

## Policy # 5007 - Reserves and Parks management

Date issued: 23 November 1998

Reviewed: March 2013

Adopted by Council: June 2013

### BACKGROUND:

Reserves and parks are held and managed by the Council in trust for the benefit and enjoyment of the public. They contribute significantly to the quality of life in the District, the health of the community and the sense of place for local residents.

The Council provides a range of parks, recreational facilities and protects the natural environment through the provision of local playgrounds for kids to play on; multi-use sports fields, gardens and large un-spoilt wilderness areas. Parks also support sporting and recreational events that gather people together and sometimes draw large crowds to the Far North.

There are a number of buildings and facilities on Council parks that have been developed by community or sporting groups and to maximise the opportunity to access non-Council funds there is often a need to provide security of tenure for these groups.

Reserves and parks can be subject to pressure for development from the public, the community may have conflicting views about how a reserve should be developed or a sporting group may wish to develop a particular recreational facility that benefits a specific group.

The Council has delegated to the Community Board a number of responsibilities that shape and influence reserves and parks management. These delegations are contained in Policy #5000 – Community Board delegations.

### LEGISLATIVE CONTEXT:

#### Reserves Act 1977

The Reserves Act 1977 (the Act) provides a statutory framework for the management and preservation of areas of public land for the benefit of the public.

The Act also provides for the classifications of reserves, relative to their purpose, and a reserve should be used for the purpose for which it is classified or the classification changed.

The Act requires that a reserve management plan is to be developed for any recreation or historic reserve vested in Council. The management plan is to specify how the reserve is to be managed, what development or activities will be allowed on the reserve and how it will be maintained or enhanced.

The Act also requires the Council to consult with and have regard to the views of the public before undertaking certain actions in respect of reserves for which it is the administering body.

#### Resource Management Act 1991

The purpose of the Resource Management Act 1991 is to promote the sustainable management of natural and physical resources. The Far North District Plan [FNDP] has land zoned for recreation and conservation purposes to provide opportunities for recreation and to protect areas of high conservation value, including indigenous vegetation and habitats of indigenous fauna.

The FNDP rules recognise that recreational activities can have off site or other adverse effects that need to be managed. The zone rules complement the Reserves Act provisions

and require management plans to be prepared for all Council reserves stating the purpose/s of the reserve and including a concept plan.

Through development opportunities the FNDP rules provide opportunities for increasing the network of areas for recreational activity or to make a financial contribution towards the network.

## **OBJECTIVES**

To have a range of facilities available to meet the recreational needs of residents and visitors, catering for all ages and providing for a range of choices.

To maintain and enhance significant historic, scenic, natural and scientific values

## **POLICY STATEMENTS**

1. Council will continue to ensure that a range of recreational opportunities will be available to the residents and visitors of the Far North District through land acquisition, accepting gifts or endowment properties, requiring contributions on subdivision or development, and partnerships with community and sporting groups and with Crown agencies such as the Ministry of Education.
2. Council will consult and liaise with Iwi/hapu and other stakeholder groups as appropriate regarding the management, development and use of reserves and parks.
3. Council will develop where required reserve management plans to maintain or enhance a reserves distinct set of amenity, natural or recreational values. Any change in use or significant development proposal may require a reserve management plan to be in place or a review of an existing reserve management plan prior to the matter being considered.
4. Council will promote co-ordination and co-operation between users groups and the development and maintenance of shared facilities by user groups.
5. Council will, where practicable, work to develop facilities within reserves and parks that cater to the whole of the community, including those with disabilities and the aged. This will be achieved through working with the Disability Action Group to identify practicable opportunities.
6. Council will consider contributing funds towards joint projects on reserves provided they are multi-use facilities and suitable arrangements are made regarding public access and ongoing site management.
7. Council wishes that reserves enjoy maximum public access and use however it recognises that a number of activities require a permanent base on recreation reserves, which may limit public access.
8. Council will from time to time set charges for the use of reserves and parks.
9. Council will from time to time appoint suitable persons to be voluntary reserve wardens to promote general safety and enjoyment of reserves and beach areas.
10. Council wishes to ensure that recreational activities establishing headquarters or facilities on reserves land are treated alike and to this end will develop a standard form of lease.
  - a. Leases will include a requirement to insure improvements on reserves, have public liability insurance, pay all utility charges including but not limited to water rates.

- b. Community or sporting groups wanting a permanent base on a reserve will be offered a short term license if the proposed use does not require development of significant facilities and a longer term lease if a significant financial investment in facilities is required by the group.

11. Organisations granted leases for buildings on Council land and engaged in commercial activities e.g. liquor sales to supplement income, will be required to pay a "commercial rental" for the area that is used commercially i.e. liquor licensed area .

12. Income derived from leases of Council reserves will be used to offset maintenance costs or used to develop reserves.

## **OTHER RELEVANT COUNCIL POLICIES AND BYLAWS**

When managing reserves, there are some issues that are better dealt with in a bylaw or the Recreation Activity Management Plan rather than a policy. These include:

1. Restrictions or prohibitions on the use of public land e.g., motorised vehicles, bicycles, skateboards and horses.
2. Service levels related to reserve maintenance
3. Control of liquor and dogs.

This policy should be considered along side the following bylaws;

- Reserves
- Public Places Liquor Control 2003
- Dog Control
- Control of the Use of Public Places
- Mobile Shops and Hawkers

Other relevant policies:

Policy # 2104A - Procurement Policy and Procedures for Community Projects

Policy # 3206 - Recreation and Sport

Policy # 5011 - Reserve management committees

Policy # 5012 - Community Gardens

Policy # 5014 - Smoke Free Parks, Playgrounds & Reserves