



## RESERVES POLICY



Koa Street Playground

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Adopted 28<sup>th</sup> February 2001

# TABLE OF CONTENTS

## INTRODUCTION

### **PART ONE**

- 1. ADMINISTRATION POLICIES**
  - 1.1. ENFORCEMENT
  - 1.2. COUNCIL AS AN EFFECTED PARTY
  - 1.3. TREES AND TREE MANAGEMENT
  - 1.4. FENCING
  - 1.5. NAMING OF RESERVES
- 2. USE POLICIES**
  - 2.1. USE OF RESERVES
  - 2.2. EXCLUSIVE USE
  - 2.3. COMMERCIAL USE
  - 2.4. OCCUPATION AGREEMENTS
  - 2.5. LIQUOR LICENCES
  - 2.6. SIGNS
  - 2.7. TRACKS
  - 2.8. CAR PARKING
  - 2.9. RESERVE LIGHTING
  - 2.10. SPORTS FIELD LIGHTING
  - 2.11. EASEMENTS
  - 2.12. CAMPING
  - 2.13. CIRCUSES AND SIDE-SHOW OPERATORS
  - 2.14. PLAQUES AND COMMEMORATIVE TREES
  - 2.15. AIRCRAFT AND HELICOPTER LANDINGS
  - 2.16. FIREWORKS DISPLAYS
  - 2.17. TREATY OF WAITANGI
- 3. USE OF HAZARDOUS SUBSTANCES**
  - 3.1. COMMENTS
  - 3.2. REFUSE AND WASTE DISPOSAL
  - 3.3. COMMUNITY CONSULTATION
  - 3.4. ABANDONMENT
- 4. DEVELOPMENT POLICIES**
  - 4.1. LANDSCAPE
  - 4.2. BUILDINGS AND STRUCTURES (INCLUDING PLAYGROUNDS)
  - 4.3. PLAY-SPACE DEVELOPMENT
- 5. BYLAW POLICIES**
  - 5.1. BYLAW 10 - RESERVES
  - 5.2. BYLAW 5 - DOGS/GDC DOG CONTROL POLICY
  - 5.3. ANIMAL TRAP BYLAW
  - 5.4. PARKING AND TRAFFIC BYLAW 1996
  - 5.5. OFFENCES AND PENALTIES
- 6. APPENDICES**
  - APPENDIX 1 CRITERIA FOR ASSESSING APPLICATION FOR CARPARK LIGHTING
  - APPENDIX 2 CAMPING ON RESERVES
  - APPENDIX 3 STANDARD CONDITIONS OF USE
  - APPENDIX 4 RESERVES INCLUDED IN THIS DOCUMENT

### **PART TWO**

**BANNERMAN PARK**

**VICTORIA PARK**

**SHOWGROUND LAND**

**GORE COMMUNITY CENTRE/RIVERSIDE RESERVE**

**WOOLWICH STREET RESERVE**

**WAYLAND PARK**

**GORE CAMPING GROUND**

**RESERVES LOCATION MAPS**

# INTRODUCTION

Gore District Council has the responsibility of preparing policy for the management of Gore's reserves. As part of this function the Gore District Council, as an administering body under the Reserves Act 1977, is required to prepare management plans for the reserves that it controls. These management plans should:

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

Management plans under the Reserves Act should outline Council's general intentions for use, development and maintenance of its reserves. The aim of the Reserve Act is to ensure that park development and enjoyment are based on sound planning and that, through involvement, the needs of the public are clearly identified.

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

Existing reserves management plans contain policies that apply to the issues and objectives contained in the respective plans. Some plans also contain policies that could apply to all reserves in the District. For instance, many of the policies contained in the Town Belt Management Plan are the same as those in the Dolamore Park Management Plan. Other policies are made by Council as situations arise or a consistent approach is required for the whole District. Policies on camping and the leasing of reserve lands provide examples of these two approaches.

Council staff believe that these general policies need to be considered in the management plans for individual reserves, but are part of a separate set of documents. As such they propose to produce management plans in two parts - a 'management plan' section and a general policies section. The general policies section will be common to all management plans.

This document contains those policies that apply to all reserves in the Gore District including some that are not classified as reserves under the Reserves Act 1977. It includes policies for the management of reserves that have been prepared outside the reserves management planning policy, such as Council decisions on particular matters as well as reviewed policies contained in the already prepared Management Plans.

Four sections make up this document. 'Administration' policies are those that set Council's approach to statutory issues. The 'Use' section presents policies that guide Council's response to applications to use reserves. Likewise, the 'Development' section contains policies that guide Council's response to development applications. Finally, the 'Bylaws' section contains those policies established through bylaws rather than the reserve management planning process. This section lies outside the management plan, as it can be changed independently of the management planning process.

## **Revocation of Previous Policies:**

As of the adoption of this policy, all previous policies with regard to reserves in the Gore District have been revoked to be replaced by the policies set down in the Reserve Management Plans drawn up under Section 41 Reserves Act 1977 in the first instance, or where no such Management Plan exists, the objectives and policies held within this document will be adhered to.

### **This Policy is written in two parts:**

Part One outlines the objectives and policies in general that Council has adopted for the Reserve areas covered by this policy.

Part Two gives a more detailed history and where appropriate, specific policies and objectives for the larger Reserve areas covered by this policy.

### **Policy Amendment and Review**

This Reserves Policy will be reviewed comprehensively every ten years. ***The Reserves Act 1977, Section 41 (4)***, provides that the administering body of a reserve is required to keep its management plan under 'continuous review'. This ensures that the plan accurately reflects ongoing amendments to Council policy and developments on its reserves. The ten-yearly comprehensive review, which is to incorporate the public notification and objection procedures specified for preparation of a management plan, ensures that the public have an opportunity to comment on Council's policies. Where a sports ground is newly developed or acquired, and comes under this management plan, the application of the plan to that ground will be treated as an amendment to the existing management plan under *Section 41 Subsection 9 of the Reserves Act 1977*.

Objective: To maintain a comprehensive and relevant management plan that reflects the demand by passive and active users of the resource

Policy 1: To comprehensively review the Reserves Policy every ten years or by amendment as Deemed appropriate by Council following *Section 41 Subsection 9 of the Reserves Act 1977*.

# **PART ONE**

# **1. ADMINISTRATION**

## **1.1. ENFORCEMENT**

### **1.1.1. Comment**

Unacceptable activity on reserves fall into three main categories. First, people wilfully damage reserves through dumping of rubbish, breaking trees, damage to facilities, doing “wheelies” on grass and similar activities. Second, people using the reserve in inappropriate ways. These uses may cause damage to the reserve or are a safety hazard. Types of inappropriate use might include car parking on sports field surrounds and golf ball driving on reserves. Third, there are those people who ignore instructions or prohibitions such as taking dogs or mountain bikes into no dog or mountain bike areas.

Council only prosecutes 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 written warnings to identified offenders.

### **1.1.2 Objectives**

- to reduce the level of offences on reserves
- to maintain reserves to required standards without additional costs from offences falling on the Gore District Council

### **1.1.3 Policies**

- The emphasis of Gore District 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.
- Symbols indicating activities banned by bylaws will be added to reserve name signs.
- The Gore District Council will encourage reserve neighbours and users to report suspected offences on reserves.
- If an individual can be identified as an offender or involved in an offence (eg the owner of a car involved in an offence) a verbal or written warning may be given.
- Education signage will be erected in areas which are prone to offences.
- Media releases will be used as a tool for raising awareness about offences.
- Where an offence on a reserve requires the Gore District Council to spend money to repair the damage, compensation will be sought from identified offenders.
- Compensation may be in the form of approved and supervised labour.
- The Gore District Council will co-operate with any police initiated projects.
- Where an individual can be identified as a repeat offender, the Gore District Council will take legal action.
- A register of reported offences will be kept by the Gore District Council.

## **1.2 COUNCIL AS AN AFFECTED PARTY**

### **1.2.1 Comment**

Under the Resource Management Act 1991, Council (in its reserve owning and managing role) is an affected party where a proposal on land adjacent to a reserve does not meet the requirements of the District Plan. Council is approached to give its permission to side yard or height plane incursions or to approve buildings extensions for reserves occupiers buildings, amongst other things. Council’s main concerns in these cases are that there are no adverse effects on reserve values or uses.

Reserve land is also occasionally occupied by network utility providers and other organisations who wish to designate parts of reserves for specific purposes under the Resource Management Act 1991. An

example is Broadcast Communications Limited transmitter sites. Again, Council's main concerns in these cases are that there are no adverse effects on reserve values or uses.

### **1.2.2 Objectives**

- To give Council's approval as an affected party where a proposal has no adverse effects on reserve values or use.

### **1.2.3 Policies**

- Where Council is asked to give permission to a proposal as an affected party, a landscape report may be required.
- Before giving its permission as an affected party, Council must be satisfied that any adverse effects can be avoided, remedied or mitigated on:
  - recreation values
  - landscape values
  - ecological (including horticultural) values
  - heritage values
  - any other appropriate considerations eg cultural values, social/community values (a list of possible values is included in Subsection 3(1)(v) of the Reserves Act 1977)
- Council will seek conditions on any resource consent or designation where necessary.
- Where a designation is proposed, Council will require evidence of consideration of alternative methods of the proposal.

## **1.3 TREES AND TREE MANAGEMENT**

### **1.3.1 Comments**

Council's tree management involves several issues that require policies. These include the response to tree nuisances and firewood removal.

Trees are desirable features of reserves. They contribute to the recreational (eg shade), landscape, ecological and heritage (eg connections to people in the past) values of reserves. Trees (including branches, leaves and roots), however, can become nuisances from time to time. The main type of nuisances are leaves effecting gutters, shading, roots effecting drains and footpaths, and dangerous branches. Council has generally undertaken remedial action to resolve these problems, however, property owners can seek redress through the courts if not satisfied with the Council's response.

Nuisances caused by trees on adjoining land come under the general law of nuisance and Section 129C of the Property Law Amendment act 1977. Under Clause 6 of Section 129C, the Court, in considering tree nuisances, need to take account of:

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

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

- necessary for the management of the reserve
- the preservation of other trees and bush
- in the interests of the safety of persons on or near the reserve
- in the interests of the safety of property adjoining the reserve
- is to harvest trees planted for revenue purposes

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

Council tree maintenance occasionally involves the felling or trimming of trees. The resulting wood may have value to both Council and the wider community. 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.

### **1.3.2. Objectives**

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

### **1.3.3 Policies**

#### *Tree Nuisances*

- Before making any decision about tree complaints, Council will prepare a tree report that provides information about the health and effect of removing or trimming the tree.
- If necessary, Council will seek a landscape report that provides comment on the value of trees subject to complaint as public amenity.
- The relevant provisions in the District Plan will be followed in decision making about trees.
- Trees and bush on reserves will only be thinned or removed where Council is satisfied that it is:
  - necessary for the management of the reserve
  - the preservation of other trees and bush
  - in the interests of the safety of persons on or near the reserve
  - in the interests of the safety of property adjoining the reserve
  - is to harvest trees planted for revenue purposes
- Decisions about whether or not a tree is necessary for the management of the reserve will include consideration of the following factors:
  - the requirements of any reserves management plans for the reserve
  - the requirements of the District Plan
  - the interests of the public in the maintenance of an aesthetically pleasing environment
  - the desirability of protecting public reserves containing trees
  - the value of the tree as a public amenity
  - the historical, cultural or scientific significance (if any) of the tree
  - the likely effect (if any) of the removal or trimming of the tree on ground stability, the water table or run-off
  - Where a complaint is not upheld, but there is no merit to keeping specific trees, Council will allow unsuitable species to be replaced with suitable species, provided that no cost accrue to Council. A formal agreement setting out the proposed works and responsibilities, including bond, is necessary for the implementation of this policy.
  - Where the consideration of undue obstruction occurs, the burden of proof will fall on the applicant and not Council.
  - Where the consideration of undue obstruction includes the issue of shading, the costs associated with any action will be negotiated by Council.

#### *Tree Planting*

- Tree planting on reserves will take into account:
  - management objectives and policies for the reserve
  - the effects trees will have on adjacent properties at the time of planting and in the future (e.g shading, loss of views, root damage, leaf fall, overhanging branches)
  - the effects trees will have on underground and overhead services
  - landscape considerations

- Where there is no management plan for a reserve, the species lists from the Street Tree Planting Policy (see Appendix Four) will be used as the initial guide for acceptable tree species.

### *Wood removal*

- Wood from felling and pruning operations will be disposed of, at no cost to Council, in the following priority order:
  - Council organised contracts
  - non-profit community groups where the proceeds of the sale are being used for Council approved projects
  - members of the public where the wood is for personal use only and will not be sold
- The written permission of Council will be required before permission to remove wood is granted.
- It will be a condition of all wood removal permissions that all wood is removed from the site and the site is left to the Gore District Council standards. Any damage caused will be required to be restored to the Gore District Council standards by the person causing the damage or at their cost.
- Except where written permission is given by the Gore District Council, no person will be allowed to use a chainsaw, park a vehicle, trailer or use equipment for removing firewood, on the reserve.
- No live or standing trees are allowed to be removed during wood removal operations.
- Specific wood removal policies in reserve management plans will take precedence over these general policies.

## **1.4 FENCING**

### **1.4.1 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 whereby 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 in settings from rural to urban industrial. This management plan cannot give blanket provisions for their fencing, however, it can give clear guidance on Council's responsibilities for fencing.

In addition, fences or barriers may be required to prevent vehicular access to grounds, and where it is desirable to enclose service areas, caretakers' residences, or the premises of exclusive sporting users.

### **1.4.2 Objectives**

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

### **1.4.3 Policies**

- 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:
  - adjoining farmland: a 7-8 wire fence, as described in part 6 of the Second Schedule to the Fencing Act 1978
- 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; Councils fencing share will not exceed a half share based on that of a 1.8m wire mesh and pipe type fence;
- 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;
- Where, in the Council's opinion, a fence of construction sturdier or higher than standard is necessitated by normal recreational use of the ground, the excess cost shall be borne by the Council
- Where the enclosure of its facilities is sought by a reserve occupier, the cost of erecting and maintaining appropriate fences to the satisfaction of the Council shall be borne by the reserve occupier
- The written approval of Council is required before any internal fencing is erected
- The colour and design of internal boundary fences is to be approved by the Gore District Council before the fencing is erected
- The creation 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.
- 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 Parks and Recreation

## **1.5 NAMING OF RESERVES**

### **1.5.1 Comments**

The Gore District Council occasionally receives new reserves either through purchase or reserve contribution. 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.

### **1.5.2 Objectives**

- To name reserves through formal Council resolution, after consulting interested parties to comment on the name.

### **1.5.3 Policies**

- All reserves vested in or administered by the Gore District Council shall have an appropriate formal name.
- Proposed names shall be approved by resolution of Council. Where appropriate, these names will be recommended for approval to the New Zealand Geographic Board.
- Naming shall be initiated at the time of vesting.
- Names for reserves will be established after consultation with donors, user groups, community groups in the vicinity of the reserve, the community board and other interested parties.
- All proposed reserve names will be publicly advertised. The public will be given one month to comment on the proposed name.

## **2. USE POLICIES**

### **2.1 USE OF RESERVES**

#### **2.1.1 Comment**

The reserves are a major source of open space for a variety of purposes. The scope of uses which may be proposed is wide and includes sport, passive recreation (e.g. picnics, walking), commercial promotions, festival activities, circuses, competitions, public demonstrations and ceremonies. Council believes those activities which further the recreational and cultural development of the District are to be encouraged as fuller use of the District's reserves, as recommended by Council's Recreation Strategy.

The Gore District 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, land managed as if it was scenic reserve under this status and some types of Local Purpose Reserves.

Any proposed use requires due consideration of the extent of possible damage to the reserve, any effects on other use or users, and any effects on adjoining land use or users, before approval is given. The Gore District Council reserves the right to close parks and reserve or to decline applications for use where conditions warrant.

#### **2.1.2 Objectives**

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

#### **2.1.3 Policies**

- 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.
- Organised use of reserves shall require 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 at least ten working days prior to the event. Major events require notice as early as possible but with a minimum of four months for a first time event and two months notice for repeat events. Regular sporting competitions will need to apply only on an annual basis and supply such information as draws, numbers of teams, players etc.
- Events, social activities, functions and exhibitions will be allowed on reserves provided that the adverse effects on other users, the reserve and reserve neighbours of such activities can be avoided, mitigated or remedied and meets statutory and policy obligations.
- Where necessary for the maintenance or protection of reserves or the safety of reserve users, part or all of the reserve will be closed to public access.
- 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 via Council's public notice in a local newspaper 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.
- 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 Gore District Council or prior public notice subject to those involved taking every reasonable step to contact the Gore District Council or carry out public notification. Such an action or event must be reported in writing and include an explanation or the circumstances immediately after the event or incident.
- Where there is the possibility of serious damage being caused to the reserve, users, neighbouring properties, reserve neighbours or property or persons on adjacent public land (including roads), it will be a condition of use that the event organiser takes out public liability insurance.

- A bond will be required for all organised uses of reserves. The following factors will be considered in assessing the amount of bonds: (Refer to Appendix 3)
  - the size of the event;
  - the possibility of damage to the reserve
  - the likely significance of possible
  - the organisers past record of use of reserves
- 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 waivering bonds will include:
  - the willingness and ability of the health or preventing serious damage to applicant to repair any damage property or avoiding an actual or likely by non-cash means such as labour and supply of materials
  - the adoption of damage avoidance or mitigation measures.
- Bonds will be set at such a level that any possible damage is able 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.

## **2.2 EXCLUSIVE USE**

### **2.2.1 Comment**

Exclusive use of Council reserves has generally meant their closure to protect the ground surfaces, facilities and equipment required by particular sporting codes (e.g bowls). Traditionally, the selection of sites for club premises and the construction and maintenance of facilities have been carried out by the user group, 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 club. Where no lease is entered into, 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 Council should take the lead in ensuring that facilities are properly sited.

Additionally, 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's are asked to examine and justify the expenditure of ratepayers money.

### **2.2.2 Objectives**

- 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.

### **2.2.3 Policies**

- These policies should be read in conjunction with Section 3.1, Use of Reserves
- Exclusive use will be allowed where Council determines that the activity:
  - cannot or should not be located on land other than publicly-owned land
  - is in accordance with the objectives of this document, the management plan for the park of reserve and any other relevant Council documents
  - satisfies the requirements of the Reserves Act 1977 or other statutes.
- Where temporary exclusive use is deemed necessary for the holding of an event or activity part or all of the reserve will be closed to the public for the duration of that event.
- Where part or all of a reserve is to be closed to the public, notification of this will be made prior to the activity causing the closure.
- Temporary exclusive use will be controlled by the "Standard Conditions of Use.

- Where permanent exclusive use is deemed necessary, Council will provide security of tenure by preparing formal tenancy agreements.
- A charge will be levied for all forms of exclusive use.
- Applicants wishing to charge an entry or similar fees must gain written approval from the Gore District 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.

## **2.3 COMMERCIAL USE**

### **2.3.1 Comments**

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. Such activities can promote Gore and its reserves and 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. Also, the activities should not adversely impact on the reserve, its use or users and reserve neighbours. Controls on activities should ensure that the effects of activities are avoided, remedied or mitigated.

### **2.3.2 Objectives**

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

### **2.3.3 Policies**

- These policies should be read in conjunction with Section 3.1, Use of Reserves.
- Commercial activities will 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.
- All applications to operate commercial activities on reserves shall be made to the Gore District Council in writing.
  - A description of the proposed activity
  - A description identifying the places where the proposed activity will be carried out
  - 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.
  - A statement of the proposed duration of the activity and the reasons for the proposed duration:
  - Relevant information relating to the applicant, including any information relevant to the applicant's ability to carry out the proposed activity.
- Temporary commercial activity applications need to be made at least ten working days prior to the event.
- Conditions necessary for the protection of values 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.
- A charge will be levied for the commercial use of reserves.
- A bond will be required for permanent and temporary commercial activities.
- Compliance with the relevant conditions of the Resource Management, Building, Health and Safety in Employment and other relevant Acts and the District Plan is the responsibility of the applicant.

## **2.4 OCCUPATION AGREEMENTS**

### **2.4.1 Comment**

### **2.4.1.1 Leases**

The leasing provisions of the Reserves Act emphasises the retention of open space and the public accountability of reserves 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 statutes. 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.

### **2.4.1.2 Licences**

Council owns reserves that have not been developed for recreational purposes. Management of these areas may be expensive, with Council receiving little or no return for its maintenance investment. Grazing provides a cheap alternative management tool as well as a source of income for Council.

The benefits of grazing include reduced fire risk, improvements to the "look" of an area, and the possibility of an economic return from undeveloped areas. While grazing has these positive aspects, it can, however, damage natural and other resources, inhibit regeneration of indigenous plants, result in the spread of woody weeds and downgrade the quality of recreational experiences.

Tenancies over reserve land are subject to the provisions, including public notification, of Sections 73 and 74 of the Reserves Act 1977. The conditions of a lease under Section 73 are prescribed by the Act, and its granting requires ministerial approval. A licence under Section 74, while not subject to the same conditions, may only be for a term of up to five years.

### **2.4.2 Objective**

- To confirm the occupation of reserves for approved uses and facilities by the granting of occupation agreements.

### **2.4.3 Policies**

- Any permanent exclusive use of a reserve, including buildings, will be subject to a lease.
- Leases shall incorporate the appropriate provisions of the First Schedule to the Reserves Act, except where the Council's tenure of the land requires otherwise, and shall incorporate where necessary the policies detailed in this management plan and other Council documents.
- The notification of proposed leases in the relevant management plans shall serve as public notice for the purposes of the Reserves Act 1977.
- All costs associated with leases and other agreements are the responsibility of the lessee or holder of the agreement.
- Rents will be payable on all leases, except where Council has resolved that no rental is required. Rents for approved users (eg, sports grounds, voluntary recreation facilities, approved community users) will be set annually by Council. Other rents (eg commercial use, residential tenancies) will be at market levels.
- Where a building or other structure is no longer required by an occupier, the following steps will be taken in priority order:
  - the occupier will be required to find a new suitable occupier or remove the building or structure from the reserve
  - if the occupier cannot either find a new suitable occupier or remove the building or structure, then Council will take reasonable efforts to find a new suitable occupier or use for the building.
  - if no suitable occupier or use can be found, Council will consider moving the building or structure.
  - if no suitable occupier can be found, the building or structure cannot be moved and there is no reasonable foreseeable use for the building or structure then it will be demolished.
- Council will have the option to tender or sell the building (not the land) as an alternative to demolishing it.
- Where the building or structure is not compatible with the primary function and values of the reserve, it will be removed from the reserve.

- Grazing will be allowed on wayside areas and undeveloped reserves.
- Applications for grazing will need to be made in writing.
- All grazing on wayside areas will be licensed under an agreement based on the requirements of Section 74 of the Reserves Act 1977.
- All grazing on undeveloped reserves will require a lease based on Section 73 (1) or (3) of the Reserves Act 1977 whether or not that land is reserve.
- Grazing agreements will include provision for public access where this is appropriate.
- A market rent will be charged for all grazing agreements. Council may charge a rental other than a market rental for approved recreational or management purposes.
- It shall be a condition of all agreements negotiated that Council may, before expiry, cancel all or part of the tenancy at six month's notice, should the land be required for recreational use.
- It shall be a condition of every grazing licence that Council will not compensate occupiers for improvements upon termination of the agreement.

## **2.5 LIQUOR LICENCES**

### **2.5.1 Comment**

The selling of liquor is seen as one means of reserve occupiers raising funds for their activity. The consumption of liquor can, however, have adverse effects on the reserve, other users and reserve neighbours. Adverse effects arise from club's requirements to extend buildings to allow for the sale of liquor and from noise, glare and damage. These effects may diminish outdoor recreation and landscape values of the reserve. As most sports club premises are sited in residential neighbourhoods these effects may be significant. A limit on hours of operation is one means to mediate the effects of the consumption of liquor on reserve, other users and reserve neighbours, of noise generated by social activities.

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 reserve occupiers reserve a mandatory rates remission, this puts them at an advantage over rate-paying commercial groups. It is appropriate, therefore, for Council to place restrictions on the sale of liquor for groups occupying reserves that are more rigorous than would apply to those not occupying reserve land.

### **2.5.2 Objective**

- 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.

### **2.5.3 Policies**

- Council will only support the granting of liquor licences for premises located on reserves where
  - the hours of supply do not commence before 10 am or extend past 12.00 midnight except where a special licence has been applied for under the Sale of Liquor Act 1989
  - 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

## **2.6 SIGNS**

### **2.6.1 Comment**

The construction, maintenance, and fees payable for erection of advertising signs and hoardings are regulated by 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.

### **2.6.2 Objectives**

- To minimise visual 'clutter' while maximising useful information to reserve visitors.
- To ensure consistent sign information, styles and types on reserve land throughout the District.

### **2.6.3 Policies**

- Any sign must meet the requirements of the Gore District Council bylaws, District Plan or any resource consent that includes the sign.
- All applications for signs on reserve land should be made in writing to the Gore District Council and will be considered by all relevant Council departments.

### **2.6.4 Reserve Name Signs**

- The number of signs on reserves will be kept to the minimum number required to meet the information needs of users.
- The Gore District Council shall provide a sign at each ground advising the name of the ground, with provision for reserve occupier details on the same sign.
- Reserve occupiers will be allowed to attach signs to the Council sign indicating their names, a symbol for their activity and direction arrows in accordance with Council requirements.
- All signs will be required to meet the Gore District Council's sign standards and be approved by the relevant Council departments.
- 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.
- 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.

### **2.6.5 Other Signs**

- 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.
- 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 Gore District Council District Plan (or the conditions of a resource consent).

- Council may set a charge for the erection of any sign.
- Existing advertising signs under existing agreements will be allowed to remain for the life of the sign provided these signs have been lawfully established.
- Gore District Council signs (eg, street name signs) other than those erected for Reserve Management purposes may be erected on reserves

## **2.7 TRACKS**

### **2.7.1 Comment**

The following objectives and policies refer to the two types of tracks located on reserves. These are the recreational tracks, which are used primarily for recreation (eg Fantail Track) and the pathways which are designed for users other than recreation (eg commuter access across reserves).

Recreational tracks are used for walking and other recreational activities. Activities such as mountain-biking, motorcycling and horse-riding may occur on recreational tracks, however, these activities can have adverse effects on reserve values including the experience of other reserve users.

Reserves may provide convenient access as an alternative to footpaths adjacent to roadways. Several of these pathways already exist already, particularly through Dolamore Park. 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 or 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.

The use of the terms "recreational tracks" and "pathways" in this document is distinct from any classification system for tracks.

### **2.7.2 Objectives**

- To allow "recreational tracks" on reserves where adverse effects on the environment can be remedied or mitigated.
- To allow "pathways" to cross reserves where adverse effects on the environment can be remedied or mitigated.

### **2.7.3 Policies**

- Recreational and other tracks are allowed on reserves.
- The written permission of the Gore District Council is required before new recreational and other tracks are developed
- The Gore District Council should be contacted early in the planning stages of new tracks.
- Plans for tracks should consider:
  - landscape values
  - recreational values
  - ecological values
  - heritage values
  - other values (including social/community values)
  - safety issues
  - equal opportunity of access
  - means to mitigate or remedy adverse effects
  - ongoing maintenance requirements.
- Persons walking on tracks have right of way over joggers and non-walkers.
- Horses and motorcycles are prohibited from tracks unless a specific exemption is indicated by way of a sign.

- Mountain bikes and bicycles are allowed on tracks over Gore District Council administered reserves unless specifically prohibited as indicated by a sign. Organised mountain bikes and bicycle races are allowed on tracks over reserves subject to written permission of the Gore District Council being obtained.
- Dogs under continuous control are allowed on tracks over reserves except where specifically prohibited as indicated by a sign.
- Dogs are prohibited in Council's scenic reserves.

## **2.8 CAR PARKING**

### **2.8.1 Comment**

Virtually any recreational uses will generate demand for parking spaces within reserves. Occasionally groups demand exclusive use of car parks on reserves for special events. While this use can be legitimate, particularly when it applies to car parks used by groups other than reserve users, exclusive users obtain a benefit greater than that of the public at large. Council needs to consider both a process for allowing exclusive use of car parks and of ensuring that those who benefit meet the costs of their benefit. While car parks on reserves are provided for reserve users, members of the public at large may also use these car parks. This may be to the detriment of reserve users. Apportioning the costs of car park provision can be difficult. Various attempts 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.

### **2.8.2 Objectives**

- To provide and maintain car parks, where fiscally and financially appropriate, to a level which is adequate for servicing the usual activities carried out within the reserve.
- To recover all of the costs of car park provision from identifiable beneficiary groups.

### **2.8.3 Policies**

- Car parking on areas other than recognised car parks or in any way that causes damages to the reserve is prohibited.
- Car parks on reserves are for vehicles associated with recreation and other legitimate use of the reserve.
- Regular overnight and long-term parking is not permitted.
- Where gates close at a specific time, any person requiring to be released after this time will incur a fee.
- Parking in areas other than recognised parking areas may be permitted upon the written approval of the Gore District Council.
- Car parking areas shall be provided on reserves where there is a proven requirement directly related to the use of the reserve.
- Reserve occupiers shall contribute to the provision of car parking on reserves where their occupation is a clear and significant factor in the need of car parking - this covers both new or changed use situations.
- Exclusive use of car parks may be allowed for special sporting and recreation events. Council may set a charge for this exclusive use.
- Where an application for exclusive use of a car park is successful, Council will arrange for public notification of this use in the public notices section of a local newspaper. Applicants will need to meet the costs of public notification.
- Groups that have permission to use car parks exclusively may levy a charge on users during the time they have exclusive use of the reserve. This charge is to be approved by the Parks and Recreations Manager and be used to recover costs only.
- Car parks for disabled users will be set aside in where reserve car parks are marked.
- Groups that sublet car parks for a private gain shall incur a commercial rental per square metre for car park spaces based on Council's current evaluation on commercial carpark rental charges for that area. The financial gain, must be used by the group to recover costs only.

## **2.9 RESERVE LIGHTING**

### **2.9.1 Comment**

Occasionally groups using reserves have requested Council to provide car park and access way lighting. Council's stance has been that it will only provide lighting on 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 Gore District Council does not encourage the use of public recreation lands after dark. The lack of lighting on Council land in many circumstances is a strategic management decision to discourage visitors from using areas at night where safety problems may exist. Indeed, Council actively discourages people from using some reserves - for example, Bannerman Park - 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 effects people's personal safety, increases actual and potential crime, and 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 not a solution in itself.

### **2.9.2 Objective**

- To provide car park and access way lighting subject to the costs of developing, maintaining and replacing this lighting being met by the beneficiaries of this lighting.

### **2.9.3 Policies**

- Council will only fund lighting on Council-owned land and where there is clear public benefit.
- 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 access way lighting. If an application is received from a group meeting these conditions, then the criteria contained in Appendix will be used to decide whether or not Council will contribute to funding.
- Council will not contribute to car park and access way lighting on non Council-owned land, except where a Council-owned facility occupies the land and there is clear public benefit.
- Where Council owns a facility that is occupied by another group on the basis of a landlord/tenant arrangement, it is the tenants responsibility to provide for lighting.
- Where an identifiable beneficiary from reserve access way and car park lighting exists, the full operation and maintenance costs be passed on to this beneficiary.

## **2.10 SPORTSFIELD LIGHTING**

### **2.10.1 Comments**

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

### **2.10.2 Objective**

- To allow sports field lighting where the adverse effects on reserve values can be avoided, remedied or mitigated.

### **2.10.3 Policies**

- Sports field lighting may be allowed on reserves subject to the applicant making written application to Council. All applications will include:
  - a lighting plan showing the location of poles, the strength of lights and the patterns of luminosity
  - evidence of consultation with other reserve users and reserve neighbours
  - a proposed cable plan
- It is the applicant's responsibility to consult with all likely effected parties including other reserve users and reserve neighbours.
- It is the applicant's responsibility to obtain all relevant statutory consents including Resource and Building Consents.
- The erection, maintenance, operation and replacement of sports field lighting is to be at no cost to Council.
- Sports field lighting should 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.

## **2.11 EASEMENTS AND ENCROACHMENTS**

### **2.11.1 Comment**

On some reserves, neighbours and utility companies occupy or use reserves for access. Examples include rights-of way, storm water discharges and utility services.

Rights-of way have usually been constructed to allow vehicular access to houses adjacent to reserves. While some of the existing rights-of way have been approved, either at the pleasure of Council or by formal easement, many others have been formed without permission. Two issues are important when considering rights-of way across reserves. First, rights-of way provide private gains from use of a public resource. This may include increased property value. Second, rights-of way can reduce the recreational, landscape and other values of reserves, because they act as perceived barriers, may require the removal of trees and bush, and involve the development of hard surfacing.

Since 1989, decisions on whether or not 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. Policy 6, Section 3.1 allows emergency services to cross reserves where and when required. This 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 rights-of way is a more vexatious issue. Council is caught between the reasonable expectations of those with approved rights-of way and the need to maintain reserve values. Clear signals about Council's intentions about formalisation and compliance are required to help resolve

this situation. Such signals are to include standards of construction, length of approval period, construction standards and occupier rights. Council should also indicate ways of mitigating or remedying effects on reserve values, including compensation.

The rights-of-way issue may have significant impact. Public comment is sought on how Council should respond to rights-of way although no objectives or policies have been presented.

A related issue is that of storm water discharges. Members of the public frequently wish to discharge storm water onto, or into water courses located on reserves. Several consequences result. First maintenance staff do not know where pipe works, associated with storm water are located. This can lead to damage to both the pipe work and to maintenance machinery. Second, while the Land Drainage Act 1908 allows people to drain over reserve land, these private rights effect reserve values. Reserves are set aside for the public to enjoy and use land for its recreation, ecological, landscape, heritage and other values. Council needs to be assured that it receives adequate compensation for these values when negotiating storm water discharges.

Finally, maintenance of storm water discharges may be expensive and Council needs to recover the costs of this where reserve neighbours are responsible for the drainage.

Occasionally network service providers (e.g., Telecom) wish to use reserves for utility services. The main reason the use of a reserve is sought for a utility is a cost saving one and while it could be argued that the community at large benefits from such savings in the case of utility services, the users of the affected reserve are also entitled to compensation for loss of amenity and enjoyment. Underground utilities can have significant impact on a reserve by restricting the scope of development possible and thereby the reserve's use. An obvious example of this is the need to keep clear of the easement all trees and other plantings, buildings, fences and other structures. The need to cater for underground utilities may also lead to greater costs for reserve development work. Where sports fields are involved, limitations are often imposed on drainage and irrigation installations. Furthermore, even with the best of techniques, differences in level can occur over time due to subsidence.

## **2.11.2 Objectives**

- To ensure adequate compensation to remedy or mitigate the adverse effects of storm water discharge and drainage rights on reserves.
- To allow 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.
- To require compensation for all temporary or permanent effects on reserve values caused by right-of ways or network utilities.
- To allow no new encroachments and seek to remove existing encroachments where they impede on the values of the reserve. However, where there is a demonstrated 'public good' component to any encroachment, Council will consider each application on a case by case basis.

## **2.11.3 Policies**

### **2.11.3.1 Storm Water Discharges**

- Applications for storm water discharge or drainage rights must be made in writing and contain the following information
  - a statement of alternative storm water discharge options and their costs
  - discussion on why these alternative discharge options cannot be used
  - evidence that the discharge will not detract from the purpose of the reserve
  - a diagram of the proposed works
- An easement will be required for every private storm-water discharge or drain crossing reserve land.
- All legal costs and the costs of formation and maintenance to the Council's satisfaction shall be borne by the grantee.
- The design and construction material must be approved by the Council to ensure minimum disruption to the landscape or recreational potential of the reserve.
- Payment for the benefit of a drainage easement shall be made as a lump sum payment.

- Council will require those holding rights to drain or discharge storm water to meet the costs of maintaining these drains.

### **2.11.3.2 Utility Services**

- Applications for other rights must be made in writing and contain the following information:
  - a statement of alternative options and their costs
  - discussion on why these alternative options cannot be used
  - evidence that the utility service will not detract from the purpose of the reserve
  - a diagram of the proposed works.
- Easements may be required for utility services other than Council service crossing reserves.
- All legal costs and the cost of formation and maintenance to the Council's satisfaction shall be borne by the grantee.
- The design and construction material must be approved by the Council to ensure minimum disruption to the landscape or recreational potential of the reserve.
- A one-off compensation payment may be required for all utility services.
- Where a utility service adds cost to Council's maintenance, network providers may be required to meet the ongoing costs of maintenance.

### **2.11.3.3. Access ways and Encroachments**

- No new access ways or encroachments will be allowed on reserves.
- Existing informal access ways and encroachments (ie those without formal easements, leases or licenses) approved and unapproved, will be considered for formalisation.
- Application for formalisation of existing informal access ways and encroachments must be made in writing.
- Applications will be assessed on a case-by-case basis. In considering applications, Council will use the following criteria:
  - Does the access way and encroachments detract from the reserve's recreational, landscape, ecological, cultural heritage or other values?
  - Is the access way and encroachments required or beneficial for reserve management reasons?
  - Is alternative access available?
  - Are there any exceptional reasons why vehicle access or encroachments should not be terminated (eg the property has no legal frontage)
  - Can the access way or encroachments be made legal?
- Formal easements, leases and licenses consistent with Section 48 of the Reserves Act 1977, will be required for all approved access ways and encroachments across Council reserve land.
- Any approval for formalisation granted by the Council is subject to public notification of the proposal and the consent of the Minister of Conservation.
- All costs (including legal, Department of Conservation and Gore District Council costs) and the costs of formation of the and maintenance to the Council's satisfaction shall be borne by the grantee.
- The design and construction material must be approved by the Council to ensure minimum disruption to the landscape or recreational potential of the reserve. Council's existing requirements for private rights-of-way will be used as the standard conditions for rights-of-way across reserves.
- Payment for the benefit of rights of way easement and encroachments shall be made as a yearly rental.

## **2.12 CAMPING**

### **2.12.1 Comment**

In the past, problems have arisen because of camping on reserves. Three major issues arise out of these of problems. These 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. Both forms of damage are of concern as they add to the costs of maintaining reserves.

One of the problems with campers on reserves is a lack of control over the health conditions of the camping area. Toilets, if available, may not cope with the amount of use, or if toilets are not provided, there are detrimental long-term effects, such as Giardia, from human waste left in the reserve. This is particularly so along the banks of the Mataura river.

Giardia is a parasite that lives in the intestine and can cause severe diarrhoea. It can be spread by any mammal including possums, rats and mice. It can occur in humans as a result of poor personal hygiene, unhygienic food handling and by drinking contaminated water. Giardia is spread by cysts being passed in the faeces and subsequently entering a new host through the mouth. Poor toilet waste disposal can result in cysts entering water systems such as streams and lakes. Giardia cysts can survive in very cold water. When contaminated water is drunk, Giardia enters the intestine where it feeds and produces more cysts which in turn are passed out in the faeces.

The free supply of water to reserves is one of the problems raised by members of the public. Water is provided at reserves from the rates of residents, who may themselves be on a limited supply. Any free campers on reserves then have access to a water supply at no cost to themselves, while residents bear the financial cost and a possible loss of supply.

### **2.12.2 Objective**

- To allow camping provided that the adverse effects of camping can be avoided, remedied or mitigated.

### **2.12.3 Policies**

- Should problems arise with campers on public reserves, members of the public, through the appropriate authority should ask for enforcement under the Reserve Act to protect the environment.
- Council may approve camping where there is evidence that the adverse effects of camping can be avoided, remedied or. Adverse effects include those affecting
  - waste
  - water
  - damage to the reserve
  - effects on reserve use, users and neighbours
- All applications are to be in writing and forwarded to Council at least ten working days before the event.
- All applications are to be considered by the Superintendent of Parks & Recreation and the Department of Conservation in accordance with Section 44 of the Reserves Act 1977 and the Delegated Authority under this Act.
- In all approved cases a bond will be required to ensure the reserve standards and conditions are not compromised (this policy should be read in conjunction with Section 3.1).
- Any approval must comply with the relevant legislation including health, safety and fire regulations.
- Areas suitable for camping will be identified in relevant reserve management plans.
- A "Fact Sheet" explaining Council's position will be given to all applicants and will generally be made available for the purposes of community education (see Appendix Two).

## **2.13 CIRCUSES AND SIDE-SHOW OPERATORS**

### **2.13.1 Comment**

The Gore District Council occasionally receives requests from circus, side-show and like operators for use of reserves. These types of use can have effects greater than those for other forms of temporary commercial use. Three issues in particular are worthy of consideration. These are land use, health and safety, and animal welfare.

The District'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 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 provides for compounds for animals for display to persons using the reserve, the construction and development of compounds for animals for display to persons using the reserve. The Gore District Council in its administration of reserve land requires a rental for the site and a nod to cover the reinstatement of any damage caused by such events.

The Gore District 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). Council administers the Building Act 1991 in regard 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 do not believe that the use of animals in circuses is acceptable. This opposition is based on animal welfare reasons. Currently the general health and safety of animals is provided for by inspection from the Ministry of Agriculture and Fisheries (MAF), the SPCA and the Police under the Animal Protection Act 1960. MAF is currently revising a code for the welfare of circus animals. The new code will fall in line with stricter guidelines found in the "Code of Recommendations for the Welfare of Exhibit Animals and Information for the Animal Operators" which zoos must comply with.

### **2.13.2 Objective**

- To allow the use of reserves for circuses, side-shows 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 Fisheries, SPCA, and the Animal Protection Act 1960.

### **2.13.3 Policies**

- A rental may be charged for circus, side-show and similar use of reserves.
- A bond will be required for any use by circus, side-show or similar use of reserves. This bond will be used to cover the reinstatement of any damage caused by circus activities (this policy should be read in conjunction with the Use of Reserve policies ).
- Applicants wishing to use reserves for circus, side-show and or similar must provide evidence that they have all relevant statutory and other permits (including those from other Council Departments, the Labour Department and Ministry of Agriculture) before final permission to use the reserve is granted.
- Circus, side-shows or similar use of reserves must not keep or use animals for exhibition or performance, exotic animals, or any other animals, in particular those not suitable, in the opinion of Council, for captivity, confinement or enclosed arenas.

## **2.14 PLAQUES AND COMMEMORATIVE TREES**

### **2.14.1 Comments**

Council frequently receives request from people wishing to plant commemorative trees or erecting plaques. 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, (i.e., a record of past events) and as such need to be properly identified, recorded and maintained to a standard consistent with their status.

With ongoing periodic requests for tree planting to commemorate particular events, problems have arisen in recent years finding suitable sites for the trees. Traditionally many of these plantings have been either within the Gore Town Belt or Bannerman Park. Space is now virtually fully occupied on these sites although occasionally opportunity arises through the loss of an existing tree. The development of new reserves may also provide an opportunity for commemorative plantings, although generally these new reserves are fully planted at the time of development.

### **2.14.2 Objectives**

- To allow the planting of commemorative trees and the erection of associated plaques.

### **2.14.3 Policies**

- A register of commemorative trees will be kept and updated.
- The planting of trees or other special plantings to commemorate significant events in the life of the District shall be supported. These 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.
- Commemorative trees will be allowed at the following reserves with the written approval of Council
  - Gore Gardens
  - Bannerman Park
  - Dolamore Park
  - Tulloch Park
  - Henderson Park
  - Queens Park
  - Gore Town Belt
  - Civic Centre
- Commemorative trees may be allowed at other reserves with the written approval of Council.
- The actual location of commemorative trees on reserves will be approved by the Gore District Council.
- Plaques shall be of a standard size, 150mm wide by 100mm deep, preferably of an engraved ornamental brick construction (not hardwood plinth) to reduce the effects of vandalism and lower the cost of the plaque.
- Plaques are to be mounted on a concrete plinth that is then set into the ground at the base of the tree or other plant. There could however, be exceptions (e.g. where the tree is planted in a formal setting with pavement or other built structures) in which case the plaque may be better set direct into the pavement or structure concerned.
- Council will maintain trees planted to commemorate civic events.
- Council will only maintain other trees where they meet Council's supply and planting standards. If trees do not meet Council's supply and planting standards then a donation to cover the first five years of tree maintenance is required. Where trees do not meet Council's standards, no Council accepts no obligation for replacement.
- If commemorative trees need to be removed, then they may be replaced. Where replacements are made these will be with the same species. Exceptions occur when the species is inappropriate for the location (eg inconsistent with management objectives) or are a nuisance.
- Tree species will be chosen from the species list in the Street Tree Planting Policy (see Appendix Four). Species outside these lists may be approved upon written application to Council.

## **2.15 AIRCRAFT AND HELICOPTER LANDINGS**

### **2.15.1 Comment**

The Gore District 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 for commercial promotion purposes).

In general, these events do not effect 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.

### **2.15.2 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 can be mitigated.

### **2.15.3 Policies**

- Other than in an emergency, the use of any part of any reserve for the purpose of landing of an aeroplane, helicopter or any kind of flying machine is not permitted without prior written permission from the Council.
- Approval may be granted for flying craft to use a reserve for a specific purpose or purposes. These for example could include promotional events, commercial ventures involving public use and entertainment, civil defence, military exercises or hospital emergencies.
- Applications must be made in writing to Council at least ten days prior to the proposed event.
- Compliance with the relevant conditions of relevant legislation is the responsibility of the applicant.
- Approval from the Civil Aviation Authority (or other appropriate organisation) is to be obtained by the applicant.
- Adequate public liability insurance is to be taken out by the applicant. Written proof in writing is required before Council's final permission is given.
- 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.

## **2.16 FIREWORKS DISPLAYS**

### **2.16.1 Comment**

Groups occasionally wish to use reserves for fireworks displays. These displays are controlled by legislation other than the Reserves Act and require the permission of the Department of Labour before proceedings. 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.

### **2.16.2 Objective**

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

### **2.16.3 Policies**

- Fireworks displays by organised groups will be allowed on reserves.
- Written application should be made at least ten working days before the proposed event. Conditional approval will be given upon written application to Council. Final approval will be given once the required permissions from the Department of Labour have been obtained.
- Conditions on permissions will include the general conditions of use see Appendix Three and the requirement for sufficient public liability insurance.

## **2.17 TREATY OF WAITANGI**

Adhere to the principles of the Treaty of Waitangi

Gore District Council aims to manage Reserve land and assess any development proposals in accord with the principles of the Treaty of Waitangi. In practice this means that the Gore District Council will pursue ways of improving its consultation with local Iwi.

### **2.17.1 Tangata Whenua, Mana Whenua and Iwi**

Council has an obligation as a treaty partner, and in accordance with the Resource Management Act, Reserves Act and the Conservation Act, to consult with Tangata Whenua, Mana Whenua and Iwi for all major developments proposed on reserves. Day to day management functions and small scale developments, however, will be undertaken at the discretion of Council.

### **2.17.2 Objectives**

- To ensure that large scale development proposals on Council's reserves are considered in accordance with principles of the Treaty of Waitangi, and Part Two of the Resource Management Act.

### **2.17.3 Policies**

- That Tangata Whenua, Mana Whenua and Iwi be consulted where a major development is proposed on a reserve.
- That Council take account of concerns or issues raised by Tangata Whenua, Mana Whenua and Iwi during the consultation process.

## **3. USE OF HAZARDOUS SUBSTANCES**

### **3.1.0 Comments**

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

### **3.1.2 Objectives**

- 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 to reserve users and neighbours.
- To ensure the application of hazardous substances such as chemicals, is undertaken in a safe, efficient manner that minimises disruption to the public and achieves the desired end result.

### **3.1.3 Policies**

- Where hazardous chemicals are to be applied on reserves, the entire operation shall be undertaken in accordance with the Hazardous Substances and New Organisms Act and the Agricultural User Code of Practice NZS 8409.
- Council will minimise the use of hazardous chemicals on reserves by exploring more environmentally friendly alternatives where practical and financially feasible.
- Where hazardous chemicals are to be used on a reserve, consideration shall be made regarding the times for application and methods undertaken to ensure the risk to reserve users and neighbours is minimised.

- Council or contracting staff shall be suitably qualified to undertake the application or disposal of hazardous substances and are provided with at least the minimum level of safety equipment required.
- Warning signs shall be erected on site where a reserve has been sprayed or applied with hazardous substances.
- Hazardous substances such as herbicides shall only be used where there is no practicable or financially feasible alternative control measure.

### **3.2.1 Refuse and Waste Disposal**

The Local Government Amendment Act (No. 4) 1996 requires all territorial local authorities to adopt a waste management plan that makes provisions for the collection and reduction, reuse, recycling, recovery, treatment, or disposal of waste in the district. The aim is to ensure that the management of waste does not cause nuisance or be injurious to health but also have regard to the environmental and economic costs and benefits to the district.

The dumping of waste on reserves or the inappropriate use of existing waste disposal facilities, can significantly detract from the amenity values and proper functioning of reserves. It is important the reserve users are encouraged to use disposal facilities but discourage the disposal on inappropriate waste.

### **3.2.3 Objectives**

- To preserve the reserves recreation, cultural and environmental values of reserves through appropriate disposal and collection on waste.

### **3.2.4 Policies**

- Where appropriate, Council shall provide and regularly empty, waste disposal facilities in reserves
- The disposal and collection of waste be in accordance with the Gore District Council Waste Management Plan
- No person shall deposit any domestic refuse, trade waste, garden refuse, rubble, or debris on a reserve without Council approval
- Where a reserve is used for an event or tournament, user groups or event organisers are responsible for the collection and disposal of waste.

### **3.3.0 Community Consultation**

Development of reserves, including policy which guides the management of reserves, may have significant effects or changes on users and adjoining property owners. Considering this, it is appropriate for user groups, neighbours to reserves, and the general public, to be consulted so that particular issue 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 the resource 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.

### **3.3.1 Objectives**

- To consult the Community on the development of a reserve as an affected party and in the review of policy that governs the management of a reserve.
- To ensure the outcomes from the Community consultation proves reflects the function and purpose of the reserve.

### **3.3.2 Policies**

- The review of policy governing the management of reserves, as set out in Section 41 of the Reserves Act 1977, involves the consultation with the Community.
- Any major development of a reserve involves consulting the Community as an affected party.

- That the outcomes used from the Community consultation proves reflects the function and purpose of the reserve as stated set out in Part Three, Section 17 to 23 of the Reserves Act 1977 where relevant.

### **3.4 Abandonment**

Changes in leisure participation, trends in sport and socio-demographic changes in different part of the District, all result in sports clubs and groups dissolving, amalgamating or falling into recess. The outcome which concerns Council, is the abandonment of facilities such as tennis courts, cricket practice nets and bowling greens. Where a sports club or recreation group has a lease over a facility, they are responsible for the use of that facility for the term of that lease.

#### **3.4.1 Objectives**

- 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.
- To ensure buildings or structures that are of benefit and use to the Community are retained for Community use.

#### **3.4.2 Policies**

- The lessee of a building or structure will dispose of the facility under the terms of the lease agreement and in respect of "Occupation Agreement" Policy 6 in this plan.
- Council will have the right to decide what assets (buildings, courts and car parking etc) have a community benefit.
- Buildings and structure that are suitable for Community use will revert to the Community where possible.
- Buildings and structures that are not suitable for Community use, will be removed at cost by the lessee.

#### **3.4.3 Chargeable Facilities**

Reserves commonly have public amenities for the benefit of the public and to enhance the values of the reserve. They serve everyone and Council maintains them for their public good. There are also facilities such as barbecues or showers that benefit the Community but can be abused for their use by non-residents or specific user groups, incurring an unreasonable cost to the rest of the Community. The cost of using facilities in such cases will be charged to the user who benefits from the facility.

#### **3.4.4 Objectives**

- To recover the cost for the use of a facility on or part of a reserve where it benefits specific users other than the local Community.

#### **3.4.5 Policies**

- To charge for the use of facilities that benefit a specific group of user, so as not to incur an unreasonable cost to the local Community.
- Chargeable facilities will be identified by Council and the level of cost recovery will be determined by Council.

### **3.4.6. Proposed District Plan**

Management plans, sets out the manner in which activities are undertaken and areas are used. Under the provisions of the District Plan, compliance of 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 effects of activities will be managed. Specific policy dealing with the development, such as the siting and building of structures on recreation reserves, are set out in the Reserve Management Plan - General Policies section under 'Use Policies', Development and Change Policies' and 'By-Law Policies'. Decisions on the management of sports grounds by Council's Parks and Recreation Department is independent of legal consent required for building or resource consent requirements under the Building Act, Resource Management Act, Reserves Act and the Regional and District Plans.

### **3.4.7. Objectives**

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

### **3.4.8. Policies**

- To manage activities and future development on and around sports grounds in accordance with the Resource Management Act, the Reserves Act, the Building Act, the Reserves Management Plan - General Policies, and the Regional and District Plan.

## **4. DEVELOPMENT POLICIES**

### **4.1 LANDSCAPE**

#### **4.1.1 Comment**

The scenic and landscape amenity values of reserves are an important part of their value. Reserves provide large and small tracts of open space and bush within the built environment of the District. Within rural areas, reserves can act as contrast to the predominately agricultural and forestry land uses. In both cases, reserves enhance landscape values.

These values can be potentially harmed by some activities on reserves. For instance, the erection 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.

#### **5.1.2 Objective**

- To protect and enhance the landscape values of reserves.

#### **5.1.3 Policies**

- A landscape plan will be required for development proposals on a case-by-case basis.
- Landscape plans will need to be approved in writing by the Gore District Council before the development may proceed.
- Landscape plans need to address the following considerations
  - existing trees/vegetation
  - location of buildings
  - proposed additional planting including species, locations and quantities
  - drainage and earthworks
  - access

- Vegetation should reflect the positive features of existing plantings in the area and the character of the nearby landscape. Species list should include reference to the management plan for the reserve and where no management plan exists, the Street Tree Planting Policy.
- Public safety should be taken into account when planning the density and scale of planting.
- All new facilities will be designed as far as practicable to be compatible with the reserve's landscape.
- All alterations or extensions to facilities will be designed as far as practicable to be compatible with the reserve's landscape.
- Landscape conditions may be placed on all permissions for new, 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.
- 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.
- All measures taken to avoid, remedy or mitigate adverse effects on landscape values should be to Council's standards.
- Where ongoing maintenance of measures taken to avoid, remedy or mitigate adverse effects on landscape values is required, Council will enter into a written agreement with the developer to arrange for the funding of this maintenance.
- Landscaping on reserves shall not use noxious or undesirable plants identified by Environment Southland, Department of Conservation and as advised by the Gore District Council.

## **4.2 BUILDINGS AND STRUCTURES (INCLUDING PLAYGROUNDS)**

### **4.2.1 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: stands, pavilions and gymnasias.

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 which are of public recreational benefit.

The Building Act, Local Government Act, the Resource Management Act 1991, the District Plan and relevant Bylaws also influence the construction of buildings on reserves.

Irrespective of the legislative requirements above, the Gore District Council considers several factors in assessing building applications. First, any building should not unduly limit outdoor recreational use of the reserve. Second, the Gore District Council wishes to be a good neighbour, so no nuisance should be caused to neighbouring properties either by the building itself or activities associated with the use of the building (including vehicle movements). Third, the amenity value and physical features of the reserve (e.g., trees and other vegetation), should not be compromised by the construction of buildings.

Any application to build on reserve land should take full account of servicing requirements and possible restrictions including sewer, storm water, power, telephone water supply, together with vehicle access and parking requirements. The building itself must be designed to be sympathetic to the environment and to the fullest extent possible vandal resistant. Colour schemes are to be approved by the Gore District Council.

### **4.2.2 Objective**

- 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.

### 4.2.3 Policies

All policies in this section apply to the decision to place a building on the reserve. They do not apply to any other consents such as a resource or building consent. Applicants will need to obtain these consents if their application to build on the reserve is approved.

- In evaluating any proposals for new buildings (or structures) or alterations to buildings (or structures) on reserve land Council shall take regard of:
  - the materials, siting, design and colour of the proposed structure
  - the scale of the proposed facilities in terms of the foreseeable reserve use for outdoor recreation facilities, or the foreseeable demand for the particular activity involved
  - the requirements of the District Plan
  - the financial well-being of the applicant
  - future plans of the applicant/evidence of strategic vision
  - the possibility of reserve occupiers establishing jointly administered and multiple-purpose buildings or structures
  - the conservation of open space, significant vegetation and significant landscape features
  - the landscape policies contained in this document and any relevant specific management plans
  - the protection of existing outdoor recreation facilities, except where Council determines that their displacement by the structure's erection or extension is in the public interest.
- 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.
- Council may, where a lease is granted for the erection of club premises, act as guarantor of any loans to the club.
- Council will co-ordinate the development of buildings and structures.
- The following conditions will be placed on any permission for erecting buildings on reserves:
  - The applicant is responsible for obtaining all resource and building consents before work commences on site
  - The applicant must comply with all bylaws, regulations and statutes pertaining to the construction and operation of the building.
  - The exterior colour scheme for the proposed building is to be submitted to the Gore District Council for approval before construction commences.
  - 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) submitted to the Council before planting commences.
  - The area immediately surrounding the building and construction site is to be maintained in a safe, clean and tidy condition at all times by the occupier.
  - 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.
  - Permission to undertake the proposed development will lapse if construction does not commence within two years of the grant of this permission.
  - All costs associated with the application and the resulting development are to be met by the applicant.
- Feasibility studies will be required where proposals for all developments that cost over \$50,000 and/or increase the area of the reserve occupied and/or result in occupiers having debt levels of \$10,000 or greater. The contents of feasibility studies are to be discussed with Council on a case-by-case basis, or meet the criteria set out in Council's Recreation Strategy.
- That recycling centres and clothing bins shall not be located on reserves where it does not directly function to serve the purpose of the reserve or proves a hazard to users of the reserve and adjacent property owners.
- That recycling centres and clothing bins shall not be located on reserves where it does not compliment the landscape, recreation and amenity values of the reserve.
- Council will annually review the appropriateness of charging those organisations that have buildings on Reserves for one or all of the following services; Sewage, Water, Refuse.

### **4.3 PLAY-SPACE DEVELOPMENT**

#### **4.3.1 Comment**

For some years, the Council's objective, expressed in the District Schemes (and more latterly the Play Policy), has been the provision of play opportunity within walking distance of most homes. Many reserves offer the only public open space in their neighbourhood, and the irregular shape of some allows opportunity for the placement of play facilities without jeopardising other recreational use.

The Play Policy contains the Gore District Council's mission and goals for play in the District. Some of these goals, and the policies that are used to implement them, provide guidance for this management plan. All Council's Playgrounds were completely upgraded in 1997/1998.

#### **4.3.2 Objective**

- To set aside and develop areas of reserves for children's play, where this is appropriate in terms of the purpose of a reserve.

#### **4.3.3 Policies**

- Areas to be developed or maintained as children's play-spaces will be identified in the management plan for reserves.
- Play-space development will be guided by the Play Policy and other appropriate policies and strategies

## **5. BYLAW POLICIES**

Several policies for the management of reserves are contained in the Gore District Council Bylaws. These policies are not part of this management plan, as they may be changed without altering to the policies in this document or any other management plan.

### **5.1 BYLAW 10 - RESERVES**

Model General Bylaws, Chapter 17, Parks & Reserves 1982  
Model Bylaws for Control of Reserves 1978

These two sets of Bylaws have been adopted by the Gore District Council for the day to day control and management of its reserves.

### **5.2 BYLAW 5 - DOGS**

The relevant sections of this Bylaw relating to Reserves apply.

### **5.3 ANIMAL TRAP BYLAW 1994**

The relevant sections of this Bylaw relating to Reserves apply.

### **5.4 PARKING & TRAFFIC BYLAW 1996**

- An omnibus stand or stop
- A taxi stand
- An authorised bicycle stand
- An authorised motor cycle park

- No person shall stop, stand or park any vehicle on any grass verge or other place of the roadway in any street in such a manner as to cause or be likely to cause damage to ornamental grass plots, shrubs or flower beds laid out or planted thereon.
- No person shall stop, stand or park any vehicle on any street in such a manner that any other stopped motor vehicle is located between his vehicle and the nearest edge of the roadway, PROVIDED However that it shall be a defence to any person charged with a breach of this clause if such person proves that the act complained of was done in compliance with the directions of a police officer of that the vehicle was engaged in the loading or unloading of goods.
- All persons parking vehicles in any place made available by the Gore District Council, do so at their own risk and the Council shall not be responsible for any damage sustained to any vehicle while parked thereon, nor for the loss of any property which is stolen there from.
- No person shall keep or hold on any stand or portion of any street any motor vehicle, bicycle or caravan for sale, exhibition for sale or for repair (other than essential running repair).
- Safety zones for pedestrians may be established by the Council from time to time in such places in streets as the Council may from time to time by resolution determine.
- No person shall drive, convey, take or conduct whether by means of a vehicle or otherwise or place upon any street, or vehicle in any street, any advertising device which may obstruct, delay, interfere with, or endanger vehicles or persons using streets of the District, without the written consent of the Council, and then only upon compliance with conditions imposed by Council.
- No person shall leave in any street an vehicle, trailer, caravan or caravan trailer which has not effective motor power in or attached to it, or which is so disable or in such a stage that it cannot be safely driven or towed.

## **5.5 OFFENCES AND PENALTIES**

- Every person commits an offence against the various provisions of this bylaw.  
Model General Bylaws Chapter 17 Parks & Reserves 1972 and Model Bylaws for Control of Reserves 1978 - these two bylaws have been adopted by the Gore District Council for the day to day control and management of its Reserves.(This includes any subsequent Bylaw amendments)

## 6. APPENDICES

### APPENDIX ONE

#### CRITERIA FOR ASSESSING APPLICATIONS FOR CARPARK LIGHTING

Where a group who occupy Council-owned land (or have facilities that occupy Council-owned land) applies for assistance in supplying car park lighting, Council will provide funding if applications fulfil 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, 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:

- the need for lighting
- safety issues
- the level of public use of the facilities concerned
- 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 parameters:

#### **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 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.

#### **Increased Safety Levels**

The applicant must illustrate the provisions for safety currently in place at the facility. They will need to identify the role lighting will provide within these safety provisions.

#### **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.
- **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) will be more likely to attract Council assistance.

- **Alternative Funding**

Applicants must show that they have exhausted other funding opportunities, including internal fund-raising and other publicly available funding organisations. It is recognised that car park lighting will fall outside the briefs of most funding organisations. Council staff can provide guidance on the alternative funding opportunities available.

Should Council decide to fund car park and accessway lighting, groups will need to apply through the annual plan process.

## **APPENDIX 2**

### **CAMPING ON RESERVES**

The Gore District Council now clarifies its policy on camping on reserves because of problems with camper's waste disposal, cutting down trees for firewood and their effect of water usage on the water supply of local residents. Camping on reserves is allowed subject to Council approval. These events require the written approval of Council's Superintendent of Parks & Recreation and the consent of the Minister of Conservation. These approvals are necessary because of the requirements about the Reserves Act 1977 and concerns about waste and water.

#### **Waste**

One of the problems with campers on reserves is a lack of control over the health conditions of the camping area. Toilets, if available, may not cope with the amount of use, or if toilets are not provided, there are detrimental long-term effects, such as Giardia, from human waste left in the reserve.

Giardia is a parasite that lives in the intestine and can cause severe diarrhoea. It can be spread by any mammal including possums, rats and mice. It can occur in humans as a result of poor personal hygiene, unhygienic food handling and by drinking contaminated water. Giardia is spread by cysts being passed in the faeces and subsequently entering a new hosting through the mouth. Poor toilet waste disposal can result in cysts entering water systems such as streams and lakes. Giardia cysts can survive in very cold water. When contaminated water is drunk, Giardia enters the intestine where it feeds and produces more cysts which in turn are passed out in the faeces.

#### **Water**

The free supply of water to reserves is one of the problems raised by members of the public. Water is provided at reserves from the rates of residents, who may themselves be on a limited supply. Any free campers on reserves then have access to a water supply at no cost to themselves, while residents bear the financial cost and a possible loss of supply.

#### **Other Camping Options**

Gore District is well served by one licensed motor camp - the Gore Motor Camp. To be licensed under the Camping Grounds Regulations 1985, camps must comply to minimum standards for facilities such as toilets, lighting and water, fire fighting facilities and waste disposal. The Gore Information Centre can be contacted for further details regarding this camp.

## **APPENDIX 3**

### **STANDARD CONDITIONS OF USE**

This Reserve is a public place and is available for public use. It is essential that when you use the area, the Gore District Council Parks Department is aware of your intended activities. This helps us maintain the Reserve and 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 Superintendent of Parks & Recreation on (03) 208 9080 or (025) 382 542.

### **Conditions**

- All litter is to be removed from the site at the applicant's costs. If there are more than fifty people likely to be using the Reserve, please supply own rubbish bins and arrange for these to be emptied and removed at the conclusion of the event.
- Plants and flowers must not be picked, removed or damaged in any way.
- Vehicle access is permitted in or through the Reserve on car parks and marked access ways. 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.
- Structures or covers such as tents, stages, caravans etc are permitted with written Gore District Council approval. A plan indicating sitings of such structures must also be provided.
- All stalls selling food must have separate approvals from Council's Health Department.
- Gas barbeques may be used on Reserves. Open fires are prohibited.
- If you do have exclusive use to the Park, please be considerate and keep disturbances to neighbours etc to a minimum. This includes keeping noise within the legal bounds.
- Please do not interfere with the operation of Gore District Council contractors. Should you wish them to alter their activity, you will need to contact the Superintendent of Parks and Recreation.
- A bond of \$250 is required. This should be presented to the Council office at least 24 hours before the event.
- Some or all of your bond will be retained if any condition is broken or any damage is caused. Any activity resulting in the involvement of the Police or Noise Control Officers may also result in some or all of the bond being retained.
- 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 Gore District Council.
- Statutory requirements such as advertising costs which Council is required to undertake in ensuring a Reserve is available for certain users, will be met by the applicant on a cost recoverable basis.
- Council staff/contractors required to be on duty during the term of the event will be charged at cost, to the applicant. Council reserves the right to determine whether staff/contractors should be required to be on duty during the event to protect Council's interests.
- Public convenience will be presented by Council at the beginning of every event in a clean and stocked condition. It is expected that they will be returned in the same condition. If not the applicant will be liable for costs incurred for Council to clean etc. The responsibility of supplying toilet paper over and above that provided by Council will be at the applicant's cost.
- Electricity costs will be met by the applicant based on actual amount consumed, ie meters will be read by Council before and after the event.
- Dogs are prohibited on those reserve areas listed in Council's Dog Control Bylaw 1996.

## **APPENDIX 4**

### **RESERVES INCLUDED IN THIS DOCUMENT**

#### **Gore**

Aotea Crescent Playground  
Bannerman Park  
Beattie Street Playground  
Broughton Street Playground  
Cambridge Terrace Playground  
Gore A & P Showgrounds  
Gordon Terrace Playground  
Gore Community Centre Reserve  
Gore Town Belt  
Hamilton Park  
Hamilton Street Playground  
Kerwood Place Reserve  
Koa Street North Playground  
Koa Street South Playground

Latham Reserve  
Maitland Street Reserve  
Milton Street Playground  
Moa Place Playground  
Newman Park  
Oxford Street Playground  
Railway Reserve, Main Street  
Riverside Reserve  
Salford Street Playground  
Sword Street Playground  
Triangle Reserve  
Wayland Park  
Woolwich Street Reserve

#### **Mataura**

Doctors Road Reserve  
Henderson Park  
Ingram Place Playground  
Kana Street North Playground  
Kana/Forth Street Playground  
Lodge Street Reserve  
Mataura Town Hall

Mataura Walkway Reserve  
McKelvie Heights Playground  
Queens Park  
Scott/Albion Street Reserve  
Trust Bank Park  
Tulloch Park

#### **Rural Domains**

Dolamore Park  
Greenvale Domain  
Kaiwera Domain  
Pukerau Domain  
Waikaka Domain  
Willowbank Windmill

#### **Cemeteries**

Charlton Park Cemetery  
Gore Cemetery  
Mataura Cemetery  
Otaria Cemetery  
Pukerau Cemetery  
Waikaka Cemetery

# PART TWO

## BANNERMAN PARK

### Bannerman Park Legal Description

#### Location - Martin, Crewe and Mitre Streets

.0695 m2	Lot 3, DP 10635 and forms Part Section 47 Blk XVI Town of Gore. (CT 6D294). Gazetted Recreation Reserve 24/4/1997
.0675 m2	Lot 16, DP 5348, part Section 40 Blk XVI Town of Gore, subject to provisions of Reserves and Domains Act 1953 (1965) (CT B2/1122)
.5847 m2	Lot 1, DP 8790, Part Section 41 Blk XVI Town of Gore for Recreation Reserve 31/10/1991 (CT 10A/540)
.1018 m2	Lot 27 DP 7296 and Lot 2 DP 8790, Part Section 41 Blk XVI Town of Gore Recreation Reserve 24/4/1997 (CT 10A/541)
2.3269 ha	Section 43, Blk XVI Town of Gore, Public Reserve for Recreation 6/11/1963. Gazetted Recreation Reserve 21/10/1983 (CT 171/132)
1.1331 ha	Section 47A Blk XVI Town of Gore. Gazetted 1907 and 1983. GN 241582
.0078 m2	Lot 25 DP 7157 Recreation Reserve as per Section 30 (4) Municipal Corporation Amendment Act 1964 (CT B2/638)
.4285 m2	Section 91 Blk XVI Town of Gore Recreation Reserve. Gazetted 1983 (CT 72/169)
2.9972 ha	Section 92 Blk XVI Town of Gore Recreation Reserve. Gazetted 1983 GN 201790
.0106 m2	Lot 21 DP 7157 Recreation Reserve (CT B2/638)
<u>7.7276 ha</u>	

All land is Recreation Reserve as per the Reserves Act 1977, held in the fee simple by Council apart from items 6,8,9 which is Crown land, gazetted for Recreation purpose.

### History

The Park named Bannerman Park was originally referred to as Hidden Valley or the Valley Reserve. It is an amalgamation of a number of different land titles.

The nucleus of what was to become Bannerman Park was the original or first Gore Cemetery which was established at the Martin Street entrance in the 1870's.

How many bodies were buried there is uncertain as no records were kept, but there were at least 14 recorded by a Committee set up to manage the Cemetery. It soon became obvious that this area was unsuitable for a Cemetery and land at the top of Crewe Street was gazetted for Cemetery purposes.

It would seem that the bodies were not removed to the new Cemetery. Apparently the Council had wanted to shift them, but the Premier of New Zealand said during a visit to Gore that

***“it would be a pity to remove the bodies, and subsequently the Council had found out that the bodies could not be removed without the consent of relatives of the deceased, and the Council then dropped the subject”***

The graves are now unmarked.

In the 1920's, a public swimming pool was constructed on the site, but the pools developed cracks and was abandoned and the area given over to grazing.

For Arbour Day 1985 following an offer of 100 trees and “the days work of a man” by Cr Kennedy, followed by a further gift of 100 trees from Cr Popplewell, the perimeter of the old Cemetery Reserve was planted. The English Oak trees around the site remain from this planting today.

After the second World War, Mr R B Bannerman , President of the Gore Amenities Society conceived a plan to develop a park based on the old Cemetery Reserve.

His idea was to acquire the land between Martin and Crewe Street to provide an easy walk from the flat to the Cemetery, avoiding the steep climb up the Crewe Street hill. In the valley was a small creek fed from springs which would be utilised in the beautification.

Mr Bannerman first extracted from Mr Fred Wallis a promise to donate the then wilderness land in the valley to start the scheme. At the Crewe Street end he obtained an option over a section owned by the Estate of Robert Ross and encouraged friends to make a donation towards the purchase of the land.

At his suggestion, the Gore Borough Council bought cheaply a 5 acre block facing Crewe Street owned by the Estate of William Grant and finally he obtained from the Steans and Milne families, promises of donations of land to connect up the two ends. The legal work required was carried out by Mr Bannerman, a lawyer, for free. Thus approximately 18 acres was secured in Council ownership.

In the mid 1960's, the Gore branch of the New Zealand Deer Stalkers Association approached Council to provide land for a Deer Park to educate the public with regards to Deer and provide a tourist attraction to the town.

An agreement was entered into between the two parties to use the old Cemetery Reserve and the steep hill sections at the Martin Street end of the park for this venture. The Deer Park was opened in 1969 and the two slopes opposing each other were named Ian Gilchrist slope and Cliff Mason slope in recognition of the work these two men put in to the project developments.

During the 1960's and 70's, extensive drainage, levelling and plantings were undertaken by the Council.

In September 1974 Council resolved to rename the Valley Reserve "Bannerman Park" in recognition of Mr Bannerman's work in initiating and securing the land as a Council Reserve.

1986 saw the once mud track through the Park concreted amidst much public outcry. The late 1980's and 1990's saw further development, mainly of the creek areas, with herbaceous plantings many including Rhododendrons, from seed collected in the wilds of China by Gordon Bailey.

The land to the west of the park has not been developed but is grazed. Large areas of daffodils and ornamental trees have been planted.

A playground at the end of Beattie Street was completely upgraded in 1998.

There are also a number of commemorative trees planted throughout the park.

Bannerman Park is today one of the districts major horticultural attractions.

## **Physical Character**

Bannerman Park straddles a two step gully that joins around the middle of the Park. The western side is relatively flat sloping into the gully the further east it goes. The area is relatively wet with many springs. The two gullies both have perpetually running springs.

The whole park has been extensively modified with ornamental plantings.

## **Buildings/Structures**

No buildings exist within the Park. Playground equipment and fences are the only existing structures.

## **Access**

Mitre Street, Martin Street, Beattie Street, Crewe Street

**Present Use**

A park for passive recreation, walking, picnics etc

**Adjacent Land Use**

All residential

**Lease**

Grazing Licence - Mr R J Burgess 2.3269ha of Sec 43 Blk XVI from September 1996 for 5 years.

**Specific Policies**

- No buildings will be permitted within the Park
- No new advertising signs will be permitted within the Park
- Interpretive signs will be allowed at the discretion of the Parks & Recreation Manager
- No new easements, utilities, carparks will be allowed
- Fences will be allowed subject to approval from Parks & Recreation Manager
- The large Pinus radiata and Cypressus Macrocarpa trees in the Deer Park part of the Park will be monitored in regards their health and safety and removed if safety will be compromised. Replanting with suitable species will take place
- Crewe Street neighbours that have Macrocarpa or Poplar hedge will be permitted to remove these and replace subject to approval of the Parks & Recreation Manager
- Allow renewal of grazing licence when due

## **VICTORIA PARK**

**Location : Cnr State Highway 1 and River Street**

### **Legal Description:**

Not surveyed - Part Road Reserve and Part River Reserve

### **Legal Status:**

No legal status to date

### **History**

One of Gore's least known Reserves, Victoria Park, is on the west bank of the Mataura River between the traffic bridge and the Railway Bridge.

The origin of the park is unclear, but obviously goes back to the reign of Queen Victoria (1837 -01) and was probably established to mark her Diamond Jubilee in 1897. The age of the trees planted there would concur with this.

The area was changed with the construction of flood banks about 1920 but the trees were retained. The area was generally neglected until the 1950's when the Gore Junior Chamber of Commerce decided to tidy the area up and convert it into a picnic area. This included building the stone entrance gateway.

It was also on this spot that in 1962 Gore's first building was erected by Daniel Morton. He built an accommodation and Hotel on the site. It was also near the site of Morton's ill-fated Mataura River which was washed away by the flood.

A large rock and bronze plaque now marks this spot.

### **Physical Character**

Slightly sloping site on the bank of the Mataura River between the road and rail bridge. Mature trees, principally Oak and Sequoia, dominate the site.

### **Buildings/Structures**

No buildings exist on site; only structure is a stone wall and rock plinth.

### **Access**

River Street

### **Present Use**

Passive, picnics

### **Adjacent Land Use**

Light commercial and river plain

### **Specific Policies**

- Protect all existing trees on site unless they become unsafe
- No buildings, advertising hoardings

## **SHOWGROUND LAND**

**Location - Salford Street**

**Legal Status: Fee simple Council land gazetted Recreations Reserve**

### **Legal Description:**

3870 m2	Lot DP 9305 Part Section 1 Blk XVI Town of Gore. Recreation Reserve. Gazetted 24/4/1997 (CT 5B/406)
4371 m2	Lot 1 DP 5335 Part Section 1 Blk XVI town of Gore. Recreation Reserve. Gazetted 24/4/1997
2.886 ha	Lot DP 10863 Part Section 1 & 2 Blk XVI Town of Gore. Recreation Reserve. Gazetted 11/5/1984
4.7277 ha	Part Sections 1 & 2 Blk XVI Town of Gore Part Section 2 being also Lot 6 DP 5335. Recreation Reserve. Gazetted 27/7/1999

### **History**

Although Council does not own the Gore A & P Showgrounds it does own the Southern portion of the grounds, and through a Joint Management Committee of Council and A & P members manage the whole area.

## **GORE COMMUNITY CENTRE/RIVERSIDE RESERVE**

**Location: Richmond Street, Gore**

**Legal Status: Crown Land for above purposes**

### **Legal Description:**

3.3892                      Of Blk XXVI Town of Gore. Bounded to the North by Surrey Street, West by Richmond, South by Section Blk XXVI and the East by a road along the bank of the Mataura River. Gazetted 1884, 1983 Recreation Reserve  
1.6187 ha                      Section 1 Blk XXVI Town of Gore. Gazetted Local purposes (site for a community centre) 1956 and 1983

### **History**

Part of this site was originally set aside for the first Gore High School until it outgrew the site in the 1940's. Following this, plans were instigated to preserve the area for the community of Gore.

The large majority of this land is grazed with some informal ornamental plantings being undertaken over the years. The area is bisected by the Mataura River floodbank. The area on the river side is frequently flooded.

In 1996 the Gore Lions Club erected a cycle park for children to learn how to ride a bicycle safely before going on the road. Around this time an old agricultural lime dump was removed and the area levelled and planted.

### **Buildings/Structures**

The old Gore High School (1907) building, Operative, Marshal Arts buildings and some smaller associated buildings are on this site. The majority have historical significance.

### **Specific Policies**

- Allow for the upgrade of buildings as required to maintain their integrity and safety. All external colourings to be in keeping with the intrinsic values of the reserve and subject to approval by the Parks & Recreation Manager
- No new buildings will be erected on this site
- Formal lease between Council and the occupiers of the buildings be entered into

## **WOOLWICH STREET RESERVE**

**Location:** Woolwich Street, Gore

**Legal Status:** Recreation Reserve in fee simple

### **Legal Description:**

**9.6543 ha**                      **For municipal purposes Section 10 & 11 BLK XXX1 Town of East Gore.  
Gazetted recreation Reserve 24/4/1997 (CT A3/1064)**

### **History**

The original planting of Walnut trees on this area of land stemmed from a bequest of 200 pounds made to the Council by Mr R W McCreath who had interests in a timber business. The bequest was to be used to plant timber trees.

The amount was considered to be too small to be used in Pinus radiata planting which Council had done at Dolamore Park.

The money remained unused and in Council's coffers for a number of years until the idea of planting Walnut trees on the Vintage Car Club Reserve was decided upon.

The Vintage Car Club had its original club rooms on this land, but moved to their current premises. The building was taken over by the Cobra Custom Car Club but vandalism forced them out in the late 1980's.

After this, the large Macrocarpa hedge fronting Woolwich Street was removed and the stumps buried in the hollow originally dug for model boat enthusiasts, but never really used.

Further planting and seats have provided an attractive picnic area with easy access to the Mataura River. This is also an approved dog exercise area.

## WAYLAND PARK

**Location:** Between Wayland and Robertson Streets, Gore

**Legal Status:** 4.6931 ha Gore District Council in fee simple as Recreation Reserve. Gazetted 24/4/1997.

1.496 ha as above Council owned in fee simple

### Legal Description:

4.6931 ha	Lot 3 DP 13827 and being Part Section 313 Blk LXXI and Part Section 58 Blk LXXII Hokonui Survey District
1.4916 ha	Lot 1 DP 13827 and being Part Section 58 Block LXXII Hokonui Survey District

### History

Purchased by Gore Borough Council in 1988 from Wayland Trust to construct four all-weather Hockey fields which were constructed in 1989/90.

He hockey fields took up approximately two thirds of the total area. The balance was intended to be sold for housing.

Hockey only spent two seasons on these grounds before the artificial turf was constructed in Matura.

Junior Soccer used them for a few more years before moving to Hyde Street grounds.

During summer, Twilight Cricket used them for a few seasons in the late 1990's as did the adjacent rugby club for junior games in winter.

In 1998 they were declared surplus to sporting requirements and grazed to control growth.

In 1999 Council was looking for sites to construct a new MultiSport Stadium containing a Swimming Pool, Ice Rink and Indoor Courts. Wayland Park was chosen.

### Specific Policies

- To allow for the construction and operation of a multisport stadium subject to the necessary District Plan requirements
- Allow for the future development of hard surface Courts such as netball, tennis and skateboarding
- Allow for sports field lighting subject to District Plan

## **GORE CAMPING GROUND**

**Location:** Between State Highway One and Broughton Street, Gore

**Legal Status:** Crown land Recreation Reserve

**Legal Description:**

2.7493 Section 25 Blk XVI Town of Gore

### **History**

Set aside on 3 October 1876 under Public Reserves Act 1854 and 1862 to the Superintendent of Otago in Trust as an Endowment for the improvement and benefit of the Town of Gore. Transferred to Gore Borough Council 1886.

In 1927 transferred to His Majesty the King.

1950 Order in Council declaring Reserve to be part of Gore Domain per Part II Reserves and Domains Act 1908

1983 Classified Recreation Reserve as per Reserves Act 1977.

Has been a Camping Ground since 1951 when the Automobile Association took out a 21year lease. Then the Intellectually Handicapped Society operated it for a number of years. Currently under private lease with Council as a Camping Ground.

A modern house has also been built on the site.

### **Specific Policies**

Once current Camping Ground lease expires, there will be several options available to Council. This plan will allow for the following subject to necessary statutory requirements.

- Draft a new lease for camping purposes
- Subdivide off house from current land title
- Lift Reserve Status from Land to allow Council flexibility for future options

## **TRIANGLE**

### **LOCATION**

Medway, Ordsal, Norfolk street

### **LEGAL DESCRIPTION**

2630 sq m Section 1 Block IIIA Town of Gore

### **HISTORY**

Of all the reserve and domain lands in Gore, the area with the earliest history is probably that which we know today as the Triangle, on the west side of the bridge and bounded by Medway, Norfolk and Ordsal streets.

It's history goes back to the days before the town was established. In the original survey of Gore in 1862, 12 sections, each of 2 roods 4 poles (2124.5 M<sup>2</sup>) were laid out and on the north side was a piece of land, triangular in shape outlined roughly by the bullock tracks. On this was erected a police camp. Prior to this there had been a police camp at Croydon Bush on the road from Invercargill to Switzers but the change was made to Longford (as Gore was known in those days) in 1863 and a trooper was stationed there. Successive troopers who lived there bore the names of Butler, Baker and Bird.

After the mounted police had ceased to use the building it was put to a different number of uses. It was used as sleeping barracks by the men who built the Gore railway bridge in 1873-5. The Rev AB Arnott, of Switzers, a pioneer Presbyterian minister in the south, visited Gore periodically and used the police camp for sleeping quarters and to conduct church services. He also taught a private school there in 1875-6. Miss Orchiston taught another private school in it in 1877-8 before the opening of the Gore School: a private family lived in it in 1879; it was Gore's first jail; it was a "Town Hall" for meetings; in the 80's it served as a chaff house and buggy shed; in the 90's it was a cow byre; and then in the bubonic plague scare it was condemned as insanitary and hauled away to its fate.

About the turn of the Century, the Government decided to erect a new post office in Gore to replace the old wooden building on the north side of Mersey Street railway crossing and the Triangle was the chosen site. But a section of the public had other ideas and agitated for an area closer to the railway station. The result was the erection of the two storeyed brick Post Office in Main Street.

The Triangle again came before the public eye about 1907-8 when the Education Department was looking for a site for the erection of a secondary school in Gore. Borough reserve lands known as Richardson's Gardens, a four acre block bounded by Richmond and Norfolk Streets and the river was chosen and, in exchange, the Government gave the Borough Council the Triangle which thus became a municipal reserve.

For years the Triangle was a neglected area but, ultimately, under the direction of Mr AT Newman, Council's first gardener, it was cleaned up and developed as a garden block surrounded by a live hedge. As the trees grew towards maturity the hedges were removed, lawns were laid and a chain fence was erected.

In the late 1920's the Triangle was given a distinct centrepiece in the form of a German artillery fieldpiece of World War I vintage. Captured weapons were distributed around local bodies after the war and the one allotted to Gore was placed for some time in front of the Town Hall in Mersey Street. Then it was shifted to a concrete slab in the Triangle. What the intention of the display was no one can now say but it was at least an attraction for small boys bent on war

games. Its condition gradually deteriorated. After its move it became the subject of some attention one New Year's Eve when a group of youthful pranksters bent the steel bars which held the wheels to the concrete base and wheeled the piece out on to Norfolk Street, pointing the muzzle directly at the premises of R & F Wallis Ltd. On January 2 and Ensign reporter, detailing the vandalism carried out in the town on New Year's Eve speculated on the motive for the placement and suggested that it might be a case of "one big gun to another". Like Queen Victoria, the members of the Wallis family were not amused at this observation and informed the Ensign hierarchy in no uncertain manner.

The "big gun" was restored to its place in the Triangle but sometime later was removed and disposed of.

## **BAND ROTUNDA**

The Gore Borough Council decided that the district commemoration of the Jubilee of King George V should take the form of a band rotunda on the Triangle. Champion of this cause was Cr FS Graham, a keen supporter of the band.

Plans were drawn up and the ceremony of laying the foundation stone was performed on May 6 1935. In the meantime, the Gore Council had a change of heart. 9th July 1935 marked the 50th anniversary of the proclamation of the Borough of Gore and to celebrate the occasion a jubilee banquet was held. Council decided to organise public celebrations in the Spring and these began on the 28th August with the official opening of the band rotunda which was given a new designation to celebrate the jubilee of the Borough.

Speaking to the crowd gathered at the Triangle for the opening of the rotunda, the Mayor, Mr AT Newman, noted that the site 50 years earlier was nothing but tussock and scrub. Near at hand was Ned Brennan's Gore Hotel and over towards the river was Gore's first racecourse. "The passage of years has seen great changes," said Mr Newman, "and now we have this picturesque reserve".

Mr Newman stated that the cost of the rotunda was approximately £250. Mr James Speden, one of the old identities, drew the plans and Mr W Greenfield, another old resident, erected the rotunda. It was almost entirely constructed of concrete and steel and would stand for many years as a memorial to the establishment of the Borough of Gore, said Mr Newman.

Mr Newman handed a key for the rotunda to Conductor E Smith, of the Gore Municipal Band. It was a key of massive proportions which greatly amused the crowd. Mr D McDougall, MP for the district and a keen supporter of the Gore Pipe Band, presented a key of similar proportions to Drum Major G Abey. Mr McDougall recalled that he was a resident of Gore 50 years ago when Thomas Green was elected the first Mayor.

The Band Rotunda did not prove to be the asset which its promoters envisaged. The bandsmen disliked its exposed position and the distractions of street traffic. It was preferred to hold open air concerts in the more congenial surroundings of the Municipal Gardens. It was used occasionally for such public events as official Vice-Regal visits.

In 1956 the Mataura Licensing Trust approached the Borough Council with an ambitious plan to build a 60-bed hotel on the base of the Triangle, ie along Ordsal Street and facing the bridge with an open space garden in front. It was to be a six-storey building on stilts with parking underneath. After considerable discussion, the Council approved the plan and agreed to sell the Triangle at full market value with stipulations that no trees be removed without the approval of Council and that monies received be applied to the beautification of the riverbank in the vicinity of the bridges or otherwise in the purchase of reserve land. Government approval to the sale of the land was sought but the project was vetoed by the Minister of Lands, Mr BE Corbett, and was abandoned by the Licensing Trust. Some of the land on the Triangle (and trees) was

lost when Medway Street was realigned after the opening of the new traffic bridge in 1956, accounting for the present irregular shape.

## **THE FOUNTAIN**

The use of the Triangle came up again in 1962 when the manner of commemoration of 100 years of settlement in the Gore District was under consideration. The Gore District Centennial Committee was formed and its project to mark the centenary was the construction of a colour illuminated fountain on the Triangle.

Planning for the fountain soon began along with fund raising. Designs of similar fountains installed in other places were examined to find a suitable system for Gore. However, it was not until January 1964 that the Committee was able to proceed with the contract to build the fountain. In that month, the firm of Transit Builders, the successful tenderer, demolished the band rotunda, retaining the concrete base as the foundation for the new pool.

The fountain was built under the supervision of the Borough Engineer, RC Buchanan, who designed the water and lighting effects. He was constrained by the amount of money available and had to employ nozzles which proved later to be unsuitable.

### **Ensign: 17th July 1964**

"The Gore and districts centennial fountain was officially opened on the 17th July 1964 by the Mayor, Mr HC Hankey. It was constructed by using the base of the former band rotunda erected to commemorate the silver jubilee of King George V in 1935.

After the roof of the rotunda, concrete sides and access steps had been removed a new concrete coping was poured to make a pond containing concealed lighting beneath the lip. This is an octagonal shape conforming with the existing base.

In the centre an 8ft diameter circular pond was fashioned, again with concealed lighting under the lip. Water cascades from the circular pond over a drop of 3ft and then a further 3ft into a lower pond, which was shaped like a pear, with a concrete surround to take away the formal stiffness of the octagonal and circular ponds. Capping the lowest pond are polished, exposed aggregate concrete blocks.

The fountain has a series of sprays, jet and nozzles, and these are arranged to play at different times and to throw water to different heights. The outer jets, 224 in number, are arranged to throw inwards at an angle of five degrees to the vertical. Set inside the octagonal coping, they propel water some 10ft in the air. Inner jets, arranged in the top circular pond, throw out at five degrees, and also reach a height of about 10ft. There were 68 of these. Inside the inner ring are three sprays which play in a sequence with the inner and outer jet formations.

An inter feature in copper has three sprays and a centre jet, and these play continuously, the jet rising to some 30ft above ground level.

A sequence is time to provide water changes every 40 seconds working through electric valves. The combinations used are the continuous inner feature with outer ring jets, then the inner jets followed by the inner sprays until all are working, after which the cycle is repeated.

Water for the fountain is pumped by a seven and a half horsepower motor which can move 200 gallons a minute. The actual quantity of water in the pond is small and it is reticulated continuously, only the wastage as a result of evaporation and drift being replaced.

Lighting is also arranged on a 40 second sequence, and three colours are arranged under the octagonal coping. One hundred and 53 lights are evenly divided between the colours of amber, green and blue. These work in conjunction with 24 red, 24 white and 24 amber lamps under the circular coping.

Inside the circular pond and submerged in the water are 15 coloured floodlights - three each of 200 watt red, green and blue lamps, red and white each of 150 watts, and two each of green and blue also of 150 watt power.

The lights are all linked on a changing sequence and in combination with the water sprays and jets.

### **Time Clock**

Gear can be set to switch the fountain on and off at any time. This is governed by a time clock, and if necessary the water can play without the lighting effects, these coming on automatically by means of a pilot wire from the street lighting circuit at dusk. The whole sequence being automatic.

The fountain was built under the supervision of the borough engineer, RC Buchanan, who planned the water and lighting effects. The copper work in the centre of the fountain was designed by Mr RF Sansom, a Gore artist, on whose suggestions the lower pool shape and block surround were also fashioned. The copper helix and birds were made by Mr Sansom.

The grounds were laid out in rose beds to a design by Mr ID Gilchrist, the superintendent of reserves. These were asked by the Gore and District Centennial Association to undertake the design of a suitable fountain late in 1963.

The total cost of the project was about £3,000.

The principal contractors were Transit Builders Ltd (concrete work), Johnstone and Coventry Ltd (electrical work), EO MacManus (plumbing) and R Briggs (concrete block work)."

The honour of switching of the fountain and the lighting was given to two of Gore's oldest and most respected residents, Chas Burrows and G W Whittingham. The fountain however, came into play with unrehearsed suddenness. At the appropriate signal water was fed into the installation but the jets and sprays spurted more quickly than anticipated and the official party had to beat a hurried retreat from the scene of speech-making as a spray of water spread over them. The spray also wafted in the easterly breeze, causing a section of the spectators to retire just as quickly.