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Wellington Regional Council

Bylaws

for Forests, Parks and Recreation Areas

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Bylaws for Forests, Parks and Recreation Areas Managed by the Wellington Regional Council

Pursuant to the Local Government Act 1974, Reserves Act 1977 and Wellington Regional Water Board Act 1972, the Wellington Regional Council hereby makes the following bylaws for the control and administration of the various recreational parks and forests it administers.

1. Interpretation

In these regulations the following terms mean:

- **Council**
The Wellington Regional Council
- **Departmental Manager**
Means the Manager, Recreation, the Manager, Forestry or the Manager, Operations (Wairarapa).
- **Warranted Officer**
A Park Ranger, Forestry Department Ranger, Council employee or any other person authorised by a warrant issued by a Departmental Manager, to enforce the provisions of these bylaws.
- **Vehicles**
Includes all types of vehicles however propelled, having two or more wheels or supports on which it moves or is moved.
- **Vessels**
Includes all types of craft however propelled, which can operate on water.
- **Parks**
Any park, walkway or recreation area vested in or under the control of the Council.
- **Forests**
Includes all indigenous and exotic forests and soil conservation reserves vested in or under the control of the Council.
- **Stock**
Means any animal, domestic or otherwise and whether attended or unattended.

2. **Parks and Forests Open to the Public**

- (1) Subject to the provisions of these bylaws and the provisions of any management agreement affecting any land not owned but administered by the Council, the parks and forests or parts thereof shall be open to the public.
- (2) Subject to any statutory provision to the contrary, the Council may close from time to time the parks and forests or parts thereof as necessary for the protection and general well-being of the park or forest or for the protection and control of the public using the area.
- (3) Except with the express permission of a warranted officer, no person shall enter the parks or forests or remain therein during the times when they are closed to the public.
- (4) If in the opinion of a warranted officer vehicle access is prejudicial to the interests of security or public safety, the warranted officer may deny access or require any person who has obtained access to leave.
- (5) A Departmental Manager may close any forest area in the interest of public safety during logging operations or at times of extreme fire hazard.

3. **Conduct of Park and Forest Users**

No person shall obstruct, disturb, or interfere with any other person in the use or enjoyment of any park or forest.

4. **Dangerous Weapons**

Except with the prior written permission of a warranted officer, no person shall within any park or forest carry or use any weapon or instrument of a dangerous character (including any firearm, bow and arrow, catapult or shanghai).

4.1 **Chemicals**

Except with the prior written permission of a warranted officer, no person shall within any park or forest carry or use any herbicide, insecticide or pesticide.

5. **Throwing Stones, Missiles**

No person shall throw any stick, stone or other missile within a park or forest in a manner that may annoy or injure any person, or damage any property.

6. **Litter**

- (1) Litter shall be placed in the receptacles provided for this purpose.
- (2) Subject to section (1) of this bylaw, no person shall deposit or throw, bury or burn on any part of a park or forest any litter, rubbish, substance, or article of dangerous or offensive nature, or likely to be of a dangerous or offensive nature.

7. **Vehicles and Other Traffic Including Vessels**

- (1) No person shall drive or ride any animal or any vehicle, or vessel of any description (whether propelled by mechanical power or not) within a park or forest in a manner which, having regard to all the circumstances of the case, is or might be dangerous to the public or to any person.
- (2) No person shall take, ride or drive any animal, or any vehicle, or vessel of any description (whether propelled by mechanical power or not) into or on any areas within a park or forest expressly prohibited by notices, or into or on areas that a warranted officer expressly forbids that person to take the said vehicle, animal or vessel.

8. **Parking**

- (1) No person shall park any vehicle in any place which is designated a no parking area by signs or road markings.
- (2) No person shall park or leave parked a vehicle of any description in a manner that may obstruct or hinder other traffic, an entrance, thoroughfare or area being used by the public generally.
- (3) Any vehicle found parked as in sections (1) and (2) of this bylaw may be removed to a place of safety at the owner's expense.
- (4) The term park in relation to this bylaw means to stand a vehicle for a period exceeding five minutes.

9. **Vehicle Maintenance and Removal**

- (1) No person shall wash, clean, polish, paint, repair, tune or do any vehicle maintenance or mechanical work to a motor vehicle within a park or forest.

- (2) Any vehicle found abandoned, or in need of repair, or left unattended during that time when the park or forest is closed to the public, may be removed therefrom to a place of safety at the owner's expense.

10. Aircraft

- (1) Except, in accordance with written permission previously obtained from a Departmental Manager, no person shall make use of any part of a park or forest for the purpose of the landing or alighting thereon, or the flying therefrom of aircraft of any description (including aeroplanes, helicopters, gliders, microlights).
- (2) Except in accordance with the permission of a warranted officer, no person, operator or pilot-in-command of an aircraft of any description shall make use of any part of a park or forest for the purpose of setting down, picking up or recovery from within the park or forest of any person, livestock, carcass or article of any description.
- (3) Any permission given under this bylaw shall not constitute any acknowledgement of, or absolve from compliance with any requirement of the Director of Civil Aviation.
- (4) No person shall operate any model aircraft of any description (including radio-controlled aircraft) in a park or forest in a manner that is likely to endanger or annoy other members of the public.

11. Gates

No person shall leave any gate in a different position from that in which it is found. Gates found open shall be left open and gates found closed shall be left closed.

12. Water

- (1) No person shall within a park or forest permit or cause wastage of water, or permit any water tap to flow for a longer period than is reasonably required to obtain water for drinking, or cooking, or other lawful purposes
- (2) No person shall in any manner pollute or otherwise render unfit for use for any purpose (whether for human consumption or not), any water supply within a park or forest.
- (3) No person shall pollute, block, obstruct, dam, or divert any river, stream or waterway in any park or forest.

13. **Fires**

- (1) No person shall light any fire in any park or forest, except in fireplaces, portable barbecues, or other designated areas provided by the Council for that purpose.
- (2) Any person who lights a fire shall not leave it unattended and shall extinguish that fire before leaving.
- (3) No person shall light a fire or expose a naked flame (including gas or other fuel operated barbecues) when a prohibition against the lighting of fires for that particular area is in force.
- (4) Any warranted officer may order that a fire be extinguished if in the opinion of that officer the fire may cause a hazard, or annoy any other person or persons. Should any person refuse to extinguish the fire the warranted officer may cause to have it extinguished.
- (5) No match, lighted or not lighted, cigarette, or other lighted matter shall be dropped, thrown or otherwise placed in any grass or other flammable material.
- (6) Nothing in this section shall relieve any person from any liability for damage caused by any fire, whether permitted by this section or not.

14. **Fireworks**

- (1) Except with the consent of a warranted officer or in areas allocated by signs expressly permitting this activity, no person shall ignite or in any way use fireworks in a park or forest.
- (2) No person in a park or forest shall ignite or use fireworks in a manner that is likely to annoy, frighten or endanger the safety of other users or stock.

15. **Planting**

Except with the prior consent of a Departmental Manager, no person shall plant any tree, shrub, or plant of any kind, or sow or scatter the seed of any tree, shrub, or plant of any kind in any park or forest or introduce any substance injurious to plant life in any park or forest.

16. Damage to Property and Removal of Vegetation

- (1) No person shall remove, disturb, break, destroy, or interfere with any facility or service, or paint, carve or write names or letters or words or figures or devices on, or deface any building, object of art, natural object, safety device, structure, tool, instrument, seat, gate, bridge, fence, tree or vegetation of any description within any park or forest.
- (2) Nothing in section (1) of this bylaw shall affect the removal of noxious plants or the cutting and removal of forestry products authorised by a Departmental Manager.

17. Notice Boards and Posters

Except with the prior permission of a warranted officer, no person shall post any placard, poster, or display, or damage, remove, replace, or alter any existing placard, poster, display, notice, or sign within a park or forest.

18. Revegetation Areas

No person shall walk, drive, ride on any newly sown grass plot, revegetation area, or other place set aside or designated for the purpose of regeneration or cultivation of plants within a park or forest.

19. Stock

- (1) Except with the consent of a Departmental Manager, and subject to such conditions imposed on granting of consent, no person shall allow any stock to wander on to, or graze on any park or forest.
- (2) No person shall disturb or annoy any stock which is lawfully in, or grazing on any park or forest.

20. Dogs

- (1) Unless a dog is led on a leash or otherwise properly secured, no person shall bring any dog into a park or forest, or allow any dog in their custody, charge or control to be within the park or forest.
- (2) If in the opinion of a warranted officer, members of the public would not be frightened or annoyed, the officer may allow dogs to run unleashed for a period of time in a controlled situation.

- (3) Any warranted officer may seize and detain any dog found within a park or forest not secured as mentioned in subsection (1) of this section. If the owner of the dog is not known or cannot reasonably be ascertained, it shall be committed to the care of the local authority Animal Ranger.
- (4) No person shall allow a dog to be in a closed area or an area where dogs are not permitted.
- (5) No person for the time being in charge of a dog shall allow the dog to annoy or frighten any other person, or behave in such a manner that is likely to cause an accident of any kind, or affect the safety of any other person or persons in the park or forest.
- (6) The Council may designate by signs or public notices areas of a park or forest where persons who bring dogs or other animals are required to pick up and remove the faeces deposited by such dogs or animals.

21. Organised Public Events

- (1) Except with prior written consent of a Departmental Manager, no person shall conduct any event, meeting or large gathering to which the public are invited generally or specifically, in any park or forest.
- (2) Any warranted officer may ask any organiser or person apparently in charge of the event to produce evidence of prior written consent and if the person fails to do so the warranted officer may require the organiser and any other persons attending the event to leave the park or forest.

22. Booths, Stalls and Other Structures

- (1) No person shall put up or erect any stall, booth, tent, swing, or structure of any kind within a park or forest, except with the prior written permission of the Council, and then only at such place, for such time or term, or of such dimensions, and subject to such conditions as are specified in the permit. Any fee charged by the Council in respect of the permit may be payable in advance.
- (2) Any warranted officer may remove or cause to be removed any stall, booth, tent, swing or structure whether temporary or permanent, erected or placed in a park or forest without the written consent of the Council.

23. **Commercial Operations**

No person shall within any park or forest carry out any trade, business, service or activity for hire or reward, except with the prior permission in writing of the Council, and then only in compliance with every condition specified in the permit.

24. **Selling Food and Drink**

(1) No person shall within a park or forest sell or offer or expose for sale, or have in their possession for the purposes of sale any article of food, or merchandise, or any drink (whether intoxicating or otherwise), except with the prior permission in writing of the Council, and then only in compliance with every condition specified in the permit.

(2) No such permit shall be deemed to authorise the sale, or offering or exposing for sale, or the having in possession for the purpose of sale of any intoxicating liquor in contravention of any provision of the Sale of Liquor Act 1989.

25. **Recreational Activities**

No person shall engage in any recreational activity in a park or forest if expressly forbidden to do so by a warranted officer on the grounds that such an activity will interfere with, or endanger other users, or is likely to damage any grassed areas, trees, shrubs or other vegetation areas.

26. **Noise Control**

No person shall, if forbidden to do so by a warranted officer (either generally or in any particular case), use or play an instrument, radio, or audio device of any description, or any tape or public address or amplified sound system in any park or forest, or cause in any way any sound or noise that disturbs or annoys, or is likely to disturb or annoy, other occupiers or users of the park or forest.

27. **Wildlife**

Except with a permit issued by a warranted officer for that purpose, no person shall remove, kill, injure, frighten, disturb, catch, snare, trap, or lay poison for any wildlife in a park or forest.

28. Camping

- (1) Except with a permit and in a place set aside by the Council for that purpose, no person shall camp in a park or forest.
- (2) Any warranted officer may on reasonable grounds ask any person camping to relocate to another site within the park or forest or leave the area.

29. Swimming Areas

No person shall swim or enter any river, stream, water storage area or other area of water within a park or forest if expressly forbidden to do so by signs, or by request from a warranted officer on the grounds of safety or health of that or any other person.

30. Closed Areas

No person shall enter, walk, run, ride or in any way use or cause to be used any footway, roadway, bridge, river, stream, reservoir, or area which for reasons of repair, revegetation, or public safety or health is prohibited from use by the public. Such areas to be clearly marked by the appropriate signs.

31. General

- (1) No consent under these bylaws shall be deemed of itself to constitute a consent given under the Reserves Act 1977 or other statutory provision.
- (2) Nothing in these bylaws shall be deemed to limit or prevent the taking of proceedings under any Act in respect of an offence committed within any park or forest.
- (3) Every warranted officer of the Council may enforce the provisions of these bylaws.
- (4) Every warranted officer of the Council, upon production of his or her warrant, may request the name and address, and evidence of its correctness, of any person found committing an offence against these bylaws.
- (5) Every person commits a further offence who fails or refuses to supply his or her details when requested to do so as mentioned in subsection (4).
- (6) A Departmental Manager, may revoke a warrant if he or she believes that the holder is not a fit and proper person to enforce the provision of these bylaws.

- (7) Any person commits an offence who fails to return a warrant when requested to do so by a Departmental Manager.
- (8) Any constable may enforce any of the provisions of these bylaws, upon evidence of his or her identify.
- (9) Nothing in clause 4, 4.1, 6, 7(2), 9(1), 10(1) and (2), 11, 13(1), 15, 16, 20(1) and (4), 22, 23 and 27 of these bylaws shall apply to any landowner or the agent of any landowner, or to any lessee or licence holder in respect of any operations lawfully undertaken on any land owned or occupied by such person.

32. Offences

- (1) Every person commits an offence against these bylaws who fails to comply with any condition, term or restriction imposed by these bylaws, or any notice or permission issued by the Council or a warranted officer of the Council.
- (2) Where any person commits an offence against the foregoing bylaws, a further offence shall be committed if that person fails to comply forthwith with any request or requirement made or issued by any warranted officer under these bylaws.

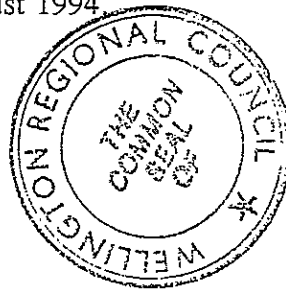
33. Penalty

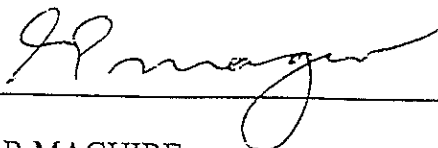
Every person who commits an offence against these bylaws shall be liable on summary conviction to a fine not exceeding \$500 and where the offence is continuing a fine not exceeding \$50 a day for each day the offence continues.

It is hereby certified that this and the preceding pages are a true copy of the Wellington Regional Council Bylaws for Forests, Parks and Recreation Areas 1994 adopted by the Wellington Regional Council at its meeting on 8 August 1994.

Sealed at Wellington this 17th day of August 1994

THE COMMON SEAL of the)
WELLINGTON REGIONAL COUNCIL)
was hereunto affixed in the)
presence of:)





E P MAGUIRE
Authorised Signatory