

**Reprint
as at 1 July 2013**



**Abel Tasman National Park Bylaws
2009
(SR 2009/46)**

Pursuant to section 56 of the National Parks Act 1980, the Minister of Conservation 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**
These bylaws are the Abel Tasman National Park Bylaws 2009.
- 2 Commencement**
These bylaws come into force on the 28th day after the date of their notification in the *Gazette*.
- 3 Interpretation**
In these bylaws, unless the context requires another meaning,—
- Abel Tasman Parkmap** means Parkmap number 273–07 held at the Nelson/Marlborough Conservancy office of the department in Nelson
- book** means,—
- (a) for the Totaranui Campground, to reserve overnight accommodation through the Totaranui Campground office;
- (b) for the Totaranui Great Walk campsite or a campsite listed in Schedule 1, to reserve overnight accommodation using the department’s national booking system
- camp** includes to stay overnight in a vehicle

Coast Track means the Coast Track as identified on the Abel Tasman Parkmap

department means the Department of Conservation

Gibbs Hill Track means the track from Wainui Bay Carpark to Totaranui via Gibbs Hill as identified on the map in Schedule 3

hut means a building that is—

- (a) in the park; and
- (b) owned by the Crown; and
- (c) administered by the department; and
- (d) available for public accommodation

litter has the meaning given to it by section 2(1) of the Litter Act 1979

official notice means a notice that—

- (a) contains information as to entry to, or conduct in, the park; and
- (b) is publicly displayed; and
- (c) is conspicuous

park means the Abel Tasman National Park

powered watercraft means a craft that—

- (a) is used on or in water; and
- (b) is not powered solely by hand, solely by sail, or solely by a combination of hand and sail

Totaranui Campground—

- (a) means the campground located at Totaranui that provides overnight accommodation for 850 people; and
- (b) does not include the Totaranui Great Walk campsite

Totaranui Great Walk campsite means the campsite located at Totaranui that provides overnight accommodation on the Coast Track for 40 people

vehicle has the meaning given to it by section 2(1) of the Land Transport Act 1998, and includes a contrivance that would be a vehicle within that definition if it still had its wheels, tracks, or revolving runners.

4 Meaning of formed road

- (1) **Formed road** means a road formed and maintained by the department for the public to use their vehicles on in the park, and includes the road's bridges, culverts, and fords.

- (2) **Formed road** does not include a short walk, walking track, tramping track, or route, or its bridges, culverts, or fords, marked as a short walk, walking track, tramping track, or route on the Abel Tasman Parkmap.
- (3) **Formed road** does not include a surface in the park that looks like a road but is marked as a short walk, walking track, or tramping track on the Abel Tasman Parkmap.
- (4) **Formed road** does not include an unformed legal road.

5 Pollution

- (1) A person must not wilfully or carelessly in the park—
 - (a) pollute the park’s land or waters; or
 - (b) spill oil, petrol, or a similar substance; or
 - (c) cause oil, petrol, or a similar substance to be spilled.
- (2) A person must use a toilet for the disposal of human waste in the park, if a toilet provided by the department is within a reasonable walking distance.

6 Litter

- (1) A person must not bury litter in the park.
- (2) A person must not leave litter in the park.
- (3) However, a person may leave litter in the park if the person leaves the litter in a bin that is in the park and is provided for the kind of litter that the person leaves in it.

7 Fires

- (1) A person must not light a fire in the park.
- (2) However, a person may light a fire in the park if the person lights it—
 - (a) on a portable stove fuelled by gas, oil, vaporised petrol, or a similar substance; or
 - (b) in a fireplace that is at a campsite at the Totaranui Campground and is provided by the department for the public to light fires in; or
 - (c) in a fireplace that is at a campsite listed in Schedule 2 and is provided by the department for the public to light fires in.

- (3) A person whom this bylaw allows to light a fire in the park must also comply with—
 - (a) the requirement in the Forest and Rural Fires Act 1977 to obtain a permit under section 23 or 24, if the requirement is applicable; and
 - (b) fire control measures as defined in that Act; and
 - (c) any other applicable provision of that Act and its regulations.
- (4) A person who lights a fire in the park must keep the fire under continuous supervision until it is completely extinguished.
- (5) This bylaw does not allow a person to light, or try to light, a fire in the park if, in the circumstances, the fire is likely to be a hazard.

8 Camping

- (1) A person must not camp on any island in the park.
- (2) A person must not camp within—
 - (a) 200 m of a formed road; or
 - (b) 500 m of the Coast Track.
- (3) However, a person may camp within 200 m of a formed road or within 500 m of the Coast Track if the person camps in—
 - (a) the Totaranui Campground; or
 - (b) the Totaranui Great Walk campsite; or
 - (c) a campsite listed in Schedule 1.
- (4) A person must book before camping in the Totaranui Campground on and from 1 December until the end of 10 February in the following year.
- (5) A person must book before camping in—
 - (a) the Totaranui Great Walk campsite; or
 - (b) a campsite listed in Schedule 1.
- (6) A person who intends to camp in the park or who is camping in the park, whether in the Totaranui Campground or a campsite or otherwise, must comply with directions that the person gets from a departmental employee or an official notice about where the person may or may not camp in the park.
- (7) A person must not camp for longer than—
 - (a) 1 night in the Totaranui Great Walk campsite:

- (b) 2 consecutive nights at any 1 campsite listed in Schedule 1 on and from 1 October until the end of 30 April in the following year:
 - (c) 5 consecutive nights at any 1 campsite listed in Schedule 1 on and from 1 May until the end of 30 September in the same year:
 - (d) 14 consecutive nights in total at any other site in the park except the Totaranui Campground.
- (8) A person must not remain in the Totaranui Campground or a campsite after a departmental employee has directed the person to leave it on the grounds that the person has damaged the campground or campsite or appears likely to damage the campground or campsite or has acted in a manner likely to annoy, harm, or offend other people.
- (9) A person who has camped in the park must leave the area in which the person camped clean and tidy.

9 Huts

- (1) A person must book before staying in a hut on the Coast Track.
- (2) A person must not stay in any 1 hut on the Coast Track for more than—
- (a) 2 consecutive nights on and from 1 October until the end of 30 April in the following year; or
 - (b) 5 consecutive nights on and from 1 May until the end of 30 September in the same year.
- (3) A person must not stay in any other hut for more than 5 consecutive nights.
- (4) A person must not remain in a hut after a departmental employee has directed the person to leave it on the grounds that the person has damaged the hut or appears likely to damage the hut or has acted in a manner likely to annoy, harm, or offend other people.
- (5) A person who has used a hut must leave it clean and tidy.

10 Powered watercraft

- (1) A person must not place a powered watercraft on or in the park's waters.

- (2) A person must not use a powered watercraft on or in the park's waters.

11 Motorised vehicles: taking in and using

- (1) A person must not take a motorised vehicle into the park.
- (2) A person must not use a motorised vehicle in the park.
- (3) However, a person may take a motorised vehicle into the park and use a motorised vehicle in the park if the person takes the vehicle into the park and uses the vehicle in the park on—
 - (a) a formed road; or
 - (b) a formed car park accessible by a formed road; or
 - (c) the Totaranui Campground.
- (4) This bylaw does not allow a person to take a motorised vehicle into the park or use a motorised vehicle in the park if the vehicle—
 - (a) is of a class that an official notice excludes from being taken into the park or used in the park; or
 - (b) is not currently registered; or
 - (c) does not display a current warrant of fitness; or
 - (d) is of a class for which the person does not have a current driver's licence.

12 Motorised vehicles: allowing to remain

- (1) A person must not allow a motorised vehicle under the person's control to remain in the park.
- (2) However, a person may allow a motorised vehicle under the person's control to remain in the park if the person allows the vehicle to remain on—
 - (a) a formed road; or
 - (b) a formed car park accessible by a formed road; or
 - (c) the Totaranui Campground; or
 - (d) a place where a departmental employee directs the person to put the vehicle; or
 - (e) a place where an official notice directs the person to put the vehicle.

13 Non-motorised vehicles: taking in and using

- (1) A person must not take a non-motorised vehicle into the park.

- (2) A person must not use a non-motorised vehicle in the park.
- (3) However, a person may take a non-motorised vehicle into the park and use a non-motorised vehicle in the park if the person takes the vehicle into the park and uses the vehicle in the park on—
 - (a) a formed road; or
 - (b) a formed car park accessible by a formed road; or
 - (c) the Totaranui Campground; or
 - (d) the Gibbs Hill Track, as identified on the map in Schedule 3, on and from 1 May until the end of 30 September in the same year; or
 - (e) the part of the Moa Park Track that runs from the Rameka Track turnoff to the Wainui Track turnoff, as identified on the map in Schedule 3.
- (4) A person taking a non-motorised vehicle into the park and using a non-motorised vehicle in the park under subclause (3)(d) or (e) must not be in a group of more than 8 people.

14 Non-motorised vehicles: allowing to remain

- (1) A person must not allow a non-motorised vehicle under the person's control to remain in the park.
- (2) However, a person may allow a non-motorised vehicle under the person's control to remain in the park if the person allows the vehicle to remain on—
 - (a) a formed road; or
 - (b) a formed car park accessible by a formed road; or
 - (c) the Totaranui Campground; or
 - (d) the Gibbs Hill Track, as identified on the map in Schedule 3, on and from 1 May until the end of 30 September in the same year; or
 - (e) the part of the Moa Park Track that runs from the Rameka Track turnoff to the Wainui Track turnoff, as identified on the map in Schedule 3; or
 - (f) a place where a departmental employee directs the person to put the vehicle; or
 - (g) a place where an official notice directs the person to put the vehicle.

15 Vehicles

A person taking a vehicle into the park or using a vehicle in the park must comply with the directions of a departmental employee or an official notice as to taking the vehicle into the park or using the vehicle in the park. If there are no directions, the person must take the vehicle into the park and use the vehicle in the park in a safe and considerate manner.

16 Sporting events

A person must not organise a sporting event in the park.

17 Public address systems

- (1) A person must not install or use a public address system in the park.
- (2) However, a person may install and use a public address system in the park if the system is installed and used in a building or vehicle and cannot be heard outside the building or vehicle.

18 Portable generators

A person must not install or use a portable generator in the park.

19 Noise

A person must not cause or produce noise that—

- (a) unreasonably annoys or disturbs a person in the park or indigenous fauna in the park; or
- (b) is likely to unreasonably annoy or disturb a person in the park or indigenous fauna in the park.

20 Access

- (1) An official notice may prohibit persons from entering the park, or a part of the park, for a specified period or for a period determined by the need to protect the public and keep them safe.
- (2) A person must comply with the official notice.

21 Exceptions

- (1) Bylaws 8 to 10 and 12 to 19 do not apply in an emergency involving danger to life or property.
- (2) The Minister may decide that 1, some, or all of bylaws 8 to 14, 17, and 18 do not apply if the Minister considers it necessary for the bylaw or bylaws not to apply to facilitate the park's beneficial and proper administration, control, or management.
- (3) The Director-General may give prior written or electronic permission for 1, some, or all of bylaws 8 to 14 and 16 not to apply to a person.

22 Offences

A person commits an offence against these bylaws if the person breaches or fails to comply with any of the provisions of the bylaws.

23 Penalties

A person who commits an offence against these bylaws is liable, on conviction, to a fine not exceeding \$500.

Bylaw 23: amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

24 Other proceedings for offences

These bylaws do not limit or prevent the taking of proceedings under any Act for an offence committed in the park.

25 Revocation

The Abel Tasman National Park Bylaws 1981 are revoked.

Schedule 1

cls 3, 8(3), (5)(b), (7)(b),
(c)

**Campsites for which bookings are
required**

Akersten Bay

Anapi Bay

Anchorage

Awaroa
Bark Bay
Medlands Beach
Mosquito Bay
Mutton Cove
Observation Beach
Onetahuti Bay
Te Pukatea Bay
Tinline Bay
Tonga Quarry
Waiharakeke Bay
Watering Cove
Whariwharangi Bay

Schedule 2

cl 7(2)(c)

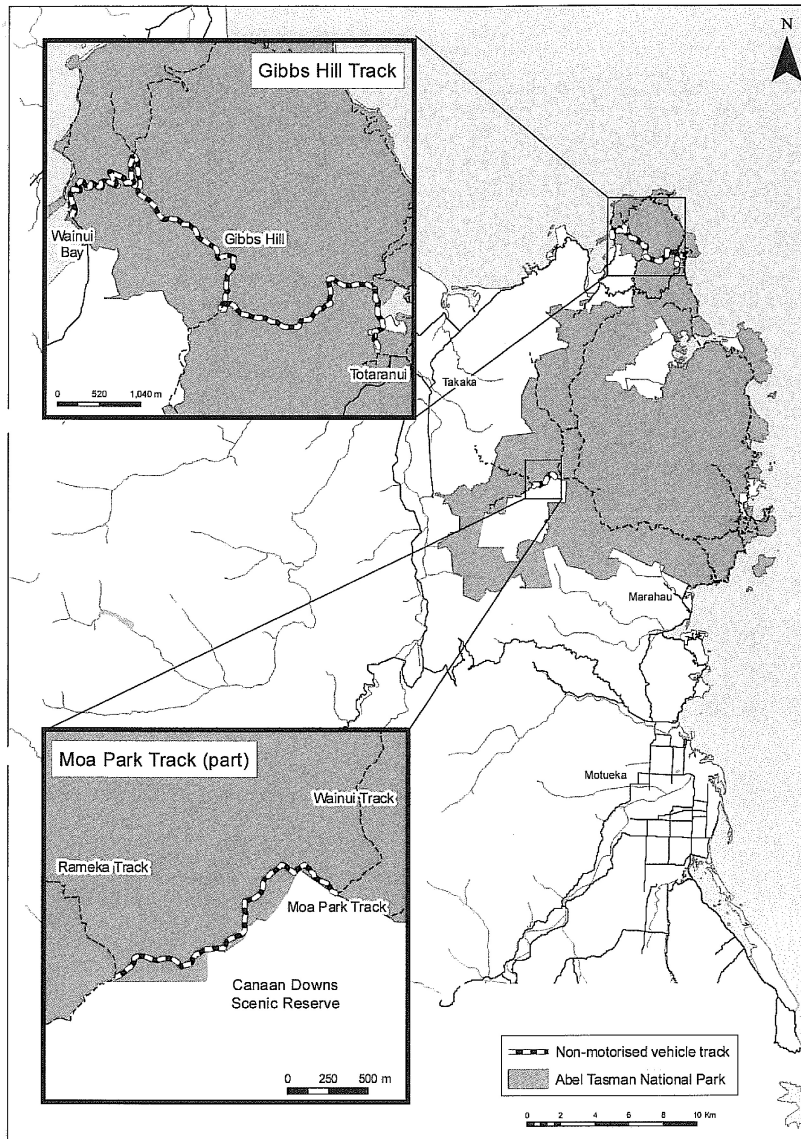
Campsites with permanent fireplaces

Anchorage
Awaroa
Bark Bay
Mutton Cove
Totaranui
Waiharakeke Bay
Whariwharangi Bay

Schedule 3

cls 3, 13(3)(d), (e),
14(2)(d), (e)

Map of Gibbs Hill Track and Moa Park Track (part)



Reprinted as at
1 July 2013

Abel Tasman National Park Bylaws 2009

Dated at Wellington this 11th day of March 2009.

Hon T Groser,
Minister of Conservation.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 19 March 2009.

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 - 2 Status of reprints
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 - 5 List of amendments incorporated in this reprint (most recent first)
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Notes

1 *General*

This is a reprint of the Abel Tasman National Park Bylaws 2009. The reprint incorporates all the amendments to the by-laws as at 1 July 2013, 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)*

Criminal Procedure Act 2011 (2011 No 81): section 413
