

**Reprint
as at 20 October 1995**



**Paynes Ford Scenic Reserve Bylaws
1995**

(SR 1995/225)

Pursuant to section 106(3) of the Reserves Act 1977, the Minister of Conservation hereby makes the following bylaws.

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Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

These bylaws are administered by the Department of Conservation.

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Bylaws

1 Title and commencement

- (1) These bylaws may be cited as the Paynes Ford Scenic Reserve Bylaws 1995.
- (2) These bylaws shall come into force on the 28th day after the date of their notification in the *Gazette*.

2 Interpretation

In these bylaws, unless the context otherwise requires,—

authorised person means a person authorised by a commissioner

commissioner means any of the officers designated by the Director-General of Conservation as commissioners for the Nelson/Marlborough Conservancy of the department

department means the Department of Conservation

ranger means a ranger within the meaning of the Reserves Act 1977

the reserve means the reserve described in the Schedule; and includes all other lands that may become part of the reserve under the Reserves Act 1977.

3 Reserve open to public

Subject to the provisions of these bylaws, the reserve shall be open to the public at all times, except for those areas closed to the public by the commissioner in accordance with the provisions of the Reserves Act 1977.

4 Gates

- (1) No person shall leave any gate in a different position from that in which he or she finds it in the reserve.
- (2) Gates found open shall be left open and gates found closed shall be left closed.

5 Misbehaviour

- (1) Within the reserve, no person shall—
 - (a) wilfully obstruct, disturb, or interfere with any other person in the use or enjoyment of the reserve; or
 - (b) use foul, abusive, indecent, or obscene language, or be intoxicated, noisy, or riotous, or in any way misbehave.
- (2) Where any person commits a breach of the provisions of subclause (1), he or she commits a further breach if he or she does not leave the reserve when so requested by a ranger.

6 Throwing stones, etc

No person shall throw any stick, stone, or other missile within the reserve.

7 Water

- (1) No person shall, within the reserve, permit or cause wastage of water or permit any water tap to flow for a longer period than is reasonably required to obtain water for drinking or cooking or other lawful purposes.
- (2) No person shall in any manner pollute or otherwise render unfit for any purpose (whether for human consumption or not) any water supply within the reserve.

8 Aircraft

- (1) No person shall make use of any part of the reserve for the purpose of landing or alighting on or the flying from the reserve of any aircraft of any kind (including but not limited to, aeroplanes, helicopters, gliders, and balloons) except in accordance with prior written permission obtained from a commissioner, but this subclause does not apply in cases of emergency.

- (2) No person shall land on the reserve by parachute, except in an emergency.
- (3) No person within the reserve shall use or operate or attempt to operate a hang-glider.
- (4) This bylaw does not absolve persons from compliance with any requirement that the Director of Civil Aviation may stipulate.

9 Fires

No match (lighted or not lighted), cigarette, or other lighted matter shall be dropped, thrown, or otherwise placed in any grass or other inflammable material in the reserve.

10 Litter

No person shall deposit or throw on any part of the reserve any litter, rubbish, or any substance or article of a dangerous or offensive nature.

11 Dogs

- (1) No person shall bring any dog into the reserve, or allow any dog in his or her custody or charge or under his or her control to be within the reserve, unless in either case the dog is led on a leash or is otherwise properly secured.
- (2) Any authorised person may seize and detain any dog found within the reserve and not secured in accordance with subclause (1). If the owner of the dog is not known to the authorised person or cannot reasonably be ascertained, it shall be committed to the local pound or to the Society for the Prevention of Cruelty to Animals.

12 Vehicular and other traffic

- (1) No person shall drive or ride any animal or any vehicle (whether propelled by mechanical power or not) within the reserve in a manner which, having regard to all the circumstances of the case, is or might be dangerous to the public or to any person.
- (2) No person shall take, ride, or drive any animal or any vehicle (whether propelled by mechanical power or not) into or in the

reserve except upon such parts as are laid off for vehicular traffic.

13 Parking

- (1) No person shall park any vehicle (other than a bicycle) within the reserve except in a place set aside by a commissioner for the parking of vehicles.
- (2) No person shall stop or stand any vehicle within the reserve in such place that it causes or is likely to cause an obstruction to any entrance, thoroughfare (path or walk) in the reserve.
- (3) In this bylaw, the term **park**, in relation to any vehicle, means to stand the vehicle in the reserve for a period exceeding 5 minutes.

14 Gatherings of persons

- (1) No person shall attend or take part in any organised meeting or gathering of persons or sport or games or any other purposes whatever or any organised picnic within the reserve, unless the holding of the meeting or gathering or picnic in the reserve has been permitted in writing by a commissioner.
- (2) For the purposes of this bylaw, an organised meeting or gathering or picnic is one that is attended by the employees or members of any government department, trade union, club, company, firm, incorporated body, religious organisation, or other body of persons, or any group of several of such organisations.

15 Notices and bills

Except with the prior permission in writing of a commissioner, no person shall post any placard, bill, poster, or notice within the reserve or interfere with any placard, bill, poster, or notice lawfully erected in the reserve, or, if called upon to desist by a ranger or any other person authorised for the purpose by a commissioner (either generally or in any particular case) distribute any handbill or notice within or at any entrance to the reserve.

16 Damage to property

No person shall remove, disturb, break, destroy, paint, or carve or write names or letters or words or figures or devices on, or deface any building, object of art, natural object, erection, tool, instrument, seat, gate, bridge, fence, or tree within the reserve.

17 Musical instruments

No person—

- (a) shall use or play any instrument (musical or otherwise), any type of public address system or any type of amplified sound system in the reserve; or
 - (b) shall cause in any way (including, but not limited to any of the ways referred to in paragraph (a)) any sound or noise that disturbs or annoys or is likely to disturb or annoy other occupiers or users of the reserve,—
- unless permitted to do so by a ranger or commissioner.

18 Camping

No person shall camp in the reserve.

19 General

Nothing in these bylaws limits or prevents the taking of proceedings under any Act in respect of any offence committed within the reserve.

20 Penalty

Every person who commits a breach of these bylaws commits an offence and is liable accordingly to the penalty prescribed in section 104 of the Reserves Act 1977.

Schedule
Paynes Ford Scenic Reserve

All that land in the Nelson Land District, Golden Bay County, containing 62.0230 hectares, more or less, being Sections 282 and 283, District of Takaka, situated in Block X, Waitapu Survey District. All certificates of title 4C/183, 32/70, 40/3 and 66/40, SO Plan 12030.

Dated at Wellington this 9th day of October 1995.

Denis Marshall,
Minister of Conservation.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 19 October 1995.

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Notes**1 *General***

This is a reprint of the Paynes Ford Scenic Reserve Bylaws 1995. The reprint incorporates all the amendments to the by-laws as at 20 October 1995, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, *see* <http://www.pco.parliament.govt.nz/reprints/>.

2 *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked

are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint
(most recent first)*
