

**WAIMATE DISTRICT CONSOLIDATED BYLAW 2018****CHAPTER 7****7 PARKS AND RESERVES, BEACHES, AND TRACKS****Scope**

The purpose of this chapter of the Bylaw is to allow for the use of Parks, Reserves, Beaches and recreational tracks in a manner that will not impinge upon the enjoyment of others or cause damage to natural areas and improvements.

**701 Entrances and Exits Only to be Used**

701.1 No Person shall enter or leave any Reserve except through the openings, gateways, entrances, or exits provided for that purpose.

**702 Obstruction of Entrances, etc.**

702.1 No Person shall obstruct any of the approaches, entrances, exits, thoroughfares, or walks of any Reserve, and (where gates are provided) no Person shall enter any Reserve unless the Reserve is open for the admission of the public.

**703 Damage and Interference**

703.1 No Person shall interfere with, any inscription or any labels attached to or connected with any article, tree, shrub or other plant in any Reserve, or any notice used to indicate or exhibit any name, regulation, or Bylaw in any Reserve.

703.2 No Person shall remove, damage, or destroy, or attempt to remove, damage or destroy, any structure or any fitting within any Reserve.

703.3 No Person shall, without prior permission, in respect of any Reserve take, deposit, remove or disturb any soil, shrub, tree or other growth, or take any seed, or cutting or interfere with any flowers, ferns, or greenery.

703.4 No Person shall enter any of the enclosures or places set apart for the cultivation of plants in any Reserve

(a) On any portion of the Reserve on which the same is forbidden by notice;

(b) On any plantation, flowerbed, or garden.

703.5 No Person shall deface by writing or otherwise or in any other manner damage any building or structure in any Reserve, or therein act or use these buildings or structures in an appropriate manner.

**704 Litter**

704.1 No Person shall leave any litter within the limits of any Reserve otherwise than in receptacles provided.

**705 Pollution**

705.1 No Person shall deposit offensive, or dangerous matter or cause pollution within the limits of any Reserve, be it to land, water or air.

**706 Dogs**

706.1 Dogs are only allowed on reserves, as noted in Chapter 6.

**707 Firearms**

707.1 No Person shall carry any loaded firearm on or across a Reserve or use or discharge any such firearm on any part of a Reserve unless specifically authorised by Council.

**708 Water**

708.1 No Person shall permit or cause wastage of water or permit any water tap to flow for a period longer than may be reasonably required for the filling of utensils for drinking, cooking, or washing purpose; nor shall any Person in any manner pollute or otherwise render unfit for use for human consumption or otherwise any water supply in any Reserve.

**709 Wandering Stock**

709.1 No Person shall, without the prior permission of Council, turn in or allow any Animal to wander or graze within the limits of any Reserve.

**710 Riding and Driving**

710.1 No Person shall without Council's permission park, ride or drive any vehicle or bicycle, or drive, ride, or lead any horse, or other animal on any area of any Reserve except on those areas set aside specially for such purpose.

**711 Speed**

711.1 No Person shall drive or operate any Vehicle in any Reserve at a speed in excess of the speeds indicated on the signs displayed in the Reserve or listed in Chapter 11 of this Bylaw.

**712 Dangerous and Inconsiderate Driving**

712.1 No Person shall drive or ride any Animal or drive or operate any Vehicle in any Reserve without due care and attention or without reasonable consideration for other Persons using the Reserve.

712.2 No Person shall drive or ride any Animal or drive or operate any Vehicle within any Reserve in such a manner as to cause damage to the surface or to any part of the Reserve.

**713 Notices and Signs**

713.1 No Person shall post or interfere with any placard, sign, or notice board in, on, or about any Reserve without the prior permission of Council, nor without such permission distribute any handbill or notice in a Reserve or at any entrance to a Reserve.

**714 Bathing**

714.1 No Person shall bathe or wade within a Reserve in any water where such bathing or wading has been prohibited by Council.

**715 Lighting Fires**

715.1 No Person shall, without the express permission of Council, light any fire in a Reserve except in a place specially provided by Council for that purpose, or set fire to any vegetation in any Reserve.

715.2 No Person shall light any fire or continue burning the same in a Reserve after sunset without the consent of Council or the Custodian.

**716 Erection of Tents and Booths**

716.1 No Person shall put up or erect any stall, tent or structure of any kind within any Reserve except by permission of an authorised Officer of Council, and only then in compliance with every condition under which such permission may have been granted.

**717 Trading and Intoxicating Liquors**

717.1 No Person shall sell or offer for sale any article of food or merchandise or liquor or drink, or carry on any trade, within any Reserve, without permission of Council, and then only in compliance with every condition under which such permission may have been granted.

**718 Misbehaviour**

718.1 Within the limits of any Reserve, no Person shall obstruct, annoy, or interfere with any other Person in the use or enjoyment of any Reserve, or use any obscene language, or be intoxicated or under the influence of drugs or in any way behave in an offensive manner.

**719 Destruction of Fauna**

719.1 No Person shall by any means whatsoever destroy or take any Animal, fish, bird, nest, or egg, or attempt so to do, in or from any Reserve without the prior consent of Council:

Provided that in the case of any Animal or bird protected by the Wildlife Act 1953 no such permission shall be granted unless and until the provisions of that Act have been complied with to Council's satisfaction.

**720 Assemblies**

720.1 No Person shall, within the limits of any Reserve and except with the prior permission of Council, conduct any public meeting or gathering, or make any public address, or attempt to collect a crowd.

**721 Interference with Workers**

721.1 No Person shall in any Reserve interrupt or interfere with any Person working therein.

**722 Sports and Games**

- 722.1 Council may prevent any game being played on any Reserve or any part thereof which is liable to damage the said Reserve or anything therein, or which could otherwise be detrimental to the Reserve, or any part thereof.
- 722.2 Every Person who fails upon the request of Council as aforesaid to stop playing or taking part in any such game shall commit an offence against this chapter of the Bylaw.
- 722.3 No Person shall play any game in any Reserve except upon such areas of the Reserve set apart for that purpose.
- 722.4 No Person shall play at or engage in or practice activities or sports on any playing ground or part thereof on any Reserve after being requested by Council to leave, or when any notice is erected at the main entrance to such playing ground or Reserve or on the particular part thereof bearing the words GROUND CLOSED TO PLAY whether alone or with any other words.
- 722.5 No Person shall play or practise golf on a Reserve except on a Reserve, or any part thereof, which Council has by resolution set aside for that purpose.
- 722.6 No Person shall place any merry-go-round, stall, fence, barrier, or any other article within a Reserve without the permission of Council.

**723 Unmanned Aircraft**

- 723.1 No Person shall fly any unmanned aircraft within a Reserve except with the prior permission of Council and then only in compliance with every condition under which such permission is granted.

**724 Landing of Aircraft**

- 724.1 No Person shall make use of any part of any Reserve for the purpose of the landing thereon or flying therefrom of an aircraft or of any kind of flying machine or glider except in case of emergency or in accordance with the prior permission of Council.

**725 Council Officers**

- 725.1 No act by any Officer, employee, or agent of Council when engaged in duties on any Reserve shall constitute an offence against this chapter of the Bylaw.

**726 Times of Opening of Reserves**

- 726.1 Council may from time to time, by public notice, prescribe the period or periods during which any particular Reserve, or any part thereof, shall be open to the public.
- 726.2 If Council has prescribed such period or periods in the manner aforesaid, no Person shall be in or upon or remain in or enter such Reserve, or part thereof, otherwise than during such period or periods.

**727 Closing in Special Circumstances**

- 727.1 Council may close any Reserve, or parts thereof, as a result of civil disorder, bio security hazard, natural disaster, safety hazard or such other factor as is deemed necessary.
- 727.2 No Person shall enter or remain in such Reserve or nominated part thereof during such period of closing without the prior permission of Council.

**728 Charges on Special Occasions**

- 728.1 Council may close all or any part of any Reserve during such times as it thinks fit, and where charges may lawfully be made, may fix charges within legal limits for the right to use such parts of a Reserve as are open to the public.
- 728.2 Council may adopt regulations governing the use of such parts of any Reserve, and may fix charges for this purpose. Each area within a Reserve shall be used only for the purpose for which it was constructed or set apart, and no Person shall enter that part of a Reserve unless they shall have first paid the charge fixed for that purpose.
- 728.3 Every Person who on any day for which a charge is payable for admission to any Reserve, or part thereof, enters any such Reserve, or part thereof, without paying the proper charge commits an offence against this chapter of the Bylaw.
- 728.4 Every Person who on any day for which a charge is payable for admission to any Reserve, or part thereof, has, before the hour at which any use for which the charge is made is due to commence, entered such Reserve, or part thereof, without paying the prescribed charge for admission, shall before the commencement of the activity for which the admission fee has been charged either pay the proper charge for admission or leave the Reserve, or that part subject to the admission charge.

**729 Breach of Bylaw**

- 729.1 Every Person committing any breach of the provisions of this Chapter of the Bylaw shall, upon request by/of Council's Officer or agent immediately leave the Reserve and may be prohibited from appearing on the Reserve for such periods as Council deems fit. Any Person failing with all reasonable speed to comply with such request shall commit a further offence.

**730 Offenders Required to Give Names**

- 730.1 Any Person who in the opinion of Council commits a breach of any of the provisions of this chapter of the Bylaw shall if so requested by an Authorised Officer or Council's agent, supply his/her full name and address.

## BEACHES

In addition to the above provisions of this chapter of the bylaw, specific provisions for beaches follow:

### **731 Protection of property**

731.1 Except with the prior consent of Council, which may be granted subject to conditions no person shall:

- (a) Remove from any beach any stone, shingle, sand, boulders, silt, mud, or other material above the mean high water springs:
- (b) Use any part of a beach as a hauling-out site for the wintering of boats.

### **732 Prohibition of bathing/swimming**

732.1 Council may prohibit bathing or swimming on any beach or any part thereof, and may erect notice boards defining the limits within which bathing or swimming shall be confined, and any person bathing or swimming anywhere on such beach (or part thereof) and outside such limits commit an offence against this chapter of the bylaw.

## TRACKS

In addition to the above provisions of this chapter, specific provisions for tracks follow:

### **733 Defined Use**

733.1 Council may, from time to time, designate certain Tracks or walkways for the exclusive use of walkers or cyclists.

733.2 Any such designation imposed under clause 733.1 shall not include a walkway in bush, which shall remain for the exclusive use of walking.