



Northland Reserves Bylaws 2007

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

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Bylaws

- 1 Title**
These bylaws are the Northland Reserves Bylaws 2007.
 - 2 Commencement**
These bylaws come into force on the 28th day after the date of their notification in the *Gazette*.
 - 3 Bylaws**
The bylaws in Schedule 1 apply to the reserves described in Schedule 2.
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Schedule 1

Northland Reserves Bylaws

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1 Interpretation

In these bylaws, unless the context requires otherwise,—

authorised person means—

- (a) a person authorised by a Commissioner for the purposes of these bylaws; or
- (b) a ranger

Commissioner means each of the officers whom the Director-General of Conservation designates as a Commissioner for the Northland Conservancy of the Department of Conservation

ranger has the meaning given to it by the Reserves Act 1977

reserve—

- (a) means a reserve described in Schedule 2; and
- (b) includes part of the reserve; and
- (c) includes land that becomes part of the reserve under the Reserves Act 1977

sign means a sign displaying the Department of Conservation logo

vehicle—

- (a) has the meaning given to it by section 2 of the Reserves Act 1977; and
- (b) includes bicycles.

2 Reserve open to public

- (1) A reserve must be open to the public.
- (2) Subclause (1) does not apply if the reserve is closed to the public under—
 - (a) the Reserves Act 1977; or
 - (b) a determination made by a Commissioner.
- (3) While a reserve is closed to the public, a person must not—
 - (a) enter it; or
 - (b) remain in it.

3 Gates

A person in a reserve must leave a gate in the reserve in the same position as the person finds it—for example, a gate found open must be left open and a gate found closed must be left closed.

4 Disorderly behaviour

- (1) A person in a reserve must not—
 - (a) behave in a disorderly, insulting, offensive, riotous, or threatening manner that is likely in the circumstances to cause violence against persons or property to start or continue; or
 - (b) encourage or incite any other person to behave in a manner described in paragraph (a); or
 - (c) disturb, interfere with, or obstruct any other person's use or enjoyment of the reserve in any way, including by—
 - (i) being noisy; or
 - (ii) being intoxicated; or
 - (iii) using abusive, foul, indecent, or obscene language.
- (2) A ranger who reasonably believes that a person has breached or is breaching subclause (1) may—
 - (a) ask the person to leave;
 - (b) confiscate any alcohol in the person's possession.
- (3) A person asked to leave under subclause (2) must do so.
- (4) Alcohol confiscated under subclause (2) may be returned to the person when he or she leaves the reserve.

5 Dangerous weapons

- (1) A person in a reserve must not carry or use a dangerous weapon.
- (2) Subclause (1) does not apply if the person has a Commissioner's prior written or electronic permission.
- (3) In this bylaw, **dangerous weapon** includes a bow and arrow, catapult, and shanghai.

6 Throwing things

- (1) A person in a reserve must not throw anything.
- (2) Subclause (1) does not apply to—
 - (a) throwing a thing for the purposes of a game or sport; or
 - (b) throwing litter into—
 - (i) a place that a Commissioner has approved for litter; or
 - (ii) a bin that a Commissioner has provided for litter.

7 Water

A person in a reserve must not—

- (a) cause or allow water to be wasted; or
- (b) cause or allow tap water to flow for longer than is reasonably required for the purpose for which the tap was turned on; or
- (c) cause or allow the use of water for an unlawful purpose; or
- (d) pollute a water supply in the reserve; or
- (e) render a water supply in the reserve unfit for its purposes.

8 Aircraft

- (1) A person must not do or attempt to do any of the following:
 - (a) parachute into a reserve:
 - (b) land an aircraft in a reserve:
 - (c) take off in an aircraft from a reserve:
 - (d) use an aircraft to set down in, pick up from, or recover from, a reserve—
 - (i) a person:
 - (ii) an animal, alive or dead:
 - (iii) an article of any kind:
 - (e) operate an aircraft in a reserve in any other way.
- (2) Subclause (1) does not apply if—
 - (a) the person has a Commissioner's prior written or electronic permission; or
 - (b) there is an emergency.
- (3) In this bylaw, **aircraft** includes a balloon, glider, hang-glider, and helicopter.

9 Fires

- (1) A person in a reserve must not light a fire.
- (2) Subclause (1) does not apply if—
 - (a) the person has a permit to light a fire issued under section 23 or 24 of the Forest and Rural Fires Act 1977; or
 - (b) the person is allowed to light a fire under any other provision of the Act or regulations made under the Act; or
 - (c) the person complies with fire control measures, as defined in the Act.

- (3) In this bylaw, **fire**—
- (a) includes fireworks and similar devices; and
 - (b) does not include a fire lit using a substance—for example, gas, oil, or vaporised petrol—in a barbeque or portable stove.

10 Litter

A person in a reserve must—

- (a) take his or her litter out of the reserve; or
- (b) put his or her litter into—
 - (i) a place that a Commissioner has approved for litter; or
 - (ii) a bin that a Commissioner has provided for litter.

11 Animals, except dogs

- (1) A person must not—
- (a) bring an animal into a reserve; or
 - (b) allow an animal in his or her custody to be in a reserve.
- (2) Subclause (1) does not apply if the person has—
- (a) a Commissioner's prior written or electronic permission; or
 - (b) an authorised person's permission.
- (3) An authorised person may seize and detain an animal found in a reserve.
- (4) Subclause (5) applies if the authorised person who seizes an animal under subclause (3) does not know and cannot reasonably find out who owns the animal.
- (5) The animal must be committed to—
- (a) the appropriate authority; or
 - (b) the local pound; or
 - (c) the Royal New Zealand Society for the Prevention of Cruelty to Animals; or
 - (d) any other facility that is safe, secure, and suitable for the animal.
- (6) In this bylaw, **animal** does not include a dog.

12 Dogs

- (1) A person must not bring a dog into a reserve.
- (2) Subclause (1) does not apply if—

- (a) the dog is certified by the Top Dog Companion Trust as—
 - (i) a companion dog; or
 - (ii) a dog under training to be a companion dog; or
 - (b) the dog is certified by the Royal New Zealand Foundation of the Blind as—
 - (i) a guide dog; or
 - (ii) a dog under training to be a guide dog
 - (c) the dog is certified by the Hearing Dogs for Deaf People New Zealand Trust as—
 - (i) a hearing ear dog; or
 - (ii) a dog under training to be a hearing ear dog; or
 - (d) the reserve is an open dog area under section 26ZS of the Conservation Act 1987; or
 - (e) taking the dog into the reserve is allowed under section 26ZZH or 26ZZK of the Conservation Act 1987.
- (3) An authorised person may seize and detain a dog found in a reserve.
- (4) Subclause (5) applies if—
- (a) an authorised person seizes a dog under subclause (3); or
 - (b) a warranted officer seizes a dog under section 26ZZL of the Conservation Act 1987.
- (5) An authorised person may—
- (a) have the dog returned to its owner; or
 - (b) hold the dog in a kennel under a Commissioner's or the Director-General's custody; or
 - (c) place the dog in a territorial authority's custody to be impounded under section 69 of the Dog Control Act 1996.

13 Vehicles: taking them in and using them

- (1) A person must not take a vehicle into or use a vehicle in a reserve.
- (2) Subclause (1) does not apply if—
- (a) the person has a Commissioner's prior written or electronic permission; or
 - (b) the person has an express authorisation in a concession granted under Part 3B of the Conservation Act 1987.
- (3) Subclause (1) also does not apply if a sign authorises vehicles being taken into or used in the reserve. The sign may authorise

- vehicles being taken in or used by describing, with words or pictures, one of the following situations:
- (a) the first situation is that vehicles may be taken in or used without limitation as to the kinds of vehicles that are allowed or prohibited;
 - (b) the second situation is that one or more specific kinds of vehicles may be taken in or used; the effect of a sign like this is that a person may take in or use a vehicle of any of the specific kinds but must not take in or use a vehicle of any other kind;
 - (c) the third situation is that one or more specific kinds of vehicles may not be taken in or used; the effect of a sign like this is that a person must not take in or use a vehicle of any of the specific kinds but may take in or use a vehicle of any other kind.
- (4) Subclause (1) also does not apply if a person takes a vehicle into a reserve, or uses a vehicle in a reserve, on an area that is permanently surfaced—for example, by gravel, metal, or seal—and suitable for vehicular access. Subclause (1) also does not apply if a person uses a vehicle in a camping ground accessible on that kind of area. However, subclause (1) does apply if the area or camping ground has a sign prohibiting vehicles being taken in or used. A sign may prohibit vehicles being taken in or used by describing, with words or pictures, one of the following situations:
- (a) the first situation is that vehicles may not be taken in or used at all;
 - (b) the second situation is that one or more specific kinds of vehicles may not be taken in or used; the effect of a sign like this is that a person must not take in or use a vehicle of any of the specific kinds but may take in or use a vehicle of any other kind.
- (5) In this bylaw, **take** means to drive a vehicle, ride a vehicle, or take a vehicle by any other means.

14 Vehicles: misusing them

A person must not use a vehicle in a reserve in a manner that causes or is likely to cause danger, damage, disturbance, or nuisance to—

- (a) any other person;
- (b) indigenous flora;

- (c) indigenous fauna:
- (d) natural features or landforms:
- (e) historic features or landforms:
- (f) a garden or lawn.

15 Vehicles: parking them

- (1) A person must not stop or leave a vehicle in a reserve in such a way as to cause the vehicle to obstruct an entrance to the reserve or a path or track in the reserve.
- (2) A person must not park a vehicle in a reserve.
- (3) Subclause (2) does not apply if—
 - (a) the person parks the vehicle in a place provided for the parking of vehicles; or
 - (b) the person has an express authorisation in a concession granted under Part 3B of the Conservation Act 1987.
- (4) In this bylaw, **park** means to stand a vehicle for more than 5 minutes.

16 Vehicles: consequence of breach

- (1) A ranger who reasonably believes that a person has breached or is breaching any of bylaws 13 to 15 may ask the person to leave the reserve.
- (2) A person asked to leave under subclause (1) must do so.

17 Walking

- (1) A person must not walk on planted beds or shrubbery in a reserve.
- (2) A person must not walk on a grass plot or other place in the reserve if doing so is prohibited by a sign on the grass plot or place.

18 Gatherings

- (1) A person must not attend a gathering in a reserve that disturbs, interferes with, or obstructs any other person's use or enjoyment of the reserve.
- (2) Subclause (1) does not apply if the gathering is held with a Commissioner's prior written or electronic permission.

19 Notices

- (1) A person must not—

- (a) put up a notice in a reserve; or
 - (b) interfere with a sign in a reserve.
- (2) Subclause (1) does not apply if the person has a Commissioner's prior written or electronic permission.
- (3) A person who is distributing a notice in a reserve must stop doing so if a ranger directs him or her to stop.

20 Damage to property

- (1) A person must not do any of the following to a thing in the reserve that does not belong to the person:
- (a) remove it:
 - (b) disturb it:
 - (c) damage it:
 - (d) break it:
 - (e) destroy it:
 - (f) carve, paint, or write anything on it.
- (2) Subclause (1) does not apply if the person has a Commissioner's prior written or electronic permission.

21 Noise

- (1) This bylaw applies to—
- (a) a sound or noise that disturbs or annoys a person in the reserve; or
 - (b) a sound or noise that an authorised person reasonably believes is likely to disturb or annoy a person in the reserve.
- (2) A person in a reserve must not make a sound or noise described in subclause (1) if an authorised person expressly forbids him or her to do so.
- (3) An authorised person who reasonably believes that a person has breached or is breaching subclause (2) may ask the person to—
- (a) stop making the sound or noise; or
 - (b) leave the reserve.
- (4) The person must comply with the request.
- (5) In this bylaw, **sound or noise** includes sound or noise made by—
- (a) a musical instrument; or
 - (b) an instrument of any other kind; or
 - (c) a public address system; or

- (d) an amplified sound system.

22 Camping

- (1) A person must not camp in a reserve.
- (2) Subclause (1) does not apply to a place in the reserve that a Commissioner has set aside for camping.
- (3) A person camping in the reserve must observe a direction—
- (a) given to him or her by an officer or employee of the Department of Conservation or an authorised person; or
 - (b) contained in a notice issued by an officer or employee of the Department of Conservation or an authorised person; or
 - (c) contained in a publicly displayed sign in the reserve.
- (4) A person camping in a reserve must leave the area on which that person camped clean and tidy.

23 Bylaws not to limit or affect other enactments

These bylaws do not limit or affect requirements in or under any other enactment.

24 Offences

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

Schedule 2 Reserves

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Bream Head Scenic Reserve

All that land in the North Auckland Land District containing 536.2237 hectares, more or less, being Lots 1 and 2 of Allotment 16, Parish of Manaia; Allotments 71, 72, 72A, 73, 74, 74A, 75, W76, E76, 77, 77A, 79A, Parish of Manaia; Lot 1 DP 113828; Lot 1 DP 100562; Lot 1 DP 182032; Lot 1 DP 159032; Lot 3 DP 205629; Lots 1, 3, and 4 DP 209772; all situated in Block VIII Ruakaka Survey District and Block II Taranga Survey District. (All *Gazettes* 1981 p.3234, 1985 p.678, 1997 p.3668, 2002 p.554, and 2007 p.2406)

Bream Tail Scenic Reserve

All that land in the North Auckland Land District containing 70.3241 hectares, more or less, being Allotment 534 and part Allotment 452 Parish of Waipu; all situated in Blocks I and II Mangawhai Survey District. (All *Gazette* 1978 p.2722)

Maitai Bay Recreation Reserve

All that land in the North Auckland Land District containing 488.7884 hectares, more or less, being Sections 1 and 2, Block 1 Karikari Survey District; Section 1, Block V Karikari Survey District; Karikari 2A and 2K Blocks; Merita A, B1, and No. 2 Blocks; all situated in Blocks I, II, V, and VI Karikari Survey District. (All *Gazettes* 1980 p.3271, 1983 p.3558, 1985 p.2089, 1995 p.3005, and 2007 p.2405)

Manaia Ridge Scenic Reserve

All that land in the North Auckland Land District containing 303.1543 hectares, more or less, being Allotments 53, 54, 55, 57, 58, 59, W60, N62, S62, 62A, S63, 150, 151, and 164 Parish of Manaia; Lot 1 DP 63797; Lots 1 and 2 DP 151222; Lot 1 DP 129617; part Lot 3 DP 14446; all situated in Block IV Ruakaka Survey District. (Part *Gazette* 1979 p.129, and all *Gazettes* 1997 p.1785 and 2007 p.2406)

Mangawhai Government Purpose (Wildlife Refuge) Reserve

All that land in the North Auckland Land District containing 245.2574 hectares, more or less, being Lot 1 DP 71829; situated in Blocks II, IV, and V Mangawhai Survey District. (All *Gazettes* 1982 p.1695, 2003 p.970, and 2007 p.2406)

Mimiwhangata Scenic Reserve

All that land in the North Auckland Land District containing 835.5379 hectares, more or less, comprising—

18.5000 hectares	Rimariki Island	All CT 750/161
328.2001 hectares	Lot 1 DP 42213	Pt CTs 73/105 and 81/143
0.3035 hectares	Lot 3 DP 42213	Pt CT 73/105
185.1892 hectares	Lot 1 DP 66586	Pt CT 24D/550
2.9542 hectares	Lot 2 DP 66586	Pt CT 24D/551
9.7605 hectares	Lot 3 DP 66586	Pt CT 24D/552
22.2096 hectares	Pt Lot 2 DP 42213	Pt CTs 73/105, 64/281, 81/143
115.4289 hectares	Te Ruatahi 2A Blk	All CT 602/55
63.8200 hectares	Pt Sec 3 Blk II Opuawhanga SD	Pt CT 81/143
1.1128 hectares	Sec 18 Blk II Opuawhanga SD	Pt CT 683/122
0.3085 hectares	Sec 19 Blk II Opuawhanga SD	Pt CT 683/122
27.4680 hectares	Pt Sec 1 Blk II Opuawhanga SD	All CT 1131/232
30.8826 hectares	Sec 2 Blk II Opuawhanga SD	All CT 71/188
29.4000 hectares	Pt Sec 2A Blk II Opuawhanga SD	Pt CT 64/281

(All *Gazette* 2006 p.2657)

Motu Kauri Scenic Reserve

All that land in the North Auckland Land District containing 6.0702 hectares, more or less, being Motukauri Block situated in Block II Whangaruru Survey District. (All *Gazettes* 1994 p.2982 and 2007 p.2406)

Motutara Recreation Reserve

All that land in the North Auckland Land District containing 16.8191 hectares, more or less, being part Section 11 Block VI Opuawhanga Survey District and Lot 1 DP 88172. (All *Gazette* 1985 p.5489)

Oakura Beach Domain Recreation Reserve

All that land in the North Auckland Land District containing 1.3144 hectares, more or less, being Lot 65 DP 36772; Lots 6 and 17 DP 24542; Lot 39 DP 39681; Oakura D2 Section 68 Block, all situated in Block III Whangaruru Survey District. (All *Gazettes* 1959 p.1043 and 1979 p.1906)

Otamure Recreation Reserve

All that land in the North Auckland Land District containing 3.2741 hectares, more or less, being Lot 1 DP 77363 and Lot 1 DP 97998, situated in Block VI Opuawhanga Survey District. (All *Gazette* 2007, p.2405)

Purua Scenic Reserve

All that land in the North Auckland Land District containing 75.3750 hectares, more or less, being Section 108 Block I Purua Survey District. (All *Gazettes* 1986 p.4033 and 2007 p.2405)

Rangikapiti Pa Historic Reserve

All that land in the North Auckland Land District containing 34.3982 hectares, more or less, being Allotment 131 Parish of Mangonui; situated in Block V Mangonui Survey District. (All *Gazette* 1980 p.2413)

Riponui Scenic Reserve

All that land in the North Auckland Land District containing 44.4180 hectares, more or less, being Section 34 Block XIII Hukerenui Survey District. (All *Gazette* 1979 p.3025)

Taumarumaru Recreation Reserve

All that land in the North Auckland Land District containing 22.2750 hectares, more or less, being part Lot 1 DP 42938 and part Lot 1 DP 61819; situated in Block V Mangonui Survey District. (All *Gazette* 2007 p.2405)

Uretiti Recreation Reserve

All that land in the North Auckland Land District containing 72.7240 hectares, more or less, being Section 50 Block XIV Ruakaka Survey District and part Allotment 92 Parish of Ruakaka. Situated in Block XIV Ruakaka Survey District. (All *Gazette* 2001 p.3228)

Waipu Government Purpose (Wildlife Refuge) Reserve

137.9670 hectares, more or less, being Allotments 397A and 398A, and part Allotment 503, Parish of Waipu. Marked "A" on SO69550. Situated in Blocks III and VII Waipu Survey District. (All *Gazettes* 1999 p.1843, 1999 p.1899, 2007 p.2406)

Dated at Wellington this 17th day of December 2007.

Steve Chadwick,
Minister of Conservation.

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These bylaws are administered by the Department of Conservation.
