

Adopted by TCDC – 24 September 2008
Reserves Act 1977



THAMES
COROMANDEL
DISTRICT COUNCIL



Mercury Bay North Reserve Management Plan

Including: Whangapoua, Matarangi,
Rings Beach, Kuaotunu, Otama, and Opito

Document 1: Objectives and Policies



September 2008

Process in preparing this reserve management plan in accordance with the Reserves Act 1977.

15 March 2007:	Community Board approves developing new reserve management plan
20 March 2007:	First public notice inviting public suggestions for the draft reserve management plan
11 September 2007:	Community Board approves draft reserve management plan for public consultation
5 October 2007:	Council publishes public notice inviting submissions on the draft management plan
10 December 2007:	Submissions close
19 February 2008:	Submission hearing held at Whitianga by Mercury Bay Community Board
8 July 2008:	Community Board recommends amended draft reserve management plan to Council
24 September 2008:	Council adopts reserve management plan

This draft Reserves Management Plan has been prepared by the Thames Coromandel District Council (the Council) under the provisions of the Reserves Act 1977 Section 41. The plan is separated into two documents, as follows:

Document 1

Introduction to Reserve Management Plan

- Section 1 Provides a brief introduction to the Mercury North areas.
- Section 2 Identifies the requirement of the Reserves Act for Council to prepare management plans, and how the community can become involved in the development of this plan.

Aims, Objectives and Policies

- Section 3 Landscape and natural values.
- Section 4 Recreation and leisure, focusing on; general recreation, organised sport, restricted activities, prohibited activities, and special use activities such as leases and licences.
- Section 5 Recreation and leisure, with a focus on the provision of facilities for sport and recreation users.
- Section 6 Tourism and economic development.
- Section 7 Management and co-operation – how Council will work with neighbours, volunteer groups and Maori on reserve issues.
- Section 8 Monitoring of management plan – how and when this plan will be kept under continuous review.

Appendices

Document 2

Individual Reserve Plans

- Section 9 Individual Reserve Plans – identifying particular reserves, (their acquisition and history) and any proposed development.
- Section 10 Other reserves not identified within Section 9.

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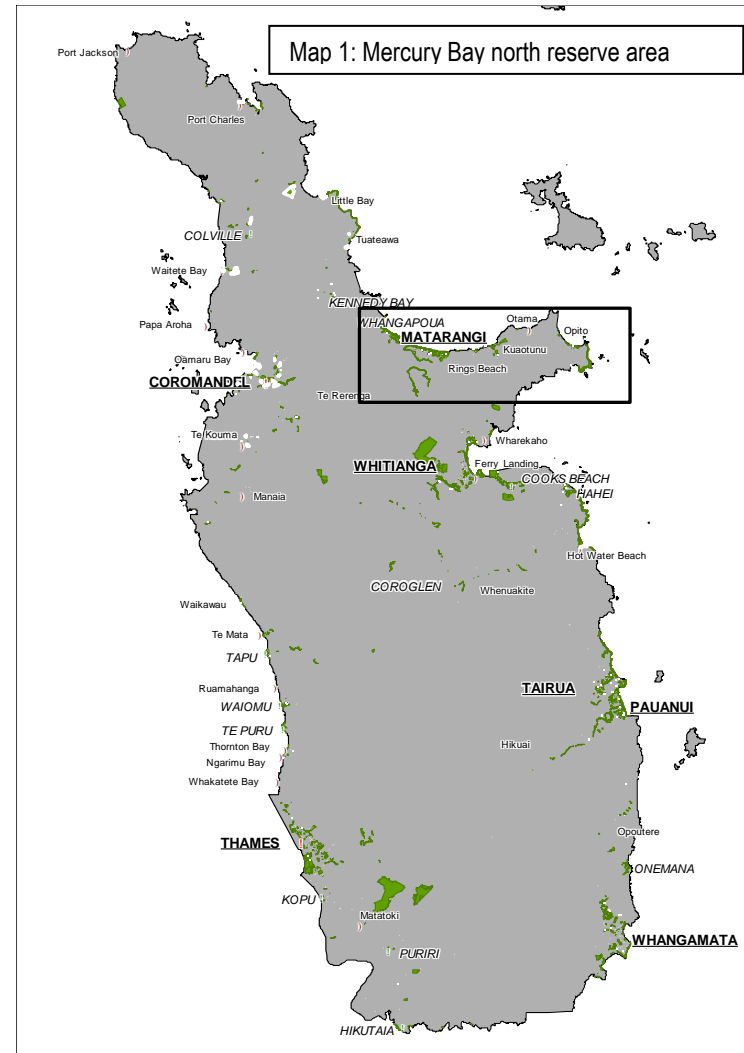
Introduction and Overview

Section 1: Purpose of this Plan

Reserve Management Plans provide direction for the day-to-day management of Reserves, factors that impact upon these Reserves, and establishes clear directions for future management and development where appropriate. This plan will provide for consistent approach to the management of reserves in the Whangapoua, Matarangi, Kuaotunu, Otama and Opito area.

The Mercury North Reserve Management Plan endeavours to address the broad range of issues associated with Reserves in a comprehensive and holistic manner.

In order to obtain a broad base of input into the plan, the Council assembled a working group comprising key stakeholders. A list of members of the working group is detailed in Appendix 1.



1.1 Reserve Management Plan Requirements

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

These management plans should:

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

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

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

The reserves in the Mercury Bay North area have a range of historical, cultural and scenic values, and provide valuable open space for a range of recreational activities and settings; from sports ground to historical reserves, from coastal settings to children’s playgrounds. The Management Plan identifies clear objectives and establishes directions for planning, resource

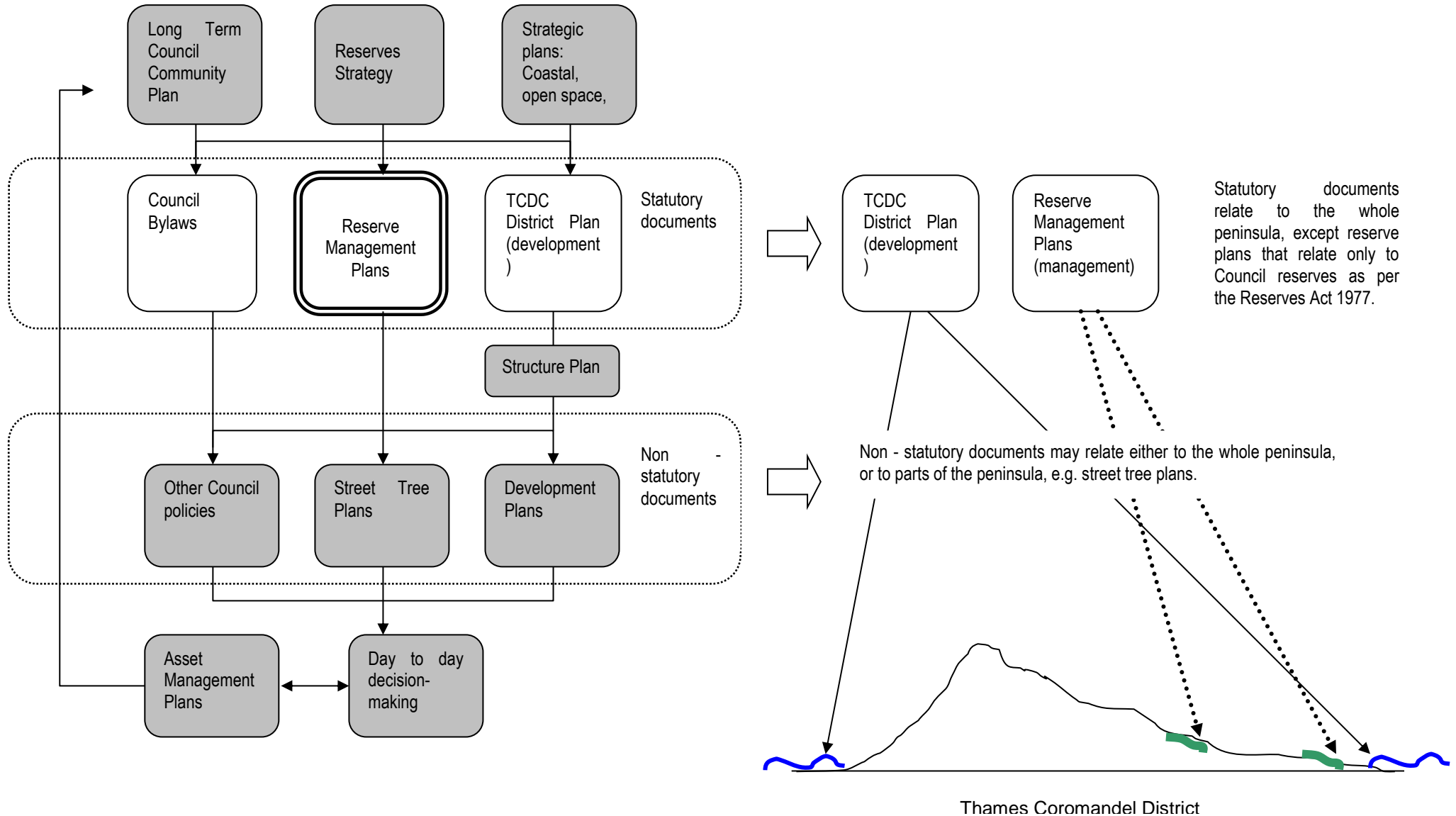
management and maintenance of public open space. It clarifies and establishes Council policy and direction, for both Council staff and the public.

The individual reserve plans in Document 2, provide a basis for assigning priorities in works programming and budgeting.

Where required existing plans have been reviewed, and where appropriate incorporated into this plan. The Council is required to keep the management plan over reserves for which it is the administering body under continuous review (Section 41 (4) Reserves Act 1977). For example if a change is required to policy for an individual reserve or a section of policy. The intention is that the plan be adapted to changing circumstances or increased knowledge. Refer to Section 8.

Generally, plans should be reviewed at a minimum of 10 year intervals.

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



1.3 Overview of Reserve Plan Area

From Whangapoua to Opito, this northern area of the Mercury Bay ward has a range of stunning coastal settlements back dropped with the Coromandel Ranges and the prominent ridgeline that forms the northern peninsula of Mercury Bay.

The first settlers to New Zealand came from somewhere in the Cook Island/Society Islands group where they lived on high volcanic islands. The Kuaotunu Peninsula contains some of the earliest archaeological sites in the North Island. These living sites and middens (rubbish dumps) – especially those on the sand dunes at Opito Bay and Whaorei Bay (Sarah's Gully) – are carbon dated at 600 – 700 years old and are of great significance to iwi and contain important scientific information about the life of the first settlers.

The first settlers to Opito Bay recognised the quality of the basaltic rock that forms Tahanga Mountain, located to the south of Opito. The basalt boulders on the mountain were rapidly flaked into the rough form of an adze at the working floors and then the roughouts were taken to be finished off elsewhere, often at the settlement where the adze makers lived. While a great number of rough-outs were trimmed, ground and polished at Opito itself, many were also taken further a-field for final finishing and areas of flaked and chipped Tahanga basalt rocks are found at many sites around Mercury Bay.

The presence of fine quality rock was the incentive for the early settlers to remain and establish a home base at Opito. The fine fishing, large quantities of edible shellfish, fur and elephant seals, and a wide range of birds (including several species of moa) provided almost as great a draw as the rock source. It is probable that these were not permanent settlements occupied throughout the year but, rather, base to which people returned after expeditions further a-field. The presence of storage pits at some sites (in which kumara, taro and yam could have been stored) suggests that gardens and houses were close by.

By about 1500AD evidence from sites some distance from Tahanga indicates that Tahanga adzes were being replaced by more easily worked local stone such as greywacke which was ground rather than flaked. Locally the Tahanga adze production retained its importance until the arrival of Europeans when iron and steel tools were quickly assimilated into the Maori toolbox. The building of fortified pa also began in the 1500s with two splendid examples found at Opito. The pa on Opito Point is a Historic Reserve managed by the Department of Conservation.

1.3.1 Whangapoua Reserves

The Mangakahia family, who have ties to Ngati Whanaunga, Ngait Hei and many of the other Coromandel Iwi, have resided at Whangapoua for over six generations.

The Adams family subdivided the southern end of Whangapoua, while William Mangakahia subdivided the northern end in 1962. All the coastal reserves were vested in Council at the time of the initial subdivisions, creating important access links for residents and visitors. Subsequent subdivision has seen additional reserves been developed for community and visitor use.

With a resident population of around 80 people, Whangapoua is predominantly a beach holiday home destination.

Many of the reserve names reflect the families and people who have lived in this area.

1.3.2 Matarangi Reserves

Matarangi is one of the newer settlements on the Coromandel Peninsula. Developed on a spit where the Pacific Ocean has created a four kilometre long sandy beach and with Whangapoua harbour to the south, Matarangi provides many opportunities for marine based activities.

Originally farmed by the Simpson family until 1975 when developers purchased the property. The pines which provide a tree feature to the area were planted in the late 1970's. The first subdivision occurred at the eastern end of the beach with Kenwood Drive. Second stage followed in the 1980's with successive developers providing a range of reserves and walkway linkages for residents and visitors to access the main beach reserves.

Many of the recreation facilities, in particular the tennis courts and golf course are on land managed by the Matarangi Beach developers. These are managed separately from the Council reserves.

Matarangi is another popular beach holiday destination; with the majority of visitors during the peak holiday period.

1.3.3 Rings Beach and Kuaotunu Reserves

Located 16km north of Whitianga, Kuaotunu provided access to the plentiful sea resources for the various hapu who resided here. European interests in the area originally where for the kauri and other timber trees in the surrounding hills. Then there was a gold rush at Kuaotunu that began in 1889 and lasted about 10 years, although gold was still mined into the 1900s.

The reserves at Kuaotunu include undeveloped portions of the beachfront, including the unformed road, and two domain areas that have been used for a variety of sports activities. A large land parcel on Black Jack Road provides for water catchment purposes.

Rings Beach was named after Mr Frank Ring who in the early days owned a sheep farm and who was the son of Charles Ring who discovered gold at Coromandel in 1852.

All of the reserves at Rings Beach and Kuaotunu West are either esplanade reserves or unformed road margins that consist of the beach frontages.

1.3.4 Otama and Opito Reserves

The deed of grant for the Opito area is dated 1860 but it is unlikely that the land was sold to private individuals until about 1900. The two earliest farmhouses at Opito Bay were built sometime between 1900 and 1915 and since that time there have always been two separate farms on the peninsula. Two farmhouses remained the only dwellings in the bay until the mid 1950s when small subdivisions by adjoining property owners took place. Since then further subdivision and development of about 200 houses in the bay, the majority of which are used as holiday homes. The Council reserves are predominantly located along the beachfront, providing a buffer between the sea and houses. Two reserves, Ratoka (Opito Bluff) and Mahinapua reserves, provide spectacular views of Opito and along the beach.

The Department of Conservation manage several reserves in this area, in particular the pa at the eastern end of Opito and a margin strip around the

coast to the south of this to Matapaua Bay. The department also manages most of the beach foreshore north of Waitaha Stream.

Ngati Hei are the principle Iwi in the area.

For management purposes, the Mercury North Reserve Management Plan will cover the area bordered by: in the south by the summit of the Kuaotunu / Wharekaho Road, and in the west the summit of the Whangapoua Road.

Section 2: Reserve Management Plan Process

2.1 Reserve Act Classifications

Under Section 16 of the Reserves Act (1977), (“the Act”) it is mandatory that reserves be classified based on their purpose. The Act provides for eight different reserve classifications, these being:

- Local Purpose Reserves
- Government Purpose Reserves
- Recreation Reserves
- Historic Reserves
- Scenic Reserves ‘A’
- Scenic Reserve ‘B’
- Nature Reserves.

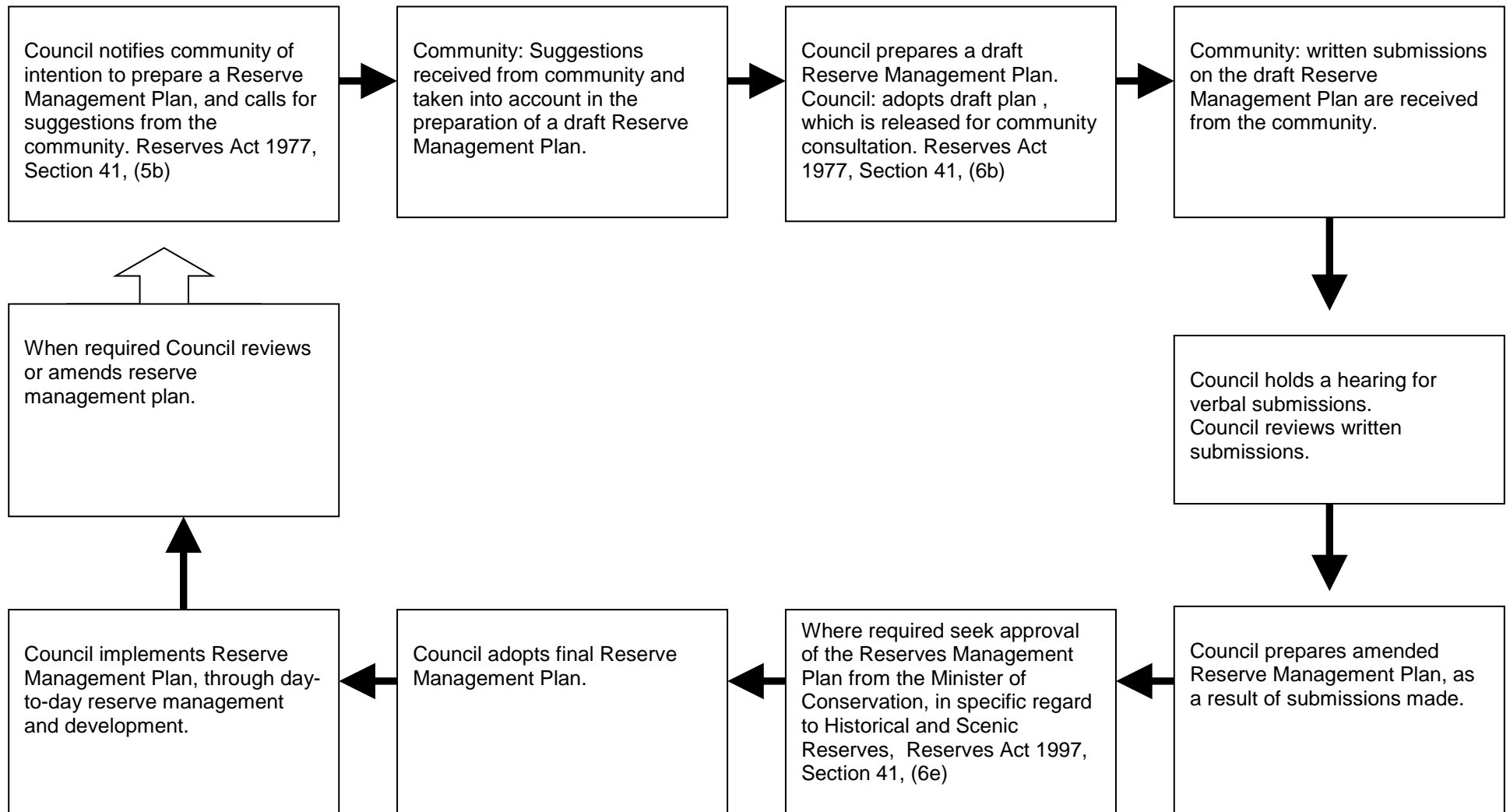
Detailed descriptions of each of these Reserve classifications and variations are in Appendix 2

Reserves in the Whangapoua, Matarangi, Kuaotunu, Otama and Opito areas are classified as: Recreation reserves, Scenic reserves, Historic reserves, Local purpose reserves – esplanade.

Reserves may have more than one classification, particularly if the values requiring protection vary from one part of the reserve to another, (to achieve a dual classification the land area needs to have been surveyed to define the boundary between the lands requiring different classifications).

In some instances, reserves or parts of reserves have not yet been classified. A list of these reserves and proposed classifications are detailed in Appendix 4.

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



2.2 Community Consultation

Community consultation plays an important role in the production of any Management Plan. It provides Council with a sound understanding of relevant local issues from people who are familiar with and use the open space areas in question. To a large degree, the direction for the future development of open space is based on the views expressed by the general public.

Public involvement and consultation generates an understanding of Council's land management aims, combats misinformation and misunderstanding, and fosters support for Council's programs and policies.

Submission Period

Public consultation was undertaken from October to December 2007 with a submission hearing held on 19 February 2008. Over one hundred and forty submissions were received on the draft reserve management plan (Documents 1 & 2). The submissions were reviewed and decisions made on issues raised. Where required, amendments have been undertaken to objectives and policies, and to the individual reserve management plans.

Submission Process

For future changes to the management plan (either document), submitters should:

- (1) List all points according to the section and page number in the management plan.

- (2) Briefly describe each subject or issue.
- (3) State which strategies the submitter agrees or disagrees with.
- (4) Suggest alternatives to deal with any issue with which there is disagreement.

Submissions may be:

Posted to:

Mercury Bay South Reserve Management Plan

c/- Area Manager, Mercury Bay

Thames-Coromandel District Council

Private Bag

THAMES 3500

Delivered to:

Mercury Bay Service Centre

10 Monk Street, WHITIANGA

Aims of this Reserve Management Plan

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

AIM: Protection of natural, cultural and heritage values

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

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

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

AIM: Reserves are accessible, safe, and appropriate

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

AIM: Public facilities are available to all users.

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

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

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

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

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

The following Sections of this Reserve Management Plan identify how the Council will manage Reserves covered by this Plan:

Objectives and policies are found in the following sections:

- | | |
|-----------|---|
| Section 3 | Landscape and natural values. |
| Section 4 | Recreation and leisure, focusing on; general recreation, organised sport, restricted activities, prohibited activities, and special use activities such as leases and licences. |
| Section 5 | Recreation and leisure, with a focus on the provision of facilities for sport and recreation users. |
| Section 6 | Tourism and economic development. |
| Section 7 | Management and co-operation – how Council will work with neighbours, volunteer groups and Maori on reserve issues. |
| Section 8 | Monitoring of management plan – how and when this plan will be kept under continuous review. |
| Section 9 | Reserve Plans – identifying individual reserves and any proposed development. |

Note:

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

Section 3: Landscape and Natural Values

3.1 Amenity Values – Trees, Shrubs and Gardens

3.1.1 Objectives

- 3.1.1.1 To provide a range of natural shade and shelter opportunities within reserves.
- 3.1.1.2 To maximize the benefits of trees while avoiding or mitigating adverse effects on reserve neighbours
- 3.1.1.3 To provide for and achieve healthy garden environments that provides attractive settings for the users of the reserve.

Rationale

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

3.1.2 Policies

Trees and Shrubs

- 3.1.2.1 Tree plantings on reserves will take into account:
 - a. the current Council Tree Masterplan
 - b. where appropriate the preferable use of eco-sourced native trees;
 - c. the type of reserve and any specific management policies for that reserve;
 - d. any effect on facilities;
 - e. the effect the trees may have on underground and overhead services; and landscape values and considerations.
 - f. The effect the trees (including planting, removal, or general landscaping) may have on surface or subsurface archaeological features.
 - g.
- 3.1.2.2 To enhance amenity values and provide some shade and/or wind protection, trees will be planted on reserves, and may be situated in front of properties.
- 3.1.2.3 Plantings will generally be developed to be low maintenance in the long term. This will include the selection of appropriate species, use of slow release fertiliser and mulch.
- 3.1.2.4 Where exotic species are planted, these will be selected due to:

- a. the desire for a deciduous species,
- b. an historical association,
- c. a particular connection to a place or an individual.
- d. the desirability of providing food and shelter for nectar feeding birds.
- e. flowering plants for colour.

Tree Removal

- 3.1.2.5 Tree removal is covered in the TCDC District Plan and the TCDC District Tree Strategy 2003. Refer to Appendix 3
- 3.1.2.6 If necessary Council may seek a landscape report that details comment on the value of the public amenity of the tree that is subject to complaint.
- 3.1.2.7 Council will consider the following issues when making decisions about trees:
- a. any actual or potential danger to peoples health;
 - b. any undue interference with a neighbours land, including shading;
 - c. Maori cultural values, e.g. removal of dead trees for carving purposes.

Gardens

- 3.1.2.7 Gardens and plantings on Council reserves will take into account:
- a. management objectives and policies for the reserve,
 - b. landscape values and considerations,
 - c. use of non-invasive plant species.
- 3.1.2.8 All plants will be grown in an environment where pruning and cultivation are undertaken to promote healthy environment.
- 3.1.2.9 Monitor plant species which are susceptible to pest and diseases, and where there are no safe or effective methods of control, undertake removal.

3.2 Cultural Significance

3.2.1 Objectives

3.2.1.1 To protect areas of archaeological and cultural significance within a reserve.

3.2.1.2 To identify and record any archaeological or heritage areas found on reserves

Rationale

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

3.2.2. Policies

3.2.2.1 Develop an inventory for each reserve area to identify known and potential:

- a. archaeological sites
- b. cultural heritage sites and
- c. historic associations

3.2.2.2 Prior to any development on a reserve, any known archaeological sites, structures or features will be identified and avoided where possible.

3.2.2.3 Where there may be modification of a known archaeological site, approval will be obtained from New Zealand Historic Places Trust.

3.2.2.4 During any reserve development, upon the discovery of any archaeological sites, structures or features, the following actions will be adopted:

- a. work in the vicinity of the site, structure or feature will cease immediately.
- b. appropriate agencies such as the New Zealand Historic Places Trust, tangata whenua and other statutory agencies as required, e.g. Police, will be notified.

3.2.2.5 Where a discovery addresses matters of significance to tangata whenua / hapu, identification and assessment shall be done in partnership with Maori and other heritage agencies, taking into consideration:

- a. established protocols relating to the discovery, re-burial or removal of taonga and koiwi, and future protection
- b. Maori / Iwi determination of the disclosure or non-disclosure of sites.

3.3 Ecosystems

3.3.1 Objectives

- 3.3.1.1 To protect natural areas representative of the range of natural ecosystems of the region.
- 3.3.1.2 To enhance natural ecosystems that:
- a. Have high ecological values,
 - b. Are representative of ecosystems that are under threat or under represented.
 - c. Function naturally (i.e. sand dunes).

Rationale

These reserves contain a variety of ecosystems and natural habitats that are unique to the area. The enhancement of these areas is required to maintain a balance between public use and protection.

3.3.2 Policies

- 3.3.2.1 Protect all unmodified natural habitats and ecosystems.
- 3.3.2.2 Priority will be given to:
- a. harbour and estuary shoreline margins that lie within a Reserve boundary,
 - b. rocky shore and coastline margins that lie within a Reserve boundary,
 - c. remnant natural forest areas, and

- d. where access is difficult, dangerous or to protect the undergrowth/root system, steps and /or boardwalks may be built.

- 3.3.2.3 Enhancement of natural ecosystems will include, but is not confined to:
- a. the control and eradication of introduced plants and animals,
 - b. re-vegetation using locally sourced plant species,
 - c. restriction of access to some areas of the reserve.
 - d. Public education.
- 3.3.2.4 Council will work with reserve neighbours to establish linkages across ecosystems, including wildlife corridors, estuarine and coastal margins.

3.4 Fire and Fireworks

3.4.1 Objective

3.4.1.1 To avoid damage or destruction of reserve land vegetation, buildings and facilities by fire.

Rationale

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

3.4.2 Policies

3.4.2.1 The use of open fires, including portable barbecues using solid fuels, will only be permitted in designated areas and when the fire is permitted by controls implemented through the Forest and Rural Fires Act 1977.

3.4.2.2 Fireworks displays will not be permitted on public reserves except for those identified to allow for public events.

3.4.2.3 Persons or organisations wishing to have a fire or fireworks display on a reserve will be required to seek a prior Council approval as detailed in Section 4E.

3.4.2.4 Fireworks display organisers will be required to produce the appropriate certification from the Department of Labour.

3.5 Flora and Fauna

3.5.1 Objective

3.5.1.1 To protect indigenous flora and fauna on reserve land areas.

Rationale

Human development and settlement has had a major impact on our native species. Where possible public use should have minimal impact on any natural areas within these reserves

3.5.2 Policies

3.5.2.1 No activities will adversely effect native flora and fauna found within reserve land areas.

3.6 Landscape

3.6.1 Objective

3.6.1.1 To protect significant landmarks, landscapes and vistas.

Rationale

A key focus of reserves is on the visual and natural qualities of the area. Development of any kind will be kept to an minimum, and when appropriate, undertaken and managed so as to have minimal physical and visual intrusion. There are spectacular panoramic views from some reserves that enhance the experience and enjoyment of the visitor. Natural re-growth and re-vegetation programs can diminish and obliterate these views, and need to be sensitively managed to retain the recreational amenity of these sites. When planning any development or specific management program, any likely impacts on the reserve will be investigated and assessed. This will ensure that any potential impacts are minimised.

3.6.2 Policy

3.6.2.1 The landscape quality of a reserve will be enhanced and maintained by:

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

3.7 Plant and Animal Pests

3.7.1 Objectives

3.7.1.1 To manage plant pests identified in the Environment Waikato Plant Pest Strategy.

3.7.1.2 To control other plant pests where reserve values are threatened.

3.7.1.3 To control animals and pests identified in the Environment Waikato Animal Pest Strategy.

3.7.1.4 To control other animal pests as prioritised.

Rationale

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

3.7.2 Policies

Plants

3.7.2.1 Introduced plant species that have been identified in the Environment Waikato Plant Pest Strategy will be progressively removed from reserve land areas.

- 3.7.2.2 Management of particular plant pests in a reserve will be undertaken where identified.
- 3.7.2.3 Plant pests will be managed as budget and priority are assessed in conjunction with Environment Waikato.
- 3.7.2.4 Council will use alternative weed control measures taking into consideration budgets and options available to contractors/field staff.
- 3.7.2.5 Exotic plant species will not be removed where they:
- a. Have historical or cultural significance.
 - b. Provide a range of amenity values.
 - c. Are not threatening reserve values.

Pests

- 3.7.2.6 Programmes for the control of pests will give priority to where pest species are identified in the Environment Waikato Animal Pest Strategy, and
- a. areas that contain significant habitats, ecosystems, or
 - b. where the species detract from visitor use and enjoyment.
- 3.7.2.7 Management of particular animal pests in a reserve will be undertaken where a need is identified.

3.8 Natural Hazards

3.8.1 Objective

- 3.8.1.1 To assess the risks of flooding and/or erosion to Council facilities and visitors to a reserve.

Rationale

Flooding and erosion are the two main natural hazards in the Coromandel region. While this plan does not specifically address these issues, the emphasis is on avoidance rather than protection. It recognises that hazard events are natural occurrences and that locating activities in inappropriate places creates the risk.

3.8.2 Policy

- 3.8.2.1 The siting of facilities should have regard to natural hazard threats.
- 3.8.2.2 Reserves will be left to function naturally in response to flooding and erosion events (i.e. reserve flood plains and/or dunes).

Section 4: Recreation and Leisure

Section 4A - General Use

4.1 General Recreation – Use of Reserves

4.1.1 Objective

4.1.1.1 To allow and encourage public use of reserves that is compatible with the purpose of the reserve.

Rationale

The primary role of Reserves is to provide settings for people to enjoy themselves on an casual and unstructured basis while undertaking traditional activities such as walking, picnicking and informal games. These traditional activities are generally low impact, have little adverse effects on other park users and can be undertaken with minimal restriction.

4.1.2 Policies

4.1.2.1 People will be encouraged to use reserves for a range of activities that is compatible with the reserve purpose and does not impact the environment or other users.

4.1.2.2 Users of reserves shall be responsible for ensuring that their use complies with Council Bylaws. [Refer to Reserve Bylaws – Appendix 5]

4.1.2.3 Passive activities may include:

- a. Family group picnics, bbq's.
- b. Informal family or group activities including games, recreational activities, and sport.
- c. Walking, running, exercise activities.

4.2 Access

4.2.1 Objective

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

4.2.2 Policies

4.2.2.1 The provision of access to Council reserves will be provided unhindered, except:

- a. where degradation may occur to cultural or historical sites through public use,
- b. where access is unsuitable due to the nature of the terrain,
- c. where commercial operators gain private good from the use of reserves [e.g. leases and licences].
- d. Where necessary for the maintenance or protection of the reserve, or safety of reserve users, part or the entire reserve may be closed for public access, following public notification as determined by Council Officers.
- e. where part or all of a reserve may be closed to public access for maintenance or any event, notification of this will be made prior to the event.
- f. for vehicle access where required will be restricted to formed roads and car parks

4.2.2.2 Private vehicular access reserve land, to or from private property will not be permitted except where a formal written agreement exists with Council (e.g., easement).

4.3 Alcohol

Refer to the Council Bylaws on Alcohol. The Council can place conditions on the use of alcohol in reserves including partial and total bans.

4.4 Ceremonies, including Weddings & Photography

4.4.1 Objective

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

Rationale

Although ceremonies, wedding ceremonies and wedding photographs are private affairs, when held on a reserve, families, friends, couples, attendants, guests and photographers must strive to conduct their ceremony and photographs in a manner that does not impact or deter the general public's enjoyment of the reserve.

To ensure reserve protection and little or no reserve disruption, the Council can enforce limit capacity and activities within the following guidelines.

4.4.2 Policies

4.4.2.1 Families / couples / groups must apply for a ceremony or photographs by submitting a Permit Application to the Council at least 30 days prior to the event (refer to Section 4E - Permits).

4.4.2.2 Wedding activities are not permitted on legal holidays.

4.4.2.3 Vehicle access is not permitted onto a reserve other than on the formed access roads and carpark areas.

4.4.2.4 Apparatus such as canopies must be free standing.

4.4.2.5 The following are not permitted:

- a. Tents, decorations or signs;
- b. Rice, birdseed or confetti (flower petals permitted);
- c. Glass, balloons, props or animals; or
- d. Food or beverages.

4.4.2.6 Non-amplified music is allowed for a ceremony. Amplified sound is not allowed without a permit and then only in purpose built facilities on reserves. (Note: noise levels will apply).

4.4.2.7 Ceremonies cannot restrict other visitors from the reserve nor block access or pathways.

4.4.2.8 All rubbish and debris generated must be removed prior to departure.

4.4.2.9 Wedding receptions or marques will not be permitted on reserves.

4.5 Dogs

4.5.1 Objective

4.4.1.1 To allow dogs provided they do not have an impact on the environment, or other reserve users.

Rationale

Dogs can pose a direct threat to people, animals and birds. Dogs should be under direct and continuous control at all times. This may be achieved through voice control. In cases where the owner cannot guarantee this level of control, dogs should be on a lead. Owners must also be considerate of other reserve users and remove dog droppings as required by law.

4.5.2 Policies

4.5.2.1 Dogs will generally be excluded from the following areas:

- a. nesting, roosting and feeding areas of threatened bird species;
- b. scenic reserves; except where provided for.
- c. playgrounds and sports grounds.

4.5.2.2 Dogs must be under control at all times and owners must remove all droppings from the reserve.

4.6 Walkways

4.6.1 Objectives

- 4.6.1.1 Promote a walkway that links the reserve areas of Mercury Bay North.
- 4.6.1.2 Promote walkway linkages to adjacent DOC reserves.
- 4.6.1.3 Promote any walkway linkages.

Rationale

Some of the Reserve areas in Mercury Bay North could be linked with a walking path network. This would cater for the enjoyment of the user and provide community health benefits. The reserves along the coast can also be linked together, in conjunction with either the New Zealand Coastal Walkways Association or the Department of Conservation track network. These walking routes once established should be promoted to local residents and visitors for health and tourism benefits.

4.6.2 Policies

- 4.6.2.1 Where possible provide walking track facilities through reserve areas that:
 - a. are suitable to a range of peoples abilities,
 - b. provide linkages between reserves.
- 4.6.2.2 Where feasible develop a coastal walkway track with linkages. This may not follow the coastline.

4.6.2.3 Provide appropriate walkway signage.

4.6.2.3 When assessing a walkway route cultural values and known archaeological sites should be considered and avoided where possible.

4.6.2.5 Where appropriate, provide for cycling in conjunction with walking.

Section 4B - Organised Sport

4.7 Organised Sport

4.7.1 Objective

4.7.1.1 To encourage organised sport to take place on a reserve or part of a reserve set-aside for that purpose.

4.7.2 Policies

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

4.7.2.2 The use of reserve land for the playing of organised sport will:

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

Section 4C - Restricted Activities

4.8 Aircraft Landings and Take-off

4.8.1 Objective

4.8.1.1 To prevent the use of reserves for aircraft activities.

Rationale

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

4.8.2 Policies

- 4.8.2.1 The use of reserves by any type of motorised aircraft is not permitted, except for the following circumstances;
- a. for emergency only landings of aircraft.
 - b. for emergency evacuation of people under the control of the New Zealand Police, NZ Fire Service, St John Ambulance or surf lifesaving organisation.
 - c. where a Permit (refer to Section 4E) has been issued by Council.

4.9 Horse Riding

4.9.1 Objective

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

Rationale

Many people in the community enjoy horse riding. Activities such as this can create conflicts with other users and may, if undertaken in inappropriate areas, adversely affect the reserve environment. Given this, it is important that people are aware of where these activities may be undertaken.

4.9.2 Policies

- 4.9.2.1 There are currently no designated areas for horses although horses can access the beach via designated vehicle access points and boat ramps.
- 4.9.2.2 Restrictions for horse riding are necessary to protect:
- a. the environment, including the cultural and archaeological values within a reserve,
 - b. the health, safety, and well being of visitors and
 - c. reserve operation and management.

4.10 Motorhomes and Camping

4.10.1 Objective

4.10.1.1 To allow for certified self-contained motor-homes overnight use on some reserve areas.

Rationale

Currently the Council has a policy of no overnight camping on reserves, except those that have a licensed campground, which allows for camping.

4.10.2 Policies

4.10.2.1 Independent overnight parking by vehicles such as motor-homes is not permitted on reserves.

4.10.2.2 Overnight camping on reserves is not permitted.

4.10.2.3 Where motorhomes may be permitted on reserves in the future, either:

- a. A dump station will be provided on the reserve or,
- b. Signage to the nearest dump station will be provided.

Section 4D - Prohibited Activities

4.11 Prohibited Activities

4.11.1 Objective

4.11.1.1 To prevent activities from occurring that would have an adverse impact on the natural environment and amenity values of a reserve or would significantly detract from the enjoyment of other reserve users.

4.11.2 Policy

4.11.2.1 Except for approved operational purposes, or unless specific written approval for an event has been obtained from the Council, the following activities are prohibited on reserves:

- a. motorised vehicles off road.
- b. horse riding in Scenic or Historic Reserves.
- c. firearms, slingshots, projectile firing devices.
- d. aircraft landings.
- e. removal of flora, fauna, rocks, soil, sand, plant material.
- f. dumping of rocks, soil, plant material, wood, hard fill including concrete brick or similar, steel or waste metals, chemicals, food waste, exotic fauna, household waste or effects, building materials or supplies.

Section 4E - Recreation and Leisure – Concessionaires: Leases, Licences and Permits

Definitions

Lease: Means a grant of an interest in land that –
 (i) Gives **exclusive possession** of the said area of land; and
 (ii) Makes **provision for any activity** on the land that the lessee is permitted to carry out.

Example: long term activity, exclusive use (e.g. use of a building, part of a reserve).

License: Means -
 (i) A **profit a prendre** or any other grant that gives a **non-exclusive interest** in the land; or
 (ii) A grant (e.g. concession) that makes **provision for any activity** on the land that the licensee is permitted to carry out.

Example: short term, non-exclusive use i.e. 13 days to six months (e.g. summer mobile café).

Permit: Means -
 (i) A grant of rights to carry out an activity that does **not require an interest in land**.
 (ii) A short term license.

Example: special use, one off events, non-exclusive use, 1 – 12 days (e.g. circus, music concert)

4.12 Leases, Licences and Permits

4.12.1 Objectives

4.12.1.1 To allow for the occupation of reserves for approved uses and facilities by the granting of lease, licence or permit.

4.12.1.2 To allow the use of a reserve for special activities where that use is compatible with the designated purpose of the reserve area.

4.12.1.3 To undertake a case-by-case assessment of activities that are not covered by this plan.

4.12.1.4 To process applications for lease and/or license agreements on reserves in an efficient, fair and transparent manner.

Rationale

Leases grant a proprietorial right over the land covered by a lease agreement. This right sometimes enables the lessee to carry out activities without Council agreement and to restrict public access to the land covered by the lease agreement. Given this, the Council may wish to approve only Licence agreements in the future. While the Council may not intend to approve any new leases it is obliged to administer the existing leases in terms of the conditions of those leases.

Whilst a lease, license or permit can be issued for an activity on a reserve, the activity must be compatible with the Reserves Act classification of the reserve (e.g., recreation reserve, esplanade reserve).

4.12.2 Policies – General

4.12.2.1 Activities that require approval, include, but are not limited, to:

- a. all commercial activities on or across reserve land;
- b. activities that require exclusive use of ,or part of a reserve, including public and private events:

- c. telecommunication and radio-communications stations;
 - d. or any other similar activities which are not specifically provided for in this Plan
- 4.12.2.2 Written applications for a lease, licence or permit shall be made to Council;
- a. At least 75 working days for a concert, expo, festival, function, promotion, sport event, seasonal commercial operator and government screening programme and any activity type that will involve more than 500 spectators /participants.
 - b. At least 30 days prior to a wedding ceremony, circus, filming or small display.
 - c. At least 6 months prior to the requested start date for a lease.
- 4.12.2.3 All costs associated with leases, licenses and permits are the responsibility of the concession holder of the agreement.
- a. Fees/rent will be payable on all concessions, according to Council policy.
 - b. Where a lease is approved, the term of the lease and any subsequent renewal will not exceed 19 years 364 days. *(Refer to Note below)*
 - c. Where leases, licenses or permits are to be granted on a Historic or Scenic reserve, the Department of Conservation will be the decision-making authority.
 - d. Where leases , licenses or permits are to be granted on other reserves, the Council will be the decision-making authority.

Rationale

Under the Resource Management Act 1991, an interest in land over 20 years may be subject to the applicant having an interest in that land. As such Council will only issue a lease for a period of 20 years less 1 day, i.e. 19 years, 364 days.

- 4.12.2.4 Public notification will be undertaken where a concession applicant has:
- a. applied for the exclusive use of an area of reserve;
 - b. the potential for high impact on the environment or surrounding area
- 4.12.2.5 Notification shall be made via Council public notice in the local paper circulating in the district. The applicant will be responsible for meeting the cost of public notification and hearing if required.
- 4.12.2.6 The notification of proposed lease agreements shall serve as public notice for the purpose of the Reserves Act.

Policies - Lease Applications

- 4.12.2.7 A lease must be for a group or organisation which is "compatible" with the reserve legal classification
(e.g., a butcher shop is not compatible but a café may be).
- 4.12.2.8 A lease will be issued where the use of a reserve is exclusive.

4.12.2.9 Where current leases allow for a right of renewal, or new leases are being sought, the lease shall incorporate the appropriate provisions of the First Schedule of the Reserves Act 1977, except where the Council's tenure of the land requires otherwise.

4.12.2.10 Council will maintain current lease agreements.

Policies - License and Permit Applications

4.12.2.11 All applicants who wish to hold an activity on a reserve are required to complete:

- a. The *Reserve Concession Application Form*,
- b. A site plan and
- c. A hazard identification form (not required in some circumstances).

4.12.2.12 An event plan and health and safety plan is also required for larger events. For more information on the requirements to operate on a reserve see the "*Applicant Information Pack for a Permit or License to operate on a TCDC reserve*".

4.12.2.13 A license will be issued where the use of a reserve is non-exclusive and for a period of 13 days to three years. Such licences may have rights of renewal attached and assignment will be at Council's discretion.

4.12.2.14 A permit will be issued where use of a reserve is non-exclusive and for a period of 0-12 days.

4.12.2.15 Council will maintain current license agreements.

4.12.2.16 Where part or all of a reserve is to be closed to public access, for an activity, notification of this shall be made prior to the activity causing the closure. Notification shall be made via Council public notice in the local paper circulating in the district at least two weeks before the closure. The activity organisers will be responsible for meeting the cost of public notification.

4.12.2.17 Where there is a possibility of serious damage being caused to the reserve; or disruption to users; neighbouring properties; or property or persons on adjacent public land, Council may require the organiser to have public liability insurance and other appropriate insurance cover. A copy of this will be required prior to the license or permit being issued.

4.12.2.18 Public Liability Insurance of at least \$1 million is required for all commercial activity on a reserve.

4.13 Charges for Leases / Licenses or Permits on Reserve Land

4.13.1 Objective

4.13.1.1 To recover costs to the Council and community, for processing of applications and managing the reserve.

4.13.2 Policies

4.13.2.1 Where a lease, license or permit is approved, Council may charge the applicant a fee which:

- a. reflects current market values;
- b. covers administration costs.

4.13.2.2 A bond may be required for using a reserve/s. The following factors will be considered in assessing the amount of a bond:

- a. The size of the activity,
- b. The possibility of damage to the reserve.

4.13.2.3 A bond will be set at such a level that any possible damage can be repaired at no cost to Council. Amounts in excess of repair costs will be refunded. If a bond does not cover the cost of repairing damage, the difference will be charged to the concession holder and/or group using the reserve.

4.13.2.4 Payment of bond is required at Council at the time of making an application.

4.14 Liquor Licences

4.14.1 Objective

4.14.1.1 To allow the granting of liquor licences for premises on reserves where the values of the reserves are not diminished and where the effects on reserve neighbours can be avoided.

4.14.2 Policy

4.14.2.1 All Liquor licences on reserve land will be in accordance with Council bylaws and policies, the Liquor Licensing Act and regulations.

Section 5 - Recreation, Leisure and Sport Facilities

5.1 Buildings and Structures

5.1.1 Objectives

- 5.1.1.1 To provide only those buildings and structures that are required to meet reserve user needs.
- 5.1.1.2 To allow for removal of buildings when no longer required in the foreseeable future.

5.1.2 Policies

- 5.1.2.1 The provision of buildings and structures on a reserve will be for sporting, cultural and recreation purposes and to facilitate the appropriate use of the reserve.
- 5.1.2.2 Buildings and structures deemed necessary by Council, will be provided and maintained only where they are necessary to achieve management objectives and policies or are specifically provided for in this plan.
- 5.1.2.3 Any new buildings or alterations to buildings and structures, will comply with required resource and building consents.
- 5.1.2.4 Where a building is no longer required by an occupier or has become redundant, the occupier will be required to remove the building from the reserve.

5.2 Development

5.2.1 Objective

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

5.2.2 Policies

- 5.2.2.1 In evaluating any proposal for a reserve area, Council shall take regard of:
 - a. any cultural, historical, archaeological or spiritual features of the reserve area,
 - b. the scale of the proposed facilities in terms of the reserve use, foreseeable future use, or the foreseeable demand for the particular activity; and
 - c. the materials, siting, design and colour of the proposed structure; and
 - d. the protection of existing recreation facilities, except where there displacement is in the public interest.
 - e. possible impacts on neighbours.
- 5.2.2.2 Consult with the New Zealand Historic Places Trust when any proposed development is adjacent to a recorded archaeological site.

5.3 Fences

5.3.1 Objective

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

Rationale

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

5.3.2 Policies

5.3.2.1 Where private land directly abuts reserve land, Council will endeavour to ensure that the boundary between public and private land is clearly defined where and when required, (e.g. clearly visible boundary markers).

5.3.2.2 Council will meet its boundary fencing requirements as detailed in the Fencing Act 1978, by seeking half share costs of boundary fences.

5.3.2.3 Council and adjoining owners shall determine the type of fence appropriate in each case to the character and use of the reserve, generally with fences at a maximum height of 1.2 metres; being

- a. a 7 or 8 wire fence, or
- b. a close boarded fence, or
- c. a paling fence.
- d. Where an adjoining property owner seeks to have a fence higher than 1.2 metres, they shall be responsible for any additional construction costs.
- e. Where an adjoining property owner requests a pedestrian gate through a reserve boundary fence, they shall be responsible for the gate and installation costs.

5.3.2.4 No vehicular access onto reserve land to or from private property will be permitted.

5.3.2.5 Where the fences surrounding a facility is sought by a reserve occupier, the cost of erecting and maintaining an appropriate fence to the satisfaction of the Council will be borne by the occupier.

5.4 Land, Gifts, and Commemorative Features

5.4.1 Objective

5.4.1.1 To ensure that any bequeathed land, gifts, and commemorative features are managed in a sustainable manner and are beneficial to the reserve and reserve users.

Rationale

Members of the public frequently make requests to place features on reserves. Whilst such commemorations can assist in developing community values and mark important historic events, the location and number of such features needs to be managed. Commemorative features can also add cost to the ongoing maintenance of reserves, and can cause difficulties when the features are damaged, vandalised or require significant maintenance. Difficulties can also arise where the individual or group having made the gift seeks to influence the management of the wider reserve. Council needs to be in a position to control the nature, number and location of such features; encouraging appropriate enhancement of reserves.

5.4.2 Policies

5.4.2.1 Council will consider on a case-by-case basis any requests from individuals and/or community organisations for the gifting and/or sponsorship of a reserve features.

5.4.2.2 All proposals will be assessed in relation to the following criteria:

- the compatibility of the proposed feature in relation to the character and use of the reserve;
- the benefit to the reserve users;
- the ease and cost of maintenance and whom is responsible;
- the relevance of the feature to the community and its appropriateness.

5.4.2.2 Any Council approved feature or gift may be acknowledged through the attachment of a small (e.g. 250 x 100 mm) engraved or cast metal plaque associated with the feature.

5.4.2.3 Where a significant gift is involved, Council and the donor group will develop a protocol that sets out the principles of the gift.

5.4.2.4 Where a gift or commemorative feature requires removal, it may or may not be replaced. Where replacements are made they will be made with the same or a similar feature.

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

5.5 Lighting

5.5.1 Objective

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

Rationale

Lighting within Council reserves could be used on facilities and structures. Some of the benefits from lighting may include; security of facilities from vandalism, better surveillance of park and facilities. The provision of lighting in public places is, however, no guarantee of improved safety. Lighting should only be provided where there is clear public benefit.

5.5.2 Policies

5.5.2.1 The Council will only fund lighting on Council reserve land where there is clear public benefit.

5.5.2.2 Where the Council owns a facility that is occupied by another group on the basis of a landlord/tenant arrangement, it is the tenants' responsibility to provide for lighting.

5.5.2.3 Where any lighting may be provided for on Council reserves it will not unduly impact on affected parties including reserve neighbours.

5.5.2.4 Lighting design should take into effect the reserve use and lighting purpose, and where possible to incorporate efficient downward lighting.

5.6 Naming of Reserves

5.6.1 Objective

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

5.6.2 Policies

5.6.2.1 The naming of a reserve will consider the following:

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

5.6.2.2 Council will undertake consultation with Maori and other interested parties before formal resolution by Council meeting.

5.7 Parking: Boat ramps

5.7.1 Objective

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

5.7.2 Policies

5.7.2.1 A review of the location and management requirements for boat ramps in the Mercury North area will be undertaken in the lifetime of this plan.

5.7.2.2 Boat ramps will only be located in locations where suitable water access and the provision of adequate off road parking is available.

5.7.2.3 Where either Council or a community organisation manages a boat ramp;

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

5.8 Parking: Vehicles

5.8.1 Objective

5.8.1.1 To provide parking for vehicles and their passengers.

5.8.2 Policies

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

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

5.9 Playgrounds

5.9.1 Objectives

- 5.9.1.1 To develop and provide for opportunities for children's play.
- 5.9.1.2 To ensure that structures meet the needs of approved use and users.

5.9.2 Policies

- 5.9.2.1 Playground equipment will be allowed only where deemed appropriate to the purpose of the reserve.
- 5.9.2.2 Playground development and structures will meet all required playground safety guidelines, regulations and have required consents.
- 5.9.2.3 The provision of play equipment or areas will accommodate a range of age groups.
- 5.9.2.4 The playground will be managed within the required service and maintenance guidelines.
- 5.9.2.5 Where possible shade will be provided in association with playground structures.

5.10 Public Toilets and Changing Facilities

5.10.1 Objective

- 5.10.1 To provide public convenience at appropriate locations where the usage warrants the facility.

5.10.2 Policy

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

5.11 Reserve Furniture

5.11.1 Objective

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

Rationale

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

5.11.2 Policies

5.11.2.1 Reserve furniture may include, but is not limited to: picnic tables and seating, barbeques, rubbish bins, directional or information signage, drinking fountains, park benches.

5.11.2.2 Review the provision of reserve furniture, and provide for reasonable public use. Where new reserve furniture or signs are to be provided, their design and location should be in accordance with the Council design guidelines.

5.12 Sporting needs

5.12.1 Objective

5.12.1.1 To provide a range of sport facilities that:

- a. allows a community to participate in a variety of sporting activities
- b. considers a district wide needs basis taking into account the size of the surrounding population and district needs

5.12.2 Policies

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

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

5.13 Utilities / Network Utility Operator

5.13.1 Objective

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

5.13.2 Policies

5.13.2.1 In general utilities should be located where they will not impact on the use and enjoyment or general amenity of a reserve.

5.13.2.2 Where existing utilities are to be upgraded, the utility operator will undertake early and full consultation with the Council as an affected party.

5.13.2.3 No future utilities, other than those required for the servicing of the reserve, will be located on Recreation, Scenic or Historic Reserves. Where utilities are required in any of these reserves they will be provided underground, and in such a way so as not to affect areas of cultural and archaeological significance.

5.13.2.4 All costs associated with the installation of services under or over a reserve, including costs for making good the affected area during or after construction, or any remedial work, will be borne by the utility provider.

Section 6 - Tourism and Economic Development

6.1 Promotion

6.1.1 Objective

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

6.1.2 Policies

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

6.1.2.2 Develop and promote viewing areas.

6.1.2.3 Develop and promote linkages between reserves.

6.1.2.4 Ensure there is co-ordination between different agencies (e.g., DOC, Tourism Coromandel).

6.1.2.5 Provide signage that informs and educates the user to historic and/or cultural sites or the history of a reserve.

6.2 Signage

6.2.1 Objective

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

Rationale

Council bylaws and the District Plan regulate the use of advertising and hoarding signage.

6.2.2 Policies

6.2.2.1 All applications for signs on any Council reserve must be made in writing to Council.

6.2.2.2 Only signage that is related to a reserve or the use of a reserve will be allowed.

6.2.2.3 All signage must meet the requirements of the Council bylaws, the TCDC Open Spaces Sign System, the District Plan and any required resource consents.

6.2.2.4 The number of signs on Council reserves will be kept to a minimum number required to inform the reserve user.

6.2.2.5 Where possible, a reserve will have signage detailing the common name.

Section 7 - Management / Co-operation

7.1 Bylaws

7.1.1 Objective

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

7.1.2 Policies

7.1.2.1 Offences on reserves will be controlled by Council bylaws, and any applicable NZ Government regulation.

7.2 Encroachment

7.2.1 Objective

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

Rationale

In many locations reserves abut private property, and encroachment of sheds, gardens, seating and paths has occurred such that the public are discouraged from using that portion of the reserve.

7.2.2 Policies

7.2.2.1 No encroachments onto public reserve land will be permitted.

7.2.2.2 Where encroachment occurs Council will:

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

7.3 Future Reserve Land Acquisition

7.3.1 Objectives

7.3.1.1 To acquire future reserves that provide for:

- a. Open public recreation space, or
- b. Linkages between reserves, or
- c. Access along stream, river and coastline margins.

Rationale:

Council needs to consider the future acquisition of reserve land whether through actual purchase, reserve contribution funding, or resource consent subdivision. As populations in many of the areas of the Coromandel Peninsula grow, particularly during the summer holiday period, the demand for publicly accessible land for walking access, sport and recreation needs increases. Many people holiday in the Coromandel region to “unwind” and recreate, thus a high demand is placed on open space for well being purposes. Acquiring future land areas and linkages will need to be continuously assessed.

7.3.2 Policies

7.3.2.1 The acquisition of open space areas for recreation and sport will be undertaken where there is a clear need for land areas to meet these future needs.

7.3.2.2 Where desirable, Council will pursue the acquisition of land to provide for linkages between reserves, for recreation and conservation purposes.

7.3.2.3 Where possible, Council will seek public access to and along stream, river and coastline margins.

7.3.2.4 Future land purchases will be assessed on:

- a. The recreation potential of the land, and
- b. Natural and cultural heritage features of the land, and
- c. How the land “fits in” with other Council reserve land areas.

7.4 Maori

7.4.1 Objective

7.4.1.1 To involve tangata whenua with mana whenua status in reserve management processes in ways which take into account the principles of the Treaty of Waitangi.

7.4.2 Policies

7.4.2.1 Developed and maintain relationships with hapu that give emphasis to:

- a. the identification, assessment and interpretation of cultural information, and
- b. identifying opportunities for involvement in the management of reserve areas, and
- c. Protection of cultural and spiritual values of reserves.

7.5 Public Involvement and Partnerships

7.5.1 Objective

7.5.1.1 To ensure that the reserves cater for the needs and values of the public in general.

7.5.2 Policies

7.5.2.1 Continue to consult and involve individuals, groups and agencies with an interest in the reserves.

7.5.2.2 Support individuals, voluntary groups and agencies, where their actions are in line with the management plan.

7.5.2.3 Improve / strengthen communication between the public and community groups, and those responsible for managing and maintaining the reserves.

7.5.2.4 Improve management partnership between Council, Department of Conservation and Environment Waikato to ensure clear understanding of roles and requirements.

7.5.2.5 Support the function of reserve groups through:

- a. The provision of a clear mandate for responsibilities of the reserve group.
- b. Funding for projects identified in an annual work programme.

7.6 Reserve Neighbours

7.6.1 Objectives

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

7.6.2 Policies

- 7.6.2.1 Liase with adjacent landowners with a view to co-operating on matters of mutual interest or benefit including:
 - a. the control of animal and plant pests;
 - b. public access;
 - c. maintenance of amenity values, landscape and vistas;
 - d. security issues; and
 - e. fire control.
- 7.6.2.2 Before giving its permission as an affected party, the Council must be satisfied that any adverse effects on a, b, c, d (below) can be avoided, remedied or mitigated.:
 - a. Recreation values,
 - b. Landscape values,
 - c. Heritage values; and
 - d. Any other consideration (e.g. community values) (refer to Reserves Act 1977 Section 3 (1) v)

7.7 Safety and Risk Management

7.7.1 Objectives

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

Rationale

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

7.7.2 Policies

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

Section 8 - Monitoring of Management Plan

8.1 Management Plan Review

8.1.1 Objective

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

8.1.2 Policies

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

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

8.1.2.2 Any review or change to this management plan will be publicly notified as detailed in Sections 41(5a) 41(6a) and 119(1c) of the Reserves Act 1977.

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

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

8.2 Monitoring of Management Systems

8.2.1 Objective

8.2.1.1 To review this Management Plan regularly in order to conserve, maintain and enhance the values and character of the areas Reserves.

8.2.2 Policies

8.2.2.1 Annually review the Proposed Development program component of the Individual Reserve Management Plans.

8.2.2.2 Report proposed work program to Council on the following basis;

- a. Annual maintenance programs – annually.
- b. Renewals and replacements – annually
- c. Capital works in line with the Long-term Council Community Plan – every three years.

Section 9 & 10 Reserve Plans – refer to Document 2

Section 9. Individual Reserve Plans – Generic objectives and policies, and specific policies apply.

Section 10. Other Reserves – Generic objectives and policies apply.

List of reserves covered by Document 2

Area	Reserve Name	Location	Reserve Classification	Refer to Section ...
Kuaotunu	Kuaotunu Domain	19A Kawhero Drive/Davis Road, Kuaotunu	Recreation	9
Kuaotunu	Kuaotunu Domain	Pungarehu Street, Kuaotunu	Proposed recreation	9
Kuaotunu	Kuaotunu Hall	10 Black Jack Road, Kuaotunu	Recreation	9
Kuaotunu	Kuaotunu Hall	12 Black Jack Road, Kuaotunu	Proposed LPR Community Use	9
Kuaotunu	Pumpkin Flat Reserve	270 SH25 Kuaotunu	Recreation	9
Kuaotunu	Kuaotunu Recreation Reserve	155 SH25 Kuaotunu	Recreation	9
Kuaotunu	Pitoone Stream	19 Hilldale Crescent, Kuaotunu West	Recreation	9
Kuaotunu	Pitoone Stream	19 Hilldale Crescent, Kuaotunu West	LPR (Plantation)	9
Kuaotunu	Rings Village Green	185 Bluff Road, Kuaotunu West	Recreation	9
Kuaotunu	Black Jack Water Reserve	40 Black Jack Road, Kuaotunu	LPR Water Catchment	10
Kuaotunu	Fire Station	13 Black Jack Road, Kuaotunu	Closed Road	10
Kuaotunu	Kuaotunu Old Cemetery	40 Cemetery Road, Kuaotunu	Cemetery	10
Kuaotunu	Waiari Stream	213 Bluff Road, Kuaotunu West	LPR (Esplanade)	10
Matarangi	Bluff Reserve	107A Omara Place, Matarangi	LPR (Accessway)	9
Matarangi	Bluff Reserve	198A Pacific Parade, Matarangi	LPR (Accessway)	9
Matarangi	Bluff Reserve	Bluff Road	Recreation	9
Matarangi	Bluff Reserve	Bluff Road	LPR (Esplanade)	9
Matarangi	Bluff Reserve	Kenwood Drive, Matarangi	LPR (Accessway)	9
Matarangi	Cordyline Walkway – Matarangi Accessways	124 Cordyline Crescent, Matarangi	Recreation	9
Matarangi	Fernhill Walkway – Matarangi Accessways	104 Matarangi Drive, Matarangi	Recreation	9
Matarangi	Fernhill Walkway – Matarangi Accessways	111 Fernhill Rise, Matarangi	Recreation	9
Matarangi	Kowahi Walkway – Matarangi Accessways	108A Puka Crescent, Matarangi	Recreation	9
Matarangi	Kowahi Walkway – Matarangi Accessways	113 Kowhai Ave, Matarangi	Recreation	9
Matarangi	Kowahi Walkway – Matarangi Accessways	131 Kowhai Avenue, Matarangi	Recreation	9

Area	Reserve Name	Location	Reserve Classification	Refer to Section ...
Matarangi	Kowahi Walkway – Matarangi Accessways	148 Kowhai Avenue, Matarangi	Recreation	9
Matarangi	Kowahi Walkway – Matarangi Accessways	400 Matarangi Drive, Matarangi	Recreation	9
Matarangi	Matarangi Boat ramp		Recreation	9
Matarangi	Matarangi Dunes	Kowhai Avenue, Matarangi	Recreation	9
Matarangi	Matarangi Dunes	Kowhai Avenue, Matarangi	LPR (Esplanade)	9
Matarangi	Matarangi Dunes	Matarangi Drive, Matarangi	LPR (Esplanade)	9
Matarangi	Matarangi Dunes	Matarangi Drive, Matarangi	Recreation	9
Matarangi	Matarangi East	Kenwood Drive, Matarangi	LPR (Esplanade)	9
Matarangi	Matarangi East	Kenwood Drive, Matarangi	Recreation	9
Matarangi	Mercury View Walkway	131A Mercury View to Beach, Matarangi	Recreation	9
Matarangi	Mercury View Walkway	660A Matarangi Drive, Matarangi	Recreation	9
Matarangi	Miro Place Walkway	117 Miro Place, Matarangi	Recreation	9
Matarangi	Village Green	Kenwood Drive, Matarangi	Recreation	9
Matarangi	Village Green	Kenwood Drive, Matarangi	LPR (Esplanade)	9
Matarangi	– Matarangi Accessways Village Green Walkways – Matarangi	98 Cordyline Crescent, Matarangi	Recreation	9
Matarangi	Accessways Pine Close Walkway – Matarangi	Matarangi Drive/Waimarie Drive, Matarangi	Recreation	9
Matarangi	Accessways Puriri Walkways – Matarangi	103A Pine Close, Matarangi	LPR (Accessway)	9
Matarangi	Accessways Puriri Walkways – Matarangi	114 Rimu Place, Matarangi	Recreation	9
Matarangi	Accessways Puriri Walkways – Matarangi	118 Puriri Place, Matarangi	Recreation	9
Matarangi	Accessways Puriri Walkways – Matarangi	140 Waimarie Drive, Matarangi	Recreation	9
Matarangi	Accessways Puriri Walkways – Matarangi	210 Matarangi Drive, Matarangi	Recreation	9
Matarangi	Accessways Puriri Walkways – Matarangi	210 Matarangi Drive, Matarangi	Recreation	9
Matarangi	Accessways Sands Walkway – Matarangi	138A Sands Cres, Matarangi	LPR (Accessway)	9
Matarangi	Accessways Sands Walkway – Matarangi	612A Matarangi Drive, Matarangi	LPR (Accessway)	9
Matarangi	Accessways Sands Walkway – Matarangi	630 Matarangi Drive, Matarangi	Recreation	9
Matarangi	The Pines	Matarangi Drive, Matarangi	Recreation	9
Matarangi	The Pines & Matarangi Spit	Matarangi Drive, Matarangi	LPR (Esplanade)	9

Area	Reserve Name	Location	Reserve Classification	Refer to Section ...
Matarangi	The Pines Walkways	780A Matarangi Drive, Matarangi	LPR (Accessway)	9
Matarangi	The Pines Walkways	800A Matarangi Drive, Matarangi	LPR (Accessway)	9
Matarangi	Totara Walkways – Matarangi Accessways	106 Totara Place, Matarangi	Recreation	9
Matarangi	Totara Walkways – Matarangi Accessways	178 Kowhai Ave, Matarangi	Recreation	9
Matarangi	Totara Walkways – Matarangi Accessways	530 Matarangi Drive, Matarangi	Recreation	9
Matarangi	Upper Harbour Esplanade Waimarie Walkways – Matarangi Accessways	102 Miro Place, Matarangi	Recreation	9
Matarangi	Waimarie Walkways – Matarangi Accessways	107 Matai Place, Matarangi	Recreation	9
Matarangi	Waimarie Walkways – Matarangi Accessways	225 Waimarie Drive, Matarangi	Recreation	9
Matarangi	200 Matarangi Drive	200 Matarangi Drive, Matarangi	Recreation	10
Matarangi	Kenwood Drive	259 Kenwood Drive, Matarangi	Recreation	10
Matarangi	Matarangi Entrance Waimarie Walkways – Matarangi Accessways	Matarangi Drive, Matarangi	Recreation	10
Matarangi	Accessways	243 Waimarie Ave, Matarangi	Recreation	10
Opito	Mahiniapua	22 Thompson Place Opito Bay	Recreation	9
Opito	Moore Cres	1 Moore Crescent, Opito Bay	Recreation	9
Opito	Ohinau Drive	Ohinau Drive, Opito Bay	Recreation	9
Opito	Ohinau Trailer	Ohinau Drive, Opito Bay	Recreation	9
Opito	Opito Accessway	Opito Bay Road, Opito Bay	LPR (Accessway)	9
Opito	Opito Accessway	Thompson Place, Opito Bay	LRP (Accessway)	9
Opito	Ratoka - Opito Bluff	Opito Bay Road, Opito Bay	Recreation	9
Opito	Jack Mills Reserve	881 Black Jack Road, Opito Bay	Recreation	9
Opito	Skippers	10 Skippers Road, Opito Bay	Recreation	9
Opito	Skippers	10 Skippers Road, Opito Bay	LPR (Esplanade)	9
Opito	Skippers	851 Black Jack Road, Opito Bay	Recreation	9
Otama	Otama	379 Black Jack Road, Otama	Recreation	9
Whangapoua	Christensen	118 McMahan Ave, Whangapoua	Proposed recreation	9
Whangapoua	Haimiora	145 Mangakahia Drive, Whangapoua	Recreation	9
Whangapoua	Haimiora Esplanade	145 Mangakahia Drive, Whangapoua	LPR (Accessway)	9
Whangapoua	Mangakahie Lagoon	Mangakahia Drive, Whangapoua	Recreation	9

Area	Reserve Name	Location	Reserve Classification	Refer to Section ...
Whangapoua	Meri Te Tai	384 Tangiora Ave, Whangapoua	LPR (Accessway)	9
Whangapoua	Meri Te Tai	384 Tangiora Ave, Whangapoua	LPR (Esplanade)	9
Whangapoua	Meri Te Tai	384 Tangiora Ave, Whangapoua	Recreation	9
Whangapoua	South End Reserve	1680 Whangapoua Wharf Road	Recreation	9
Whangapoua	Opera Point Historic Reserve	132A Tangiora Ave, Whangapoua	Historic	9
Whangapoua	Te Aowhaitini	148 Opera Place, Whangapoua	LPR (Recreation)	9
Whangapoua	Whangapoua Wharf	1680 Whangapoua Wharf Road	LPR (Esplanade)	9
Whangapoua	William Brown Reserve	384 Tangiora Ave, Whangapoua	Recreation	9
Whangapoua	William Brown Reserve	384 Tangiora Ave, Whangapoua	LPR (Esplanade)	9
Whangapoua	Te Punga Esplanade	170E TE PUNGA ROAD, WHANGAPOUA2851	LPR (Esplanade)	10
Whangapoua	Te Punga Esplanade	170F TE PUNGA ROAD, WHANGAPOUA2851	LPR (Esplanade)	10
Whangapoua	Whangapoua Esplanade	559A SH25, Whangapoua Harbour	LPR (Esplanade)	10

Appendix 1: Mercury Bay North Reserve Management Plan Working Group

The following people / organisations have been involved in the preparation of this draft Reserve Management Plan:

Mercury Bay Community Board

- Alison Henry

Thames Coromandel District Council

- Lesley McCormick
- Merle Benson

erh Consultancy

- Eric Hamilton – reserve plan compiler

Progressive Group Ltd

- Rose Ward – reserve plan compiler

Members of the following groups have been involved in consultation in preparing this draft Reserve Management Plan

- Whangapoa reserve management committee
- Whangapoa Beach Ratepayers Association
- Kuaotunu reserve management committee
- Matarangi reserve management committee
- Matarangi Ratepayers Association
- Opito/Otama reserve management committee
- Kuaotunu Peninsula Track group
- Ngati Hei

Concept Design Plans were prepared by:

- SOUL - Studio of Urban Landscape (Auckland)

Appendix 2: Reserve Classifications

Recreation Reserve

Purpose (s.17)

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

Objectives of Management (s.17)

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

Guidance for Selection

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

Local Purpose Reserve - LPR

Purpose (s.23)

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

Objectives of Management (s.23)

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

Historic Reserve

Purpose (s.18)

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

Objectives of Management (s.18)

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

Guidance for Selection

- Area should be sufficiently large to preserve all the significant historic or archaeological features associated with the place, object or natural feature

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

Scenic Reserve .A. (Natural s.19(1)(a))**Purpose (s.19(1)(a))**

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

Objectives of Management (s.19)

- Manage for their intrinsic worth and for the benefit, enjoyment and use of the public
- Preserve indigenous flora and fauna, biological associations and the natural environment as far as possible
- Exterminate exotic flora and fauna as far as possible
- Allow the public freedom of entry and access subject to conditions and restrictions necessary for the protection and well-being of the reserve and for the protection and control of the public using it
- Develop open portions for amenities and facilities where these are necessary to enable the public to obtain benefit and enjoyment from the reserve
- Manage and protect historic, archaeological, geological, biological, or other scientific features

Guidance for Selection

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

Scenic Reserve .B. (Modified s.19(1)(b))**Purpose (s.19(1)(b))**

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

Objectives of Management (s.19)

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

Guidance for Selection

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

Esplanade Reserve

Purpose

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

Objectives of Management

Primary (one or more; refer s.229 RMA)

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

Secondary (s.23)

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

Government Purpose Reserve

Purpose (s.22)

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

Objectives of Management (s.22)

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

National Reserve

Purpose (s.13)

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

Objectives of Management (s.13)

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

Guidance for Selection

- Area is the best example of particular national or international values
- Area may be large or small but of sufficient size to protect the integrity of the value for which it is selected
- May comprise a clustered group of areas without a single major contiguous area
- Area may contain only one or two outstanding features of specialised interest rather than a range of features of general interest

Nature Reserve

Purpose (s.20)

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

Objectives of Management (s.20)

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

Guidance for Selection

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

Scientific Reserve**Purpose (s.21)**

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

Objectives of Management (s.21)

- Preserve the indigenous flora and fauna, as far as possible
- Where appropriate manipulate the reserve (or part of it) for experimental purposes or to gain further scientific knowledge
- Where appropriate prohibit general access to the whole or part of the area and permit persons with the necessary credentials or qualifications to enter for scientific study or for control and management purposes (s.59)
- Manage and protect scenic, historic, archaeological, biological or natural features
- Maintain value as a soil, water, and forest conservation area

Guidance for Selection

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

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

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

Objectives of Management

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

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

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

Guidance for Selection

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

Appendix 3: TCDC Tree Strategy – Section on Tree removal

Removing and replacing trees.

Council will remove trees that meet the following criteria:

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

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

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

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

Requests to prune or remove trees.

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

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

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

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

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

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

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

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

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

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

Appendix 4: Reserves requiring classification

Under Section 14 of the Reserves Act 1977

Reserve Park Name	Location	Proposed Reserve Classification
Kuaotunu Domain	Pungarehu Street, Kuaotunu	Recreation
Kuaotunu Hall	12 Black Jack Road, Kuaotunu	LPR Community Use
Christensen Reserve	118 McMahan Ave, Whangapoua	Recreation

Appendix 5: Council Bylaws that apply to Reserves

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

- Thames Coromandel District Council Consolidated Bylaw Part 2 Activities in public places
- Dog Control Bylaw 2004

Note: These Bylaws may have changed since adoption of this plan. Where possible, refer to either Councils Customer Services, or on Councils website:

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

Glossary of Terms

Administering body see s.2 Reserves Act

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

Appointment to control and manage the appointment of an administering body for a reserve under s.28 (local authority) or s.29 (voluntary organisation) or s.30 (board) or s.35 (trustees) or s.36 (Minister of the Crown) Reserves Act or under some corresponding provision in an earlier Act. [The land remains vested in the Crown.]

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

Bylaws an ordinance affecting the public, or some portion of the public, imposed under the provisions of s.106 Reserves Act and accompanied by some sanction or penalty for its non-performance (s.104 of the Act). [If validly made (s.107 and s.108 of the Act) a bylaw has the force of law within its legitimate operation.]

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

Change of purpose the change of purpose of a Local Purpose or Government Purpose reserve under s.24 or s.24A Reserves Act. [A change of classification would involve a change between two of the classes provided for in ss.17 to 23 of the Act.]

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

classification putting a reserve into a class under that Act; or a scenic, or a government or local purpose reserve into a type.

Commissioner see s.2 Reserves Act

Concession see s.2 Reserves Act [Does not apply to reserves vested in an administering body.]

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

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

Delegated powers powers under the Reserves Act delegated by the Minister of Conservation under the provisions of s.10 of that Act

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

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

District plan the purpose of the preparation, implementation and administration of district plans is to assist territorial authorities to carry out their functions in order to achieve the purpose of the RMA (s.72 RMA)

Domain board redundant term . now a reserve board or a local authority (s.16(7) Reserves Act)

Easement generally an interest in land granted under s.48 Reserves Act over a reserve or acquired under s.12 Reserves Act over private land, or similar

Esplanade reserve a type of local purpose reserve (see s.229 RMA)

Exchange an exchange of reserve land for other land (s.15 Reserves Act)

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

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

Government purpose Reserve a class of reserve provided for in s.22 Reserves Act

hapu sub tribe with common interest in land

he here kia mohio duty to be informed

Iwi tribe; people

kaitiakitanga the exercise of guardianship/custodianship/stewardship by the tangata whenua

kawanatanga government

koivi bones, human remains

Lease see s.2 Reserves Act eg a lease granted under s.54 Reserves Act in respect of a recreation reserve, or a lease granted as a concession under s.59A of the Act etc

Legal description the unique description of a parcel of land given to it on a Survey Office Plan or a Deposited Plan or a Maori Land Plan . see Survey Regulations 1998. [Typically you will find these types of descriptions for reserves used in the schedule of a *Gazette* notice, a certificate of title, or on these types of plan illustrating land boundaries.]

Lessee the holder of a lease

Licence see s.2 Reserves Act eg a licence granted under s.74 to occupy a reserve temporarily, or a licence granted as a concession under s.59A of the Act, etc

Licensee the holder of a licence

Local authority see s.2 Reserves Act

Local purpose reserve a class of reserve provided for in s.23 Reserves Act

Management plan a management plan provided for in s.41 Reserves Act

Mana Maori Maori jurisdiction or authority

mana whenua iwi having authority over land

National reserve an overlay on a reserve declared under s.13 Reserves Act

Nature reserve a class of reserve provided for in s.20 Reserves Act

Objection an objection for the purposes of s.120 Reserves Act

Parcel of land an area of land with a unique legal description

Partnership (Treaty of Waitangi) see any authoritative Treaty text

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

Public notice a notice to which s.119 or some other provision of the Reserves Act applies

Public reserve see s.2 Reserves Act

Recreation reserve a class of reserve provided for in s.17 Reserves Act

Regional Council as specified in Pt I of the First Schedule to the Local Government Act 2002, and in Pt 39A and in sections 684C to 684F, includes the Chathams Islands Council

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

Registration the registration of an instrument under the Land Transfer Act 1952

Revocation the process of reserve revocation under s.24 Reserves Act

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

Road reserve unformed legal road or a local purpose (road) reserve to which s.111 Reserves Act applies

Scenic reserve a class of reserve provided for in s.19 Reserves Act; there are two types

Scientific reserve a class of Reserve provided for in s.21 Reserves Act

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

Submission a submission for the purposes of s.120 Reserves Act

tangata whenua people of the land

taonga treasure, artefacts

Territorial authority a district or city council as specified in s.37L, Part 1 of the Local Government Act 1974; see s.2 Reserves Act

tinō rangatiratanga iwi authority with control over Taonga; absolute sovereignty

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

Trust generally used to refer to the obligations of the administering body under s.40 Reserves Act

Trustee see s.2 Reserves Act

Ultra vires outside or beyond the terms of the proper authority

Vested reserve a reserve which is vested in an administering body and not vested in the Crown. Note that land which has been declared to be a reserve (s.14 Reserves Act) or has been acquired in trust as a reserve, is treated as vested in the reserves administering body for the purpose of administration of the Reserves Act.

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