



Reserves (Model Bylaws) Notice 2004

Pursuant to section 106 of the Reserves Act 1977, the Minister of Conservation gives the following notice.

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Notice

- 1 **Title**
This notice is the Reserves (Model Bylaws) Notice 2004.
- 2 **Commencement**
This notice comes into force on the 28th day after the date of its notification in the *Gazette*.
- 3 **New model bylaws prescribed**
The bylaws set out in the Schedule are prescribed as model bylaws for the control of reserves.
- 4 **Revocation**
The notice prescribing model bylaws in the *Gazette* (1978, pages 2843 and 2844) is revoked.

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Schedule Model bylaws for reserves

1 Title

These bylaws are the [*name of the reserve*] Bylaws [*year made*].

2 Commencement

These bylaws come into force on [*the day after the date on which they are approved by the Minister of Conservation OR a specified date being a day after the date on which they are approved by the Minister of Conservation*].

3 Interpretation

In these bylaws, unless the context otherwise requires,—

authorised person means—

- (a) a person authorised by the [*name of administering body*] for the purposes of these bylaws; or
- (b) a ranger

name of administering body means the administering body of the reserve

ranger has the same meaning as in the Reserves Act 1977

reserve—

- (a) means the land described in Schedule 1; and
- (b) includes—
 - (i) any part of the reserve; and
 - (ii) any other land that becomes part of the reserve under the Reserves Act 1977.

4 Reserve open to public

- (1) The reserve must be open to the public except when it is closed in accordance with—
 - (a) the Reserves Act 1977; or
 - (b) a determination of the [*name of administering body*].
- (2) A person must not enter, or remain in, the reserve while it is closed to the public.

5 Gates

- (1) A person must leave a gate in the reserve in the same position as the person finds the gate.

- (2) For example, a gate in the reserve found—
 - (a) open must be left open;
 - (b) closed must be left closed.

6 Misbehaviour

- (1) A person in the reserve must not—
 - (a) intentionally obstruct, disturb, or interfere with any other person's use or enjoyment of the reserve; or
 - (b) use foul, abusive, indecent, or obscene language; or
 - (c) be intoxicated, noisy, or riotous.
- (2) A person who contravenes subclause (1) must leave the reserve if requested to do so by a ranger.

7 Dangerous weapons

- (1) A person must not carry or use a dangerous weapon in the reserve without the prior written permission of the [*name of administering body*].
- (2) In this bylaw, **dangerous weapon** includes a bow and arrow, catapult, or shanghai.

8 Throwing things

- (1) A person must not throw anything in the reserve.
- (2) Subclause (1) does not apply to anything thrown as part of playing a game or sport in the reserve.

9 Water

- A person in the reserve must not—
- (a) permit or cause water to be wasted in the reserve; or
 - (b) permit or cause tap water in the reserve to flow for longer than is reasonably required for drinking, cooking, or other lawful purpose; or
 - (c) pollute or render unfit for any purpose (whether for human consumption or not) any water supply in the reserve.

10 Aircraft

- (1) A person must not do or attempt to do any of the things specified in subclause (2) except—
 - (a) with the prior written permission of the [*name of administering body*]; or

- (b) in an emergency.
- (2) The things are—
 - (a) land an aircraft in the reserve:
 - (b) take off in an aircraft from the reserve:
 - (c) parachute into the reserve:
 - (d) use or operate a hang-glider in the reserve:
 - (e) use an aircraft in the reserve to set down, pick up, or recover in the reserve any person, livestock, carcass, or article of any description.
- (3) In this bylaw, **aircraft** includes helicopters, gliders, and balloons.

11 Fires

- (1) A person must not light a fire in the reserve.
- (2) Subclause (1) does not prohibit the lighting of a fire in the reserve—
 - (a) with the express permission of the [*name of the administering body*] or a ranger; or
 - (b) in a fireplace provided by the [*name of the administering body*].
- (3) A person must not light a fire if it is likely to present a fire hazard, even if the fire is one that subclause (2)(a) or (b) applies to.
- (4) Once a fire is lit, the person who lit the fire must—
 - (a) attend the fire until it is completely extinguished; or
 - (b) arrange for a responsible person to attend the fire until it is completely extinguished.
- (5) A person who attends a fire under subclause (4)(b) must attend the fire until—
 - (a) it is completely extinguished; or
 - (b) replaced by another person who attends the fire under subclause (4)(b).
- (6) A person must not drop, place, or throw in any grass or flammable material in the reserve—
 - (a) any match, whether lighted or not; or
 - (b) any lighted cigarette or other lighted material.

12 Litter

- (1) A person in the reserve must—
 - (a) take his or her litter out of the reserve; or

(b) place his or her litter in a place or receptacle approved or provided for that purpose by the [*name of the administering body*].

(2) In subclause (1), **litter** includes—

(a) rubbish; and

(b) any substance or article of a dangerous or offensive nature.

13 Dogs

(1) A person must not—

(a) bring a dog into the reserve; or

(b) allow a dog in the person's custody or charge or under the person's control to be in the reserve.

(2) Subclause (1) does not apply if the dog is—

(a) on a leash; or

(b) otherwise properly secured to the satisfaction of a ranger.

(3) An authorised person may seize and detain a dog that is in the reserve in contravention of subclause (1).

(4) A dog seized and detained under subclause (3) must—

(a) be returned to its owner, if the authorised person knows or can reasonably ascertain who the owner is;

(b) be committed to the local pound of the Royal New Zealand Society for the Prevention of Cruelty to Animals, if the authorised person does not know and cannot reasonably ascertain who the owner is.

(5) In this bylaw, **Royal New Zealand Society for the Prevention of Cruelty to Animals** includes a society that is a member of that Society.

14 Sports and games

A person must not, if expressly forbidden to do so by a ranger,—

(a) play a sport or game in the reserve;

(b) enter in or remain on any part of the reserve marked out as a playing area for a sport or game while the sport or game is in progress.

15 Vehicular and other traffic

- (1) A person must not take, ride, or drive a vehicle or animal into or in the reserve except on any part of the reserve set aside by the [*name of the administering body*] for vehicular traffic.
- (2) A person must not take, ride, or drive a vehicle or animal into or in the reserve in a dangerous manner.
- (3) In this bylaw, **vehicle** includes a vehicle not propelled by mechanical power.

16 Parking

- (1) A person must not park a vehicle in the reserve except in a place set aside by the [*name of the administering body*] for the parking of vehicles.
- (2) A person must not stop a vehicle or leave a bicycle in the reserve so that the vehicle or bicycle obstructs an entrance to, or path or track in, the reserve.
- (3) In this bylaw,—
park, in relation to a vehicle, means to stand the vehicle for a period exceeding 5 minutes
vehicle does not include a bicycle.

17 Meetings and gatherings

- (1) A person must not attend or take part in an organised event in the reserve.
- (2) However, subclause (1) does not apply in relation to an organised event held with the prior written permission of the [*name of the administering body*].
- (3) In this clause, **event** means a meeting or gathering of persons, the playing of a sport or games, or the holding of a picnic, attended by members or employees of any Government department, union (as defined in the Employment Relations Act 2000), club, company, firm, incorporated body, religious organisation, or other body or person.

18 Notices and bills

- (1) A person must not, without the prior written permission of the [*name of the administering body*],—
 - (a) post a placard, bill, poster, or notice in the reserve; or
 - (b) interfere with a placard, bill, poster, or notice lawfully erected in the reserve.

- (2) A person who is distributing a notice or handbill in the reserve must stop doing so if directed to stop by a ranger.

19 Grass plots, flower beds, and other places

A person must not walk on—

- (a) any flower bed or shrubbery in the reserve; or
- (b) any grass plot or other place in the reserve if doing so is prohibited by a notice on the grass plot or place.

20 Damage to property

- (1) A person must not do an act prohibited by subclause (3) to anything in the reserve that does not belong to the person.
- (2) However, subclause (1) does not apply to an act done with the prior permission of [*name of administering body*].
- (3) The acts prohibited are—
 - (a) removing:
 - (b) disturbing:
 - (c) breaking:
 - (d) destroying:
 - (e) painting or carving or writing names or letters or words or figures or devices.

21 Musical instruments

- (1) A person in the reserve must not, if expressly forbidden to do so by an authorised person, produce or cause any sound or noise that disturbs or annoys, or is likely to disturb or annoy, any other person in the reserve.
- (2) Subclause (1) applies to a person using or playing—
 - (a) any instrument (whether musical or not); or
 - (b) any type of public address system; or
 - (c) any type of amplified sound system.
- (3) Subclause (2) does not limit subclause (1).

22 Camping

A person must not camp in the reserve—

- (a) except in a place set aside by the [*name of the administering body*] for the purpose of camping; and
- (b) without paying the fees specified in Schedule 2.

23 Bylaws not to limit or affect other enactments

- (1) These bylaws do not limit or affect the requirements in or under any other enactment.
- (2) Without limiting subclause (1), bylaws 10 and 11 do not limit or affect the application of any Act or regulations relating to the operation of aircraft or the lighting of fires.

24 Offences

Every person who does not comply with any requirement in or under these bylaws commits an offence and is liable to the penalty specified in section 104 of the Reserves Act 1977.

bylaw 3

Schedule 1
Description of [*name of reserve*]

bylaw 22

Schedule 2
Camping fees

Passed and adopted by resolution of the [*name of administering body*] at a meeting held at this day of .

Signed for and on behalf of the [*name of administering body*] this day of .

.....
Chairperson.

.....
Secretary.

Pursuant to section 108 of the Reserves Act 1977, these bylaws for the [*name*] Reserve are approved this day of .

Minister of Conservation.

Dated at Wellington this 2nd day of September 2004.

Hon Chris Carter,
Minister of Conservation.

Explanatory note

This note is not part of the notice, but is intended to indicate its general effect.

This notice, which comes into force on the 28th day after the date of its notification in the *Gazette*, prescribes model bylaws for reserves under the Reserves Act 1977. The administering body of a reserve may make bylaws in accordance with the model bylaws with such variations and additions as the Minister of Conservation considers necessary for the proper control and administration of the reserve. Bylaws made by an administering body have no force or effect until approved by the Minister of Conservation.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 23 September 2004.

This notice is administered in the Department of Conservation.
