

Reprint
as at 1 July 2013



**Nelson Lakes National Park Bylaws
2006**

(SR 2006/175)

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 Nelson Lakes National Park Bylaws 2006.

2 Commencement

These bylaws come into force on the 28th day after the date of their notification in the *Gazette*.

3 Interpretation

(1) In these bylaws, unless the context otherwise requires,—

Act means the National Parks Act 1980

camp includes staying overnight in a vehicle or boat

campsite means a campsite listed in the Schedule

Department means the Department of Conservation

formed car park means a car park formed and maintained by the Department for vehicular use by the public

formed road—

(a) means a road formed and maintained by the Department for vehicular use by the public; and

(b) includes any bridge, culvert, or ford forming part of the road; but

(c) does not include—

(i) a short walk, walking track, tramping track, route, or road identified as a short walk, walking track, tramping track or route (and any bridge, culvert, or ford forming a part of any of them) marked on the Nelson Lakes Parkmap; or

(ii) an unformed legal road

hovercraft means a machine designed to be supported in the atmosphere, wholly or partly by air expelled from the machine to form a cushion extending beneath the machine to the surface of any ground, water, or other portion of the earth's surface

hut means a hut, hostel, or other building owned by the Crown and administered by the Department and available for public accommodation in the Park

litter has the same meaning as in the Litter Act 1979

management plan means the management plan for the Park approved under the Act

mooring—

- (a) means any weight or article placed in or on the foreshore or the bed of a lake or river within the Park for the purpose of securing a vessel, raft, aircraft, or floating structure; and
- (b) includes a wire, rope, buoy, or other device attached or connected to the weight or article; but
- (c) does not include an anchor that is normally removed with the vessel, raft, aircraft, or floating structure when it leaves the site or anchorage

motorised vessel—

- (a) means a vessel or other watercraft that is used in navigation and not solely powered manually or by sail; and
- (b) includes a personal watercraft or hovercraft

Nelson Lakes Parkmap means a map of the Park that is held at the Nelson/Marlborough Conservancy office of the Department at Nelson

non-motorised vessel means a vessel or other watercraft that is used in navigation and is solely powered manually or by sail

official notice means a conspicuous notice publicly displayed containing instructions or directions as to conduct in the Park

Park means the Nelson Lakes National Park

personal watercraft—

- (a) means a motorised vessel that—
 - (i) has a fully enclosed hull; and
 - (ii) does not take on water if capsized; and

(iii) is designed to be operated by a person standing, sitting astride, or kneeling on it, but not seated in it; and

(b) includes jet skis

Rotoiti Nature Recovery Project Area means the core and extension areas shown on map 4 of the management plan

shelter means a partially or fully enclosed building, with no facilities, that provides shelter

St Arnaud Management Area means the area shown on map 3 of the management plan

take, in relation to a vehicle, includes using, riding, pushing, or operating the vehicle

vehicle has the same meaning as in section 2(1) of the Land Transport Act 1998; and includes a vehicle from which the wheels have been removed

waterski, as a verb, means to operate a motorised vessel to tow a person who is—

(a) on waterskis, an aquaplane, an inflatable device, a surf-board, or other similar device; or

(b) barefoot skiing.

(2) In these bylaws, a term or expression defined in the Act and used, but not defined, in these bylaws has the same meaning as in the Act.

4 Pollution

A person must not—

(a) wilfully or carelessly pollute in any manner the waters or land of the Park; or

(b) wilfully or carelessly spill or cause to be spilled any petrol, oil, or similar substance in the Park.

5 Disposal of litter

A person must not—

(a) leave, other than in a suitable litter receptacle provided in the Park, in any part of the Park—

(i) any litter introduced into the Park by the person; or

- (ii) any litter introduced into the Park and in that person's possession; or
- (b) bury any litter in the Park.

6 Motorised vessels

- (1) A person must not place or use a motorised vessel on, or within, the waters of Lake Rotoiti or Lake Rotoroa that is—
 - (a) more than 8 m in length; or
 - (b) more than 2.5 m in width.
- (2) A person must not place or use a motorised vessel on, or within, any rivers of the Park.
- (3) A person must not place or use a personal watercraft or hovercraft on, or within, the waters of the Park.

7 Non-motorised vessels

- (1) A person must not place or use a non-motorised vessel on, or within, the waters of the Park that is—
 - (a) more than 8 m in length; or
 - (b) more than 2.5 m in width.
- (2) Subclause (1) does not apply to rowing skiffs or waka.

8 Moorings

A person must not install or use any vessel mooring within the waters of the Park.

9 Overnighting

- (1) A person must not stay overnight in, or on, a motorised vessel or non-motorised vessel on, or within, the waters of the Park.
- (2) The owner or operator of a motorised vessel or non-motorised vessel must not allow the motorised vessel or non-motorised vessel to remain on, or within, the waters of the Park overnight, except—
 - (a) with the prior written consent of the Minister; or
 - (b) for Park management purposes.

10 Waterskiing

- (1) A person must not undertake waterskiing on any waters of the Park.

(2) Subclause (1) does not apply to the waters of Lake Rotoiti within the areas designated for that purpose and shown on map 8 of the management plan.

11 Camping

(1) A person must not camp—

- (a) on or within 200 m of a formed road; or
- (b) within 200 m of Lake Rotoiti, or Lake Rotoroa; or
- (c) in a shelter.

(2) Subclause (1) does not apply—

- (a) in an emergency involving danger to life or property; or
- (b) if the person has obtained the prior written consent of a ranger or an employee of the Department; or
- (c) in respect of a campsite.

(3) A person who camps on a campsite in the Park must comply with any direction that—

- (a) is given to the person by a ranger or an employee of the Department; or
- (b) is brought to the person's attention by an official notice; and
- (c) relates to the part or parts of the campsite that may be used for camping (including a direction that prohibits camping on any part or parts of the campsite).

(4) A person who camps in the Park, whether on a campsite or otherwise, must leave the area on which the person camps clean and tidy.

(5) A person must not camp in the Park for more than 14 consecutive days without the consent of a ranger or an employee of the Department.

Bylaw 11(1): substituted, on 30 November 2006, by bylaw 4 of the Nelson Lakes National Park Amendment Bylaws 2006 (SR 2006/334).

12 Hunting

(1) A person must not hunt or kill (including from a helicopter or other aircraft) any wild animal in the St Arnaud Management Area or the Rotoiti Nature Recovery Project Area.

(2) A person must not, at any time, use a spotlight for hunting.

13 Aircraft

- (1) The owner or operator of an aircraft must not allow the aircraft to—
 - (a) land at, or take off from, any place within the Park (except the Mt Robert Skifield helipad or the Ward Street helipad); or
 - (b) hover over any part of the Park.
- (2) Subclause (1) does not apply—
 - (a) in an emergency involving danger to life or property; or
 - (b) if the landing or take-off is authorised by a licence or permit issued under the Wild Animal Control Act 1977; or
 - (c) if the Minister considers that the landing or take-off is necessary for the proper and beneficial management, administration, and control of the Park.
- (3) The Minister may, by way of official notice, prohibit persons from entering any part of the Park that is likely to be affected by the landing or taking off of aircraft within the Park for any period of time as the Minister considers necessary for the safety of the public.
- (4) To avoid doubt, subclause (1)(a) does not authorise a person to transport passengers in a helicopter between Rainbow Skifield and Mt Robert Skifield.

14 Use of Park huts

- (1) A person must not remain overnight for more than 2 consecutive nights in any one hut in the Park.
- (2) Subclause (1) does not apply—
 - (a) in an emergency involving danger to life or property; or
 - (b) if the person has the prior written consent of a ranger or an employee of the Department; or
 - (c) if the Minister considers it necessary for the proper and beneficial management, administration, and control of the Park.
- (3) A person who uses a hut must leave it in a clean and tidy condition after use.

(4) A person must not remain in a hut after the person has been directed to leave by a ranger or an employee of the Department because the person has—

- acted in a manner likely to offend, annoy, or harm other people; or
- damaged, or appears likely to cause damage to, the hut.

15 Fires

- A person must not light a fire (except on a portable stove fuelled by gas or vaporised petrol, oil, or other similar substance) on, or within 200 m of, a formed road unless the fire is in a campsite or permanent fireplace provided by the Department.
- A person must not light a fire in the Park within 3 m of any tree or dry vegetation, except in a permanent fireplace provided by the Department.
- A person must not drop, throw, or otherwise place in any combustible material a match, lighted cigarette, or other lighted matter, except for the purpose of lighting a fire as permitted by these bylaws.
- A person who lights a fire within the Park must keep the fire continuously under supervision until it is completely extinguished.
- Despite any other bylaw, a person must not light a fire, or attempt to light a fire, in the Park in circumstances where it is likely to present a fire hazard.
- This bylaw does not exempt a person from the requirement to obtain an authority or permit to light a fire in the open air within the Park pursuant to sections 23 and 24 of the Forest and Rural Fires Act 1977 or any other requirement of that Act or any regulations made, or fire control measures taken, under the authority of that Act.

16 Vehicles

- A person must not, without the written consent of the Minister, take a vehicle into, or permit a vehicle under that person's control to remain in, any part of the Park that is not—
 - a formed road; or

- (b) a formed car park; or
- (c) a campsite accessible by a formed road.

(2) Subclause (1) does not apply—

- (a) in an emergency involving danger to life or property; or
- (b) if the Minister considers it necessary for the proper and beneficial management, administration, and control of the Park.

(3) Subject to subclauses (1) and (2), a person must not take a mountain bike or other type of bicycle on any short walk, walking track, tramping track, or route marked on the Nelson Lakes Parkmap.

(4) A person must not take a vehicle on a formed road within the Park if—

- (a) the vehicle is of a class that is excluded by an official notice from the formed road; or
- (b) the vehicle is not currently registered or does not display a current warrant of fitness; or
- (c) the person does not hold a current driver licence for the particular class of vehicle being driven; or
- (d) the vehicle is of a class excluded by these bylaws.

(5) A person who takes a vehicle into the Park must—

- (a) operate and park it in accordance with the directions of any ranger or employee of the Department, or the directions contained in an official notice; or
- (b) if no directions are given under subclause (a), operate and park it in a safe and considerate manner and position.

17 Competitive sports

A person must not, without the prior written consent of a ranger or an employee of the Department, conduct or engage in any competitive sport or in any organised training for any competitive sport in the Park.

18 Portable generators

(1) A person must not install or operate a portable electric generator in any part of the Park.

(2) Subclause (1) does not apply—

- (a) in an emergency involving danger to life or property; or
- (b) if the Minister considers it necessary for the proper and beneficial management, administration, and control of the Park.

19 Public address systems

A person must not, without the prior written consent of the Minister, install or operate a public address system in the Park unless the system—

- (a) is installed in a building or vehicle; and
- (b) cannot be heard outside that building or vehicle.

20 Offences

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

21 Penalties

A person who commits an offence against these bylaws is liable, on conviction,—

- (a) in the case of an offence against bylaw 13(1), to a fine not exceeding \$5,000;
- (b) in any other case, to a fine not exceeding \$500.

Bylaw 21: amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

22 Proceedings for offences

These bylaws do not limit or prevent the taking of proceedings under any Act in respect of any offence committed in the Park.

23 Revocation

The Nelson Lakes National Park Bylaws 1981 (SR 1981/68) are revoked.

Schedule cls 3(1), 11(2), 16(1)
Campsites

Campsite	Grid reference
Lake Rotoroa campsite	M29 76600 34700
D'Urville Hut campsite	M29 80600 22300
Sabine Hut campsite	M29 83500 22700
Coldwater Hut campsite	N29 94700 26300
Lakehead Hut campsite	N29 95100 25700
West Bay campsite	N29 95600 34300
Kerr Bay campsite (excluding the Blechynden Shelter)	N29 97400 33400

Dated at Wellington this 28th day of June 2006.

Chris Carter,
Minister of Conservation.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 6 July 2006.

Contents

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

Notes

1 General

This is a reprint of the Nelson Lakes National Park Bylaws 2006. 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 have yet to come into force or that contain relevant transitional or savings provisions are also included, after the principal enactment, in chronological order.

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/legislation/reprints.shtml>
or Part 8 of the *Tables of 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

Nelson Lakes National Park Amendment Bylaws 2006 (SR 2006/334)