

South Wairarapa District Council

HEARINGS COMMITTEE

Order Paper for a meeting to be held in the Council Chambers at South Wairarapa District Council, 19 Kitchener Street, Martinborough on

Wednesday 8th November, 2017 starting at 9:00am

To hear and deliberate on submissions to the draft Community Groups Use of and Access to Council Parks and Reserves Policy

MEMBERSHIP OF THE COMMITTEE

Her Worship Viv Napier (Chairperson)

Cr P Colenso

Cr M Craig

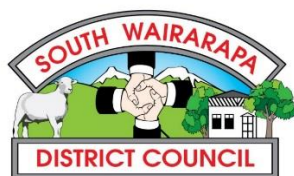
Cr D Harwood

Mrs L Cornelissen

Mrs L Hay

Mrs B West

**RECOMMENDATIONS IN REPORTS ARE NOT TO BE CONSTRUED
AS COUNCIL DECISIONS UNTIL ADOPTED**



AGENDA

The meeting will be held in the South Wairarapa District Council Chambers, 19 Kitchener Street, Martinborough and will commence at 9.00am. The meeting will be held in public with the express purpose of hearing and deliberating on submissions to the draft Community Groups Use of and Access to Council Parks and Reserves Policy Report.

1. **Karakia**
2. **Apologies**
3. **Conflicts of Interest**
4. **Submission Hearings as per Schedule**

Schedule of Submissions Hearings				
No.	Submitter	Start Time	Presenting	Submissions Bundle Pages
1	Emily Greenberg	9:05am	Yes	1-4
2	Martine Bijker, Featherston First Friday's	9:15am	Yes	5-7
10	Annemarie Thompson	9:25am	Yes	21-22
13	Heather Martin	9:35am	Yes	27

6. **Deliberations**
- 6.1 **Community Groups Use of and Access to Council Parks and Reserves Policy Report**

HEARINGS COMMITTEE

8 NOVEMBER 2017

AGENDA ITEM 6.1

COMMUNITY GROUPS USE OF AND ACCESS TO COUNCIL PARKS AND RESERVES POLICY REPORT

Purpose of Report

To inform Committee members of the submissions received in consultation on the above policy and to provide officers' comments in response.

Recommendations

Officers recommend that the Committee:

1. *Receives the information; and*
2. *Accepts the draft policy as attached and recommends its adoption to Council.*

1. Executive Summary

At its meeting of November 2016, Featherston Community Board asked to be consulted on the development of guidelines for the use of the new Featherston Town Square. This triggered the development of a wider set of terms and conditions for events in the most frequently-used council parks and reserves. These were reviewed by Featherston Community Board at its January 2017 meeting and subsequently referred to the Greytown and Martinborough Community Boards for their review. The draft terms and conditions were then appended to policy 502: Community Groups Use of and Access to Council Parks and Reserves and submitted to the Council meeting of 20 September 2017 where Council resolved (DC2017/132) to send the policy to public consultation. The attached marked-up draft of the policy (Appendix 1) shows amendments reflecting valuable feedback from the submissions. The attached submissions summary (Appendix 2) details officers' responses to specific elements of the submissions, for the guidance of the Hearings Committee.

2. Appendices

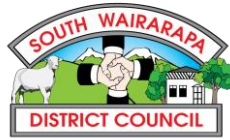
Appendix 1 – Draft Community Groups Use of and Access to Council Parks, Reserves and Open Spaces Policy

Appendix 2 – Submissions Summary

Contact Officer: Helen McNaught, Amenities Manager

Reviewed By: Paul Crimp, Chief Executive Officer

**Appendix 1 – Draft
Community Groups Use of
and Access to Council Parks,
Reserves and Open Spaces
Policy**



PROPERTY

Community Groups Use of, and Access to, Council Parks, Reserves and Open Spaces, Policy

1. RATIONALE:

- 1.1 Community groups, sports clubs, commercial entities and individuals may from time to time seek access to Council-owned and managed open spaces, reserves and parks. This may be on an on-going, usually seasonal, basis (e.g. sporting fixtures), or an event basis (e.g. one-off sporting events, fairs, festivals, weddings). In some circumstances organisations may have, or may seek to have, buildings or other structures located on parks, reserves or open spaces.
- 1.2 This policy sets out a basis and terms for such access and use that meets the needs, obligations and responsibilities of both the users and the Council.

2. PURPOSE:

- 2.1 To set out in general terms the policy framework underlying operational procedures for community, sporting, commercial and event usage of Council-owned parks, reserves and open spaces.

3. FEES AND CHARGES

- 3.1 Use of council parks, reserves and open spaces for sporting and event use is generally free to community groups, sports clubs and other non-commercial entities. The council may recover costs for the provision of services such as additional rubbish collection, line-marking etc. Any need for such cost-recovery will be advised at the time of booking.
- 3.2 A Licence to Occupy for a council park, reserve or open space incurs an annual rental charge which is agreed between the licensee and the council.
- 3.3 A refundable damage bond may be charged for events, but not for sporting use.

4. REQUIREMENTS

4. ~~Sporting On-Going Use~~

4.1.1 ~~Community groups, sports clubs, commercial entities or individuals Sports clubs and other community groups~~ seeking to use Council parks, reserves and open spaces for ~~recreational regular sporting~~ purposes, such as a season must make an application to the Council each year, two calendar months before the official start of the season.

4.1.2 The application is to be made on the ~~attached form (Appendix 1)~~ prescribed form and must provide a minimum of the following information:

- name of club, organisation or group;
- two contact names with addresses and telephone numbers;
- dates or period the use is to cover;
- proposed times of use;
- number of persons involved and/or teams;
- purpose or activity planned;
- any special requirements of the activity for the area concerned e.g. line marking, supply of rubbish bins.

4.1.3 The Council will assess the application and set out in writing any conditions to be imposed and any fee or charge that is payable upon approval being given. ~~In certain circumstances verbal approval can be given.~~

4.1.4 Fees or charges generally will not be waived other than in an exceptional case which will require the specific approval of the Chief Executive Officer, ~~though small group use, such as for a day, may not incur a fee.~~

4.1.5 A damage bond may be required ~~– see 6.4 below, and will be refunded in part or in full following a condition inspection.~~

4.1.6 If a park, reserve or open space has a reserve management plan, the conditions of the plan must be complied with by users at all times.

4.1.7 One-off sporting events outside of regular scheduled play will be treated as events under 4.2 below.

4.2 Event Use

4.2.1 An event is a planned public or social occasion.

- 4.2.2 Community groups, sports clubs, commercial entities or individuals seeking to hold an event on a Council park, reserve or open space must make a written application to Council in advance of the event using the Event Application Form.
- 4.2.3 The Council will assess the application and set out in writing any conditions to be imposed and any fee that is payable upon approval being given.
- 4.2.3 Fees generally will not be waived other than in an exceptional case which will require the specific approval of the Chief Executive Officer, though minor use, such as for a day, may not incur a fee.
- 4.2.4 A damage bond may be required, ~~-- see 6.4 below and will be refunded in part or in full following a condition inspection.~~
- 4.2.5 If a park, reserve or open space has a reserve management plan, the conditions of the plan must be complied with by users at all times.

4.3 Licence to Occupy

- 4.3.1 In certain situations community groups, sports clubs, commercial entities or individuals may seek to have long-term and/or exclusive use of part of a park, reserve or open space. This may be where they have, or wish to have, a club house, community hall or like building or facility which is owned by them on the property, or where the right of exclusive use for certain periods is desired.
- 4.3.2 Occupancy of such land is at the sole discretion of the Council and is required to be supported by a Licence to Occupy. Such a licence may be exclusive or non-exclusive, at the discretion of the Council. The costs of the preparation of the licence, and any variations or renewals will be borne by the licensee if it is a commercial or for-profit entity, and by the Council if it is a local community organisation.
- 4.3.3 While a Licence to Occupy is negotiated between the parties, the Council will have certain minimum requirements that are not negotiable.
- 4.3.4 The Council will charge a ~~fee, or~~ rental, usually a relatively nominal amount payable annually, that recognises this use of part of a public amenity.
- 4.3.5 Such fees or charges will not be waived, remitted or specifically subsidised from any other Council financial sources or budgets.

4.3.6 Community groups, sports clubs, commercial entities or individuals entering into such Licences to Occupy will be required to comply with all Council regulations and bylaws and with all relevant government legislation in particular, the Local Government Act 2002 and 1974, Health and Safety at Work Act 2015 and Reserves Act 1977.

4.3.7 A community group, sports club, commercial entity or individual having a Licence to Occupy for a Council park, reserve or open space is still required to make either :

4.3.7.1 an annual application for seasonal sporting use,
or

4.3.7.2 an event application for event use; and
to pay the relevant fees as set out in the Council's Annual or Long Term Plan, in addition to the annual Licence to Occupy fee.

~~3.3.8 Clubs or groups seeking to use a Council owned building or facility on a park/reserve must enter into a rental agreement with the Council. Such an agreement will broadly follow and be structured along the same lines as a Licence to Occupy. [paragraph deleted as covered by Hire of Council Facilities Policy]~~

5. DISPUTES

5.1 In the event of a dispute between the Council and a user group or organisation that is not covered by a provision contained in a legal agreement, the decision of the Council shall be final with no recourse to appeal.

5.2 The use of, and access to, Council reserves, parks and open spaces is a privilege and the interests of the District's ratepayers is a determining factor in all of the Council's decision making processes.

6. TERMS AND CONDITIONS FOR EVENTS IN PARKS AND RESERVES

6.1 Application of existing policies and plans

6.1.1 The Community Groups Use of, and Access to, Council Parks, Reserves and Open Spaces Policy applies.

6.1.2 The requirements of any Reserves Management Plan in force for the park, reserve or open space will apply.

6.1.3 South Wairarapa District Council encourages the use of parks, reserves and open spaces for events, but does have a responsibility to maintain these spaces for future generations. The Council reserves the right to deny approval, or require a bond, for activities which give officers

reasonable cause to believe may put facilities and structures at risk of damage or destruction beyond normal wear and tear.

6.2 Bookings

6.2.1 Any event use as defined under 4.2.1 above ~~Publicised gatherings of 20 or more people in of~~ a park, reserve or open space requires a booking to be made on the Event Application Form. The booking will be confirmed once the Event Application Form has been signed off and any applicable fees paid.

6.2.2 The Event Organiser shall be responsible for obtaining all permits, consents, approvals and licenses required for the event – the Event Application Form is the checklist for ensuring the Event Organiser is aware of all potential requirements.

6.2.3 A key may be required to access some parts or facilities. Council staff will advise when the key may be collected, and where from, and where it is to be returned to. Keys must be returned as soon as possible after the event.

6.2.4 Event approval applies to the approved allocated area as indicated on the Event Application form and as instructed by Council officers for the specified date/s only.

6.2.5 The Event Organiser shall not assign or transfer their approved event booking to any other person without the prior written approval of Council.

6.3 Cancellations

6.3.1 Cancellation or postponement of an event must be advised to Council as soon as possible.

6.3.2 Should any of these Terms and Conditions, and any additional conditions made as part of Event Approval not be met or adhered to, Council may withdraw approval at any time, and any future applications for ~~park~~ use may be denied.

6.4 Damage bonds

6.4.1 A bond may be required at the time of booking to cover potential costs of repairing any damage and undertaking any clean-up work (if the area is not left in the way it was found).

6.4.2 The bond amount will depend on the area used and the scale of activities undertaken. Bonds will be refunded if the ~~space~~park is returned to its

original condition at the end of the event and conditions have been complied with. Council reserves the right to deduct any costs it incurs as a result of the event from any bonds held.

6.5 General Conditions

6.5.1 Emergency and public access ways must be kept clear at all times.

6.5.2 Activities must not restrict general public access and enjoyment of the park, reserve or open space. Event bookings do not grant generally exclusive rights to the use of the park, reserve or open space, although exceptions are made for major public events (eg Martinborough Fair and similar). No park, reserve or open space will be bookable for a use which excludes the public.

6.5.3 Directions given by Council officers as part of the Event approval must be followed.

6.5.4 All resources in the park, reserve or open space, including fences, structures, vegetation, rocks and turf are protected and must not be damaged or permanently altered in any way.

6.5.5 Any requests for additional work on the park, reserve or open space necessary for the event will generally be carried out by the Council's approved contractor, as directed by Council officers. Cost of additional works will be at the expense of the Event Organiser. Details of special requirements must be provided at time of booking.

6.5.6 The Event Organiser must notify the Council of any accident in the park, reserve or open space during an event, or any defect in the facilities or equipment that the Event Organiser becomes aware of.

6.5.7 The Event Organiser will not make any alterations or additions to any facilities (including the fixing of temporary signs or advertisements in the park, reserve or open space or to the exterior of any structure) without the prior written approval of the Council.

6.5.8 Council parks and reserves are smoke-free, and all organised events on parks/reserves should be promoted as being smoke-free.

6.5.9 Council will not be responsible for any damage caused to the property of the Event Organiser, or event participants/attendees.

76. Specific conditions for frequently-used parks, reserves and open spaces

Park / reserve / <u>open space</u>	Alcohol	Vehicles	Fires/Fireworks	Tents/marquees	Amusement devices¹	Dogs – refer to <u>SWDC Dog Control Bylaw 2013 for more detailed information</u>
Barr-Brown Reserve Featherston	Not permitted at any time	Not permitted at any time	Not permitted at any time	Not permitted at any time	Not permitted at any time	On leash only
Card Reserve Featherston	With Council permission if licensing requirements met	Emergency vehicles at any time. All other vehicles by arrangement with Council	With Council permission	With Council permission – <u>building consent may be required – refer to Event Application form</u>	With Council permission – <u>registration under the Amusement Devices Regulations 1978 may be required</u>	Not permitted on marked sportsfields. Elsewhere, on leash only
Clifford Square Featherston	Not permitted at any time – within liquor ban area – <u>refer to South Wairarapa Liquor Control bylaw 2011</u>	Emergency vehicles at any time. All other vehicles by arrangement with Council	Not permitted at any time	With Council permission – <u>building consent may be required – refer to Event Application form</u>	With Council permission – <u>registration under the Amusement Devices Regulations 1978 may be required</u>	On leash only
Dorset Square Featherston	With Council permission if licensing requirements met	Emergency vehicles at any time. All other vehicles by arrangement with Council	Not permitted at any time	With Council permission – <u>building consent may be required – refer to Event Application form</u>	With Council permission – <u>registration under the Amusement Devices Regulations 1978 may be required</u>	On leash only

¹ Amusement devices are defined by the Machinery Act 1950 S.21A as "an appliance to which the motion of a prime mover is transmitted and which is used, or designed or intended to be used, for the amusement, recreation, or entertainment of persons being carried, raised, lowered, or moved by the appliance or any part thereof while it is in motion; and includes the prime mover, transmission machinery, supporting structure, and any equipment used or intended to be used in connection therewith".

Adopted 24/5/2006
Amended: June 2017
Review: June 2020

E502

Park / reserve /open space	Alcohol	Vehicles	Fires/Fireworks	Tents/marquees	Amusement devices	Dogs
Featherston Town Square	Not permitted at any time – within liquor ban area – refer to South Wairarapa Liquor Control bylaw 2011	Two areas provided for event vehicles, as marked on layout plan, by arrangement with Council. No other vehicles at any time	Not permitted at any time	With Council permission – building consent may be required – refer to Event Application form	Not permitted at any time	On leash only
Lake Domain Reserve Featherston	With Council permission if licensing requirements met	Permitted	With Council permission	With Council permission – building consent may be required – refer to Event Application form	With Council permission – registration under the Amusement Devices Regulations 1978 may be required	On leash only
Otauirā Reserve Featherston	With Council permission if licensing requirements met	Permitted	Not permitted at any time	With Council permission – building consent may be required – refer to Event Application form	With Council permission – registration under the Amusement Devices Regulations 1978 may be required	On leash only
Peace Garden / Sakura Park SH2 Featherston	Not permitted at any time	Parking on sealed area only – no vehicles on grassed areas	Not permitted at any time	Not permitted at any time – building consent may be required – refer to Event Application form	Not permitted at any time	On leash only

Adopted 24/5/2006
Amended: June 2017
Review: June 2020

E502

Park / reserve / <u>open space</u>	Alcohol	Vehicles	Fires/Fireworks	Tents/marquees	Amusement devices	Dogs
Arbor Reserve Greytown	Not permitted at any time	Parking on sealed area only – no vehicles on grassed areas	Not permitted at any time	With Council permission – building consent may be required – refer to Event Application form	Not permitted at any time	On leash only
Collier Reserve Greytown	With Council permission if licensing requirements met	Not permitted	Not permitted at any time	With Council permission – building consent may be required – refer to Event Application form	With Council permission – registration under the Amusement Devices Regulations 1978 may be required	On leash only
Kowhai Reserve Greytown	Not permitted at any time	Not permitted	Not permitted at any time	With Council permission – building consent may be required – refer to Event Application form	With Council permission – registration under the Amusement Devices Regulations 1978 may be required	On leash only
Soldiers’ Memorial Park Greytown incl O’Connor’s Bush	With Council permission if licensing requirements met	On sealed areas only, except for campground	Not permitted at any time	With Council permission – building consent may be required – refer to Event Application form	With Council permission – registration under the Amusement Devices Regulations 1978 may be required	Not permitted on marked sportsfields. Elsewhere, on leash only
Stella Bull Park Greytown	With Council permission if licensing requirements met	On sealed/gravel areas only, with Council permission	Not permitted at any time	With Council permission – building consent may be required – refer to Event Application form	With Council permission – registration under the Amusement Devices Regulations 1978 may be required	On leash only

Adopted 24/5/2006
Amended: June 2017
Review: June 2020

E502

					<u>required</u>	
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Adopted 24/5/2006
Amended: June 2017
Review: June 2020

E502

Park / reserve / <u>open space</u>	Alcohol	Vehicles	Fires/Fireworks	Tents/marquees	Amusement devices	Dogs
Centennial Park Martinborough	Not permitted at any time	Not permitted	Not permitted	Not permitted	Not permitted	On leash only
Considine Park Martinborough	With Council permission if licensing requirements met	With Council permission	With Council permission	With Council permission – building consent may be required – refer to Event Application form	With Council permission	On leash only
Coronation Park Martinborough	With Council permission if licensing requirements met	With Council permission	With Council permission	With Council permission – building consent may be required – refer to Event Application form	With Council permission	Not permitted on marked sportsfields. Elsewhere, on leash only
Huangarua Park Martinborough	Not permitted at any time	Not permitted at any time	Not permitted at any time	With Council permission – building consent may be required – refer to Event Application form	Not permitted	On leash only
Soldiers' Memorial Park / The Square Martinborough	With Council permission if licensing requirements met	Not permitted at any time	Not permitted at any time	With Council permission – building consent may be required – refer to Event Application form	Not permitted	On leash only

Adopted 24/5/2006
Amended: June 2017
Review: June 2020

E502



**Application to Use:
South Wairarapa District Council
Parks & Reserves**

Sports clubs and other community groups wishing to use Council parks, and reserves for recreational purposes, for a long term such as for a season must make an application to the Council each year, two calendar months before the official start of the season.

This form is to be completed and returned to:-
Amenities Department, SWDC, PO Box 6, Martinborough or email amenities@swdc.govt.nz

Name of Club / Group:

Please supply contact details of two club members:

Name:	Address:
Phone:	Email:
Name:	Address:
Phone:	Email:

Name of council owned facility requested for hire:
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Location within facility (if applicable, e.g. fields 1 & 2):
--

Dates or period the use is to cover:

Number of persons involved and/or teams:
--

Purpose or activity planned:

Any special requirements of the activity for the area concerned (e.g. line marking, particular mowing):

We(name of club / Group) hereby apply to use the facilities listed above and (1) agree that as a condition of use we accept and will be bound by any conditions set by South Wairarapa District Council, and (2) agree to pay the prescribed hire fee (if any) no later than the time at which the facilities are requested for use.
--

RECOMMENDED TO BE SEPARATED FROM POLICY Appendix 1

Signed:	Name:
On behalf of (name of club / group):	

Council Use:

Approved:	Date:	CEM:
Charge:		
Conditions Imposed:		

Appendix 2 – Submissions Summary

Community Groups Use of and Access to Council Parks and Reserves Policy Submissions

Submission Number	Submitter	Section	Comment	Officer Comment	Hearing Decision
1	Emily Greenberg	General	<p>Does not support the Community Groups Use of and Access to Council Parks and Reserve Policy, including the newly drafted Terms and Conditions for Events, but supports the need for a policy.</p> <p>The existing Policy (adopted in 2006) and the new Terms and Conditions specific to events is unclear and inconsistent and not developed in consultation with user groups. This lack of clarity does not provide certainty to applicants or Council officers and is therefore not fit for purpose</p>	<p>Noted. The purpose of a <u>policy</u> is not to set out procedures, but to provide the policy framework within which procedures are developed and used. The development and implementation of procedures is generally regarded as an operational matter.</p>	
2	Martine Bijker, Featherston First Friday's	General	<p>Does not support the Community Groups Use of and Access to Council Parks and Reserve Policy, including the newly drafted Terms and Conditions for Events but does support development of a new policy.</p> <p>The Policy does not clarify or streamline the process of getting permission to hold an event. Notes Councils Annual Plan section Economic, Cultural and Community Development recognises constrained resources and the need for Council to work collaboratively with organisations and community groups.</p>	<p>Noted. The purpose of a <u>policy</u> is not to set out procedures, but to provide the policy framework within which procedures are developed and used. The development and implementation of procedures is generally regarded as an operational matter.</p>	
2	Martine Bijker, Featherston First Friday's	General	<p>States the policy and T&C's are unclear, inconsistent and not fit for purpose. They do not make it easier for event organisers and is punitive rather than positive.</p> <p>Council's event approval process is difficult.</p>	<p>Noted. The actual event process, including the Event Application Form, is reviewed and amended as and when required, in response to feedback from users. These are</p>	

Community Groups Use of and Access to Council Parks and Reserves Policy Submissions

Submission Number	Submitter	Section	Comment	Officer Comment	Hearing Decision
				operational matters and outside the scope of this consultation.	
3	Heidi Holbrook, Kokomai	General	<p>Does not support the Community Groups Use of and Access to Council Parks and Reserve Policy, including the newly drafted Terms and Conditions for Events but does support development of a new policy.</p> <p>The policy was developed without consultation with key stakeholders and is unclear, inconsistent and will cause frustration and friction between Council and event organisers and the possible loss of these events.</p> <p>A policy should be rejected in favour of developing a clear policy in consultation with event organisers and the community.</p>	Noted.	
4	Ross Vickery, Featherston Booktown Trust	General	<p>Does not completely support the Policy including the new T&C's but supports the need for a policy that is developed in consultation with key stakeholders who organise events.</p> <p>Regulation should be no bar to creative initiative.</p>	Noted.	
5	Amy Sutich	General	<p>Does not support the draft policy or T&C's as they are unclear, inconsistent and not fit for purpose, but does support the need for a policy that is developed in consultation with key stakeholders who organise events.</p>	Noted.	
6	Rebekah Mehrtens, Featherston First Friday's	General	<p>Does not support the Community Groups Use of and Access to Council Parks and Reserve Policy, including the newly drafted Terms and Conditions for Events but does support development of a new policy.</p>	Noted.	

Community Groups Use of and Access to Council Parks and Reserves Policy Submissions

Submission Number	Submitter	Section	Comment	Officer Comment	Hearing Decision
			<p>The policy was developed without consultation with key stakeholders and is unclear, inconsistent and not fit for purpose.</p> <p>A policy should be rejected in favour of developing a policy in consultation with key stakeholders.</p>		
7	Liz Mellish CRAST	General	<p>Partially supports the Policy and a review however the Policy is written in such a way that it seems to stop activities rather than to encourage public, private and communities to use and hold events on Council land. The policy is design to punish rather than encourage stronger use</p>	Noted.	
7	Liz Mellish CRAST	General	<p>The role of the Community Boards in this policy is not stated does this only become an operational decision? Clarity on their role would be useful.</p>	<p>All three Community Boards have considered the policy, recommended changes, approved the policy and referred it to Council for public consultation.</p> <p>Implementation of the policy is an operational matter which does not require the involvement of the Community Boards.</p>	
1	Emily Greenberg	Definitions (New)	<p>Policy requires a defn section for words such as event, vehicles, fires, fireworks, tents, marquees, amusement devices, publicised.</p>	<p>“Event” has now been defined within the policy according to the Oxford dictionary; and the statutory definition of “amusement devices” has been added. The remaining words are as commonly understood and in no need of further definition – this would</p>	

Community Groups Use of and Access to Council Parks and Reserves Policy Submissions

Submission Number	Submitter	Section	Comment	Officer Comment	Hearing Decision
				potentially add a greater degree of rigidity to the policy rather than giving it the flexibility it now has.	
2	Martine Bijker, Featherston First Friday's	Definitions (New)	Requests a definitions section to include 'event' as different from 'on-going' or 'recreational event' under section 3.1 Also need defns for vehicle (does this include a trailer?), fire, fireworks, size of a tent/marquee that needs to be permitted and amusement device.	"On-going" was intended for regular sports by clubs, and the wording has been changed to reflect this. Definition of "event" (as per Oxford dictionary) added as 3.2.1. We have not found any other council providing further definitions in their terms and conditions for park use, and believe that to set any further definitions would make the policy rigid rather than giving it the flexibility it now has.	
3	Heidi Holbrook, Kokomai	Definitions (new)	Requires a definitions section to include: event, on-going and recreational events, publicised What qualifies as an event? A rugby game, a political demonstration, a birthday party or picnic?	"On-going" was intended for regular sports by clubs, and the wording has been changed to reflect this. Definition of "event" (as per Oxford dictionary) added as 3.2.1. We have not found any other council providing further definitions in their terms and conditions for park use, and believe that to set any further definitions would make the policy rigid rather than giving it the flexibility it now has.	
5	Amy Sutich	Definitions (new)	Requests a definition section for event differentiating on-going and recreational,	"On-going" was intended for regular sports by clubs, and the	

Community Groups Use of and Access to Council Parks and Reserves Policy Submissions

Submission Number	Submitter	Section	Comment	Officer Comment	Hearing Decision
			publicised (does this include large impromptu groups or Facebook posts?), vehicles (is a mobility scooter a vehicle?)	wording has been changed to reflect this. Definition of “event” (as per Oxford dictionary) added as 3.2.1. We have not found any other council providing further definitions in their terms and conditions for park use, and believe that to set any further definitions would make the policy rigid rather than giving it the flexibility it now has.	
7	Liz Mellish CRAST	Definitions (new)	Seek clarity around other language such as the vehicle restrictions. Does this include all motorised vehicles such as mobility scooters and electric bicycles.	The Oxford dictionary defines “vehicle” as “a thing used for transporting people or goods, especially on land, such as a car, lorry, or cart”. The intention of the vehicle restriction is to prevent damage to turf and landscaping elements by the movement of cars, trucks, trailers etc. The free passage of pedestrians, cyclists and mobility scooters across parks and reserves is anticipated and accepted.	
1	Emily Greenberg	Section 2, Definition of purpose	Section 2: Defn of ‘purpose’ is unclear. Suggests wording of section 1.3 of T&C is used instead.	Amended for clarity.	
1	Emily Greenberg	Section 3 Ongoing Use	Only refers to sports clubs and community groups for recreational purposes, but ongoing use could also be a commercial entity, queries how the policy would provide guidance	“On-going” was intended for regular sports use by clubs, and the wording has been changed to reflect this. A commercial entity	

Community Groups Use of and Access to Council Parks and Reserves Policy Submissions

Submission Number	Submitter	Section	Comment	Officer Comment	Hearing Decision
				would require a Licence to Occupy, and the wording under 4.3 has been adjusted to reflect this.	
1	Emily Greenberg	Section 3.1.2	Refers to Appendix 1 which doesn't exist	Appendix 1 – Application Form was added to the policy at its 2015 review, and is attached to the current version of the policy on SWDC's website. The form was inadvertently omitted from the copy of the policy which went to public consultation. Forms are procedural elements and are likely to be altered frequently in response to operational needs and user feedback. It is preferable for forms to remain outside of policy, however they are on the council website and can be linked to the policy. It is proposed that appendix 1 and references to it are removed from the policy.	
1	Emily Greenberg	Section 3.1.3	Queries how verbal approval gives certainty to applicant	Deleted – appears to be an accidental left-over from a previous policy revision	
1	Emily Greenberg	Section 3.1.4 and Section 3.2 (2)	Queries where fee schedule for ongoing users is, notes also not included in Annual Plan and queries why ongoing use fees aren't set during annual plan consultation	Fee schedules are not part of policies, but are included in the Annual/Long Term Plans. Council currently does not make any charge (apart from Licences to Occupy) for use of parks and reserves. The reference to fees in	

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				the policy allows for charging for commercial use; future AP/LTP fee schedules will include a parks, reserves and open spaces section.	
1	Emily Greenberg	Section 3: Event Use	Refers to organisation or individual which is inconsistent with ongoing use	Clarified by the use of the phrase "community groups, sports clubs, commercial entities and/or individuals" as appropriate throughout the policy.	
1	Emily Greenberg	Section 3.2.1	Event application form not attached to policy, suggests it should be.	Event application form could be attached as a further appendix, however the form is a procedural element and is altered frequently in response to operational needs and user feedback. It is preferable for forms to remain outside of policy, however they are on the council website and can be linked to the policy.	
1	Emily Greenberg	Section 3.2 (2)	What permit does this section refer to?	There is no reference to a permit in section 3.2 (now 4.2).	
7	Liz Mellish CRAST	Section 3.2.3	Concerned that under Event use under 3.2.3. could be worded to say that Fees will apply in exceptional cases with the approval of the CEO or Acting senior official so that applicants have time to seek and gain approvals. Leaving the decision to one person imposes many difficulties. Rather than suggesting one day events may not incur a fee stating that fees will be charged in exceptional cases gives much better opportunity for community groups to use the facilities.	A section outlining the policy of fees and charges has been added.	

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Submission Number	Submitter	Section	Comment	Officer Comment	Hearing Decision
1	Emily Greenberg	Section 3: Licence to occupy	Refers only to community groups and societies, inconsistent with other sections.	Edited for consistency	
1	Emily Greenberg	Section 3.3.3	Should state minimum requirements in policy.	A Licence to Occupy is an operational matter dealt with on a case by case basis as part of council's overall property management. Minimum requirements will be specific either to the property or to the licensee and have no place in a policy.	
1	Emily Greenberg	Section 3: Disputes Section 3.4.1	Believes no recourse is unacceptable especially given lack of clarity in policy.	Noted, but no change recommended.	
1	Emily Greenberg	Section 3.4.2	Queries what statement has to do with disputes	Council's decision-making, including in the case of disputes, is guided by council's role in ensuring the best interests of the district and its ratepayers over the long term.	
1	Emily Greenberg	T&C General	Notes inconsistent numbering, T&C should start with '4'.	Noted and amended	
3	Heidi Holbrook, Kokomai	T&C General	Notes inconsistent numbering, T&C should start with '4'.	Noted and amended	
6	Rebekah Mehrtens, Featherston First Friday's	T&C General	Notes inconsistent numbering, T&C should start with '4'.	Noted and amended	
1	Emily Greenberg	T&C General	Unclear why the T&C is needed for events, the section is redundant, inconsistent, section 6 lists	Terms and conditions apply to the use of any council-owned property.	

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			only some parks and reserves and other bylaws and policies referred to but allowances aren't made for exceptions.	The T&Cs for hire of council buildings are published information although do not form part of the associated policy.	
1	Emily Greenberg	T&C General	Why is Lake Domain the only rural reserve in the table?	The table was developed to provide guidance around the urban parks, with the Lake Domain and the Peace Garden included as the two rural reserves most frequently used for events. Council has over 60 parks and reserves – applications for use of those not included in the table will be dealt with on a case-by-case basis, guided by the policy, the Reserves Act 1977 and any reserve management plans in force.	
1	Emily Greenberg	T&C General	Why is Fstn Town Square included as Council hasn't gazetted as a park or reserve	Council has several open spaces which are called parks or reserves which are not gazetted reserves. A change is proposed whereby the title of the policy and references within it will be to "council parks, reserves and open spaces" to accommodate those parks and open spaces which are not reserves. The question of whether or not Featherston Town Square should be gazetted as a reserve is outside the scope of this discussion.	

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Submission Number	Submitter	Section	Comment	Officer Comment	Hearing Decision
1	Emily Greenberg	T&C General	Attach the layout plan for vehicles to the policy and make it publicly available.	This refers to the specific conditions for Featherston Town Square. The layout plan is provided to event organisers on inquiry, and will be added to the resources available on the SWDC website.	
1	Emily Greenberg	Section 1.3(T&C)	Suggests this section is used for the policy purpose. Suggests that the policy is rejected and the purpose of the policy be based on SWDC facilitating and then written based on consultation with stakeholders.	It is assumed that the usual consultation processes were followed when the policy was developed in 2006, and amended in 2015. Council officers work closely with organisers of major events such as Toast Martinborough and the Martinborough Fairs, and have incorporated their feedback into both policy and procedure where appropriate.	
2	Martine Bijker, Featherston First Friday's	Section 1.3(T&C)	All activities carry risk and cause wear and tear. There is no provision for 'fair and reasonable' Suggests: The Council reserves the right to deny approval, or require a bond, for activities which give reasonable cause to believe they may put facilities and structures at risk of damage or destruction, beyond normal wear and tear.	Agreed and amended accordingly	
3	Heidi Holbrook, Kokomai	Section 1.3 (T&C)	Suggests this section is used for the policy purpose. Suggests that the policy is rewritten and the purpose be for SWDC to 'facilitate' and the entire policy should be rewritten to reflect this	Policy purpose clarified as noted above	

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			facilitation and what outcomes it seeks to achieve.		
5	Amy Sutich	Section 1.3 (T&C)	Wording should be transferred to purpose at section 2.1, however prefers the policy is rewritten so that the purpose is that SWDC facilitate use and outline outcomes it seeks to achieve.	Policy purposed clarified as noted above	
6	Rebekah Mehrstens, Featherston First Friday's	Section 1.3 (T&C)	Wording should be transferred to purpose at section 2.1, however prefers the policy is rewritten so that the purpose is that SWDC facilitate use and outline outcomes it seeks to achieve.	Policy purpose clarified as noted above	
1	Emily Greenberg	Section 2.1(T&C)	If policy is not rejected change 'a' to 'Publicised gatherings of private or organised 50 or more people..'	Clarified by reference to 4.2.1 definition of "event"	
2	Martine Bijker, Featherston First Friday's	Section 2.1 (T&C)	Requests definition for 'publicised' and change to 'Publicised gatherings of private or organised 50 or more people'	Clarified by reference to 4.2.1 definition of "event"	
3	Heidi Holbrook, Kokomai	Section 2.1 (T&C)	Requests change to 'Publicised gatherings of private or organised 50 or more people..'	Clarified by reference to 4.2.1 definition of "event"	
4	Ross Vickery, Featherston Booktown Trust	Section 2.1 (T&C)	The 20-person criterion is too restrictive.	Clarified by reference to 4.2.1 definition of "event"	
5	Amy Sutich	Section 2.1(T&C)	Suggest it is changed to 'publicised gatherings of private or organised 50 or more people', provided a clear defn of publicised is provided.	Clarified by reference to 4.2.1 definition of "event"	

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6	Rebekah Mehrtens, Featherston First Friday's	Section 2.1 (T&C)	Requests definition for 'publicised' and change to 'Publicised gatherings of private or organised 50 or more people'	Clarified by reference to 4.2.1 definition of "event"	
1	Emily Greenberg	Section 2.4(T&C)	Policy implies there is an 'event permit'. How do the written conditions relate to 2.4 and putting in two places 3.2.3 and 2.4 is confusing.	There is no event permit. Specific conditions for use of a park, reserve or open space for an event are provided in writing, generally by email, as part of the events application process. Other conditions may apply if the event application triggers additional formal consent requirements such a liquor or food licences and resource and building consents. These conditions are provided as part of the specific licence or consent process.	
2	Martine Bijker, Featherston First Friday's	Section 2.4 (T&C)	Is there an event approval permit? Section 3.2.3 implies there is and refers to conditions. Sections are inconsistent.	There is no event permit. Specific conditions for use of a park, reserve or open space for an event are provided in writing, generally by email, as part of the events application process. Other conditions may apply if the event application triggers additional formal consent requirements such a liquor or food licences and resource and building consents. These conditions are provided as	

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				part of the specific licence or consent process.	
3	Heidi Holbrook, Kokomai	Section 2.4(T&C)	Is there an event permit? Section 3.2.3 implies that there is a specific event permit and refers to conditions. How do these conditions relate to 2.4 and why is the info in 2 separate places.	There is no event permit. Specific conditions for use of a park, reserve or open space for an event are provided in writing, generally by email, as part of the events application process. Other conditions may apply if the event application triggers additional formal consent requirements such a liquor or food licences and resource and building consents. These conditions are provided as part of the specific licence or consent process.	
5	Amy Sutich	Section 2.4(T&C)	Is there an event approval permit, section 3.2.3 implies there is a permit and refers to conditions. How do these conditions relate to 2.4 and why is the information in 2 separate places?	There is no event permit. Specific conditions for use of a park, reserve or open space for an event are provided in writing, generally by email, as part of the events application process. Other conditions may apply if the event application triggers additional formal consent requirements such a liquor or food licences and resource and building consents. These conditions are provided as part of the specific licence or consent process.	

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6	Rebekah Mehrtens	Section 2.4 (T&C)	Is there an event approval permit, section 3.2.3 implies there is a permit and refers to conditions. How do these conditions relate to 2.4 and why is the information in 2 separate places?	There is no event permit. Specific conditions for use of a park, reserve or open space for an event are provided in writing, generally by email, as part of the events application process. Other conditions may apply if the event application triggers additional formal consent requirements such a liquor or food licences and resource and building consents. These conditions are provided as part of the specific licence or consent process.	
2	Martine Bijker, Featherston First Friday's	Section 3.2(T&C)	Queries how Council would give notice of cancellation and how much notice would be required.	As much notice as possible would be provided. However, Council may cancel an Event Approval at any time both before or during an event if officers find the event conditions, particularly those pertaining to liquor, are not being met or adhered to.	
7	Liz Mellish CRAST	Section 3.3.8(T&C)	Clarity sought regarding rental as opposed to Licence to Occupy. Cost associated with these two forms of charges could vary and make this a revenue seeking policy instead of assistance for activities to occur at the Parks and Reserves	A Licence to Occupy is an operational matter dealt with on a case by case basis as part of council's overall property management. Note the new fees and charges section clarifies this.	
1	Emily Greenberg	Section 4.2 (T&C)	Bonds info is redundant with section 3.2.4 of main policy.	Both references to bond information amended to refer to the main clause on bonds.	

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3	Heidi Holbrook, Kokomai	Section 4.2 (T&C)	Information on bonds is redundant with section 3.2.4 of main policy	Both references to bond information amended to refer to the main clause on bonds.	
5	Amy Sutich	Section 4.2(T&C)	Information on bonds is redundant with section 3.2.4 of main policy.	Both references to bond information amended to refer to the main clause on bonds.	
6	Rebekah Mehrstens, Featherston First Friday's	Section 4.2 (T&C)	Bonds info is redundant with section 3.2.4 of main policy.	Both references to bond information amended to refer to the main clause on bonds.	
7	Liz Mellish CRAST	Section 5.3	The words "written", directions rather than verbal directions from Council Officers gives the Community Group much more certainty this makes it confusing for users.	In some cases, verbal instructions are given during an event if a breach of conditions is found eg by council environmental health officers in case of breach of food licence etc	
1	Emily Greenberg	Section 5.4 (T&C)	Should this section refer to artificial turf? Change to 'permanently' alter or 'returned to original condition'	The only artificial turf on a council park, reserve or open space is at Card Reserve, Featherston. This turf is under the complete control of the Card Reserve Artificial Surface Trust rather than the Council, and nothing in this policy applies to it.	
2	Martine Bijker, Featherston First Friday's	Section 5.4 (T&C)	Requests it is altered to 'permanently altered in any way, except as permitted'.	Changed to "permanently altered"	
3	Heidi Holbrook, Kokomai	Section 5.4(T&C)	Does this refer to artificial turf? Should this be 'permanently' altered in any way or 'returned to original condition'?	The only artificial turf on a council park, reserve or open space is at Card Reserve, Featherston. This	

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Submission Number	Submitter	Section	Comment	Officer Comment	Hearing Decision
				turf is under the complete control of the Card Reserve Artificial Surface Trust rather than the Council, and nothing in this policy applies to it. Changed to “permanently altered”	
5	Amy Sutich	Section 5.4(T&C)	Does this refer to artificial turf? Should this be ‘permanently’ altered in any way or ‘returned to original condition’?	The only artificial turf on a council park, reserve or open space is at Card Reserve, Featherston. This turf is under the complete control of the Card Reserve Artificial Surface Trust rather than the Council, and nothing in this policy applies to it. Changed to “permanently altered”	
6	Rebekah Mehrstens, Featherston First Friday’s	Section 5.4 (T&C)	Does this refer to artificial turf? Should this be ‘permanently’ altered in any way or ‘returned to original condition’?	The only artificial turf on a council park, reserve or open space is at Card Reserve, Featherston. This turf is under the complete control of the Card Reserve Artificial Surface Trust rather than the Council, and nothing in this policy applies to it. Changed to “permanently altered”	
2	Martine Bijker, Featherston First Friday’s	Section 5.8 (T&C)	Queries whether it is appropriate to make promotion of smokefree policies a requirement for event permission?	The SWDC Smoke-free Environment Policy was adopted in 2007 under the Smoke-Free Environments Act 1990. This makes all council-controlled facilities smoke-free. Reserve management plans also require	

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				reserves to be smoke-free. It is not unreasonable to expect event organisers to make event attendees aware of this.	
3	Heidi Holbrook, Kokomai	Section 5.8(T&C)	Queries when all council Parks and Reserves were made Smokefree	The SWDC Smoke-free Environment Policy was adopted in 2007 under the Smoke-Free Environments Act 1990. This makes all council-controlled facilities smoke-free. Reserve management plans also require reserves to be smoke-free. It is not unreasonable to expect event organisers to make event attendees aware of this.	
1	Emily Greenberg	Section 6 (T&C)	Several conditions are prohibitive, predictive and inconsistent with other bylaws and regulations	The table is provided for general guidance. It has now been amended to include reference to any specific bylaws, policies or statutes that pertain, however it should be noted that some elements are operational decisions left to the professional judgement of officers and intended for the good management of the park, reserve or open space (eg vehicles, fires, fireworks).	
2	Martine Bijker, Featherston First Friday's	Section 6 (T&C)	Fstn Town Square is not gazetted as a park or reserve so shouldn't be included	Council has several open spaces which are called parks or reserves which are not gazetted reserves. A change is proposed whereby the	

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Submission Number	Submitter	Section	Comment	Officer Comment	Hearing Decision
				title of the policy and references within it will be to “council parks, reserves and open spaces” to accommodate those parks which are not reserves. The question of whether or not Featherston Town Square should be gazetted as a reserve is outside the scope of this discussion.	
2	Martine Bijker, Featherston First Friday’s	Section 6 (T&C)	It is incorrect for the table to imply a blanket liquor ban, this is controlled by a bylaw where exceptions can be made.	The table is provided for general guidance. It has now been amended to include reference to any specific bylaws, policies or statutes that pertain, however it should be noted that some elements are operational decisions left to the professional judgement of officers and intended for the good management of the park, reserve or open space (eg vehicles, fires, fireworks).	
3	Heidi Holbrook, Kokomai	Section 6 (T&C)	The table is prohibitive, predictive and inconsistent with other bylaws and regulations. i.e. permission able to be sought to have liquor within Clifford Square area, what about dog agility event at a venue that prohibits dogs off leash?	The table is provided for general guidance. It has now been amended to include reference to any specific bylaws, policies or statutes that pertain, however it should be noted that some elements are operational decisions left to the professional judgement of officers and intended for the good management of the park,	

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				<p>reserve or open space (eg vehicles, fires, fireworks).</p> <p>The “Dogs” section of the table is consistent with the SWDC Control of Dogs Bylaw 2013 and the SWDC Control of Dogs Policy 2013.</p> <p>Provision for dog agility events is made in S.9.4 (iii) of the bylaw.</p>	
5	Amy Sutich	Section 6 (T&C)	<p>The table is prohibitive, predictive and inconsistent with other bylaws and regulations. i.e. permission able to be sought to have liquor within Clifford Square area, what about dog agility event at a venue that prohibits dogs off leash?</p>	<p>The table is provided for general guidance. It has now been amended to include reference to any specific bylaws, policies or statutes that pertain, however it should be noted that some elements are operational decisions left to the professional judgement of officers and intended for the good management of the park, reserve or open space (eg vehicles, fires, fireworks).</p> <p>The “Dogs” section of the table is consistent with the SWDC Control of Dogs Bylaw 2013 and the SWDC Control of Dogs Policy 2013.</p> <p>Provision for dog agility events is made in S.9.4 (iii) of the bylaw.</p>	
6	Rebekah Mehrtens, Featherston First Friday’s	Section 6 (T&C)	<p>The table is prohibitive, predictive and inconsistent with other bylaws and regulations. i.e. permission able to be sought to have liquor within Clifford Square area, what about dog</p>	<p>The table is provided for general guidance. It has now been amended to include reference to any specific bylaws, policies or statutes that pertain, however it</p>	

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			agility event at a venue that prohibits dogs off leash?	<p>should be noted that some elements are operational decisions left to the professional judgement of officers and intended for the good management of the park, reserve or open space (eg vehicles, fires, fireworks).</p> <p>The “Dogs” section of the table is consistent with the SWDC Control of Dogs Bylaw 2013 and the SWDC Control of Dogs Policy 2013. Provision for dog agility events is made in S.9.4 (iii) of the bylaw.</p>	
8	Peter Jackson	General - Dogs	Partially supports the policy. Dogs should be permitted off leash at Lake Domain. The policy stating that dogs must be on leash is a very blunt way of addressing poorly controlled dogs. A blanket ban approach shouldn't be taken, unless there is nesting of birds, but requests flexibility at other times.	The “Dogs” section of the table is consistent with the SWDC Control of Dogs Bylaw 2013 and the SWDC Control of Dogs Policy 2013. The only off-leash areas currently approved by council are the dog parks in each town.	
9	Barbara Jackson	General - Dogs	Partially supports the policy. Objects to the proposed policy of dogs being ‘on leash only’ at Lake Domain. This limits places that dog owners can run well behaved dogs off leash. Understands that there is wildlife that could be disturbed during nesting but suggests a time of year when leashing is enforced such as Henley Lake in Masterton.	The “Dogs” section of the table is consistent with the SWDC Control of Dogs Bylaw 2013 and the SWDC Control of Dogs Policy 2013. The only off-leash areas currently approved by council are the dog parks in each town.	
10	Annamarie Thompson	General - Dogs	Supports the policy. Objects to Lake Domain Reserve, Otairua Reserve and Barr-Brown Reserve being on leash only to	The “Dogs” section of the table is consistent with the SWDC Control of Dogs Bylaw 2013 and the SWDC	

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			dogs. Dogs that are under control should be able to be off leash.	Control of Dogs Policy 2013. The only off-leash areas currently approved by council are the dog parks in each town.	
11	Jan Duckett	General - Dogs	Supports the policy. Objects to making Lake Domain Reserve accessible only to dogs on leash. Understands that leash should be required during nesting season, but well trained dogs should be allowed off leash as there are very few areas where they can mix with other dogs and exercise freely.	The "Dogs" section of the table is consistent with the SWDC Control of Dogs Bylaw 2013 and the SWDC Control of Dogs Policy 2013. The only off-leash areas currently approved by council are the dog parks in each town.	
12	Richard Burgess	General - Dogs	Partially supports the policy. Lake Reserve is one of the few areas where a dog can be exercised and used for duck hunting. Does not support the 'on leash only' policy for this area.	The "Dogs" section of the table is consistent with the SWDC Control of Dogs Bylaw 2013 and the SWDC Control of Dogs Policy 2013. The only off-leash areas currently approved by council are the dog parks in each town.	
13	Heather Martin	General - Dogs	Concerned that owners of well trained dogs will be prohibited from using areas where they can run free (in particular Lake Domain).	The "Dogs" section of the table is consistent with the SWDC Control of Dogs Bylaw 2013 and the SWDC Control of Dogs Policy 2013. The only off-leash areas currently approved by council are the dog parks in each town.	