

CHAPTER 13

PARKS AND RESERVES

1301 INTERPRETATION

1301.1 In this Part of this bylaw, unless inconsistent with the context -

RESERVE includes any open space, plantation, park, garden, or ground set apart for public recreation or enjoyment which now or hereafter may be under the management or control of the Council.

1302 OBSTRUCTION OF ENTRANCES, ETC.

1302.1 No person shall wilfully obstruct any of the approaches, entrances, exits, thoroughfares, or walks of any reserve, and (where gates are provided) no person shall enter any reserve save while the same is open for the admission of the public.

1303 DAMAGE AND INTERFERENCE

1303.1 No person shall interfere with, disturb, remove, displace, deface, disfigure, damage, or destroy any inscription or any labels attached to or connected with any article, tree, shrub, or other plant, or any noticeboard, sign, label, or tablet used to indicate or exhibit any notice, name, regulation, or bylaw, or any part or provision of a bylaw in any reserve.

1303.2 No person shall remove, disturb, deface, damage, or destroy, or attempt to remove, disturb, damage, or destroy, any post, barrier, railing, seat (fixed or movable), gate, bridge, building, structure, wall, children's play equipment, object of art or natural object, fence, or hedge, or any fitting or implement of any kind within or enclosing the whole or any portion of any reserve.

1303.3 No person shall, without written authority, take, deposit, remove, or disturb any soil, uproot or injure any shrub, tree, or other growth, or take any cutting or interfere with, pick, or pluck or otherwise remove any flowers, ferns, or greenery.

1304 LITTER

1304.1 No person shall leave any bottle, tin, glass, crockery, paper, remnants of food, or other litter within the limits of any reserve otherwise than in receptacles provided therefor.

1305 POLLUTION

1305.1 No person shall deposit, discharge or leave any deleterious offensive, or dangerous matter or cause pollution within the limits of any reserve or any stream, dam, pond, or fountain therein.

1306 WANDERING STOCK

1306.1 No person shall, without the prior permission of an authorised officer of the Council, turn in or allow any cattle or other animal or poultry to wander or graze within the limits of any reserve.

1307 **RIDING AND DRIVING**

1307.1 No persons shall park, ride or drive any motor vehicle or cart, motorcycle, power cycle or bicycle, or drive, ride, or lead any horse, or other animal on any area of any reserve except where special approval is granted and then on those areas set aside specially for such purpose.

1307.2 No person shall drive any motor vehicle or motorcycle or power cycle in any reserve at a speed in excess of 10 km/h.

1307.3 No person shall drive any motor vehicle or cart or ride any motorcycle, power cycle or bicycle or horse or other animal in any reserve without due care and attention or without reasonable consideration for other persons using, or driving in, the reserve.

1307.4 No person shall drive or ride any animal or vehicle (whether propelled by mechanical power or not) without any reserve in such a manner as to cause damage to the surface or to any part of such reserve or other land.

1308 **NOTICES AND SIGNS**

1308.1 No person shall post any placard, sign, or noticeboard in, on, or about any reserve without the prior permission of an Authorised Officer.

1309 **LIGHTING FIRES**

1309.1 No person shall light any fire except in a place specially provided by the Council for that purpose.

1309.2 No person shall light any fire or continue burning the same in a reserve after sunset without the consent of an authorised officer of the Council.

1310 **ERECTION OF TENTS AND BOOTHS**

1310.1 No person shall put up or erect any stall, tent, camp, booth, swing, amusement device, or structure of any kind within any reserve except by permission of an authorised officer of the Council, and then only in compliance with every condition under which such permission may be granted.

1311 **TRADING, AND INTOXICATING LIQUORS**

1311.1 No person shall sell or offer for sale any article of food or merchandise or liquor, intoxicating or otherwise, or any kind of drink, or carry on any trade, pursuit, or calling within any reserve, without permission of an authorised officer of the Council, and then only in compliance with every condition under which such permission may be granted.

1312 **MISBEHAVIOUR**

1312.1 Within the limits of any reserve, no person shall wilfully obstruct, disturb, annoy, or interfere with any other person in the use or enjoyment of any reserve, or use any foul, abusive, indecent, or obscene language, or riotous, or in any way misbehave.

1313 **CHILDREN'S APPARATUS**

1313.1 No person over the age of 14 years shall use or occupy any swing, roundabout, slide, seesaw, or any children's play apparatus installed or provided for the use of children in any reserve.

1314 **DESTRUCTION OF BIRDS, ETC.**

1314.1 No person shall by any means whatsoever destroy, shoot, snare, injure, interfere with or take any animal, fish, bird, bird's nest, or bird's egg, or attempt so to do, in or from any reserve without the prior consent of an authorised officer of the Council:

Provided that in the case of any animal or bird protected by the Wild Life Act 1953 no such permission shall be granted unless and until the provisions of that Act have been complied with.

1315 **ASSEMBLIES**

1315.1 No person shall, within the limits of any reserve and except with the prior authority of an authorised officer of the Council, organise, hold or conduct, or attempt to hold or conduct, any public meeting, gathering, fair or fete, or demonstration, or make any public address, or attempt to collect a crowd.

1316 **SPORTS AND GAMES**

1316.1 The authorised officer of the Council in charge of reserves may prevent any game being played therein which in his opinion is liable to damage the said reserve or anything therein or which in his opinion is otherwise undesirable or unseemly.

1316.2 Every person who shall fail forthwith upon the request of the authorised officer as aforesaid to desist from playing or taking part in any such game shall be guilty of an offence against this Part of this bylaw.

1316.3 No person shall play any game in any reserve except upon such portions thereof as shall be set apart for that purpose or as the authorised officer shall direct.

1316.4 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 the authorised officer to leave such playing ground or reserve of any part thereof, 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.

1316.5 No person shall play or practise golf except on a reserve which the Council has by resolution set aside for that purpose.

1317 **FIREARMS, ETC.**

1317.1 No person shall within the limits of any reserve and without the prior permission of an authorised officer of the Council -

- (a) Take, use, or carry any firearm, axe or similar weapon or other instrument of a dangerous character, or any airgun or bow and arrow, or let off any fireworks; or
- (b) Throw stones or other projectiles or missiles either by hand or by means of a catapult or other appliance.

1317.2 The authorised officer may take into his possession and retain while the person carrying the same is in any reserve, any weapon or instrument aforesaid, without being liable for any claim arising therefrom.

1318 **MODEL AEROPLANES**

1318.1 No person shall fly any motorised model aeroplane except with the prior permission of an authorised officer of the Council and then only in compliance with every condition under which such permission is granted.

1319 **LANDING OF AEROPLANES, ETC.**

1319.1 No person shall make use of any part of any reserve for the purpose of the landing thereon or flying therefrom of an aeroplane or of any kind of flying machine or glider except in case of emergency or in accordance with the prior permission of an authorised officer of the Council.

1320 **COUNCIL OFFICERS**

1320.1 No act by any officer, employee, or agent of the Council when engaged in the performance of his duties on any reserve shall constitute an offence against this Part of this bylaw.

1321 **TIMES OF OPENING OF RESERVES**

1321.1 The Council may from time to time, by resolution publicly notified, prescribe the period or periods during which any particular reserve shall be open to the public.

1321.2 If the Council has prescribed such period or periods in manner aforesaid, no person shall be in or upon or remain in or enter such reserve otherwise than during such period or periods.

1322 **CLOSING IN SPECIAL CIRCUMSTANCES**

1322.1 If in his opinion at any time any reserve is being used or is likely to be used for any purpose which may result or be likely to result in riotous conduct or in civil disorder, the officer authorised by the Council in that behalf may, by notice in any newspaper circulating in the district under its jurisdiction or by notice erected or displayed on the entrances to such reserve, declare such reserve to be closed for such period as he shall deem advisable.

1322.2 No person shall enter or remain in such reserve during such period of closing without the prior permission of an authorised officer of the Council.

1323 **CHARGES ON SPECIAL OCCASIONS**

1323.1 The Council may close all or any portion or portions of any reserve set apart for particular games during such times as it thinks fit, and where charges may lawfully be made, may by resolution fix charges within legal limits for the right to use such portions as are open to the public.

1323.2 The Council may by resolution adopt regulations governing the use of such portions and the play thereon, and may similarly fix charges therefor. Every playing area shall be used only for the purpose for which it was constructed or set apart, and no person shall go thereon for the purpose of playing unless he shall have first paid the charge fixed for that purpose.

1323.3 Every person who on any day for which a charge is payable for admission to any reserve or any part thereof enters any such reserve or part thereof without paying the proper charge shall be guilty of an offence against this Part of this bylaw.

1323.4 Every person who on any day for which a charge is payable for admission to any reserve or any part thereof has, before the hour at which any exhibition, show, game, programme of sports, or other entertainment 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 such exhibition, show, game, programme of sports, or other entertainment either pay the proper charge for admission or leave such reserve or part thereof.

1324 **ORDERING OFF**

1324.1 Every person committing any breach of the provisions of this Part of this bylaw shall, upon request by the authorised officer, immediately leave the reserve and may be prohibited from appearing on the reserve for such period as the authorised officer deems fit, but shall nevertheless be liable also to be prosecuted for such breach, any person failing with all reasonable speed to comply with such request shall be guilty of a further offence.

1325 **OFFENDERS REQUIRED TO GIVE NAMES**

1325.1 Any person who in the opinion of the duly authorised officer commits a breach of any of the provisions of this Part of this bylaw shall if so requested by the authorised officer supply his full name and address.