed as appropriate.
8. Where appropriate, native seedlings can be removed from plantation areas prior to operations to be used to assist with native restoration. Section 42 of the Reserves Act 1977 will be complied with.
9. The contractor must take all necessary precautions to minimise damage to soil structure and the site must be left in a condition suitable for restoration planting or development.
10. Development of recreational opportunities in association with plantation areas, or developments after harvesting, will be

consistent with relevant Council management plans or strategies.

11. Revenue from harvesting operations will be used for restoration and development of the reserve.

12. Proposals for new forestry plantations on reserves will be assessed on a case-by-case basis.

Policy Implementation		
Policy	Delegation/responsibility	Legislation/Council Policy
1	CDC – Recreation Reserve or Local purpose reserve	Section 17, 23, 42, and 53 Reserves Act, Health and Safety Act
2	Forestry Company Contractor	Section 42 Reserves Act
3	Officer, Contractor	Section 42 Reserves Act
4	Officer, Contractor	Section 42 Reserves Act
5	Officer, Contractor	
6	Officer, Contractor	Section 42 Reserves Act
7	CDC  Minister – if planning to replant exotic forestry plantation	Section 17, 19, 23, 75 Reserves Act
8	CDC - Recreation or Local Purpose reserves if necessary for management, safety, or harvesting  Full Council – Exotic flora on Scenic reserves  Minister – Native flora on Scenic reserves	Sec 42 Reserves Act
9	Officer, Contractor	
10	Officer - CDC	
11	Officer	
12	Minister	Section 75 Reserves Act

## 2.11 Lookouts And Viewpoints

### Comments

The Council has a number of significant reserves located on the hills around the city. One of the main attractions of these elevated reserves are the magnificent views they afford. Preserving these views, particularly from formal lookout sites and significant viewpoints, is important to maintain enjoyment of reserve values. Vegetation pruning or removal around lookouts and significant viewpoints is therefore essential for the proper management and maintenance of the reserve and reserve values.

Views from reserves can be adversely affected by activities on land adjacent to reserves. With increasing amounts of semi-rural and farm land being subdivided, the Council faces situations where developments and planting of properties below reserves may impact on the views from lookout sites. The Council will take an active approach to minimise the impacts of such developments on reserve values through the resource consent process.

### Objective

1. To preserve and maintain views from reserve lookouts and significant viewpoints.

### Policies

1. Appropriate vegetation maintenance will be carried out to preserve views from lookouts and significant viewpoints. Existing lookouts and viewpoints are listed as Appendix 12.
2. Vegetation maintained around lookouts and viewpoints will be trimmed to the extent necessary only to preserve views
3. and will be done in such a way that retains the integrity of the reserve. Section 42 of the Reserves Act 1977 will be complied with.
3. The Council will seek appropriate conditions on resource consents for developments that would adversely affect views from reserves.

Policy Implementation		
Policy	Delegation/responsibility	Legislation/Council Policy
1	Officer  As Council has approved the management plan, staff are implementing plan by trimming vegetation on listed reserves.	Section 42 Reserves Act
2	Officer - for reserves specified in management plan, to the extent specified in the plan.  CDC - Recreation or Local Purpose reserves if necessary for management, safety, or harvesting  Full Council – Exotic flora on Scenic reserves  Minister – Native flora on Scenic reserves	Section 42 Reserves Act
3	Officer	

## 2.12 Fencing

### **Comments**

The Fencing Act 1978 sets out the general principle that the occupiers of adjoining land share equally the cost of erecting an adequate boundary fence. It also provides the procedures by which a decision is reached - either by negotiation between the parties concerned or by the District Court - as to the appropriate type of fence, sharing of costs and other factors.

Reserves adjoin a variety of land uses from rural setting to urban industrial settings. This management plan cannot give blanket provisions for fencing, however it can give clear guidance on the Council's responsibilities for fencing.

In addition, fences or barriers may be required to prevent vehicular access to grounds, for security (especially in areas such as cemeteries), to enclose service areas, caretakers' residences, or the exclusive premises of sporting users.

### **Objectives**

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

### **Policies**

- |   |  |
|---|--|
| <ol style="list-style-type: none"><li>1 Council will meet its boundary fencing obligations under the Fencing Act 1978 by meeting half share costs of boundary fences. Subject to site factors, the standard boundary fence should be:<ol style="list-style-type: none"><li>1.1 adjoining farmland: a 7-8 wire fence, as described in part 6 of the Second Schedule to the Fencing Act 1978; and</li><li>1.2 adjoining urban premises: a paling fence, as per part 3 of the Second Schedule to the Fencing Act 1978, or (with 3 rails) to 1.8 metres high.</li></ol></li><li>2 The Council shall in each case determine the type of fence appropriate to the character, use and environs of the reserve and follow the procedures prescribed by the Fencing Act accordingly.</li><li>3 Where, in the opinion of the Council, a standard fence is adequate, the adjoining owner shall be advised that Council is not prepared to contribute to any costs in excess of the cost of such fence.</li><li>4 Where, in the Council's opinion, a fence of construction sturdier or higher than standard is necessitated by normal</li></ol> | <ol style="list-style-type: none"><li>recreational use of the reserve, the excess cost shall be borne by the Council.</li><li>5 Where the enclosure of its facilities is sought by a reserve occupier, the Council's approval is required and the cost of erecting and maintaining appropriate fences to the satisfaction of the Council shall be borne by the reserve occupier.</li><li>6 The colour and design of fences is to be approved by the Council before the fencing is erected.</li><li>7 The erection of gates in fences bounding private properties may be permitted with the written approval of the Council. In considering applications for gates to reserves, Council will consider the likely effect of the gate on reserve values, particularly recreational and ecological values.</li><li>8 The painting and creation of murals on boundary fences will be considered on submission of a copy of the design, including colours, for approval by the Council and submissions from the adjoining property owners.</li></ol> |
|---|--|

<b>Policy Implementation</b>		
Policy	Delegation/responsibility	Legislation/Council Policy
1 and 2	Officer	Fencing Act 1978
3 - 8	Officer	

## 2.13 Promotion of Reserves

### *Comments*

There is a need to promote the recreation resources available for the people of Dunedin and visitors. Dunedin has a wide variety of reserves, tracks and other recreational opportunities but limited information is available on these resources. Most reserves are located away from main traffic routes and people may not easily find them even if they know they exist. Promotion is therefore seen as important to ensure maximum community benefit is achieved from the provision of these resources.

Signage indicating the location of tracks and resources assists members of the public to find and use these facilities. Information can also be provided on ecological and environmental processes occurring on the reserve.

The reserves and the range of opportunities provided can be promoted to the public in a number of ways, for example, through newspapers, development of information brochures, providing maps and ensuring adequate signage, interpretation panels on reserves or other interpretive material. Brochures are available from the Council Visitors Centre, Department of Conservation, sports shops, and other various locations.

The promotion of reserves for tourism purposes will be done in such a way that use of the reserve does not conflict with the values of the reserves, or the aims and objectives of relevant management plans.

### *Objectives*

- 1. To promote opportunities and resources on reserves through a variety of means.*
- 2. To promote reserves for tourism purposes where this does not conflict with other aims and objectives in this plan or a specific management plan for that reserve.*

### *Policies*

1. The Council may develop promotional material for reserves to assist Dunedin residents and visitors to appreciate and understand ecological and environmental natural processes, and to increase participation and use of reserves.
2. Track signage may be increased where necessary to ensure tracks can be easily located and followed.
3. Tourist activities and their promotion must not be to the detriment of the values and natural character of the reserves, or to their recreational use by the public.
4. The section on Signs applies in conjunction with this section.

Policy Implementation		
Policy	Delegation/responsibility	Legislation/Council Policy
1	Officer	
2	Officer	
3	-	
4	-	

## 2.14 Fire Control

### *Comments*

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

Educating the public about fire risks and encouraging them to report fires immediately can reduce the danger of fire. Restricting certain activities or attaching conditions to permission granted for activities also helps minimise the risk of fires starting.

The provision of fire breaks and vehicle access in certain reserves is important to allow fire appliance access and to provide a barrier to contain a fire should one start. Fire breaks and vehicle access should be permitted only where they are compatible with the values of the reserves, or are required in an emergency situation. Tarns and artificially created pond or dam areas provide water sources that can be accessed during emergencies. Where opportunities exist on reserves, water supply areas should be adequately maintained to ensure their usefulness if required.

Rural Fire Authorities issue burn permits on properties adjacent to reserves in rural areas with conditions to ensure reserve protection.

### *Objectives*

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

### *Policies*

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



<b>Policy Implementation</b>		
Policy	Delegation/responsibility	Legislation/Council Policy
1 - 3	Officer	Fire Prevention Bylaws, Rural Fires Act 1977
4	Principal Rural Fire Officer	
5	Officer	
6	-	
7	-	
8	Officer	

## 2.15 Heritage Conservation

### *Comments*

A number of reserves in the Dunedin area contain known sites of heritage significance. It is important to recognise and retain heritage features, which may include historic structures and archaeological sites. Such sites provide physical evidence of historical events and add to the depth of experience for visitors to reserves. Management of the reserves will, therefore, include retention and interpretation of heritage features so that their heritage significance is recognised.

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

### *Objectives*

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

### *Policies*

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

Policy Implementation		
Policy	Delegation/responsibility	Legislation/Council Policy
1 - 5	Officer	Historic Places Act 1993, Sec 17, 19, and 23 Reserves Act

## 3.0 Use Policies

### 3.1 Use of Reserves

#### *Comments*

The City's reserves are a major source of open space used for a variety of purposes. The scope of potential use is wide, and includes sport, active recreation, education, scientific research, conservation plantings, wildlife habitat protection, passive recreation (eg picnicking), commercial promotions, festival activities, circuses, competitions, public demonstrations, and ceremonies.

The Council administers reserves and parks for several purposes. Most reserves are managed primarily for public use purposes, however for some reserves other objectives may be more important. These include reserves with scenic reserve status under section 19 (1) (b) of the Reserves Act 1977, land managed as if it was scenic reserve and some types of local purpose reserves. This means that some activities appropriate for recreation reserves may not be appropriate for scenic reserves.

Any proposed use requires due consideration of the extent of possible damage to the reserve, effects on wildlife, any effects on other use or users, and any effects on adjoining land use or users, before approval is given. The Council reserves the right to close reserves, or to decline applications for use where conditions warrant or where activities are not compatible with management plans.

#### *Objectives*

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

#### *Policies*

- |  |  |
|--|--|
| <ol style="list-style-type: none"><li>1 Users of reserves shall be responsible for ensuring that their activity and any associated buildings, structures or other devices complies with the Resource Management Act 1991 and its instruments (including the District Plan), the Building Act 1991 and any other relevant statutory instruments.</li><li>2 Organised use of reserves requires written application to the Council, and may be approved on such terms and conditions, including payment of any hire charge, bond or insurance premium, as the Council may determine. Such application needs to be made with adequate time for processing prior to the event (minimum 10 days). Special events are subject to longer timeframes for application assessment in accordance with the 'Special Events' section of this document.</li><li>3 Events, social activities, functions and exhibitions will be allowed on reserves provided that the adverse effects on other users, the reserve, wildlife, and reserve neighbours of such activities can be avoided, mitigated or remedied and meets statutory and policy obligations.</li></ol> | <ol style="list-style-type: none"><li>4 Any action necessary for the purposes of saving or protecting life or health, or for preventing serious damage to property, or for avoiding an actual or likely adverse effect on the environment may be carried out without the prior permission of the Council or prior public notice subject to those involved taking every reasonable step to contact the Council. Such action must be reported in writing to the Council, including an explanation of the circumstances immediately after the event or incident. This policy aims to cover actions taken by those other than Emergency Services.</li><li>5 A bond may be required for organised uses of reserves in accordance with guidelines outlined in Appendix 3.</li><li>6 Horses are permitted on reserves listed in Appendix 11 or other management plans. Where horses are permitted, they must use the appropriate access to the beach and must be ridden in a manner that ensure the safety of both other beach users and the environment.</li></ol> |
|--|--|

<b>Policy Implementation</b>		
Policy	Delegation/responsibility	Legislation/Council Policy
1	-	Resource Management Act 1991, Building Act 1991, District Plan
2	Officer	
3	Officer	
4	-	
5	Officer	
6	-	

## 3.2 Special Events

### Comments

The Council receives a number of applications or requests for the use of reserves for one-off events. Recreation and sporting events are generally appropriate on recreation or local purpose reserves, particularly where there is an established use of the reserve for that recreation or sporting activity, eg mountain bike racing on Signal Hill Recreation Reserve where mountain bike tracks are already established. Other events may not require specific existing resources and may be facilitated on an appropriate reserve with minimal impact on the reserve or other users. Major events may require the construction of temporary facilities to enable the event to take place.

The scale of events will be determined by staff. A small scale event is likely to be one which is expected to attract less than 250 people, have a short time frame (a day or less), have minimal effects on the reserve or reserve users, and is consistent with relevant management plans, policies and the Reserves Act 1977.

Council requires a bond to ensure any remedial work required to repair any damage that results from an event on a reserve, can be carried out and paid for by the event organiser. The bonds are refunded at the completion of the event if no damage has occurred and conditions of permission have been complied with.

### Objectives

1. *To consider applications for one-off events that are not detrimental to the values of reserves, do not significantly affect reserve users or wildlife, or have significant adverse impact on adjoining landowners.*

### Policies

1. Applications for one-off events will be considered on an individual basis. Applications for events that may be considered include: mountain bike races, orienteering competitions, filming, sporting events, wine and food festivals. Other events may be considered, at the discretion of staff, in line with relevant management plans and policies.
2. Council bylaws and use restrictions under the Reserves Act 1977 will apply to events requiring exclusive use of reserves.
3. In addition, activities that could potential have, an adverse effect on the reserve environment (including plants and animals), other reserve users, or neighbours are, not considered to be acceptable.
4. Small scale events require applications to be lodged with a minimum of 3 weeks notice.
5. Major events require applications to be lodged with a minimum of four months for a first time event and two months notice for repeat events.
6. Event organisers will be required to obtain public liability insurance.
7. Conditions and charges will be attached to any permission given for the use of reserves for one-off events.
8. Bonds will be required for events on reserves, in accordance with Appendix 3.
9. The section on public Access and Reserve Closure should be read in conjunction with this section.

Policy Implementation		
Policy	Delegation/responsibility	Legislation/Council Policy
1	Officer	Management Plans, Reserves Act, Bylaws

2	Officer	Management Plans, Reserves Act, Bylaws
3	Officer	
4	-	
5	Officer – where activities are clearly permitted by Reserves Act, Council Policy, and management plans.  CDC – Recreation reserves. Can permit or prohibit games, spots and activities. Can permit temporary closure up to 6 consecutive days, and a total of up to 40 days per year.  Ministers consent required to increase number of days	Sec 53 reserves Act, Bylaws
6	-	
7	Officer	
8	Officer	
9	-	

### 3.3 Public Access And Reserve Closure

#### Comments

At various times the Council will need to close reserves for issues of safety, maintenance and development, and wildlife protection. Some activities or events may also require the temporary closing of all or part of a reserve. Leases granted under Sections 54 or 56 of the Reserves Act 1977 may restrict access by the general public to areas of reserves.

Sections 53 and 55 of the Reserves Act 1977 relates to the powers of the Council in respect to closing or temporarily restricting access to reserves.

Driving vehicles and riding motorbikes on reserves is a source of danger to other reserve users and has the potential to cause damage to the reserves. Vehicular access by members of the public is generally restricted to car parks or other areas set aside for such purposes. Temporary vehicle access may be approved for special events. In this situation special conditions would be attached to any permission granted.

#### Objectives

1. *To ensure the public has freedom of entry, access and use of the reserves subject to any necessary conditions, restrictions, or limitations of use from time to time.*
2. *To ensure pedestrian safety, restrict vehicle access on reserves to emergency and service/authorised vehicles.*

#### Policies

1. Reserves will be open for public use except where restrictions and limitations are necessary for the reserve's protection and management, exclusive activities, or public safety.
2. Emergency and service vehicles will generally be the only vehicles permitted on reserves. Emergency services vehicles are permitted on reserves for training purposes.
3. All motorised vehicles (except emergency and authorised vehicles) must keep to designated roads or parking areas.
4. Temporary vehicle access to recreation and local purpose reserves, and fee simple areas, may, in special circumstances (e.g. for special events) be granted for specific finite purposes and then terminated at the completion of the purpose.
5. Where part or all of a reserve is to be closed to the public for event use, notification of this will be made prior to the activity causing the closure. Notification will be made in the Otago Daily Times at least one week before the closure. Where closure is required by a body other than Council, that body will be responsible for meeting the cost of public notification.
6. Section 53 of the Reserves Act 1977 will apply to any event organiser wishing to charge admission fees to access exclusive areas.

Policy Implementation		
Policy	Delegation/responsibility	Legislation/Council Policy
1	<i>Section 53</i> CDC – Recreation reserves. Can permit or prohibit games, sports and activities. Can permit temporary closure up to 6 consecutive days, and a total of up to 40 days per year.  Ministers consent required to increase number of days	Section 17, 19, 23 and 53 - 56 Reserves Act

	<p><i>Section 54 and 56</i></p> <p>Full Council – where reserve is vested in DCC, lease is contemplated in a management plan or there is existing use of same or similar character, scale and intensity.</p> <p>Minister – where not delegated to council</p>	
2	-	
3	-	Section 94 Reserves Act
4	Officer	
5	Officer	Section 119 Reserves Act
6	<p>CDC – Recreation reserves. Can permit temporary closure up to 6 consecutive days, and a total of up to 40 days per year.</p> <p>Ministers consent required to increase number of days</p>	Section 53(1)(d) and (e)



### 3.4 Exclusive use

#### *Comments*

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

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

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

#### *Objectives*

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

#### *Policies*

- 1 These policies should be read in conjunction with the Use of Reserves and Buildings and Structures Policies as well as Occupation Agreements.

necessary, the Council will provide security of tenure by preparing formal tenancy agreements.

#### *Temporary Exclusive Use*

##### *Long Term Exclusive Use*

- 2 A charge maybe levied for all forms of exclusive use.
- 3 Exclusive use may be allowed where Council determines that the activity:
  - a) cannot, or should not, be located on land other than publicly-owned land;
  - b) is in accordance with the objectives of this document, the management plan for the reserve and any other relevant Council documents; and
  - c) satisfy the requirements of the Reserves Act 1977 or other statutes.
- 4 Where permanent exclusive use is deemed

- 5 This section should be read in conjunction with the Public Access and Reserve Closures and Special Events policies.

- 6 Temporary exclusive use will be controlled by the “Standard Conditions of Use”. See Appendix 2.

- 7 Applicants wishing to charge an entry fee, or similar, to a one off event that requires exclusive use of a reserve and involves temporary closure of part or all of a reserve, must first obtain written approval from the Council. All applications need to be made at least eight weeks prior to the event, as a Committee of Council is required to make decisions on entry fees.

Policy Implementation		
Policy	Delegation/responsibility	Legislation/Council Policy
1	-	

2	<p><i>Section 53</i></p> <p>CDC – Recreation reserves. Can permit temporary closure up to 6</p>	Section 53, 56 and 1 <sup>st</sup> schedule of Reserves Act, Fees and Charges Policy, Standard rent formulas, Standard booking fees.
	<p>consecutive days.</p> <p>Ministers consent required to increase number of days.</p> <p><i>Section 54 and 56</i></p> <p>Full Council – where reserve is vested in DCC, lease is contemplated in a management plan or there is existing use of same or similar character, scale and intensity.</p> <p>Minister – where not delegated to council</p>	
3	<p><i>Section 53</i></p> <p>CDC – Recreation reserves. Can permit temporary closure up to 6 consecutive days.</p> <p>Ministers consent required to increase number of days.</p> <p><i>Section 54 and 56</i></p> <p>Minister</p> <p>Full Council – where reserve is vested in DCC, lease is contemplated in a management plan or there is existing use of same or similar character, scale and intensity.</p>	Section 53, 54, and 56 Reserves Act
4	<p><i>Section 54 and 56</i></p> <p>Minister</p> <p>Full Council – where reserve is vested in DCC, lease is contemplated in a management plan or there is existing use of same or similar character, scale and intensity.</p>	Section 54 and 56 Reserves Act
5	-	
6	<p><i>Section 53</i></p> <p>CDC – Recreation reserves. Can permit temporary closure up to 6 consecutive days.</p> <p>Ministers consent required to increase number of days.</p>	Standard conditions of use, Section 53 and 74 Reserves Act
7	<p><i>Section 53</i></p> <p>CDC – Recreation reserves. Can permit temporary closure up to 6 consecutive days.</p> <p>Ministers consent required to increase number of days.</p>	Section S3 (1)(e) and (2) for recreation reserves and local purpose reserves

### 3.5 Commercial Use – Concessions (Other Than Leases Or Licences)

#### **Comments**

The Council occasionally receives applications for the use of reserves for temporary or permanent commercial activities. These activities include filming, markets, commercial recreation and accommodation. Commercial enterprises are a legitimate part of the range of activities within reserves provided that they relate in some way to the purposes of the reserve. Some commercial activities such as filming, while not contributing to the public's enjoyment of reserves, may be seen as appropriate on reserves as it can help to promote Dunedin and its reserves, or to educate people about the value of natural resources.

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

#### **Objectives**

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

#### **Policies**

- |  |  |
|--|--|
| <ol style="list-style-type: none"><li>1 These policies should be read in conjunction with the Use of Reserves policies.</li><li>2 Commercial activities may be allowed provided that they add to the public enjoyment of the reserve and they do not conflict with the aims and objectives of the management plan for the reserve.</li><li>3 All applications to operate commercial activities on reserves shall be made to the Council in writing. Applications must include:<ol style="list-style-type: none"><li>3.1 A description of the proposed activity:</li><li>3.2 A description identifying the places where the proposed activity will be carried out:</li><li>3.3 A description of the potential effects of the proposed activity, and any actions which the applicant proposes to take to avoid, remedy, or mitigate any adverse effects:</li><li>3.4 A statement of the proposed duration of the activity and the reasons for the proposed duration:</li><li>3.5 Relevant information relating to the applicant, including any information relevant to the applicant's ability to carry out the proposed activity.</li></ol></li></ol> | <ol style="list-style-type: none"><li>4 Temporary commercial activity applications need to be made at least ten working days prior to the event.</li><li>5 Conditions necessary for the protection of the reserves will be imposed on any permission for the commercial use of reserves. Such conditions will also be sought on any resource consent application for the same activity.</li><li>6 Appropriate conditions and charges will be attached to the permission granted for any use of tracks or reserves for commercial purposes.</li><li>7 A bond will be required for both permanent and temporary commercial activities.</li><li>8 Compliance with the relevant conditions of the Resource Management Act 1991, Building Act 1991, Health and Safety in Employment and other relevant Acts and the District Plan is the responsibility of the applicant.</li></ol> |
|--|--|

Policy Implementation		
Policy	Delegation/responsibility	Legislation/Council Policy
1	-	
2	<p>CDC for temporary lease or licence &lt;6 days.</p> <p>Full – vested reserves where lease is contemplated in a management plan or there is existing use.</p> <p>Minister in other cases.</p>	Relevant management plans, section 54 and 56 Reserves Act
3	<p>CDC for temporary lease or licence &lt;6 days.</p> <p>Full – vested reserves where lease is contemplated in a management plan or there is existing use.</p> <p>Minister in other cases.</p>	Relevant management plans, section 54 and 56 Reserves Act
4	-	
5	<p>CDC for temporary lease or licence &lt;6 days.</p> <p>Full – vested reserves where lease is contemplated in a management plan or there is existing use.</p> <p>Minister in other cases.</p>	Sec 54, 56, and 1 <sup>st</sup> schedule of Reserves Act
6	Determined by body with delegation to grant consent.	
7	Officer	
8	Officer	Relevant legislation

## 3.6 Encroachments

### *Comments*

On some reserves, neighbours occupy or use reserves for access to their property or as an extension to their property. Note that the term reserve does not include road reserve.

Accessways are non-legal access across reserves to private property. A right-of-way is an existing legal access. Both “pleasure of Council” and non-permitted accesses are encroachments over reserves, which the Council no longer grants.

Rights-of-way and accessways have usually been constructed to allow vehicular access to houses adjacent to reserves. This problem is of particular relevance to the Dunedin Town Belt, but is also a problem in other reserves. While some of the existing accessways have been approved, either at the “pleasure of Council” or by formal easement, many others have been formed without permission, the history of them may not be known, or they may only have been informally agreed to. Two issues are important when considering accessways/rights-of-way across reserves. First, accessways/rights-of-ways provide private gains from use of a public resource. This may include increased property value. Second, accessways/rights-of-way can reduce the recreational, landscape and other values of reserves, because they act as perceived barriers, they may require the removal of trees and bush, and they may involve the development of hard surfacing.

Since 1989, decisions to grant rights-of-way have considered whether or not it is essential to gain access to the property. Fire service or ambulance access has usually been considered essential. The ‘Use of Reserves’ policy already allows emergency services to cross reserves where and when required on a temporary basis. This, therefore, removes the main reason, other than convenience, for allowing rights-of-way and allows Council to take a strong stance on protecting the values of public land.

Formalisation of existing accessways, by “pleasure of Council” permission, and unapproved accesses is a vexatious issue. The Council is caught between the reasonable expectations of those with existing accessways and the need to maintain and enhance reserve values.

An encroachment is use of a reserve for private purposes that has not been authorised by Council in writing. This includes, but is not limited to, structures, earthworks, gardens, plantings, accessways, retaining walls, rubbish dumping for reclamation, and other usage that gives the appearance of private ownership. Encroachments from neighbouring properties into reserves have become a problem as more and more people have extended their properties into adjoining reserves either unknowingly or with the full knowledge that they are encroaching beyond their property boundary. Problems are exacerbated when these properties are sold without the purchaser realising that the land they believed they were buying is actually part of the reserve. Council staff can prompt property buyers to check such matters by having a note on the LIM report. Lawyers should check boundary and other issues and inform their client before they purchase a property. As adjoining property owner, the Council also provides advice on resource consent applications for properties adjoining reserves to ensure reserve values are protected.

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

A separate section in this document applies to network operators.

## **Objectives**

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

## **Policies**

1. No new encroachments will be allowed on reserves.
2. Existing informal encroachments (ie those without formal agreements), both approved and unapproved, will be considered with a view to formalisation or removal and reinstatement.
3. Applications for formalisation of existing informal encroachments must be made in writing and will be assessed on a case-by-case basis. In considering applications, Council will use the following criteria:
  - 3.1. Does the encroachment detract from the reserve's recreational, landscape, ecological, cultural heritage or other values?
  - 3.2. Is the encroachment required or beneficial for reserve management reasons?
  - 3.3. Is alternative access available?
  - 3.4. Are there any exceptional reasons why the encroachment should not be terminated (eg the property has no legal frontage)?
  - 3.5. Can the accessway be made a legal road?
  - 3.6. What is the life expectancy of the building that the accessway is servicing (eg life of garage without structural improvements)?
  - 3.7. The history of "pleasure of Council" accessways.
4. Approved encroachments on Council reserve land will be required to have a lease, licence, easement or right of way, consistent with the relevant section of the Reserves Act 1977.
5. Any approval for formalisation granted by the Council is subject to public notification of the proposal.
6. All costs, including legal, Department of Conservation and Council costs, and the costs of formation and maintenance to the Council's satisfaction, shall be borne by the grantee.
7. The design and construction material must be approved by the Council to ensure minimum disruption to the landscape or recreational potential of the reserve.
8. Payment for the benefit of rights-of-way, easements and encroachments will be made as a yearly rental. Existing encroachments previously exempt from rental fees may also be charged annual fees.
9. Agreements for encroachments will not be granted in perpetuity. Timeframes for the agreement will be limited and sites may require reinstatement at the end of the agreement period.
10. Declined applications will require the applicant to remove the encroachment and reinstate the site to the satisfaction of the Council.
11. Council will consider applications to seal legal rights-of-way over reserves. Consideration will be given to the landscape section of this document in any permission granted, and conditions imposed for any permission given for sealing.
12. Council will not contribute to the cost or maintenance of sealing of the right-of-way.

Policy Implementation		
Policy	Delegation/responsibility	Legislation/Council Policy
1	-	
2	<p><i>Section 48, 54, and 56</i></p> <p>Full Council – for reserves vested in DCC provided easement is contemplated by a management plan or is already existing use of same or similar character, intensity and scale.</p> <p>Minister in other cases.</p> <p><i>Section 74</i></p> <p>CDC – vested or controlled and managed recreation or local purpose reserves.</p> <p>Full Council – for Scenic reserves vested or controlled and managed, provided easement is contemplated by a management plan or is already existing use of same or similar character, intensity and scale.</p> <p>Minister – Scenic where not delegated to Council.</p>	Sec 48, 54, 56, and 74 Reserves Act
3	<p><i>Section 48</i></p> <p>Full Council – for reserves vested in DCC provided easement is contemplated by a management plan or is already existing use of same or similar character, intensity and scale.</p> <p>Minister in other cases.</p> <p><i>Section 74</i></p> <p>CDC – vested or controlled and managed recreation or local purpose reserves.</p> <p>Full Council – for Scenic reserves vested or controlled and managed, provided easement is contemplated by a management plan or is already existing use of same or similar character, intensity and scale.</p> <p>Minister – Scenic where not delegated to Council.</p>	Sec 48 and 74 Reserves Act
4	<p><i>Section 48, 54, and 56</i></p> <p>Full Council – for reserves vested in DCC provided easement is contemplated by a management plan or is already existing use of same or similar character, intensity and scale.</p> <p>Minister in other cases.</p> <p><i>Section 74</i></p> <p>CDC – vested or controlled and managed recreation or local purpose reserves.</p> <p>Full Council – for Scenic reserves vested or controlled and managed, provided easement</p>	<p>Relevant management plans, Section 48, 54, 56 and 74 Reserves Act</p> <p><i>Note: Section 54 and 56 dont completely fit, as what is encroaching you would not normally give a lease for by choice, but one may be required for the encroaching building or structure.</i></p>

	is contemplated by a management plan or is already existing use of same or similar character, intensity and scale.  Minister – Scenic where not delegated to Council.	
5	CDC	Section 48, 54, 56, 74, 119, 120 Reserves Act
6	-	
7	Officer	
8	Full Council	Fees and Charges Policy, 1st Schedule of Reserves Act
9	Full Council	
10	Officer	
11	Officer	
12	-	



### 3.7 Occupation Agreements

#### *Comments*

The term occupational agreements refers to any lease, licence, easement (including rights-of-way, telecommunication agreements), exchange of letters, or other agreement reached between the Council and a person, organisation, or company that is occupying part of a reserve (including below ground facilities). Details of these different agreements and policies relating to each are described below.

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

#### *Objectives*

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

#### *3.7.1 Leases (revamped section – added leasing containers)*

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 Section 54 of the Reserves Act 1977, and the First Schedule to the Act. Requirements differ for land held under other status. Council, however, uses the provisions contained in the First Schedule of the Reserves Act 1977 as a guide when leasing land not subject to the Reserves Act 1977. This practice has been adopted to ensure consistency among the various tenancies.

Where the Council has been appointed to control and manage reserves only, the Department of Conservation is responsible for the granting of leases.

Tenancies over reserve land are subject to the provisions, including public notification, of Sections 73 of the Reserves Act 1977. The conditions of a lease under Section 73 are prescribed by the Act, and its granting requires ministerial approval.

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

The Council occasionally receives requests from clubs wishing to store equipment in cargo shipping containers on reserves. This may be in conjunction with an existing lease where more storage space is required, or from a club that uses the same reserve regularly without leasing a specific area or having clubrooms. The use of containers is acceptable for some reserves where it will not significantly interfere with the use and enjoyment of the reserve by the public. An appropriate location and conditions will be determined by the Council at the time of application.

Use of containers on reserves will have a limited two year lease to give clubs the opportunity to assess their storage needs and consider the long term requirements. Clubs needing long term storage will need to arrange alternative permanent storage, eg use of other club facilities, or to construct permanent storage.

### **Policies**

1. Any permanent exclusive use of a reserve, including buildings or cargo shipping containers, will be subject to a lease.
2. All grazing/farming on undeveloped recreation, or local purpose reserves, or fee simple land, will require a lease in accordance with Reserves Act 1977 sections 71-73.
3. Car parking requirements of a potential lessee should be considered. The section on car parking in this document applies.
4. The notification of proposed leases in the relevant management plans will serve as public notice for the purposes of the Reserves Act 1977.
5. All costs associated with leases and other agreements are the responsibility of the lessee or holder of the agreement.
6. Rents will be payable on all leases, except where the Council has resolved that no or reduced rental is required. Rents for approved users (eg voluntary recreation facilities, approved community users) will be set at a “recreation” level. Other rents (eg commercial use, residential tenancies) will be at market levels. Council’s Fees and Charges Policy applies.
7. Where a building or structure is no longer required by a lessee, the section on Abandonment Process in Appendix 10 in this document will apply.
8. The Council may grant permission for use of cargo shipping containers on reserves for storage subject to conditions regarding location, duration, ground preparation, fees, etc
9. An annual fee will be set for use of the reserve for cargo shipping containers for storage and this will be paid prior to the container being placed on the reserve.
10. All containers will be set on a firm gravel base prepared to the Council’s satisfaction.

<b>Policy Implementation</b>		
Policy	Delegation/responsibility	Legislation/Council Policy
1	Full Council – for vested reserves, where lease is contemplated in a management plan or there is existing use of same or similar character, intensity and scale.  Minister when not delegated to Council.	Relevant management plans, section 54, and 56 Reserves Act
2	<u>Section 72</u> CDC can enter an agreement with the Minister to lease recreation or local purpose reserve for farming  <u>Section 73</u> Full Council – for vested reserves, where contemplated by a management plan or there is existing use of same or similar character, intensity and scale.  Minister where not delegated to council.	Section 72 - 73 of the Reserves Act, 1 <sup>st</sup> Schedule of Reserves Act
3	-	

4	-	
5	-	
6	Full Council – for vested reserves, where contemplated by a management plan or there is existing use of same or similar character, intensity and scale.  Minister where not delegated to council.	1 <sup>st</sup> Schedule of Reserves Act
7	-	
8	Full Council – for vested reserves, where contemplated by a management plan or there is existing use of same or similar character, intensity and scale.  Minister where not delegated to council.	Relevant management plans, section 54, and 56 Reserves Act
9	Full Council – for vested reserves, where contemplated by a management plan or there is existing use of same or similar character, intensity and scale.  Minister where not delegated to council.	1st Schedule of Reserves Act
10	Officer	

### 3.7.2 Licences

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

While grazing/gardening and other similar activities have positive aspects, they can damage resources and inhibit regeneration of indigenous plants, which results in the spread of woody weeds and downgrades the quality of recreational experiences.

Tenancies over reserve land are subject to the provisions of Sections 74 of the Reserves Act 1977 including public notification. A licence under Section 74 may be for a term of up to five years only.

Where Council has been appointed to control and manage reserves only, the Department of Conservation is responsible for the granting of licences.

Section 48A of the Reserves Act 1977 permits the granting of licences for communication stations and any works connected with the station.

#### ***Policies***

- |   |  |
|---|--|
| <p>1 Licences will be allowed on undeveloped reserves provided that there are no adverse effects on reserve values.</p> <p>2 Licences will not be permitted on riparian margins within reserves where there is an adverse impact on reserve values.</p> | <p>3 Applications for licences must be made in writing.</p> <p>4 All grazing/gardening on reserves will be licensed under an agreement based on the requirements of Section 74 of the Reserves Act 1977.</p> |
|---|--|

- 5 Licences may include provision for public access where this is appropriate and desirable.
- 6 A market rental may be charged for all licences. The Council may charge a rental other than a market rental for approved recreational or management purposes. Council's Fees and Charges Policy will apply.
- 7 It will be a condition of all licences that the Council may, before expiry, cancel all or part of the tenancy at six months' notice, should the land be required for recreational use, or if the licensee fails to meet the conditions of the licence.
- 8 It will be a condition of every licence that the Council will not compensate occupiers for improvements upon termination of the agreement.
- 9 Licences may be granted for communication stations and any works connected with the station, in accordance with section 48A of the Reserves Act 1977 where adverse affects are mitigated.

Policy Implementation		
Policy	Delegation/responsibility	Legislation/Council Policy
1	<p><i>Section 54 and 56</i></p> <p>CDC for temporary lease or licence &lt;6 days.</p> <p>Full – vested reserves where lease is contemplated in a management plan or there is existing use. Trade, occupation or business must facilitate public enjoyment or benefit.</p> <p>Minister where not delegated to Council.</p> <p><i>Section 74</i></p> <p>CDC – vested or controlled and managed recreation or local purpose.</p> <p>Full Council – for Scenic reserves vested or controlled and managed, provided easement is contemplated by a management plan or is already existing use of same or similar character, intensity and scale.</p> <p>Minister – Scenic where not delegated to Council.</p>	Relevant management plans, section 54, 56 and 74 Reserves Act
2	Officer	
3	-	
4	<p>CDC – for vested or controlled and managed recreation or local purpose reserves.</p> <p>Full Council – for vested or controlled and managed scenic where lease is contemplated in a management plan or there is existing use of same or similar character, scale or intensity.</p> <p>Minister when not delegated to</p>	Relevant management plans, section 74 Reserves Act

	Council.	
5	<p>CDC – for vested or controlled and managed recreation or local purpose reserves.</p> <p>Full Council – for vested or controlled and managed scenic reserves where lease is contemplated in a management plan or there is existing use of same or similar character, scale or intensity.</p> <p>Minister when not delegated to Council.</p> <p>*Determined by body with delegation to grant lease</p>	
6	Determined by body with delegation to grant lease	Fees and Charges Policy
7	Officer	
8	Officer	
9	<p>Full Council – for vested reserves where lease is contemplated in a management plan or there is existing use of same or similar character, scale or intensity.</p> <p>Minister when not delegated to Council.</p>	Section 48A Reserves Act

### 3.7.3 Easements

On some reserves, neighbours and utility companies occupy or use reserves for access or to locate utility facilities. Examples include rights-of-way, stormwater discharges and underground utility services. 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 Council land for access or underground utility services. An easement does not prevent use of the reserve for its primary purpose.

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

The encroachment section of this document should be considered in conjunction with this section.

#### 3.7.3.1 Easements for privately owned underground facilities (Stormwater/wastewater/sewerage/water and gas pipes/electrical/telecommunication cables)

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

Easements or permissions granted for such facilities may contain conditions of use and rental fees.

A related issue is that of stormwater discharges. Members of the public or organisations frequently wish to discharge stormwater into watercourses located on reserves, however several consequences can result.

First, maintenance staff may not know where pipe works associated with stormwater are located, which can lead to damage to both the pipe work and to maintenance machinery. Second, these private underground facilities may affect reserve values. Reserves are set aside for the public to enjoy and to use the land for its recreation, ecological, landscape, heritage and other values. The Council needs to be assured that it receives adequate compensation for any loss of these values when negotiating stormwater discharge agreement. Finally, maintenance of an area damaged from stormwater discharges may be expensive and the Council needs to recover the costs of this from the reserve neighbours responsible for the drainage.

It is important for the 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. A historic precedent of uncontrolled discharge into reserves is not justification for continuing this practice into new developments in the same area.

Use of reserves by network utility operators is addressed in the ‘Network Utility Operators’ section of this document.

### ***Policies***

- |   |  |
|---|--|
| <p>1 Applications for pipes, cabling, discharge or drainage rights must be made in writing and contain the following information:</p> <p>1.1 a statement of alternative pipe location or discharge options and their costs;</p> <p>1.2 discussion on why these alternative options cannot be used;</p> <p>1.3 evidence that the pipes or discharge will not detract from the purpose of the reserve; and</p> <p>1.4 a diagram of the proposed works and a survey.</p> <p>2 An easement or formal agreement will be required for every pipe, cable, or discharge on reserve land.</p> <p>3 All legal costs and the costs of formation and maintenance to the Council’s satisfaction shall be borne by the grantee.</p> | <p>4 Payment for the benefit of a pipe, cable or drainage easement must be made as a yearly rental.</p> <p>5 The Council will require those holding easements for services crossing reserves to meet the costs of maintaining the pipes or cables.</p> <p>6 These policies (and relevant ones in the network operator sections) will apply to Council’s Roading Department and Transit New Zealand seeking easements for storm water discharges.</p> |
|---|--|

<b>Policy Implementation</b>		
Policy	Delegation/responsibility	Legislation/Council Policy
1	-	
2	Full Council – for reserves vested in DCC provided easement is contemplated by a management plan or is already existing use of same or similar character, intensity and scale.  Minister where not delegated to Council.	Section 48 Reserves Act
3	Officer	
4	-	

5	Full Council – for reserves vested in DCC provided easement is contemplated by a management plan or is already existing use of same or similar character, intensity and scale.  Minister where not delegated to Council.	Section 48 Reserves Act
6	-	



### 3.8 Network Utility Operators

Network utility operators have been placed in a separate section (rather than including under relevant topics) because they are governed by separate empowering Acts of Parliament that may conflict with, or override some sections of the Reserves Act 1977. As the relevant empowering Acts do not entirely correspond with each other, there will be some variance in application between network utility operators. There may also be some variance in the application of the plan to each reserve depending on its status under the Reserves Act 1977.

This section may need to be reviewed in the event of any legislative change or decision of the Courts, which changes interpretation of the legislation.

The section on occupational agreements in this document will be relevant in some cases and should be read in conjunction with this section.

Network utility infrastructure exists on a number of reserves. Access to reserves for maintenance and operations is required by operators and permission for new developments is likely to be sought in the future. Reserves may provide the highest point for which to locate telecommunication and radio communication sites or may be the most direct or convenient line to construct facilities. The use of reserves has a high commercial benefit to network operators and may be a cheaper option than having to use less direct alternative routes across private property.

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

Utility facilities can have significant impact on a reserve both by impacting on amenity values and by restricting the scope of development/enhancement possible and thereby the reserve’s use. An obvious example of this is where utility facilities are located on reserves there is a need to keep trees and other plantings, buildings, fences and other structures, clear of the lines or structures. Keeping network facilities away from important or highly used sites, of course, is also important. Once in place utility facilities restrict activities on, and management of, the reserve. The need to consider, and allow for, utility facilities, may also lead to greater costs for reserve development/enhancement work eg if additional drainage work is required on a track to prevent scouring and damage to underground pipes or lines. Where this situation occurs, the network utility operator concerned will be responsible for meeting additional costs associated with their special requirements or requests. Where sportsfields are involved, the presence of utility facilities may impose limitations on drainage and irrigation installations. Direct routes may not be possible where this would involve crossing sportsfields. Furthermore, even with the best of techniques, differences in level can occur over time due to subsidence. Mitigation of such affects will be the responsibility of the network operator concerned.

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

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

It is up to network utility operators to supply Council with useable up-to-date, ‘as built’ asset plans detailing their location on reserves. These maps could be used by the Council when planning projects on reserves and to assist Council contractors to avoid these facilities when working on reserves. This information could be put into Councils GIS system. Any costs associated with the provision of this information or the inputting of such information, will be at the network operators cost.



## **Objectives**

1. *To confirm future occupation of reserves by network utility operators for approved uses and facilities by the granting of occupation agreements with appropriate conditions.*
2. *To allow the use of reserves for network utilities where utilities are compatible with the proper functioning or purpose of the reserve.*
3. *To require compensation (whether in the form of one off compensation payments or annual rental or fees) for use of the reserves by network utility operators, based on commercial rates.*
4. *Occupational agreements will be of a limited timeframe, with an intention that the reserve values will be reinstated at the completion of the agreement period, this will be considered on a case by case basis.*
5. *To allow network utility operators conditional access to reserves in accordance with the provisions of this plan and the relevant sections of the relevant empowering Act for the purpose of inspection, maintenance, and operation, of existing facilities.*
6. *To minimise the affects of utility facilities on the use and development of reserves.*
7. *To develop closer working relationships with service providers with the goal of recording information on existing utilities on reserves, establish formal occupational agreements with service providers, and make them aware of Council's requirements as landowner and/or as the administering body of the particular reserve.*

### **3.8.1 Occupational agreements for network utility operators**

Existing network facilities legally established under Acts of Parliament (eg Telecommunications Act 1987, Electricity Act 1992, etc) do not require retrospective occupation agreements if no such agreement is currently in place. However, facilities installed after the current legislation was enacted, but which have subsequently been materially altered or replaced by something substantially different, require occupational agreements with the Council (as landowner or administering body).

The term occupational agreements refers to any lease, licence, right-of-way, easement, telecommunication agreement, or other agreement reached between the Council and a person, organisation, or company, that is occupying part of a reserve (including below ground facilities). Occupational agreements assist the Council in knowing the location of network utility facilities on reserves and allows conditions (including compensation) to be attached to any consent granted. Occupational agreements may be registered on the title as this records the rights of the network utility operator for use of the land.

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

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

One-off payments or annual rental fees may be waived where the network operator concerned is a Council department or the Council recommends the fees be waived. All other policies in this document still apply.

Removal of existing or future facilities once they become obsolete may be necessary to allow for development of the site. Such removal may also avoid the situation where Council contractors come across facilities and be unsure if they are being used or not, or where facilities are causing adverse environmental or visual effects. The costs of facility removal, and the reinstatement of reserves damaged during the removal of obsolete facilities, will be the responsibility of the network utility operator.

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

### **Policies**

- 1 Network utility operators are required to have occupational agreements with the Council for any facilities constructed on reserves after the date specified in their relevant empowering Acts, or for facilities which have been materially altered or replaced by something substantially different after the date specified in the relevant empowering Acts.
- 2 Applications for occupational agreements must be made in writing and contain the following information:
  - a) a statement of alternative options and their costs;
  - b) discussion on why these alternative options cannot be used;
  - c) evidence that the utility service will not detract from the purpose of the reserve;
  - d) a diagram of the proposed works;
  - e) any vegetation removal anticipated; and
  - f) current Health and Safety procedures.
- 3 Occupational agreements will not be granted in perpetuity.
- 4 A one-off compensation payment and/or annual rental may be required as a condition of occupational agreements granted.
- 5 One off payments or annual rental fees may be waived if the Council recommends the fees be waived.
- 6 Where network operators have special requirements or requests that increase the cost of reserve development, the network operator concerned will pay any additional costs associated with their request.
- 7 Where desired by the Council, obsolete facilities will be removed at the network operator's expense and the site will be reinstated to the satisfaction of Council.
- 8 Formal agreements may be lodged with the District Land Registrar.
- 9 Leases or licences for utility facilities will be granted only on reserves where they are compatible with the purposes of the reserve.
- 10 Rights of way and other easements may be granted over reserves in accordance with section 48 of the reserves Act 1977
- 11 Licences for communication stations on reserves may be granted in accordance with section 48A of the Reserves Act 1977.

<b>Policy Implementation</b>		
Policy	Delegation/responsibility	Legislation/Council Policy
1	Full Council – for vested reserves where lease is contemplated in a management plan or there is existing use of same or similar character, scale or intensity.  Minister when not delegated to	Section 48A, 54 and 56 Reserves Act, Section 22 Electricity Act 1992, Section 23 Gas Act 1992, Resource Management Act 1991, Section 11 and 20 Telecommunication Act 1987.  Will be others - will vary depending on empowering Act for each network

	Council.	operator.  See legal opinions folder if you need clarification about the relationships between acts or what network operators do or don't have rights to do.
2	-	
3	-	
4	Officer	Fees and Charges Policy, appropriate Council rental formulas, Part III and IV of the Reserves Act, Section 57 Electricity Act 1992, Section 51 Gas Act 1992, Section 19 Telecommunication Act 1987, Public Works Act 1991.  Will be others, will vary depending on empowering Act for each network operator.
5	CDC	
6	-	
7	Officer	
8	Officer	
9	Full Council – for vested reserves where lease is contemplated in a management plan or there is existing use of same or similar character, scale or intensity.  Minister when not delegated to Council.	Section 48A, 54 and 56 Reserves Act
10	Full Council – for reserves vested in DCC provided easement is contemplated by a management plan or is already existing use of same or similar character, intensity and scale.  Minister where not delegated to Council.	Section 48 Reserves Act
11	Full Council – for reserves vested in DCC provided easement is contemplated by a management plan or is already existing use of same or similar character, intensity and scale.  Minister where not delegated to Council.	Section 48A Reserves Act

### 3.8.2 Access

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

It is important for Council staff to know when network providers are proposing work so conflict with other works or reserve users can be avoided and so that appropriate conditions can be set. It is also important that where complaints or queries are received from members of the public, staff know which companies are working on reserves enabling an appropriate response. When network utility operators are working on reserves, parts of reserves may need to be temporarily closed for public safety. The network utility operator concerned will meet any costs associated with advertising closures.

Scheduled work by network utility operators on reserve land will require a written application detailing the operation, any potential adverse affects on the reserve or users, and proposed mitigation. As large- scale works are scheduled well in advance, early applications could be made for a number of areas at one time. Permission for large-scale works should be applied for well in advance of the proposed work date. One of the specific requirements of the empowering Acts in relation to access, is that network utility operators are required to give reasonable notice of their intention to enter a reserve. Applications of this nature are required by Council staff at least 14 working days before the commencement of operations. A written reply and conditions will be given to confirm the work planned and the appropriate specifications for any reinstatement provided.

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

### ***Policies***

- |   |  |
|---|--|
| <ol style="list-style-type: none"> <li>1 Network utility operators will be permitted conditional access to reserve land to inspect, maintain or operate existing works subject to the provisions of the relevant empowering Acts and the permission of the Council.</li> <li>2 Notice of an intention to enter a reserve to inspect, maintain or operate existing facilities must be given by way of a written application which must detail the work to be carried out and any potential adverse affects on the reserve or users, and any mitigation proposed.</li> <li>3 Network operators are required to give reasonable notice (14 days) of their intention to enter a reserve to inspect, maintain or operate existing facilities.</li> <li>4 Where a network utility operator is required to undertake emergency work on a reserve, the contractor involved shall, where possible, inform Council staff on the same working day before commencing any</li> </ol> | <ol style="list-style-type: none"> <li>work.</li> <li>5 Where emergency work is required outside of normal Council office hours, the contractor involved must contact the Council staff at the beginning of the following working day, and arrange an inspection for reinstatement.</li> <li>6 Where emergency work is undertaken, the network utility operator must provide, within seven days, a written report detailing the operation, any reserve damage caused, and how damage will be repaired and the area reinstated to Council's satisfaction.</li> <li>7 Where temporary closures of reserves are required to allow network operators to carry out works safely, the network operator concerned will be responsible for meeting all costs associated with the closure.</li> </ol> |
|---|--|

Policy Implementation		
Policy	Delegation/responsibility	Legislation/Council Policy
1	Officer	Sections 23 and 159 Electricity Act 1992, Sections 24, 48, 50 Gas Act 1992, Resource
2	-	

3	-	Management Act 1991,
4	Officer	Telecommunication Act 1987.
5	Officer	Will be others, will vary depending on empowering Act for each network operator.  See legal opinions folder if you need clarification about the relationships between acts or what network operators do or don't have rights to do.
6	Officer	
7	-	Section 17, 19 and 23 Reserves Act, General Policies – Section 3.3 Public Access and Reserve Closure

### 3.8.3 Removal of vegetation

The trimming or removal of vegetation may be necessary for the construction or maintenance of network utility facilities on some reserves. The proposed location of facilities will need to be discussed with Council staff to minimise damage to vegetation and avoid large trees or significant ecological areas. Network operators would be responsible for costs associated with rehabilitation of the site or replacement plantings at another site as determined appropriate by the Council. Network operators and their contractors will be expected to comply with the 'Specifications for Groundworks (17 July 1998)' or any replacement document, which is used by the Council. Compliance with these specifications would be included as a condition of consent granted for works on reserves.

Maintenance of facilities may require the trimming of vegetation to protect the integrity of lines or structures or the removal of vegetation to access damaged facilities. Where vegetation is to be trimmed or cleared in conjunction with overhead power lines, Transpower's service specification "Management of Trees near Transmission lines" standard will be used by that company's contractors. Additionally, all work shall be in compliance with the Ministry of Labour's "Code of Practice for Safety and Health in Tree Work, Part 1 and 2", the "New Zealand Code of Practice for Electrical Safe Distances (NZECP 34: 2001)" or their replacement documents and amendments. Consultation with Council staff is appropriate for the development of tree management plans or agreements, or any other proposals to remove or trim vegetation on reserves.

Consultation prior to work being carried out is also important to ensure that staff are aware of what is happening on reserves and that appropriate safety measures can be taken if required (eg Work on reserves may impact on reserve users, and temporary closure may be required for safety reasons). It is also important for network operator contractors to be aware of the reserve values and minimise the impact on the reserve and reserve users.

### **Policies**

- 1 Network operators will be permitted conditional access to reserves to trim, or remove, vegetation posing risk to the integrity of the lines, support structures or other facilities. This should be undertaken in consultation with Council staff and approval obtained at least 14 days prior to work being undertaken.
- 2 Where removal or trimming of vegetation from a reserve is required in an emergency, the contractor must inform Council staff where possible, on the same working day before commencement of any operation. If commencement is required outside of normal office hours the contractor must contact Council staff at the beginning of the following working day.

3 Network operators will be required to reinstate sites damaged as a result of work carried out under the above policies to the satisfaction of Council. Conditions and charges may be attached to any permission granted.

4 Requirements of other sections of this document apply in conjunction with these policies.

Policy Implementation		
Policy	Delegation/responsibility	Legislation/Council Policy
1.	Officer	
2	Officer	
3	Officer	
4	-	

### 3.9 Liquor Licences

#### Comments

The selling of liquor is seen as one means by which reserve occupiers can raise funds for their activity. However with decreasing club membership, the sale of alcohol has also decreased. The consumption of liquor can have adverse effects on reserves, users, and reserve neighbours. Adverse effects may arise from a club's requirements to extend buildings to allow for the sale of liquor, from noise, or damage caused by people socialising. These effects may diminish outdoor recreation and landscape values of the reserve. As most sports club premises are sited in residential neighbourhoods these effects have the potential to be significant. However, generally the Council does not receive complaints about activities resulting from the sale of alcohol on reserves. A limit on hours of operation, and other appropriate conditions, helps minimise the potential affects on other users and reserve neighbours. The resource consent process also takes into consideration concerns of neighbours. Conditions and restrictions on operating hours can be imposed through this process. Resource consent decisions, and staff comments as the landowner, are recognised by the Liquor Licensing Authority when a licence is issued.

The selling of liquor is only indirectly linked to the use of reserves for sporting or outdoor recreational purposes. Sports clubs and other groups may be in competition with commercial organisations selling liquor. As many clubs receive sponsorship from commercial outlets and will hold social functions at sponsors venues rather than at their own clubrooms, and given the minimal amount of liquor sold by clubs, it is unlikely that clubs pose any significant competition for commercial operators.

#### Objectives

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

#### Policies

- 1 Council will support the granting of liquor licences for premises located on reserves only where:
  - 1.1 the hours of liquor supply fall within the following time frames:  
Sunday to Friday 8am - 12 midnight  
Saturday and Public Holidays 8am - 1 am the following day;
  - 1.2 the granting of a licence is consistent with the purposes of the reserve;
  - 1.3 the effects on the reserve, its use and users, and reserve neighbours, can be avoided, remedied or mitigated; and
  - 1.4 the values of the reserve are not diminished.
- 2 Applicants will be responsible for ensuring that all relevant statutory consents are obtained and that the conditions of these consents are met.
3. Where the occupier has a liquor licence a condition of granting or renewing occupation agreements, will be that a Host Responsibility programme is put in place.

Policy Implementation		
Policy	Delegation/responsibility	Legislation/Council Policy
1.	Officer	Council Corporate Policy
2	-	
3	-	



### 3.10 Signs

#### *Comments*

The construction, maintenance and fees payable for erection of advertising signs and hoardings are regulated by the Council's Bylaws. Wider neighbourhood effects are regulated by the District Plan, which must be complied with before a permit is issued. The implementation of this policy is subject to the appropriate provisions of both Bylaw and District Plan Rules.

The 'Reserve Name' sign is the main sign at the reserve indicating the name of the reserve, occupiers of the reserve (eg sports clubs), and permitted/restricted activities (which are represented by symbols on the sign).

It may be inappropriate for all reserves to have a reserve name sign. The times when it may be inappropriate to have signage on the reserve is when public access to the reserve is not encouraged in order to protect conservation or wildlife values.

Interpretative signs provide useful historic, ecological, cultural, geographical, botanical, and geological information about the reserve and surrounding area. They may also provide details about tracks and other specific features of the reserve.

Signage may be required in some areas for safety and security reasons. These could include signs warning reserve users to lock vehicles and not to leave valuables in vehicles.

Temporary signage advertising election candidates may be permissible on reserves at sites identified by the District Plan as election advertising sites.

#### *Objectives*

- 1 *To minimise visual 'clutter' while maximising useful information to reserve visitors.*
- 2 *To ensure consistent sign information, styles and types on reserve land throughout the City.*

#### *Policies*

- |  |  |
|--|--|
| <ol style="list-style-type: none"><li>1. Any sign must meet the requirements of the Dunedin City Bylaws, District Plan or any resource consent that includes the sign.</li><li>2. All applications for signs on reserve land should be made in writing to the Council and will be considered by all relevant Council departments.</li><li>3. The number of signs on reserves will be kept to the minimum number required to meet the information needs of users.</li></ol> | <ol style="list-style-type: none"><li>7. Reserve occupiers will be responsible for meeting the costs of producing, erecting and replacing signs relating to their activity. Maintenance will be carried out by Council as part of their ongoing maintenance of the Council sign.</li><li>8. Where a sponsor's name is part of an occupier's name, this will be allowed on a sign. No other commercial information, including sponsor's logos, will be allowed on reserve name signs.</li><li>9. Also see the sections on Partnerships and Sponsors, and Promotion of Reserves.</li></ol> |
|--|--|

#### *Reserve Name Signs*

4. The Council may provide a sign at each reserve advising the name of the reserve, with provision for reserve occupier details on the same sign.
5. Reserve occupiers will be allowed to attach signs to the Council sign indicating their names, a symbol for their activity, and directional arrows in accordance with Council requirements.
6. All signs will be required to meet the

#### *Other Signs*

10. Tenant clubs may affix to their buildings or fences signs denoting their premises subject to written approval being granted by the relevant Council departments and all relevant statutory consents being



granted.

11. The Council may permit the erection of advertising on sports grounds where such signs are not visible from outside the reserve, and where these will not detract from the amenity of the reserve. Such signs should meet the requirements of the Council District Plan (or the conditions of a resource consent).
12. The Council will permit the erection of election signs at sites identified in the District Plan for the erection of election signs. No other signage will be permitted at these sites
13. Council may set a charge for the erection of any sign.
14. Existing advertising signs under existing agreements will be allowed to remain for the life of the sign provided these signs have been lawfully established.
15. Council signs (eg street name signs in the Town Belt), other than those erected for Reserve Management purposes, may be erected on reserves.
16. Warning signs to increase safety and security of property or reserve users will be permitted on reserves.
17. Where appropriate or necessary interpretation panels will be erected on the reserve.

Policy Implementation		
Policy	Delegation/responsibility	Legislation/Council Policy
1	Officer	Dunedin City Bylaws, District Plan
2	Officer	
3	Officer	
4	Officer	Council sign standards
5	Officer	
6	Officer	District Plan, Council sign standards
7	Officer	
8	-	
9	-	
10	Officer	District Plan, Council sign standards
11	Officer	District Plan
12	Officer	District Plan
13	Officer	Fees and Charges Policy
14	Officer	
15	Officer	
16	Officer	
17	Officer	

### 3.11 Partnerships And Sponsorships

#### **Comments**

The Council is increasingly entering into partnerships with commercial organisations wishing to provide, or financially contribute to, plantings or small facilities on reserves. Partnerships or community contracts may also be formed with community groups wishing to contribute funds or facilities to enhance a reserve in their community. These contributions can be acknowledged through small plaques or signs indicating the sponsors organisation or contribution.

In some cases where sponsorship is of a significant development on a reserve it may be appropriate for the sponsors organisation to be acknowledged in signage that names the facilities at that particular activity site on the reserve, e.g. Fulton Hogan's CycleSmart@Marlow Park, or playgrounds provided by an organisation.

#### **Objectives**

- To enter partnerships, community contracts, or sponsorship agreements with appropriate organisations or groups to assist with reserve enhancement.*
- To acknowledge the contribution made through sponsorship and partnerships with plaques or signage as appropriate.*

#### **Policies**

- The Council will explore and develop sponsorship, community contracts, and partnership opportunities for reserve development or enhancement.
- Where appropriate, contributions to reserve enhancement may be acknowledged by allowing small plaques or signs to be erected in the location of the planting or facility.
- Substantial contributions to reserve development or enhancement may be recognised through signage naming the facilities at the activity site or area of the reserve. Signage details will be negotiated on a case by case basis.
- The Council is under no obligation to accept offers of contributions that it considers inappropriate or where conditions associated with the contribution are unacceptable.
- Any plaques or signs erected will comply with Council policy and specifications.
- Where possible and appropriate, plaques and signs will be incorporated into the features of the reserve e.g. a wall, or seat.

Policy Implementation		
Policy	Delegation/responsibility	Legislation/Council Policy
1	Officer	
2	Officer	
3	Officer	
4	Officer	
5	Officer	Council sign standards
6	Officer	

### 3.12 Commemorative Plaques And Trees

#### **Comments**

Council frequently receives requests from people wishing to plant commemorative trees or erect plaques on reserves. As a result, a significant number of trees have been planted and established in various reserves and other public areas to commemorate special events and visits of dignitaries. With the passage of time, these plantings assume an historic significance, (ie a record of past events) and as such need to be properly identified, recorded and maintained. Civic events may include visits by Royalty, Heads of State and other dignitaries, commemoration of international, national and local events, anniversaries of community organisations and other events of a civic nature considered appropriate for formal recognition.

With ongoing periodic requests for tree planting to commemorate particular events, problems have arisen in recent years finding suitable sites for the trees. The development of new reserves may provide an opportunity for commemorative plantings although, generally, these new reserves are fully planted at the time of development.

The Council, in conjunction with Keep Dunedin Beautiful and the Rotary Club of Dunedin, have established the 'Trees for Babies' planting project. The project allows people to celebrate the birth of a child, or welcome a child into the family, by planting a native tree in a reserve. This project also helps enhance the reserve by restoring native vegetation. The trees will be planted on a specified date and the occasion will be commemorated with a plaque placed at the planting site. Frasers Gully Recreation Reserve is currently being used for this project.

Interment of placentas or ashes on reserves in association with commemorative plantings or plaques is not permitted as there may be issues with dog strike. Future management of the site may be affected also.

#### **Objectives**

- 1 *To allow the planting of commemorative trees and other plants and the erection of associated plaques.*
- 2 *To facilitate the 'Trees for Babies' project on reserves.*

#### **Policies**

- |   |   |
|---|---|
| <ol style="list-style-type: none"><li>1 A register of commemorative trees and plaques will be kept and updated.</li><li>2 The planting of trees or other special plantings to commemorate significant events in the life of the City shall be supported.</li><li>3 Commemorative trees and other plants will be allowed at the reserves listed in the schedule of this document (Appendix 6) with the written approval of the Council.</li><li>4 Commemorative trees and other plants may be allowed at other reserves with the written approval of the Council.</li><li>5 Trees planted in reserves should be of an appropriate species for that reserve. The species and location is to be discussed with appropriate Council staff at the time permission is sought.</li><li>6 The Council will maintain trees and other plants planted to commemorate civic</li></ol> | <ol style="list-style-type: none"><li>events. The Council will maintain other trees only where they meet the Council's supply and planting standards. Where trees do not meet the Council's standards, the Council accepts no obligation for replacement.</li><li>7 If commemorative plants need to be removed, then they may be replaced with the same species if appropriate to the reserve and site.</li><li>8 The Council will maintain plaques commemorating civic events. Plaques for other events will be maintained by the organisation or individual that erected it.</li><li>9 Commemorative planting of native trees as part of the 'Trees for Babies' project is permitted on selected reserves.</li><li>10 Conditions and fees for participation in the Trees for Babies project will be set by the Keep Dunedin Beautiful project team.</li></ol> |
|---|---|

- 11 Interment of placenta or ashes on reserves (other than cemeteries) is not permitted.

Policy Implementation		
Policy	Delegation/responsibility	Legislation/Council Policy
1	Officer	
2	-	
3	Officer	
4	Officer – where reserve has been listed for that purpose in a management plan. CDC – Recreation reserve. Full Council – Scenic reserve if contemplated in a management plan. Minister – Scenic, if introducing new species	Sec 51 and 53 reserves Act
5	Officer	
6	Officer	
7	Officer	
8	CDC – Recreation or local purpose reserve. Full Council – Scenic reserve, exotic species. Minister – Scenic reserve, native species.	
9	Officer	
10	-	
11	-	

### 3.13 Tracks

#### **Comments**

The following objectives and policies refer to the three types of tracks located on reserves. These are recreational tracks, which are used primarily for recreation (eg Pineapple Track), pathways designed for uses other than recreation (eg commuter access across reserves), and tracks required to facilitate the development or maintenance of the reserve.

Recreational tracks are used for walking, jogging, mountain biking and other recreational activities. Activities such as motorcycling and horse-riding may be permitted on some recreational tracks. Where permitted on reserves, these activities will be specified in the specific reserve management plans and will be indicated on reserve signage.

Reserves may provide convenient access as an alternative to footpaths adjacent to roadways. Several of these pathways exist already, particularly through the Dunedin Town Belt. Generally these pathways have been developed to an appropriate standard for commuter traffic. Pathways may be used for recreational purposes, but were not specifically constructed for this purpose.

The Reserves Act 1977 allows for “footpaths” on reserves where these are for public recreation/ enjoyment or are necessary for the public using the reserve. While pathways are not primarily for public recreation or enjoyment, they do have a value for recreation and are consistent with the Reserves Act 1977. An example might be the commuter track across Bayfield Park, which is used by school children attending Bayfield High School as well as by recreational users such as people walking their dogs.

Recreation facilities such as tracks may be permitted on scenic reserves where they are necessary to enable the public to obtain benefit and enjoyment from the reserve and where compatible with the principal and primary purposes of the reserve.

It may be necessary to facilitate access through reserves on a temporary or permanent basis to gain access for development and maintenance purposes. These access tracks would only be available for emergency and authorized vehicles.

The use of the terms “recreational tracks” and “pathways” in this document is distinct from any classification system for tracks.

#### **Objectives**

- 1 *To allow “recreational tracks” on reserves where adverse effects on the environment can be remedied or mitigated.*
- 2 *To allow “pathways” to cross reserves where adverse effects on the environment can be remedied or mitigated.*
- 3 *To facilitate access through reserves for development or maintenance purposes.*

#### **Policies**

- |   |   |   |  |
|---|---|---|--|
| 1 | Recreational and other tracks are allowed on reserves. For scenic reserves, tracks may be permitted to the extent they are compatible with the principal and primary purposes of the reserve. | 3 | Council’s Track Policy and Strategy will be considered in conjunction with this document.  |
| 2 | Where necessary and appropriate tracks may be formed to facilitate access through reserves for development or maintenance purposes.   | 4 | The written permission of the Council is required before new recreational and other tracks are developed by other organisations. |
|   |   | 5 | The Council should be contacted early in the planning stages of new tracks proposed by other organisations.                      |

- 6 Plans for tracks should consider:
- 6.1 landscape values;
  - 6.2 recreational values;
  - 6.3 ecological values;
  - 6.4 heritage values;
  - 6.5 other values (including social/community values);
  - 6.6 safety issues;
  - 6.7 means to mitigate or remedy adverse effects; and
  - 6.8 ongoing maintenance requirements.
- 7 People walking on tracks have the right of way over joggers and other non-walkers except in specifically set aside activity areas.
- 8 Horses and motorcycles are prohibited from tracks unless a specific exemption is indicated by way of a sign.
  - 9 Mountain-bikes and bicycles are allowed on tracks over Council administered reserves, unless specifically prohibited as indicated by a sign or by policy in a specific reserve management plan.
  - 10 Organised mountain-bike and bicycle races and other events are allowed on tracks on reserves subject to the written permission of the Council being obtained.

Policy Implementation		
Policy	Delegation/responsibility	Legislation/Council Policy
1 and 2	<p>CDC – Recreation reserve.</p> <p>Full Council – Scenic reserve – exotic flora removal only or no vegetation removal required.</p> <p>Can't construct track in scenic reserve if removal of indigenous flora is required.</p>	<p>Sec 17, 19, 42, 53(1)(c )</p> <p>2<sup>nd</sup> proviso, and 55(1)(h)(i) Reserves Act.</p>
3	-	
4	<p>CDC – Recreation reserve.</p> <p>Full Council – Scenic reserve – exotic flora removal only or no vegetation removal required.</p> <p>Can't construct track in scenic reserve if removal of indigenous flora is required.</p>	<p>Sec 17, 19, 42, 53(1)(c )</p> <p>2<sup>nd</sup> proviso, and 55(1)(h)(i) Reserves Act.</p>
5	-	
6	Officer	
7	-	Track Policy and Strategy
8	-	
9	-	
10	Officer	

### 3.14 Car Parking

#### **Comments**

Virtually any recreational uses will generate demand for parking space within reserves. Occasionally groups request exclusive use of car parks on reserves for special events. While this use can be legitimate, exclusive users obtain a benefit greater than that of the public at large and exclusive use may be to the detriment of reserve users. The Council needs to ensure that those who benefit from exclusive use of car parks meet the costs of their benefit. Apportioning the costs of car park provision can be difficult. Various options have been tried, including leasing car parks to identifiable user groups. This can be difficult to justify against wider public access requirements and use of leased car parks.

Problems can occur when vehicles are parked on reserves in a manner that damages reserves, inhibits the proper use of the reserve or may restrict access to reserves or facilities, such as parking over an entrance way or in front of a storage area.

#### **Objectives**

- 1 *To provide and maintain car parks, where appropriate and financially feasible, to a level that is adequate for servicing the usual activities carried out within the reserve.*
- 2 *To recover some of the costs of car park provision from identifiable beneficiary groups.*
- 3 *To take appropriate enforcement action against owners of vehicles parked inappropriately on reserves*

#### **Policies**

- |   |  |
|---|--|
| <ol style="list-style-type: none"><li>1 Car parking on reserve areas other than recognised car parks, or in any way that causes damages to the reserve, inhibits proper use of the reserve or restricts access to the reserve or facilities, is prohibited.</li><li>2 Car parks on reserves are for vehicles associated with recreation and other legitimate use of the reserve.</li><li>3 Regular overnight and long-term parking is not permitted.</li><li>4 Where gates close at a specific time, anyone requiring to be released after this time will incur a fee.</li><li>5 Parking in areas other than recognised parking areas may be permitted upon the written approval of the Council.</li><li>6 Car parking areas will be provided on reserves where there is a proven requirement directly related to the use of the reserve, and where it is both appropriate and financially feasible to provide a car parking facility.</li><li>7 Reserve occupiers may be asked to contribute to the provision of car parking on reserves where their occupation is a clear and significant factor in the need for car parking.</li></ol> | <ol style="list-style-type: none"><li>for special sporting and recreation events. Council may set a charge for this exclusive use.</li><li>9 Where an application for exclusive use of a car park is successful the Council will arrange for public notification of this use in the Public Notices section of the Otago Daily Times. Applicants will need to meet the costs of public notification.</li><li>10 Groups having permission to use car parks exclusively may levy a charge (to recover costs) on users during the time they have exclusive use of the reserve.</li><li>11 Car parks for disabled users may be designated where reserve car parks are marked.</li><li>12 Groups that sublet car parks for a private gain will incur a commercial rental per square meter for car park spaces based on the Council's current evaluation on commercial car park rental charges for that</li><li>8 Exclusive use of car parks may be allowed</li></ol> |
|---|--|

- area.
- 13 It is no defense against an offence committed against these policies if no sign, notice, or road marking was in place at the time the offence was alleged to have been committed.



Policy Implementation		
Policy	Delegation/responsibility	Legislation/Council Policy
1-4	-	
5	Officer	
6	-	
7	-	
8	Officer	Fees and Charges policy, Standard booking fees
9	Officer	
10	CDC - Recreation Reserves, <6 consecutive days.  Minister's consent required to increase number of days.  Not specifically permitted for scenic reserves.	Sec 53 Reserves Act
11	Officer	
12	Officer	Council rent formulas
13	-	

### 3.15 Reserve lighting

#### **Comments**

Occasionally groups using reserves have requested the Council to provide car park and accessway lighting. The Council's policy has been that it will only provide lighting where there is clear public benefit. Furthermore, the provision is limited to Council-owned land and facilities.

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

With respect to recreation and safety issues, the Council does not encourage the use of public recreation lands after dark. The lack of lighting on Council land is in many circumstances a strategic management decision to discourage visitors from using areas at night where safety problems may exist. Indeed, the Council actively discourages people from using some reserves, for example the Botanic Garden and Bethunes Gully, by ensuring gates are closed and locked at night. The Council recognises, however, that some groups, in particular those running indoor facilities, do need to operate at night.

Users of recreation facilities perceive that the lack of lighting at these facilities affects people's personal safety and increases actual and potential crime, which leads to membership decline. The provision of lighting in public locations is, however, no guarantee of improved safety. In isolation, lighting may improve the ease with which cars may be broken into and give a false sense of security to visitors. As part of a total safety campaign - including surveillance and personal safety allowances (such as not using or visiting facilities alone) - lighting may be considered a useful addition to safety provisions, but is not a solution in itself.

#### **Objectives**

- To provide car park and accessway lighting subject to the costs of developing, maintaining and replacing this lighting being met by the beneficiaries of this lighting.*

#### **Policies**

- |  |  |
|--|--|
| 1 The Council will fund lighting on Council owned land only where there is clear public benefit.   | 3 The Council will not contribute to car park and accessway lighting on non-Council owned land, except where a Council owned facility occupies the land and there is clear public benefit. |
| 2 Where groups occupy Council owned land or own facilities located on Council owned land, the onus lies on the occupying group to either meet the cost or contribute significantly to the costs of car park and accessway lighting. If an application is received from a group meeting these conditions the criteria contained in Appendix 5 will be used to decide whether or not the Council will contribute to funding. | 4 Where Council owns a facility which is occupied by another group on the basis of a landlord/tenant arrangement, it is the tenant's responsibility to provide lighting.                   |
|  | 5 Where an identifiable beneficiary from reserve accessway and car park lighting exists, the full operation and maintenance costs are to be passed on to that beneficiary.                 |

Policy Implementation		
Policy	Delegation/responsibility	Legislation/Council Policy

1	- Annual plan process or a report to CDC seeking funding may be required	
2	Officer - Annual plan process or a report to CDC seeking funding may be required	
3	Officer - Annual plan process or a report to CDC seeking funding may be required	
4	-	
5	-	

### 3.16 Sportsfield Lighting

#### Comments

Sports clubs occasionally wish to light sportsfields so that they can be used during the hours of darkness. The height and power of these lights may result in adverse effects on reserve neighbours and the landscape values. The Council wishes to avoid, remedy or mitigate these effects through both the District Plan and reserves management processes.

#### Objectives

- 1 To allow sportsfield lighting where the adverse effects on reserve values can be avoided, remedied or mitigated.

#### Policies

1. Sportsfield lighting may be allowed on reserves subject to the applicant making written application to the Council. All applications will include:
  - 1.1. a lighting plan showing the location of poles, the strength of lights and the patterns of luminosity;
  - 1.2. evidence of consultation with other reserve users and reserve neighbours;
  - 1.3. a proposed cable plan; and
  - 1.4. a statement regarding the proposed days and hours of operation.
2. It is the applicant's responsibility to consult with all likely affected parties including other reserve users and reserve neighbours.
3. It is the applicant's responsibility to obtain all relevant statutory consents including Resource and Building Consents.
4. The erection, maintenance, operation and replacement of sportsfield lighting will be at no cost to Council.
5. Sportsfield lighting must be removed by a sports club or code within three months of them vacating a reserve. Lighting which is not removed in this time becomes the property of Council. No compensation is payable in this case.
6. The sections on Occupation Agreements and Network Utility Operators in this document will apply.

Policy Implementation		
Policy	Delegation/responsibility	Legislation/Council Policy
1	- Will vary depending on lease agreement, easements required. Consider under relevant sections of the General policies and reserves Act.	District plan, Management Plans, General Policies, Reserves Act (especially sec 48)
2	-	
3	-	
4	-	
5	-	
6	-	

### 3.17 Litter Control And Dumping

#### **Comments**

The Local Government Amendment Act (No.4) 1996 requires all territorial local authorities to adopt a waste management plan that makes provisions for the reduction, re-use, recycling, recovery, treatment, and collection and disposal of waste in the district. The aim of the Act is to ensure that the management of waste does not cause nuisance nor is injurious to health but also have regard to the environmental and economic costs and benefits to the district (Council Waste Management Plan, 1997).

The illegal dumping of garden refuse, trade waste, domestic refuse, rubble or debris on reserves detracts from the amenity value of the reserve, creates health and safety risks to reserve users and Council staff, and may result in the spread of invasive weeds. Most of the illegal dumping occurs over back fences, over banks in bush areas, or in empty sections that allow access to gully reserves. Where tenants of rental accommodation have carried out such dumping, landlords may be held accountable for ensuring such rubbish is cleaned up.

Illegal dumping may occur in conjunction with building development, where the reserve is treated as a storage or disposal area for the unwanted building materials, or soil. The Council endeavors to prevent this situation occurring by having appropriate conditions or advice notes on resource consents granted for properties adjacent to reserves.

Vehicles are occasionally abandoned on reserves. Vehicle owners have the responsibility for disposing of unwanted vehicles in an appropriate manner. Where the owner of the vehicle can be identified, the Council will take action against the owner.

The Council has a number of options for enforcement under the Litter Act 1979, including instant fines, and requesting the offender remove their rubbish or pay the cost for Council contractors to remove it.

Occasionally people may load up reserve rubbish bins with household rubbish that has been gathering in their cars. The inappropriate use of existing rubbish bins also results in bins becoming full or overflowing more quickly than with normal reserve use, which can significantly detract from the amenity values and proper functioning of the reserve.

In the first instance, assessment of the need for new rubbish bins will be on the basis of reserve usage. Council will look at other factors such as location in relation to playground seating, and event and lookout areas. The Council will consider whether the bin can be easily emptied and if the bin is in an area likely to be prone to vandalism.

#### **Objectives**

- 1 *To preserve the reserves recreation, cultural, and environmental values through appropriate collection and disposal of waste.*
- 2 *To actively discourage illegal dumping on reserves, and take appropriate action against offenders.*

#### **Policies**

- |   |   |   |   |
|---|---|---|---|
| 1 | Where appropriate, Council will provide, and regularly empty, rubbish bins on reserves.                                     | 4 | The Council will take proactive measures to minimize illegal dumping on reserves.   |
| 2 | The disposal and collection of waste be in accordance with the Council Waste Management Plan.                               | 5 | Landlords may be held accountable for ensuring rubbish illegally dumped on reserves by their tenants is cleaned up.   |
| 3 | No person may deposit or store any refuse, trade waste, garden refuse, rubble, or debris, or abandon vehicles on a reserve. | 6 | The Council will take appropriate enforcement action under the Litter Act 1979 and Reserves Act 1977 against parties illegally dumping waste or vehicles on reserves. |

- 7 Where a reserve is used for an event or tournament, user groups or event organisers are responsible for the collection and disposal of waste.

Policy Implementation		
Policy	Delegation/responsibility	Legislation/Council Policy
1.	Officer	
2	Officer	Council Waste Management Plan
3	-	
4	Officer	
5	Officer	
6	Officer	Section 94 Reserves Act
7	Officer	

### 3.18 Camping

#### *Comments*

In the past, problems have arisen from people camping on reserves. The three major issues giving cause for concern are damage, health and water supply.

Campers may damage trees in their search for firewood and kill grass by covering one place for too long. Campervans driving or parking on grassed areas can also cause damage, especially during wetter months. These types of damage are of concern as they add to the costs of maintaining reserves.

Another problem with camping on reserves is a lack of control over the health conditions of the camping area. Toilets, if available, may not cope with the increase in demand, or, if toilets are not provided, there are possible detrimental long-term effects from human waste left in the reserve.

The free supply of water to reserves is another problem raised by residents. Water is provided at reserves by rates from residents, who may themselves be on a limited water supply. Those camping on reserves may have access to a free water supply, while residents bear the financial cost and a possible loss of supply.

The Council occasionally receives requests for camping on reserves by Scout or Guide groups or for specific events. Permission for camping for these activities is generally granted with conditions to minimise damage to reserves, and address environmental and health issues.

In accordance with Section 44 of the Reserves Act 1977 the Minister of Conservation's approval is required for permanent or temporary accommodation on all reserves, except those designated or set aside for camping, having approved lodgings or areas defined in management plans.

The Council is reconsidering the issue of freedom camping through the Community Development Committee. While it is considered appropriate that on a majority of Council reserves any form of camping be discouraged, a number of matters will need to be further investigated, including, permitting self contained camper vans to camp/park on reserves for a limited time, having a permit system, and use of reserves with appropriate water and toilet facilities for limited camping. When these issues have been addresses and considered by the new Council, any changes to the existing policy will be incorporated into the Reserves Management Plan - General Policies.

#### *Objectives*

- 1 *To allow camping in designated camping areas provided that adverse effects of camping can be avoided, remedied or mitigated.*

#### *Policies*

1. Should members of the public have any concerns over problems arising from camping on public reserves, particularly in relation to protecting the environment, they could contact the Council.
  - c. damage to the reserve; and
  - d. effects on reserve use, users and neighbours, and
  - e. The natural environment and wildlife.
2. The Council may approve camping on reserves listed in Appendix 4 or other management plans and/or where there is evidence that the adverse effects of camping can be avoided, remedied or mitigated. Adverse effects include those affecting:
  - a. rubbish;
  - b. water;
3. All applications for camping in an approved areas (listed in management plans) are to be in writing and forwarded to Council at least ten working days before the event.
4. In all approved cases, a bond will be required to ensure the reserve standards and conditions are not compromised. See Appendix 3.

5. Any approval must comply with the relevant legislation including health, safety and fire regulations.
6. This policy should be read in conjunction with the Use of Reserves policies.
7. Disposing of “grey water” or sewerage from campervans is not permitted on reserves unless facilities for this activity are provided, such as at a camp ground on a reserve.
8. It is no defence against an offence committed against these policies if no sign was in place at the time the offence was alleged to have been committed.
9. If the Council reconsiders its position regarding camping on reserves, this section of the management plan will be amended to reflect that position.

Policy Implementation		
Policy	Delegation/responsibility	Legislation/Council Policy
1	-	
2	Officer – for reserves listed in management plans or General policies. Minister in other cases	Section 44 Reserves Act
3	Officer	
4	Officer	
5 - 9	-	



### 3.19 Circuses And Side-Show Operators

#### **Comments**

The Council frequently receives requests from circus, side-shows, gypsy fairs and similar operators for use of reserves. These types of use can have effects greater than those for other forms of temporary commercial use. Three issues particularly worthy of consideration are land use, health and safety, and animal welfare.

The City's public reserves are administered under the appropriate provisions of the Reserves Act 1977. The Council has the power to impose such conditions and restrictions as are considered to be necessary for the protection and general well-being of the reserve, and for the protection and control of the public using it. The legislation specifically addresses the construction and development of compounds for animals for display on reserves. The Council in its administration of reserve land requires a rental for the site and a bond to cover reinstatement of any damage caused by such events.

The Council currently enforces the general provisions of the Health Act 1956, the Food and Hygiene Regulations and the Resource Management Act 1991 (in respect of noise and effluent disposal). The Council administers the Building Act 1991 relating to the erection of marquees, fire safety and egress, and the provision of toilets and other facilities. It also administers the Amusement Devices Regulations and is responsible for issuing permits to operate equipment in consultation with the Labour Department.

Some sectors of the community believe that the use of animals in circuses is inappropriate on animal welfare reasons. Currently the general health and safety of animals is provided for by inspection from the Ministry of Agriculture and Forestry (MAF), the SPCA and the Police under the Animal Protection Act 1960. The policy set out below allows circuses holding a current MAF certificate to use Council land and allows residents to make their decision about whether to attend. Circuses with animals may not use Council land unless approval has been given by Council based on Council's decision as to whether those animals are suitable for captivity, confinement or being kept in enclosed areas as well as the reputation of the circus.

The Council has set aside an area at the Oval as a site for circuses or parking of vehicles for a certain period. The site has been prepared to be quick draining to prevent it become muddy, thereby reducing damage occurring as a result of vehicle or tent use. This site is the only area where permission will be granted for these types of shows, displays or vehicle parking. This area can be booked through the Council booking system at the time permission is granted. The site should be booked well in advance as there can be high demand for this site during certain times of the year.

#### **Objectives**

- 1 *To allow the use of reserves for circuses, side-shows, gypsy fairs and similar uses, subject to exotic animals not being kept or used for performance or exhibition and meeting the existing provisions set out by the Ministry of Agriculture and Forestry, SPCA, and the Animal Protection Act 1960.*

#### **Policies**

- |   |  |
|---|--|
| <ol style="list-style-type: none"><li>1 A rental will be charged for circus, side-show, gypsy fair and similar use of reserves.</li><li>2 A bond will be required for any use by circus, side-show, gypsy fair or similar use of reserves. See Appendix 3.</li><li>3 The area set aside at the Oval is the only site to be used for circus, side-shows, gypsy fairs and similar use of reserves.</li><li>4 Circuses, side-shows or similar users of</li></ol> | <p>reserves:</p> <ol style="list-style-type: none"><li>4.1 Must not keep or use exotic animals for exhibition or performance.</li><li>4.2 Can keep or use domesticated animals for exhibition or performance, subject to meeting the code for the welfare of animals as adopted by the Ministry of Agriculture and Forestry.</li></ol> |
|---|--|

<b>Policy Implementation</b>		
Policy	Delegation/responsibility	Legislation/Council Policy
1	Officer	
2	Officer	
3	-	
4	-	

### 3.20 Aircraft and helicopter landings

#### Comments

The Council occasionally receives requests from people wishing to carry out activities involving aircraft or helicopters. These usually involve landings, although some groups have used helicopters for transporting loads where there is no road access and others carry out “ball drops” (where helicopters are used to drop tennis balls or similar for commercial promotion purposes).

In general these events do not affect the reserve or use of the reserve. There may, however, be adverse effects from the activity on reserve users or neighbours. While Council can control the effects of activities on the ground, it has no jurisdiction over the helicopter or aircraft once it is the air.

#### Objective

- 1 *To allow aircraft and helicopter landings on reserves, or events on reserves involving the use of helicopters and aircraft, where the values of the reserve are not diminished and where the effects on reserve neighbours, the environment, and wildlife, can be mitigated.*

#### Policies

- |   |   |   |  |
|---|---|---|--|
| 1 | Other than in an emergency the use of any part of any reserve for the purpose of landing of an airplane, helicopter, or any kind of flying machine, is not permitted without prior written permission from the Council. | 4 | Approval from the Civil Aviation Authority (or other appropriate organisation) must be obtained by the applicant.  |
| 2 | Applications must be made in writing to Council at least 2 months prior to the proposed event.  | 5 | Adequate public liability insurance must be taken out by the applicant, with written proof required before the Council’s final permission is given.  |
| 3 | Compliance with the conditions of relevant legislation is the responsibility of the applicant.  | 6 | The landing/take off strip is to be marked by cones or flags and personnel provided to ensure no member of the public strays onto the landing strip during take off or landing. Warning signs may also need to be erected. |

Policy Implementation		
Policy	Delegation/responsibility	Legislation/Council Policy
1	CDC	Section 94 Reserves Act
2	CDC	Section 94 Reserves Act
3 - 6	-	

### 3.21 Fireworks displays

#### **Comments**

Groups occasionally wish to use reserves for fireworks displays. This can be either large, official organized displays to celebrate a particular event, or a display where the public pay to attend, or where community organisations wish to have fireworks in a safe, controlled environment.

Official organised displays are controlled by legislation other than the Reserves Act 1977 and require the permission of the Department of Labour as well as the Council before proceeding.

Community displays run by service clubs are likely to be on a smaller scale than official displays and may have a different focus. Organisations wishing to run community fireworks displays will be required to demonstrate how they will comply with Health and Safety requirements, public safety, and mitigation of affects. Conditions, including bonds, will be placed on any permission granted.

As long as the adverse effects of fireworks displays on reserve values are avoided, remedied or mitigated, fireworks displays are a legitimate use of reserves.

#### **Objectives**

- 1 *To allow fireworks displays on reserves subject to all adverse effects on reserve values, the natural environment, and wildlife, being avoided, remedied or mitigated.*

#### **Policies**

- 1 Subject to Council permission being granted, organised official fireworks displays will be permitted on reserves.
- 2 Fireworks displays by community organisations may be permitted.
- 3 Written application should be made at least ten working days before the proposed event. Conditional approval may be given
- 4 upon written application to Council. Final approval will be given only after permissions from the Department of Labour have been obtained, if required.
- 4 Conditions on permissions will include the 'Standard Conditions of Use' (see Appendix Two) and the requirement for appropriate public liability insurance.

Policy Implementation		
Policy	Delegation/responsibility	Legislation/Council Policy
1	Officer	
2	Officer	
3	Officer	
4	-	

## 3.22 Research and Education

### *Comments*

The Council receives a number of requests from university students or researchers wishing to carry out research on reserves. A majority of these requests involves the collection of flora and fauna specimens from the reserve. The Minister of Conservation is responsible for granting permission for these activities under section 49 of the Reserves Act 1977. The Council has been delegated this authority for the collection of exotic flora and fauna, and the collection of rock material or soil. Research on reserves may be of benefit to the Council by providing information that may assist with the management of reserves or increased knowledge of species and ecology.

School groups and other educational organisations also use reserves for school projects and outings. Involving such groups with restoration projects on reserves creates a sense of ownership and interest in the reserve. This approach may reduce the amount of vandalism that can occur at neighbourhood parks and reserves as children who have been involved with restoration projects are less likely to vandalise their work, or that of their schoolmates.

### *Objectives*

1. *To facilitate and encourage partnerships with educational providers for the use of reserves for appropriate research.*
2. *To encourage active community participation in reserve projects as an educational tool, and to increase understanding of reserve values.*

### *Policies*

1. The Council may allow appropriate research on reserves where it is not detrimental to reserve values.
2. The Council should be acknowledged in reports/papers and receive copies of reports/papers produced as a result of research carried out on reserves.
3. Conditional permission may be granted for the collection of specified specimens for scientific or educational purposes, in accordance with Section 49 of the Reserves Act 1977.
4. Where appropriate, community groups or educational providers may be involved with enhancement projects on reserves, or be granted permission to carry out such projects on reserves, where they have an educational value.

Policy Implementation		
Policy	Delegation/responsibility	Legislation/Council Policy
1	Officer	
2	Officer	
3	Full Council - collection of exotic flora and fauna, rock material or soil. Minister – collection of native species.	Section 49 of the Reserves Act 1977
4	Officer	

### 3.23 Harvest Of Cultural Material Or Harvest of Material For Cultural Purposes

#### *Comments*

Historically many bird and plant species have been utilised by Kai Tahu and whanau as part of their dietary requirements and for other cultural use. Most were gathered as part of the seasonal cycle of harvesting of mahika kai in the Araiteuru rohe (the traditional name for Otago).

Plants and trees supplied weaving materials from the bark and leaves. Dyes could be extracted from the leaves, roots, and mud. Trees also provided raw materials for tools, waka, housing, weapons, and other uses.

Iwi acknowledge that there were impacts upon species and ecosystems, particularly during the early period of settlement. From this came the philosophy of kaitiakitanga, that to ensure the continued viability of species and ecosystems they had to be managed in a sustainable way. Kaitiakitanga is defined in the Resource Management Act 1991 as “the exercise of guardianship; and in relation to a resource, includes the ethic of stewardship based on the nature of the resource itself”.

*Source document: Kai Tahu ki Otago – Natural Resource Management Plan*

The Council occasionally receives applications for the harvesting of flora and fauna from reserves or other land it administers. Where these resources are to be used for cultural purposes, the policies in this section will be used to guide the decision.

Pikao (*Desmoschenus spiralis*) is currently being established at a number of coastal sites, in partnership with the Pikao Recovery Group. Harvesting of this material for cultural purposes may be possible once sustainable levels have been reached and in accordance with the procedures below.

Flax (Harakeke, *Phormium spp.*) is well established on many Council reserves, and requests for this resource are common among the applications received. As with pikao and other flora, appropriate harvesting methods are important to ensure successful survival of the plant.

Where an application is for collection of a common species on a recreation reserve, the Council may process the application, with consideration of the Reserves Act 1977. Where the location of harvesting is a scenic reserve, or involves the collection of fauna, the permission of the Minister of Conservation is required. Where necessary, advice may be sought from the Komiti Taoka Tuku Iho (Otago) committee.

The Reserves Act 1977, in particular sections 42(1), 46(1), 49 and 50, and the Wildlife Act 1953 must also be considered when assessing applications to ensure those approved do not contravene any provisions of these acts or any regulations or proclamation or notification under these acts. The treaty of Waitangi and Kai Tahu ki Otago – Resource Management Plan, will also be considered.

Applications for use of resources for commercial purposes are unlikely to be granted.

#### *Policies*

1. Applications for the harvest of flora and fauna for cultural (including educational) purposes will be considered on a case-by-case basis.
2. Advice may be sought from the Komiti Taoka Tuku Iho (Otago) committee as required on an application.
3. The processing of any application will consider the sustainability of the species
4. The Council, as landowner, will attach conditions to any approval given.
5. The taking of flora and fauna for commercial purposes will not be permitted.

<b>Policy Implementation</b>		
Policy	Delegation/responsibility	Legislation/Council Policy
1-4	<p>Full Council – Exotic flora and fauna, and recreation and local purpose reserves.</p> <p>Ministers - Native flora and fauna, and scenic reserves.</p>	Sections 42, 46, 49, 50 Reserves Act, Conservation Act 1987, Wildlife Act 1953.
5	<p>CDC – Recreation or local purpose reserves.</p> <p>Full Council – Scenic reserve for non-protected exotic fauna.</p> <p>Minister – Scenic reserves where not delegated to Council.</p>	Section 50 Reserves Act

## 3.24 Volunteers Working On Reserves

### Comments

The Council is fortunate to have a number of organisations or groups who volunteer their time and resources to develop or maintain reserves in Dunedin. This may be for one off projects, or on a regular basis with ongoing projects or maintenance of a particular area. The contribution can be volunteer labour, provision of plants, and fundraising for facilities to enhance reserves or amenity areas.

Development and maintenance of reserves by volunteers allows the groups to contribute resources that facilitate their chosen recreational activities, and provide increased opportunities for the Dunedin public. Without the assistance of these groups the Council may be unable to provide the range of recreational and amenity opportunities available or maintain them to the level provided by the groups.

New proposals need to have Council approval before a project can begin. Discussions with Council staff should take place in the early stages of a proposal being developed to ensure that the activity is appropriate and permitted under Council's policies and relevant legislation.

Volunteers working on reserves have responsibilities to comply with Health and Safety requirements (Details available from Council).

### Objectives

1. *To facilitate agreements with volunteer organisations or groups so that volunteer work on reserves is carried out in a safe manner, consistent with Council policies and relevant statutory requirements.*

### Policies

1. Where appropriate, Council will encourage and facilitate agreements with organisations and groups wishing to carry out volunteer projects on reserves.
2. Volunteers may only carry out work that has been sanctioned by Council and which is part of the agreement.
3. Before beginning any project, hazard plans must be prepared in consultation with the appropriate Council staff. The hazard plan must be shown to all members of the organisation working on site.
4. Volunteers should be using power or mechanically driven tools only if they have the proper experience and safety equipment, and have discussed this with, and received approval from Council staff.
5. Any incident where serious harm occurs to a person must be reported immediately to the Council and the project must be halted while the incident is investigated.
6. Unless otherwise agreed, the organisation carrying out projects requiring resource or building consents, will be responsible for getting such consents prior to starting the projects.

Policy Implementation		
Policy	Delegation/responsibility	Legislation/Council Policy
1	Officer  Depending on project elements, Minister, Full Council or CDC permission may be required - check specific actions under relevant section of General	



	Policies and Reserves Act.	
2 - 6	Officer	

## 4.0 Development and Change Policies

### 4.1 Landscape

#### *Comments*

The scenic and landscape amenity values of reserves are an important part of their value. Reserves provide tracts of open space and bush within the built environment of the City. Within rural areas, reserves can act to contrast the predominately agricultural and forestry land uses. In both cases, reserves enhance landscape values.

These values may be potentially harmed by some activities on reserves. For instance the development of buildings can reduce the landscape value of a site, as can the clearance or removal of vegetation. These adverse effects need to be avoided, remedied or mitigated.

#### *Objectives*

- 1 *To protect and enhance the landscape values of reserves.*

#### *Policies*

- 1 A landscape plan may be required for development proposals. Where plans are required, they must be approved by the Council in writing before the development can proceed.
- 2 Landscape plans need to address the following considerations:
  - 2.1 existing trees/vegetation;
  - 2.2 location of buildings;
  - 2.3 proposed additional planting, including species, locations and quantities;
  - 2.4 drainage and earthworks;
  - 2.5 access; and
  - 2.6 location of utility facilities, eg power lines, pipes etc.
- 3 Vegetation should reflect the positive features of existing plantings in the area and the character of the nearby landscape. Trees planted in reserves should be of an appropriate species for that reserve. The species and planting plan is to be discussed with appropriate Council staff.
- 4 Public safety should be taken into account when planning the density and scale of planting.
- 5 All new facilities and alterations or extensions to facilities will be designed, as far as practicable, to be compatible with the reserve's landscape.
- 6 Landscape conditions may be placed on all permissions for new facilities and alterations to existing facilities. These conditions will be designed to avoid, remedy or mitigate the adverse effects of any development on the landscape values of the site.
- 7 Restoration of disturbed landform, at the cost of the developer and to the Council's satisfaction, should be included in the costing and design of all development proposals. Where necessary, ongoing consequential maintenance should also be included in development proposals.
- 8 Where ongoing maintenance of measures taken to avoid, remedy or mitigate adverse effects on landscape values is required, the Council will enter into a written agreement with the developer to arrange for the funding of this maintenance.
- 9 All measures taken to avoid, remedy or mitigate adverse effects on landscape values must be to the Council's standards.
- 10 Compliance with the relevant conditions of the Resource Management Act 1991 and other relevant legislation is the responsibility of the applicant.
- 11 No noxious or undesirable plants, as identified by Otago Regional Council, Department of Conservation and as advised by the Council may be used when landscaping on reserves.

Policy Implementation		
Policy	Delegation/responsibility	Legislation/Council Policy
1	Depending on nature of project, Minister, Full Council or CDC permission may be required - check specific actions under relevant section of General Policies and Reserves Act	General Policies, Reserves Act
2	-	
3	Officer  Depending on nature of project, Minister, Full Council or CDC permission may be required if it is contrary to management plans etc - check specific actions under relevant section of General Policies and Reserves Act	General Policies, Reserves Act  Landscape Architect may need to be involved if appropriate.
4	-	
5	-	
6	Officer  Depending on nature of project, Minister, Full Council or CDC permission may be required - check specific actions under relevant section of General Policies and Reserves Act	General Policies, Reserves Act
7	Permission from body with delegation to grant permission for the development is required – see appropriate sections of general Policies and Reserves Act	Reserves Act, General Policies
8	Done as part of the permission for development.	Reserves Act, General Policies
9	Officer	
10	-	
11	-	

## 4.2 Changes In Recreational Facility Use

### **Comments**

Changes in leisure participation and trends in sport can result in decreased club membership and may cause the club to struggle financially or cease to function. Where the Council is aware that this situation is occurring, it will encourage clubs to explore options, such as the amalgamation of clubs or sharing of facilities, which may allow clubs to continue to operate with reduced costs to the individual club.

Clubs looking to occupy reserve land will be encouraged to consider use of existing, available, facilities in preference to building new facilities or clubrooms. This retains open space on the reserves without cluttering them with more buildings, and is a far cheaper option for clubs who can end up with significant debt after building new facilities.

### **Objectives**

- 1 *To proactively encourage clubs to explore options such as amalgamation or sharing of facilities.*
- 2 *To encourage clubs to make use of existing, available, facilities in preference to the development of new facilities.*

### **Policies**

- 1 The Council will encourage and facilitate clubs wishing or needing to amalgamate or share facilities.
- 2 The Council will encourage clubs wishing to develop facilities on reserves to explore options for using existing, unoccupied, facilities or sharing facilities.
- 3 This section should be read in conjunction with the sections on Abandonment, and Buildings and Structures, in this document.

Policy Implementation		
Policy	Delegation/responsibility	Legislation/Council Policy
1	Officer	
2	Officer	
3	-	

### 4.3 Buildings And Structures (Including Playgrounds)

#### *Comments*

The Reserves Act 1977 generally limits buildings on recreation reserves to sporting and outdoor recreation purposes only. Although Section 53 of the Act does allow local authorities the discretion to erect “buildings and structures for public recreation and enjoyment not directly associated with outdoor recreation”, its primary reference is to the Council’s provision of facilities “associated with and necessary for” outdoor recreation, being stands, pavilions and gymnasia.

Lessees under Section 54(1) (b) of the Act may erect similar buildings or, if it is deemed to be in the public interest, “buildings and structures for sports, games or public recreation not directly associated with outdoor recreation.” The prior consent of the Minister of Conservation may be required. The erection of buildings may also be permitted on land leased for commercial operations that are of public recreational benefit.

The Council’s preference, however, is for clubs looking to occupy reserve land to explore options to use existing, unoccupied, facilities or to share facilities with other clubs, rather than building new facilities, except where this is essential. This retains open space on the reserves without cluttering them with more buildings and is a far cheaper option for clubs which could otherwise end up with significant debt after building new facilities.

The Council has a goal of providing play opportunities within walking distance of most homes. Many reserves offer open public space or playgrounds to facilitate children’s play. The Council will continue to develop children’s play areas in accordance with the Play Policy and Playground Priority Plan.

The Council does not generally consider reserves to be an appropriate location for recycling centres and clothing bins, as they do not directly benefit the reserve or reserve users, and may create a hazard to reserve users or adjacent property owners.

Where new buildings are considered essential, and other options are not available, the Council considers several factors in assessing building applications. First, any building should not unduly limit the outdoor recreational use of the reserve. Second, the Council wishes to be a good neighbour, so no nuisance should be caused to neighbouring properties either by the building itself or by activities associated with the use of the building (including vehicle movements). Third, the amenity value and physical features of the reserve (eg trees and other vegetation) should not be compromised by the construction of buildings.

#### *Objectives*

- 1 *To ensure that buildings and structures on reserves meet the needs of approved use and users without significant adverse effects on the values of the reserve and reserve neighbours.*
- 2 *To set aside and develop areas of reserves for children’s play where this is appropriate in terms of the purpose of the reserve.*

#### *Policies*

1. A lease, or other appropriate form of agreement, will be required for all non-Council owned or administered buildings and structures on reserves. This is to include those buildings and structures where Council owns and administers part of the facility and those where Council has contributed financially to the building.
2. Feasibility studies will be required where proposals for all developments costing over \$100,000, and/or increase the area of the reserve occupied, and/or result in occupiers having debt levels of \$10,000 or more. Feasibility studies are to be discussed with Council on a case-by-case basis.
3. Applicants will be required to provide evidence of other building options that have been considered, together with reasons why they are considered inappropriate.

4. Appendix 9 will be used to assess applications for new buildings on reserves.
5. Play space development will be guided by the Play Policy, and Playground Priority Plan.
6. That recycling centres and clothing bins will not be located on reserves where there is no direct function to serve the purpose of the reserve, or where it may be a hazard to users of the reserve and adjacent property owners.
7. Recycling centres and clothing bins will not be located on reserves where they do not compliment the landscape, recreation and amenity values of the reserve.
8. Applicants will need to obtain all relevant resource and building consents if their application to build on a reserve has been approved by the Council.
9. The Council will ensure that buildings and structures have adequate separation distances from infrastructure. In terms of transmission lines, the New Zealand Code of Practice for Electrical Safe Distances NZECP 34:2001 sets out the mandatory separation distances that are necessary to reduce the risk of flashovers or contact with live conductors by mobile plant and buildings or structures.
10. Where possible, the Council will ensure that activities such as walking tracks, playgrounds and buildings are located and designed to discourage public access to existing electricity infrastructure.
11. Any excavation near transmission towers is to comply with the safe separation distances specified in the NZECP 34:2001 so that the stability of the towers is not threatened.

Policy Implementation		
Policy	Delegation/responsibility	Legislation/Council Policy
1	CDC with Council consent – vested reserve where lease is contemplated in a management plan or there is existing use of same or similar character, scale and intensity.  CDC with Minister's consent where not delegated to Council.	Relevant management plans, section 17, 19, 23, 54, and 56 Reserves Act
2	Officer – this aspect would be considered in the report to Council.	
3	-	
4	Officer	
5	-	
6	Officer	
7	Officer	Sec 17, 19, 54, and 61 Reserves Act
8	-	District Plan, Resource Management Act, Building consents
9	Officer	
10	Officer	
11	Officer	

## 4.4 Toilet And Shower Facilities

### Comments

The Council provides toilets on some reserves, particularly in association with sportsfields or recreational facilities, and receives requests for the installation of toilets on other reserves. The decision to place toilet facilities on a reserve requires consideration of the landscape and environmental impact, and the needs and desires of reserve users.

Clubs often provide toilets for club members and may allow public use. Public use of club owned facilities may be facilitated by the Council contributing funds toward the development, maintenance or cleaning of toilet facilities.

The provision of showers in conjunction with toilet facilities is beneficial at sportsfields where changing rooms are provided, and at beach or harbour side reserves a shower on the exterior of the toilet facility may be adequate to rinse off salt water and sand.

Organisers of large events on reserves will be responsible for the provision of adequate portable toilet facilities to support the event.

### Objectives

1. *Provision of public toilets and showers in conjunction with appropriate reserves or facilities will be considered in response to a proven demand for these services.*
2. *The Council will endeavour to maintain all reserve toilets in a clean and hygienic state in keeping with agreed levels of service.*

### Policies

1. Consideration may be given to providing toilet/shower facilities in reserves owned or managed by the Council, where there is a proven need and where adverse environmental affects can be avoided.
2. All new toilets will meet the requirements of the NZ Building Act 1991, NZ Building Regulations 1992 (which includes the need for full access for people with disabilities) and NZ standard for public toilets.
3. Toilet/shower facilities will be designed as functional, easy to maintain, in a style and location that does not detract from the values of the reserve, and that has minimal environmental impact.
4. The Council may consider joint funding/maintenance of public toilets associated with club facilities or owned by other parties, where these toilet facilities will be available to reserve or facility users, and while there is a proven demand for these services.
5. Where toilet/shower facilities are necessary in conjunction with recreational facilities, and where the Council does not own the land, permission and agreement will be sought for toilet installation from the appropriate landowner.
6. Organised events held on reserves may be required to provide sufficient portable toilets to service anticipated attendee numbers.

Policy Implementation		
Policy	Delegation/responsibility	Legislation/Council Policy
1	CDC – Recreation reserves. CDC with Council consent - for scenic reserves if contemplated in a	Sec 53 and 55 Reserves Act

	management plan. CDC with Minister's consent - for scenic reserves where not delegated to Council.	
2	-	
3	Officer	
4	Officer – report to CDC or annual plan process may be required to secure funding.	
5	Officer - report to CDC or annual plan process may be required to secure funding.	
6	Officer	



## 4.5 Abandonment

### Comments

Changes in leisure participation, trends in sport and socio-demographic changes in different parts of Dunedin, all result in sports clubs and groups struggling financially, amalgamating, ceasing to function, or falling into recess. This can result in buildings or facilities being abandoned, or being offered to the Council for ownership. In many cases it is difficult for suitable new owners/occupiers to be found for club facilities. Serious consideration therefore needs to be given to the future of the building.

The Council may accept ownership of toilets and change rooms, but not clubroom type facilities. The Council may also be asked to take over aquatic facilities, tennis courts, cricket nets etc. The Council will consider requests to take over ownership of buildings and facilities on a case-by-case basis, with consideration of community benefit and their need for use by the public of Dunedin.

If the Council has control of toilets and clubrooms these may then be made available to clubs booking sportsfields, or to general reserve users. This allows better utilisation of reserve areas for all levels of sports, without a particular club having priority over home ground facilities.

Where a sports club or recreation group has a lease over a facility, they are responsible for that facility for the term of the lease, including removal of the building if required.

### Objectives

- 1 To ensure the lessee of a building or structure on a sports ground is responsible for the disposal of the facility and its condition until disposal has occurred.
- 2 To ensure buildings or structures that are of benefit and use to the community are retained for community use.

### Policies

- |   |   |   |  |
|---|---|---|--|
| 1 | The lessee of a building or structure will dispose of the facility under the terms of the lease agreement and in conjunction with the section on 'Occupation Agreements' and Appendix 10 'Abandonment Processes'. | 5 | Requests from clubs and organisations asking the Council to take over ownership of buildings or facilities will be considered on a case-by-case basis. |
| 2 | The Council will assess the potential future use of a building/facility no longer required by a club.   | 6 | The Council will not financially reimburse clubs or organisations wishing to transfer building or facility ownership to Council                        |
| 3 | Buildings and structures that are suitable for community use will revert to the community where possible.   | 7 | The Council will not accept ownership of clubroom type facilities.   |
| 4 | Buildings and structures that are unsuitable for community use will be removed at the lessees expense.  | 8 | Where the Council takes over ownership of buildings or facilities, their long-term retention is not guaranteed.  |

Policy Implementation		
Policy	Delegation/responsibility	Legislation/Council Policy
1	Officer	Lease, 1 <sup>st</sup> Schedule of Reserves Act, Appendix 10 General Policies

2 - 5	Officer, Community Board or	
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	CDC as appropriate	
6	-	
7	-	
8	-	

## 5.0 Appendices

### 5.1 Appendix One: Reserves Managed Under This Document

Albertson Avenue Reserve	Chingford Park	Grants Braes Playground
Allanton Cemetery	Chisholm Park	Green Island Cemetery
Allanton Endowment	Clifford Street Playground	Green Island Esplanade Reserve
Allanton Hall Local Purpose Reserve	Cockerell Park	Green Island War Memorial
Allanton Recreation Reserve	College Street	Green Recreation Reserve
Alpine Close Esplanade Reserve	Company Bay Picnic Area	Greenpark Cemetery
Andersons Bay Cemetery	Company Bay Recreation Reserve	Hadley Reserve
ANZAC Park	Cooper Street Playground	Halfway Bush Park
Aramoana Domain	Corstorphine Park	Harrow Street
Aramoana Local Purpose (Recreation) Reserve	Craighall Crescent	Harwood Hall Reserve
Aramoana Memorial Reserve	Craigieburn	Harwood Park
Aramoana Plantation Reserve	Culling Park	Hawthorne Avenue
Arthur Street Reserve	Dalmore Reserve	Helensburgh Road Reserve
Ashmore St Reserve	De Carle Park	Highcliff Road Playground
Aytoun St Reserve	Dean Street Reserve	Highgrove
Bain Neighbourhood Reserve	Doctors Park	Hindon Cemetery
Bathgate Park	Doctors Point Esplanade Reserve	Hocken Street
Bayfield Park	Doctors Point Reserve	Hood Street
Bayview Road Reserve	Doon Street Playground	Hoopers Inlet
Beach Street	Dunedin Town Belt	Howard Street Reserve
Belford Street Playground	East Taieri Cemetery	Hudson Park
Berwick Recreation Reserve	East Taieri Proposed Cemetery	Hyde Cemetery
Bethunes Gully	Elgin Reserve	Hyde Recreation Reserve
Bishopscourt	Ellis Park	Irvine Road
Blueskin Cemetery	Elwyn Crescent Playground	Island Park
Botanic Garden	Emerson Park	Joe Brown Reserve
Braeburn Street Playground	English Avenue Playground	John Street Reserve
Braeview Crescent	Esplanade (St Clair)	John Wickliffe Court
Brighton - Bath Street	Ethel Johnstone Reserve	Jubilee Park
Brighton - McIntosh Road	Evansdale Glen	Kaikorai Common
Brighton Recreation Reserve	Fairfield Local Purpose Reserve - Tree Planting	Kaikorai Sportground
Broad Bay Cemetery	Fairfield Recreation Reserve	Kaikorai Estuary Esplanade Local Purpose Reserve
Broad Bay Reclamation	Fairfield Tavern Reserve	Kaikorai Scenic Reserve
Brockville Park	Falcon Street Playground	Kaikorai Stream Local Purpose (Esplanade) Reserve
Brockville Playground	Ferntree Reserve	Kaikorai Valley Esplanade Reserve
Brooklands Park	Flagstaff Scenic Reserve	Karetai Road
Brugh Place	Forbury Corner	Karitane Esplanade Reserve
Buccleugh Street	Forrester Park	Karitane Foreshore
Bucklands Crossing Recreation Reserve	Forfar Street	Karitane Hall
Burkes Recreation Reserve	Frances Street Playground	Karitane Recreation Reserve - Barvas Street
Cairnhill Street Playground	Frasers Gully	Karitane Recreation Reserve - Coast Road
Caledonian War Memorial Gymnasium	Friendship Reserve	Kellas Street
Caledonian Ground (Logan Park)	Garden Place Playground	Kenmure Playground
Calvert Place	Gasworks Museum	Kew Reserve
Cameron Park	Gilkison Street Playground	Kinmont Park
Canongate Reservoir and Quarry Reserves	Gills Corner	Kinvig Street Playground
Caversham Croquet Club	Gladstone Road	Kirriemuir Street Playground
Caversham Station Reserve	Glenfalloch Reserve	Kitchener Street (leasehold)
Caversham Valley Forest Reserve	Glen Place Playground	Kuri Bush Reserves
Centennial Gardens	Glenelg Street Playground	
	Goodall Street	

Lady Thorn Dell	Outram - Skerries Street Playground	Silverstream Bank
Lambert Street Playground	Outram Bridge Reserve	Silverstream Esplanade Reserve
Larnach Road Playground	Outram Recreation Reserve	Silverstream Stop Bank
Latham Park	Overbridge Reserve	Silverstream Valley Reserve
Lighthouse Reserve	Owhiro Creek	Soldiers' Memorial
Logan Park	Palmyra Reserve	Somerville Street Reserve
Long Beach Recreation Reserve	Parata Avenue Accessway	Southern Cemetery
Lookout Point Reserve	Penno Block and track	Spey Park
Macandrew Bay Beach and Boatramp	Pentland Street Playground	Sproulle Park
Macandrew Bay Cemetery	Peter Johnstone Park	St Clair Playground
Maclaggan Street Reserve	Pilots Beach	St Clair Saltwater Pool
Malvern Street Playground	Pine Hill Park	St Leonards Reserve
Maramoana Reserve	Pitcairn Street Scout Hall	St Peter Chanel
Marine Parade	Pladda Street Playground	Stenhope Crescent Reserve
Market Reserve	Port Chalmers Cemeteries	Stevensons Bush
Martinfield	Port Chalmers Place	Stuart Monument
Mayfield Reserve	Port Chalmers Recreation Reserve	Sunnyvale Park
McMillan Park	Port Chalmers Recreation Reserve (Foreshore)	Tahuna Park
McTaggart Street	Port Chalmers Town Belt	Taieri A&P
Mellor Park	Portobello Cemetery	Te Rauone Recreation & Esplanade Reserves
Melville Park	Portobello Recreation Reserve (Domain)	The Green
Memorial Gardens (Green Island)	Puddle Alley Local Purpose (Esplanade) Reserve	The Oval
Memorial Park and Gardens (Mosgiel)	Puketeraki	The Town Belt
Meremere	Purakanui Cemetery	Three Mile Hill Lookout
Merton Cemetery	Purakanui Recreation Reserve	Three Mile Hill Reserve
Middlemarch Cemetery	Queens Gardens	Tidewater Drive
Middlemarch Playground	Raglan Street Playground	Tilburn Street Recreation Reserve
Middlemarch War Memorial	Ralph Ham Park	Titeremoana Scenic Reserve (Pudding Is)
Miller Park	Reservoir Site - Mosgiel	Tonga Park
Moller Park	Ribbonwood Reserve	Town Belt
Momona Recreation Reserve	Riselow Road Playground	Town Belt – Port Chalmers
Mosgiel Pool & Car park	Roberts Park	Truby King Recreation Reserve
Mt. Allan Esplanade Reserve	Roseneath Esplanade Reserve	Tuckets Corner
Mt. Cargill Scenic Reserve	Ross Corner	Unity Park
Mt. Pleasant Scenic Reserve	Ross Creek Reservoir	Vauxhall Yacht Club Reclamation
Mulford Park Scout Hall Reserve	Ross Street Reserve	Waikouaiti Cemetery
Museum Reserve	Rotary Park	Waikouaiti Picnic Area
Musselburgh Rise Playground	Sanda Road Reserve	Waikouaiti Recreation Reserve
Nairn Street Playground	Sawyers Bay Brickhill Reserve	Waikouaiti Recreation Reserve - Farmland
Navy Park	Sawyers Bay Entrance Reserve	Waikouaiti Recreation Reserve - Golf course and Gun Club
Nees Corner (leasehold)	Sawyers Bay Overbridge	Waikouaiti Recreation Reserve - Karitane Domain Section
Newington Avenue	Sawyers Bay Railway Lease	Waikouaiti Recreation Reserve - Waikouaiti Domain
North Ground	Sawyers Bay Recreation Ground	Waipori Falls Domain
North Taieri Local Purpose Reserve	Scott Reserve	Waitati - Pine Hill Road Esplanade Reserve
North Taieri Recreation Reserve	Seacliff Recreation Reserve	Waitati Cemetery
Northern Cemetery	Seafarer's Society	Waitati Esplanade Reserve
Oak Grove	Second Beach	Wakari Reserve
Ocean Beach Domain	Seddon Park	Waldronville - Canberra Place
Ocean Grove Recreation Reserve	Shand Park	Waldronville - Delta Drive
Ocean View Domain	Shand Street Playground	Waldronville - Viscount Road - Scouts
Ocean View Recreation Reserve	Shingle Reserve	Waldronville Sewage Treatment
Octagon	Sidey Park	
Okia Reserve	Signal Hill Memorial	
Otekiho Local Purpose Wildlife Reserve	Signal Hill Recreation Reserve	
Otago Boat Harbour Recreation Reserve		
Otokia Cemetery		

Walton Park  
Warrington Domain  
Watson Park  
West Taieri Cemetery  
Westwood Recreation Reserve

Wharfdale Street  
Wickliffe Street  
Wilkinson Street Playground  
Willow Park  
Wingatui Local Purpose Reserve

Woodhaugh Scenic Reserve  
Woodside Glen Recreation Reserve  
YFC Park

## 5.2 Appendix Two: Standard Conditions Of Use

Reserves are public places and are available for public use. It is, however, essential that when you use a reserve the Council is aware of your intended activities. This helps us to maintain the Reserve and to monitor the types of use that occur on it. It is also important for you to abide by the following conditions of use. These conditions are necessary to ensure that the public, reserve neighbours and other users are not adversely affected by your activity.

Should you have any questions about these conditions, please contact the Dunedin City Council Bookings Co-ordinator on 477-4000.

### *Conditions*

- 1 All litter is to be removed from site. If there are more than 50 people likely to be using the reserve please supply your own rubbish bins and arrange for these to be emptied.
- 2 Plants and flowers on the reserve must not be picked, removed or damaged in any way.
- 3 Vehicle access is permitted in, or through, the reserve on car parks and marked accessways. Vehicles should not be taken into any area where they may damage the reserve. You will be liable for reinstating the reserve if any damage is caused.
- 4 Structures or covers, such as tents, stages, caravans etc, are permitted with written Council approval.
- 5 All stalls selling food must have separate approval from Council's Environmental Health Department.
- 6 Fires are allowed on Council reserves in places specially provided by the Council, or where written permission has been obtained from the Council. No other fires are allowed.
- 7 Gas barbecues may be used on reserves.
- 8 You do not have exclusive use to the park. Please be considerate and keep disturbances to other patrons to a minimum. This includes keeping noise within the legal bounds.
- 9 Please do not interfere with the operation of Council contractors. Should you wish them to alter their activity you will need to contact the Council.
- 10 A bond is required and the amount of bond will be assessed prior to the event. This should be presented to the Council Booking Officer at least 24 hours before the event.
- 11 Some, or all, of your bond will be retained by the Council if any condition is broken, or any damage is caused. Any activity resulting in the involvement of the Police or Council Noise Control Officers may also result in some, or all, of the bond being retained.
- 14 Should there be any damage, you will be liable for the costs of reinstating the reserve to its former standard. Any reinstatement will be carried out by the Council.
- 15 Event organizers are required to have appropriate liability insurance for the event.

### 5.3 Appendix Three: Bonds

1. Bond values will be determined on a case-by-case basis.
2. A bond will be required for all organised uses of reserves. The following factors will be considered in assessing the amount of bonds:
  - the size of the event;
  - the possibility of damage to the reserve;
  - the likely significance of possible damage;
  - the organisers past record of use of reserves; and
  - requirements for vehicle access to the reserve.
3. Bonds will be set at such a level that will enable any damage to be repaired at no cost to the Council. Amounts in excess of repair costs will be refunded to users. If bonds do not adequately cover the cost of repairing damage, then the difference will be charged to the group using the reserve.
4. Bonds may be waived at the discretion of Council. Applications for the waiver of bonds need to be made in writing at least five working days before the event. Considerations for applications for waiving bonds will include:
  - the willingness and ability of the applicant to repair any damage by non-cash means, such as labour and supply of materials; and
  - the adoption of damage avoidance or mitigation measures.

## **5.4 Appendix Four: Areas Where Permission For Camping May Be Granted**

- The Oval (circuses, gypsy fairs and similar events)
- Brighton Domain
- Warrington Domain
- Portobello Domain
- Market Reserve
- Bucklands Crossing
- Forrester Park



## 5.5 Appendix Five: Criteria For Assessing Applications For Car Park Lighting

Where a group occupying Council-owned land (or having facilities occupying Council-owned land) applies for assistance in supplying car park lighting, the Council will provide funding if applications fulfill certain criteria. Maintenance and running costs will remain the concern of the applicant.

Where the provision for funding for car park lighting on reserves is sought, the Council will consider the level of financial contribution that is appropriate on a case-by-case basis, with the following criteria being used to help determine if the request could be funded:

- 1 the need for lighting;
- 2 safety issues;
- 3 the level of public use of the facilities concerned; and
- 4 the ability of the applicant to secure funding from other sources.

It will be up to the applicant to illustrate these factors based on the following considerations:

### 1 ***The need for lighting***

The applicant must clearly demonstrate that there is a need for lighting. Any application should indicate safety concerns, current lighting and the likely effects of additional lighting. Consideration must be given to the possible negative effects lighting will have, the maintenance programme for the lighting, and the provisions of the Transitional and Proposed District Plans. The application should also indicate what alternatives have been considered, and why those alternatives are unsuitable.

### 2 ***Increased safety levels***

The applicant must illustrate the safety provisions currently in place at the facility. They will need to identify the role lighting will provide within these safety provisions.

### 3 ***Public use***

Council will consider applications in the following categories:

*Commercial use:* where a facility is used on a for-profit basis, applications will not be considered for funding. This type of use includes those clubs with bars who have on-licences as well as for-profit businesses. Examples of commercial use of Council reserve land include the Noah's Ark Tea-rooms and Happy Days Fun Park.

*Semi-commercial use:* a number of occupiers have facilities that allow them to operate in a semi-commercial manner. This type of use involves essentially non-profit organisations carrying out commercial activities such as supplying liquor to members. These groups can often attract funds from other sources, such as sponsorship.

*Community use:* this category refers to the situation where a group is entirely non-profit, offers a community service, or have little or no ability to attract funds other than membership fees. Examples include Scout groups or the Plunket Society.

Decisions on whether or not funding will be supplied to organisations in the semi-commercial and community use categories will depend on the level of public use benefit that the group offers. Groups whose facilities or activities are used by the public (other than members and guests) are more likely to attract Council assistance.

### 4 ***Alternative funding***

Applicants must show that they have exhausted other funding opportunities, including internal fund-raising and other publicly available funding organisations.

## 5.6 Appendix Six: Evaluation Of Tree Complaints

1. The Council will consider the following issues when making decisions about tree complaints:
  - 1.1 any actual or potential danger to people's life or health or the complainant's property;
  - 1.2 any undue obstruction of the complainant's view; and
  - 1.3 any other undue interference with the reasonable enjoyment of the complainant's land, including shading.
2. In considering undue obstructions of views and other undue interference by trees, the Council will consider the following factors:
  - 2.1 the requirements of any management plans for the reserve;
  - 2.2 the requirements of the District Plan with respect to trees;
  - 2.3 the interests of the public in the maintenance of an aesthetically pleasing environment;
  - 2.4 the desirability of protecting public reserves containing trees;
  - 2.5 the value of the trees as a public amenity;
  - 2.6 the historical, cultural, or scientific significance (if any) of the trees;
  - 2.7 the likely effect (if any) of the removal or trimming of the trees on ground stability, the water table, or run-off;
  - 2.8 when the applicant became the occupier of the land and when the interference began;
  - 2.9 where the consideration of undue obstruction occurs, the burden of proof will fall on the applicant and not the Council; and
  - 2.10 where the consideration of undue obstruction includes the issue of shading, the costs associated with any action will be negotiated by Council.
3. Trees and bush on reserves will only be thinned or removed where the Council is satisfied that it is:
  - 3.1 necessary for the management of the reserve, including the remedy or mitigation of the issues considered in this document; or
  - 3.2 necessary for the preservation of other trees and bush; or
  - 3.3 in order harvest trees planted for revenue purposes.

Guideline Implementation		
Guideline	Delegation/responsibility	Legislation/Council Policy
1, 2, and 3	Considered in officer report CDC - Recreation or Local Purpose reserves Full Council - Exotic flora on Scenic reserve Minister – Scenic reserves	Sec 42, Reserves Act

## **5.7 Appendix Seven: Schedule Of Reserves For The Planting Of Commemorative Trees**

Mellor Park  
Nairn Street Reserve  
Queens Gardens  
Arthur Street Reserve  
Roberts Park  
Craigieburn  
Chingford Park  
Fairfield Reserve  
Rotary Park  
Ralph Ham Park  
Kew Reserve  
Market Reserve  
Port Chalmers Memorial Gardens  
Lady Thorn Dell  
Mosgiel Memorial Gardens  
Anzac Park Mosgiel  
Bayfield Park  
Green Island Memorial Gardens  
Skerries Street  
Truby King Recreation Reserve  
Watson Park

### **TREES FOR BABIES**

Ashmore Street Reserve  
Wakari Dog Exercise Area  
Brackens View  
Prospect Bank/Park  
Agreed areas of the Town Belt  
Frasers Gully Recreation Reserve

## 5.8 Appendix Eight: Operational Policy: Keys To Reserves

### *Why have we given out keys in the past?*

- Temporarily, for access for one-off events.
- Temporarily, for access for projects.
- Permanently or temporarily, for contractors use in maintenance.
- Permanently, for access by occupiers with buildings on Council-owned land or by neighbours with specific access needs.
- Permanently, to allow access for tenants of Council-owned buildings (but not land).
- Permanently, for rural communities where it is expensive and time-consuming for Council or contractors to arrange access.
- Permanently, to staff for access to reserves and facilities.

### *Should keys be given out? / In what circumstances should keys be given out?*

Yes, but only in circumstances that meet Council's policies. This would restrict key circulation to the following circumstances:

- Temporarily, for access for one-off events.
- Temporarily, for access for projects.
- Permanently, to allow access for tenants of Council-owned buildings (but not land).

The first two are consistent with Council's 'use' policies, which are contained in the Reserves Management Plan. Keys for tenant access are distributed as part of any lease arrangement.

For maintenance and management purposes, keys may be handed out permanently and temporarily to contractors and staff.

The following circumstances could be considered on a case-by-case basis:

- Permanently, for access by occupiers with buildings on Council-owned land or by neighbours with specific access needs.
- Permanently, for rural communities where it is expensive and time-consuming for Council or contractors to arrange access

### *What controls should we have on keys? / What information should we record about key holders?*

- 1 Keys may only be given in out in one of the following situations:
  - 1.1 Temporarily, for access for one-off events.
  - 1.2 Temporarily, for access for projects.
  - 1.3 Temporarily or permanently, for contractor access to facilities and land.
  - 1.4 Permanently, to allow access for tenants of Council-owned buildings (but not land).
- 2 All keys should be 'restricted keys' so that unauthorized copies can not be taken.
- 3 All keys must be returned to Council by the key-holder once they are no longer required. The key-holder is responsible for security of the keys and for the cost of replacing any lost keys. Where the key-holder's loss of keys leads to the need to replace locks and key systems, then the key-holder will be liable for all associated costs.
- 4 The following information will be recorded when keys are handed out and returned:
  - 4.1 a description of the key;
  - 4.2 the number of keys given;
  - 4.3 the date the key was given out;

- 4.4 the expected return date;
  - 4.5 the actual return date;
  - 4.6 the name, address, telephone number and signature of the person taking the key;
  - 4.7 a statement of the reason why the key was taken; and
  - 4.8 the signature of the officer releasing the key and, for permanent keys, the officer approving the release of the key.
- 5 The Sportsfield and Facilities Officer can only approve keys for permanent use.
  - 6 Permanent use is defined as any use over 12 months.
  - 7 Keys for permanent use will attract a cash bond of \$250.
  - 8 Keys for temporary use will attract a cash bond of \$50.
  - 9 The “project” manager for keys is to be the Parks Asset Officer. Day-to-day responsibility for managing the key register, handling key enquiries and key cutting will be the Sportsfield and Facilities Officer.
  - 10 Cutting of extra keys will require authorisation by the Sportsfield and Facilities Officer.
  - 11 Standard locks will be replaced over time, as circumstances warrant, based on the priority of the site.

## **5.9 Appendix Nine: Evaluating Proposals For New Buildings On Reserves**

1. In evaluating any proposals for new buildings (or structures, including cargo containers), or alterations to buildings (or structures) on reserve land, Council will take regard of:
  - 1.1 the materials, siting, design and colour of the proposed structure;
  - 1.2 the scale of the proposed facilities in terms of the foreseeable reserve use for outdoor recreation, the foreseeable demand for indoor recreation facilities, or the foreseeable demand for the particular activity involved;
  - 1.3 the foreseeable demand for recreation facilities, or the foreseeable demand for the particular activity involved;
  - 1.4 the requirements of the District Plan;
  - 1.5 the financial well-being of the applicant;
  - 1.6 future plans of the applicant/evidence of strategic vision;
  - 1.7 the possibility of reserve occupiers establishing jointly administered and multiple-purpose buildings or structures;
  - 1.8 the conservation of open space, significant vegetation and significant landscape features;
  - 1.9 the landscape policies contained in this document and any relevant specific management plans; and
  - 1.10 the protection of existing outdoor recreation facilities, except where Council determines that their displacement by the proposed structure's erection or extension is in the public interest.

The extent to which any earthworks and the construction of buildings will comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001).

The outcome of any consultation with affected utility operators.

2. The following conditions will be placed on any permission for erecting buildings on reserves:
  - 2.1 The applicant is responsible for obtaining all resource and building consents before work commences on the site;
  - 2.2 The applicant must comply with all bylaws, regulations and statutes pertaining to the construction and operation of the building.
  - 2.3 The exterior colour scheme for the proposed building is to be submitted to the Council for approval before construction commences.
  - 2.4 Any development, maintenance and replacement of landscaping associated with the building (including resource consents) is the responsibility of the applicant. Landscape plans (including maintenance standards) are to be submitted to the Council before planting commences.
  - 2.5 The occupier must keep the area immediately surrounding the building and construction site maintained in a safe, clean and tidy condition at all times.
  - 2.6 A bond will be required from the applicant before work commences on the site. The bond, less any expenses incurred by the Council, will be refunded on completion of the contract.
  - 2.7 Permission to undertake the proposed development will lapse if construction does not commence within two years of the grant of this permission.
  - 2.8 All costs associated with the application and the resulting development are to be met by the applicant.

## 5.10 Appendix Ten: Abandonment Processes

Where a building or other structure is no longer required by an occupier, the following steps will be taken:

### 1. *Council assesses the future of the building/facility*

Council determines the future of the building (eg if building will be retained, taken over by Council, leased by another organisation, or removed by the occupier).

The following assessment will be used:

- Is a building/facility appropriate at that location?
- Can the building/facility be utilised by users of the adjacent reserve, or the community?
- Can better use be made of adjacent reserve if Council has control of toilets and change rooms that can be included with sportsfield bookings or made available to the wider public?

### 2. *Club owned buildings*

If the Council determines that the building/facility is appropriate on the reserve:

- The Council may chose to accept ownership of all, or part of, the building and, therefore, ongoing maintenance costs, to provide facilities for public use.
- The owner will be required to find a suitable new occupier or owner (as permitted by relevant Acts, or policies. Generally buildings cannot be used for accommodation, commercial activities, or for non-recreation purposes. Owners/occupiers should discuss this aspect with staff prior to progressing too far with any potential new occupier);
- The owner will remove the building or structure from the reserve if no new owner or occupier (including the Council) can be found.

If the Council determines that the building/facility is not appropriate on the reserve and that the Dunedin public would receive greater benefit from having the area revert to open space reserve, the building/facility will be removed. The Council may, in some circumstances, assist the club with the removal of the building.

### 3. *Council owned buildings leased by a club or organisation*

- If no suitable occupier or use can be found, and there is no reasonable, foreseeable, use for the building or structure then Council will consider moving, selling or demolishing the building or structure (not the land).
- Where the building or structure is not compatible with the status or values of the reserve, it will be removed from the reserve.
- Where the cost to refurbish or maintain the building in an appropriate, and safe, condition exceeds the income that could be derived from leasing the building, demolition or sale of the building will be considered.

## **5.11 Appendix 11: Reserves Where Horses Are Permitted**

- Ocean Grove recreation reserve - Tomahawk Beach (beach only), Smails Beach (below high tide line)
- Waikouaiti Beach (below high tide line)
- Island Park Recreation Reserve Beach (Beach and formal access tracks to beach only)

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



## **5.12 Appendix 12: List of Existing Lookouts and Significant Viewpoints**

- Barns Lookout – St Clair
- Mornington Park Bush – Preston Cres
- Prospect Park
- Queens View – Robin Hood Park
- Rotary Park
- Scott Memorial – Port Chalmers
- Signal Hill Recreation Reserve Lookout
- Taieri Lookout
- Three Mile Hill Lookout
- Unity Park

## 5.13 Appendix Thirteen: Approval From Council

### MINUTES OF A MEETING OF THE DUNEDIN CITY COUNCIL HELD IN THE COUNCIL CHAMBER, MUNICIPAL CHAMBERS ON MONDAY 20 SEPTEMBER 2004 COMMENCING AT 2.00 PM

#### 19 DRAFT RESERVES MANAGEMENT PLAN – GENERAL POLICIES

A report from the Reserves Planner presented the recommendations of the Hearings Panel on public submissions on a Draft Reserves Management Plan – General Policies and the final document with the recommended amendments incorporated.

Following discussion it was moved (Hudson/Hanan):

*“That the Council approve that amendment to the Draft Reserves Management Plan – General Policies recommended by the Hearings Panel as a result of the public submissions.”*

*That the Council adopt the final version of the Reserves Management Plan – General Policies, incorporating amendments as a result of public submissions and Hearing Panel recommendations.”*

Councillor Hudson acknowledged the enormous amount of work by carried out by Reserves Planner, Jacinda Baker, on this document and thanked Councillor Hanan for participating in the hearing with him.

**The motion was then put and carried.**

## Appendix 14 –Minor changes made to Reserves Management Plan – General Policies 1 March 2005

Section of management plan	Amendments (underlined)
Sec 3.1- Use of Reserves, comments, 1 <sup>st</sup> paragraph	The City's reserves are a major source of open space used for a variety of purposes. The scope of potential use is wide, and includes sport, active recreation, education, scientific research, conservation plantings, <u>wildlife habitat protection</u> , passive recreation (eg picnicking), commercial promotions, festival activities, circuses, competitions, public demonstrations, and ceremonies.
Sec 3.1 – Use of Reserves, policy 3	Events, social activities, functions and exhibitions will be allowed on reserves provided that the adverse effects on other users, the reserve, <u>wildlife</u> , and reserve neighbours of such activities can be avoided, mitigated or remedied and meets statutory and policy obligations.
Sec 3.2 - Special Events, objective	To consider applications for one-off events that are not detrimental to the values of reserves, do not significantly affect reserve users <u>or wildlife</u> , or have significant adverse impact on adjoining landowners.
Sec 3.3 – Public Access and Reserve Closure, comments, 1 <sup>st</sup> sentence	At various times the Council will need to close reserves for issues of safety, maintenance, development, <u>and wildlife protection</u> .
Sec 3.5 – Commercial Use - Concessions (other than leases or licences), comments, 2 <sup>nd</sup> paragraph	While commercial activities can be appropriate, they must not be allowed to detract from the primary purposes of reserves. The activities should also not adversely impact on the reserve, its use or users, <u>wildlife and vegetation</u> , or reserve neighbours. Controls on activities ensure that the effects of activities are avoided, remedied or mitigated.
Sec 3.10 – Signs, comments	<u>Add: It may be inappropriate for all reserves to have a reserve name sign. The times when it may be inappropriate to have signage on the reserve is when public access to the reserve is not encouraged in order to protect conservation or wildlife values.</u>
Sec 3.10 – Signs, policy 4	The Council <del>must</del> <u>may</u> provide a sign at each <del>ground</del> <u>reserve</u> advising the name of the <del>ground</del> <u>reserve</u> , with provision for reserve occupier details on the same sign.
Sec 3.18 – Camping, policy 2	The Council may approve camping on reserves listed in Appendix 4 or other management plans and/or where there is evidence that the adverse effects of camping can be avoided, remedied or mitigated. Adverse effects include those affecting: <ul style="list-style-type: none"> <li>a) rubbish;</li> <li>b) water;</li> <li>c) damage to the reserve; and</li> <li>d) effects on reserve use, users and neighbours; <u>and</u></li> <li>e) <u>the natural environment and wildlife.</u></li> </ul>
Sec 3.20 – Aircraft and helicopter landings, objective	To allow aircraft and helicopter landings on reserves, or events on reserves involving the use of helicopters and aircraft, where the values of the reserve are not diminished and where the effects on reserve neighbours, the <u>environment</u> , and <u>wildlife</u> , can be mitigated.

Sec 3.21 - Fireworks, objective	To allow fireworks displays on reserves subject to all adverse effects on reserve values, the <u>natural environment, and wildlife</u> being avoided, remedied or mitigated.
Sec 3.2 Aircraft and helicopter landings, policy 2	Applications must be made in writing to Council at least <del>ten days</del> <u>2 months</u> prior to the proposed event.

**Appendix 15: MINUTES OF A MEETING OF THE COMMUNITY DEVELOPMENT COMMITTEE HELD ON TUESDAY 1 MARCH 2005**

**16 MINOR REVIEW OF RESERVES MANAGEMENT PLAN – GENERAL POLICIES**

A report from the Reserves Planner recalled that on 20 September 2004, Council approved the Reserves Management Plan – General Policies and proposed a minor review of that plan to accommodate issues raised in an additional submission by Save the Otago Peninsula Inc Society.

The report noted that the Society had made a submission during the 2004 review however their submission had not been processed during the management planning process. It was noted that the Reserves Act 1977, Section 41 (9), allowed the Council to consider a change to a management plan that was not a comprehensive review and that Section 41 (9), allowed Council to determine the review to be only minor and determine that public consultation is not required.

It was moved (McBey/Butcher):

*“That in accordance with its delegated authority under Section 41 (9) of the Reserves Act 1977, Council determines the proposed changes to the Reserves Management Plan – General Policies are only minor and that public consultation is therefore not required.*

*That the Council approves the proposed amendments to the Reserves management Plan – General Policies as set out in Appendix One of the Minor Review of Reserves Management Plan – General Policies report.”*

Motion carried

Appendix C      Submission Form



We are asking for your feedback on our review of the Reserve Management Plan General Policies 2005. The review of the 2005 Plan commenced in March 2023.

The current submission period is from **Monday, 27 January 2025**, and will close at 5pm on **Monday, 31 March 2025**.

## Your feedback

*Feedback might include suggestions for improving the Plan, or which policies you support or don't support. (1000 words max)*

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(500 words max)

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**Do you want us to update you on the next stages of this project?**

☐ Yes ☐ No

## Hearings

**Do you wish to be heard by the Hearings Committee in support of this submission?**

*(If you **do not** tick a box, we will assume you do not wish to be heard.)*

☐ Yes ☐ No

If you wish to speak, you will be contacted with a speaking time as soon as possible after submissions close. *(Note: You may also be able to present your views by audio or audio-visual link.)*

## Your details

If you wish to speak at the hearings or would like to be contacted for further follow up, or to be updated on this work, please ensure you provide your contact details below:

**Name:** \_\_\_\_\_

**Organisation** (if applicable): \_\_\_\_\_

**Email address:** \_\_\_\_\_

**Postal address and/or contact phone:** \_\_\_\_\_

**Please note** that your name and submission will be made public as part of the DCC's decision-making process. However, any personal contact details you have provided will be automatically withheld. This information will be included in papers available to the public and the media but will only be used for the General Policies consultation.

The DCC collects your personal information, like your name and contact information and your views on our proposed plans and projects, to help us manage all the reserves under our control. Providing information is optional. However, if you choose not to provide your name and contact details, we will be unable to contact you again about these matters.

You have the right to ask for a copy of any personal information we hold about you, and to ask for it to be corrected if you think it is wrong. If you'd like to ask for a copy of your information, or to have it corrected, please contact us at [privacy@dcc.govt.nz](mailto:privacy@dcc.govt.nz).