

## **Kahurangi National Park Amendment Bylaws 2011**

Pursuant to section 56 of the National Parks Act 1980, the Minister of Conservation makes the following bylaws.

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## **Bylaws**

### **1 Title**

These bylaws are the Kahurangi National Park Amendment Bylaws 2011.

### **2 Commencement**

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

### **3 Principal bylaws amended**

These bylaws amend the Kahurangi National Park Bylaws 2009.

### **4 Interpretation**

- (1) This clause amends clause 3.
- (2) The following definitions are inserted in their appropriate alphabetical order:

**“Flora Saddle to Barron Flat mountain biking route** means—

- “(a) those parts of the tracks identified on the map in Schedule 4, from Flora car park via Lower Junction to the park boundary near Barron Flat, that are within the park; and
- “(b) the area immediately around the Flora Hut

**“Heaphy Track mountain biking route** means—

- “(a) the Heaphy Track; and
- “(b) the side tracks from the Heaphy Track to the campsites listed in Schedule 1; and
- “(c) the side tracks from the Heaphy Track to the huts and shelters listed in Schedule 1A; and
- “(d) the campsites listed in Schedule 1; and
- “(e) the area immediately around the huts and shelters listed in Schedule 1A

**“hours of darkness** means the period of time between half an hour after sunset on one day and half an hour before sunrise on the next day

**“Kill Devil mountain biking route** means—

“(a) that part of the track identified on the map in Schedule 4, from the park boundary near Skeet Creek to Waingaro Forks Hut, that is within the park; and

“(b) the area immediately around the Waingaro Forks Hut

**“shelter** 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 overnight public accommodation only in an emergency involving danger to life or property”.

(3) The definition of **Heaphy Track** is revoked and the following definition substituted:

“**Heaphy Track** means those parts of the Heaphy Track identified on the Kahurangi Parkmap that are within the park”.

(4) The definition of **Kahurangi Parkmap** is amended by omitting “the map of the park” and substituting “Parkmap number 274–13”.

(5) The definition of **official notice** is amended by revoking paragraph (a) and substituting the following paragraph:

“(a) contains information as to entry to, or conduct in, the park; and”.

(6) The definition of **Tableland Track** is revoked and the following definition substituted:

“**Tableland Track** means those parts of the track identified on the Kahurangi Parkmap, from Flora Carpark to Balloon Hut via Growler Shelter, that are within the park”.

(7) The definition of **Wangapeka Track** is revoked and the following definition substituted:

“**Wangapeka Track** means those parts of the Wangapeka Track identified on the Kahurangi Parkmap that are within the park”.

**5 Hunting: Cobb Valley flats, Mount Arthur, and Tableland Area**

Clause 12(2) and (3) are revoked and the following subclauses substituted:

- “(2) A person must not hunt or kill a wild animal in the areas from sunset on 22 December until sunrise on 9 February in the following year.
- “(3) A person must not hunt or kill a wild animal in the areas from any kind of aircraft, including a helicopter, at any time.”

## **6 Hunting: Heaphy Track, Wangapeka Track, and Tasman Wilderness Area**

- (1) Clause 13(1) is revoked and the following subclause substituted:
  - “(1) A person must not hunt or kill a wild animal on, or within 500 m of, the Heaphy Track or the Wangapeka Track at any time.”
  - (2) Clause 13(3) is revoked and the following subclause substituted:
    - “(3) A person must not hunt or kill a wild animal from a helicopter in the Tasman Wilderness Area—
      - “(a) on and from 22 December until the end of 5 January in the following year; or
      - “(b) on and from 23 March until the end of 9 April in the same year; or
      - “(c) on and from Good Friday until 7 am on the day after the following Easter Monday.”

## **7 Vehicles: taking in and using**

- (1) The heading of clause 16 is amended by omitting “Vehicles” and substituting “Motorised vehicles”.
- (2) Clause 16(1) is amended by omitting “a vehicle” and substituting “a motorised vehicle”.
- (3) Clause 16(2) is amended by omitting “a vehicle” and substituting “a motorised vehicle”.
- (4) Clause 16(3) is amended by omitting “a vehicle” and substituting “a motorised vehicle” in both places where it appears.
- (5) Clause 16(4) is revoked.
- (6) Clause 16(5) is amended by omitting “a vehicle” and substituting “a motorised vehicle” in both places where it appears.
- (7) Clause 16(5)(c) is amended by inserting “or certificate” after “warrant”.

**8 Vehicles: allowing to remain**

- (1) The heading of clause 17 is amended by omitting “Vehicles” and substituting “Motorised vehicles”.
- (2) Clause 17(1) is amended by omitting “a vehicle” and substituting “a motorised vehicle”.
- (3) Clause 17(2) is amended by omitting “a vehicle” and substituting “a motorised vehicle”.

**9 New clauses inserted**

The following new clauses are inserted after clause 17:

**“17A 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 route referred to in any of subclauses (4) to (6), on the conditions set out in the subclause; or
  - “(b) a formed road; or
  - “(c) a formed car park accessible by a formed road; or
  - “(d) a campsite listed in Schedule 1 and accessible by a formed road; or
  - “(e) a campsite not listed in Schedule 1 but identified as a campsite on the Kahurangi Parkmap and accessible by a formed road.
- “(4) For the Flora Saddle to Barron Flat mountain biking route, the conditions are as follows:
  - “(a) the person must not use the vehicle during the hours of darkness; and
  - “(b) the person must not be in a group of more than 6 persons; and
  - “(c) the person must not take the vehicle into, onto, or under, or use the vehicle in, on, or under, a hut or any part of a hut, including its veranda, porch, and steps; and

“(d) the person must not take the vehicle into, onto, or under, or use the vehicle in, on, or under, a shelter or any part of a shelter, including its veranda, porch, and steps, unless the shelter is designated for the storage of non-motorised vehicles.

“(5) For the Heaphy Track mountain biking route, the conditions are as follows:

- “(a) the person must not take the vehicle into the park and use the vehicle in the park at any time outside the period of half an hour before sunrise on 1 May until half an hour after sunset on 30 September in the same year; and
- “(b) the person must not use the vehicle during the hours of darkness; and
- “(c) the person must not be in a group of more than 6 persons; and
- “(d) the person must not take the vehicle into, onto, or under, or use the vehicle in, on, or under, a hut or any part of a hut, including its veranda, porch, and steps; and
- “(e) the person must not take the vehicle into, onto, or under, or use the vehicle in, on, or under, a shelter or any part of a shelter, including its veranda, porch, and steps, unless the shelter is designated for the storage of non-motorised vehicles.

“(6) For the Kill Devil mountain biking route, the conditions are as follows:

- “(a) the person must not be in a group of more than 6 persons; and
- “(b) the person must not take the vehicle into, onto, or under, or use the vehicle in, on, or under, a hut or any part of a hut, including its veranda, porch, and steps; and
- “(c) the person must not take the vehicle into, onto, or under, or use the vehicle in, on, or under, a shelter or any part of a shelter, including its veranda, porch, and steps, unless the shelter is designated for the storage of non-motorised vehicles.

**“17B 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) the Flora Saddle to Barron Flat mountain biking route; or
  - “(b) the Heaphy Track mountain biking route on and from half an hour before sunrise on 1 May until half an hour after sunset on 30 September in the same year; or
  - “(c) the Kill Devil mountain biking route; or
  - “(d) a formed road; or
  - “(e) a formed carpark accessible by a formed road; or
  - “(f) a campsite listed in Schedule 1; or
  - “(g) a campsite not listed in Schedule 1 but identified as a campsite on the Kahurangi Parkmap and accessible by a formed road; or
  - “(h) a place where a departmental employee directs the person to put the vehicle; or
  - “(i) a place where an official notice directs the person to put the vehicle.
- “(3) None of subclause (2)(a) to (g) permits the person to allow the vehicle to remain—
  - “(a) in, on, or under, a hut or any part of a hut, including its veranda, porch, and steps; or
  - “(b) in, on, or under, a shelter or any part of a shelter, including its veranda, porch, and steps, unless the shelter is designated for the storage of non-motorised vehicles.

**“17C Motorised and non-motorised 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 ve-

hicle into the park and use the vehicle in the park in a safe and considerate manner.”

**10 New clause inserted**

The following clause is inserted after clause 19:

**“19A Access**

- “(1) An official notice may prohibit persons, with or without a vehicle, from entering the park or a part of the park.
- “(2) The notice may state the period for which entry is prohibited.
- “(3) Alternatively, the notice may state that entry is prohibited until a notice is given allowing entry.
- “(4) Entry to the park or a part of the park may be prohibited only if prohibition is necessary to—
  - “(a) manage and preserve the park and keep it safe; or
  - “(b) preserve the native plants and animals in the park and keep them safe; or
  - “(c) protect the public and keep them safe.
- “(5) A person must comply with the official notice.”

**11 Exceptions**

- (1) Clause 20(1) is amended by inserting “17A, 17B, 17C,” after “17.”.
- (2) Clause 20(2) is amended by inserting “17A, 17B, 17C,” after “17.”.

**12 Schedules substituted or inserted**

- (1) Schedule 1 is revoked and the Schedule 1 in Schedule 1 of these bylaws is substituted.
- (2) The Schedule 1A in Schedule 2 of these bylaws is inserted.
- (3) The Schedule 4 in Schedule 3 of these bylaws is inserted.

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**Schedule 1**  
**New Schedule 1 substituted in principal  
bylaws**

**Schedule 1**      cl 12(1)  
 cls 3, 7(2), 8(3)–(6), 16(3),  
 17(2), 17A(3), 17B(2)

**Campsites**

<b>Campsite</b>	<b>Grid reference (NZTM2000)</b>
Aorere campsite	BP23 E1552809 N5472790
Brown campsite	BP23 E1553407 N5477711
Gouland Downs campsite	BP23 E1545512 N5473167
Heaphy campsite	BP22 E1525152 N5462315
James Mackay campsite	BP22 E1534066 N5473620
Katipo Creek campsite	BP22 E1524934 N5455943
Perry Saddle campsite	BP23 E1549708 N5472087
Saxon campsite	BP23 E1541741 N5473612
Scotts Beach campsite	BP22 E1524801 N5451055

**Schedule 2**  
**New Schedule 1A inserted in principal  
bylaws**

**Schedule 1A**      cl 12(2)  
**Huts and shelters**

<b>Hut or shelter</b>	<b>Grid reference (NZTM2000)</b>
Aorere Shelter	BP23 E1552809 N5472787
Brown Hut	BP23 E1553403 N5477714
Gouland Downs Hut	BP23 E1545527 N5473185

<b>Hut or shelter</b>	<b>Grid reference (NZTM2000)</b>
Heaphy Hut	BP22 E1525193 N5462347
James Mackay Hut	BP22 E1534033 N5473593
Katipo Creek Shelter	BP22 E1524932 N5455943
Lewis Hut	BP22 E1528273 N5467543
Perry Saddle Hut	BP23 E1549695 N5472062
Saxon Hut	BP23 E1541707 N5473632

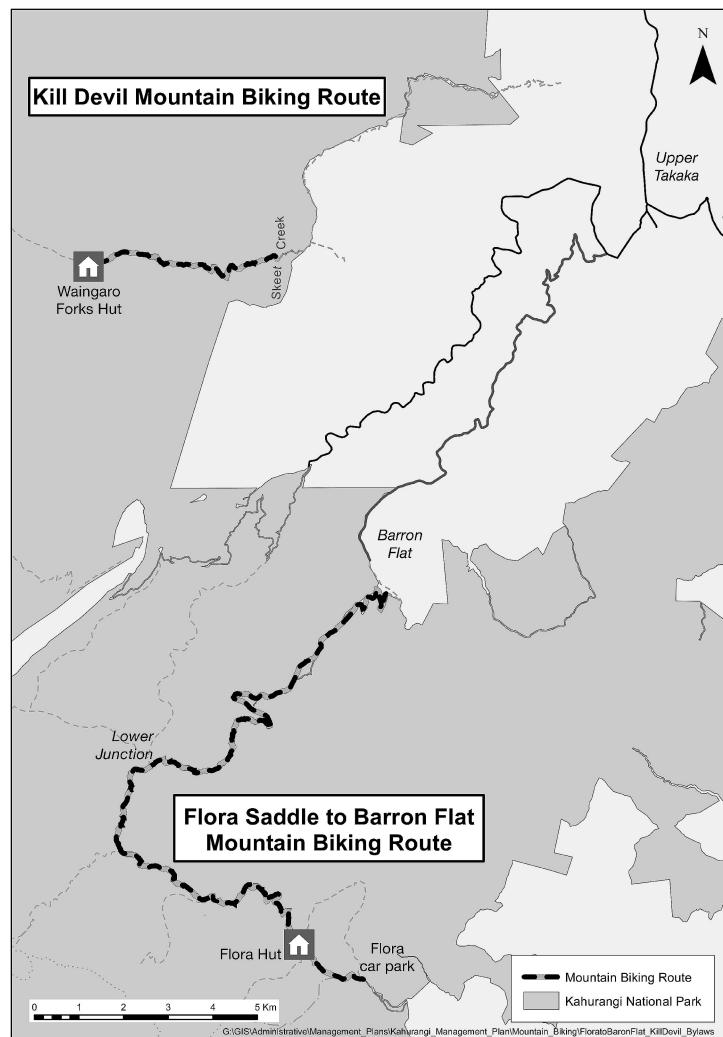
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**Schedule 3**  
**New Schedule 4 inserted in principal  
bylaws**

cl 12(3)

**Schedule 4**  
**Map of Flora Saddle to Barron Flat  
mountain biking route and Kill Devil  
mountain biking route**

cl 3



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Dated at Wellington this 20th day of March 2011.

Kate Wilkinson,  
Minister.

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### **Explanatory note**

*This note is not part of the bylaws, but is intended to indicate their general effect.*

These bylaws amend the Kahurangi National Park Bylaws 2009 in 2 ways. First, they allow mountain biking in the Kahurangi National Park on the Flora Saddle to Barron Flat mountain biking route, the Heaphy Track mountain biking route (during the winter), and the Kill Devil mountain biking route. Second, they increase the locations and times when hunting may occur.

The bylaws come into force 28 days after they are notified in the *Gazette*.

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

Date of notification in *Gazette*: 24 March 2011.

These bylaws are administered by the Department of Conservation.

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