



WAIPA DISTRICT MAUNGATAUTARI SCENIC RESERVE BYLAW 2007

In pursuance and exercise of the Power and Authorities vested in it by Section 106 of the Reserves Act 1977 and Part 8 of the Local Government Act 2002 and every other power and authority it thereto enabling the Waipa District Council makes and ordains this Bylaw.

1. TITLE

This Bylaw shall be cited and referred to as the Waipa District Maungatautari Scenic Reserve Bylaw 2007.

2. OBJECTIVES

The objectives of this Bylaw are –

- (a) To enable the management of the Maungatautari Scenic Reserve as an area free from predators and non-indigenous animals; and,
- (b) To require access to the Reserve to be only through specified public gateways; and,
- (c) To control entry to Environmental Protection Areas within the Reserve.

3. COMMENCEMENT

This Bylaw comes into force on the day after it has been approved by the Minister of Conservation pursuant to Section 108 of the Reserves Act 1977.

4. INTERPRETATION

In this Bylaw, unless the context otherwise requires –

“**the Act**” means the Reserves Act 1977.

“**Animal**” means any vertebrate or invertebrate that is not indigenous to New Zealand.

“**Authorised Officer**” means a person appointed by Council to exercise the powers in relation to offences against, and infringement offences under the Act,

including the enforcement and monitoring of this bylaw. For the purposes of this Bylaw, an Authorised Officer includes a Ranger.

“Council” means the Waipa District Council as the administering body of the Reserve.

“Concessionaire” means the holder of a concession granted by the Council (acting under authority delegated to it) pursuant to Section 59A of the Act and **“Concession”** has the meaning given to it by that section of the Act.

“Environmental Protection Area” means –

- (a) That part of the Reserve containing approximately 65 hectares and being part of Section 31 Tautari Settlement and otherwise known as the ‘Southern Enclosure’; and,
- (b) That part of the Reserve containing approximately 35 hectares and being part of 3A5A3 Maungatautari and otherwise known as the ‘Northern Enclosure’.

“Exotic Plant” means a introduced plant which is not native to New Zealand.

“Predator Proof Fence” means the fence built round the perimeter of part of the Reserve (as well as land which is not part of the Reserve) for the purposes of excluding animals.

“Protection Zone” means any area within the Reserve where public access has been prohibited by the Council pursuant to Section 55(1)(b) of the Act because the area is being improved or allowed to regenerate.

“Public Access Gateway” means a public access into the Reserve through a Secure Access Gate, and their locations are set out in Schedule 2 to this Bylaw.

“Reserve” means the Maungatautari Scenic Reserve or any part of it as classified and named in Schedule 1 to this Bylaw and includes any land owned by Council for the purpose of been added to the Reserve.

“Ranger” means a person appointed by the Council as a Ranger under Section 8 of the Act.

“Secure Access Gate” means any gateway through the predator proof fence that has been specifically designed to enable and to manage the flow of pedestrians into and out of the Reserve without enabling entry by any animal.

5. CONTROLS ON PUBLIC ACCESS

- 5.1 No person may enter the Reserve or any part of it except through a Public Access Gateway or a Secure Access Gate.

5.2 No person may enter an Environmental Protection Area unless –

- (a) Authorised by Council; or,
- (b) Authorised by and in accordance with any conditions in a Concession which specifically authorises entry into an Environmental Protection Area; or,
- (c) Authorised by a Concessionaire who has a Concession which specifically authorises the Concessionaire to permit persons to enter an Environmental Protection Area.

5.3 No person may enter any part of the Reserve which is a Protection Zone unless authorised by the Council or any person or organisation acting as authorised agent of the Council.

6. PROHIBITION OF ANIMALS

6.1 No person may take any animal on to the Reserve or permit any animal to be taken on to the Reserve except –

- (a) Animals authorised by the Council for the purposes of Reserve management; or,
- (b) A guide dog trained for and used by the visually impaired and then only in strict accordance with conditions imposed by the Council or a Concessionaire.

6.2 Subject to Clause 6.1, the Council or any Authorised Officer may without notice destroy any animal found in the Reserve.

7. ACCESS MANAGEMENT

7.1 All gateways may be monitored by the Council, or a Authorised Officer or any person or organisation acting as authorised agent of the Council.

7.2 Monitoring may include the inspection of bags, receptacles or containers capable of importing into the Reserve any animal or exotic plant material or exporting flora and fauna off the Reserve.

7.3 Entry may be refused to any person who declines to make a bag, receptacle or container available for inspection.

7.4 Entry may be refused to any person who, in the opinion of a Authorised Officer, is likely to damage any flora or fauna in the Reserve or import any animal or exotic plant material into the Reserve.

8. HOURS OF ACCESS

The Council may by resolution, of which public notice has been given, regulate the times of admission to an Environmental Protection Area and in a similar manner may vary such times of admission.

Following such resolution –

- (a) Times of admission shall be clearly displayed at Public Access Gateways; and,
- (b) The Council may lock the Public Access Gateways to prevent entry outside those times.

9. PROTECTION ZONES

The location of any Protection Zone will be identified by information clearly displayed at Public Access Gateways.

10. RANGERS

The Council may pursuant to Clause 8 of the Act appoint Rangers for the purpose of –

- (a) Monitoring and enforcing the requirements of this Bylaw; and,
- (b) Assisting with management of the Reserve in accordance with the approved Maungatautari Reserve Management Plan; and,
- (c) Any other purpose authorised by the Act.

11. BYLAWS NOT TO LIMIT OR AFFECT OTHER ENACTMENTS

This Bylaw does not limit or affect the requirements in or under any other enactment.

12. PENALTIES

Every person who contravenes this Bylaw commits an offence and is liable to a penalty in accordance with the provisions of the Reserve Act 1977.

The foregoing Bylaw was made by the **WAIPA DISTRICT COUNCIL** by Special Consultative Procedure and confirmed at a meeting of Council held on the 28th day of August 2007.

THIS BYLAW was approved by the Minister of Conservation on the 25th day of October 2007 pursuant to Section 108 of the Reserves Act 1977.

SCHEDULE 1
GAZETTE NOTICES DEFINING FOR MAUNGATAUTARI SCENIC RESERVE.

Land Area	Legal Description	Reservation Reference	Classification Gazette	Appointment Gazette
1512.3818ha	Maungatautari 3A5A3 and 3A5A6 Blocks and Part Maungatautari No 3A5A7 Block	NZ Gazette 1927 page 3538	1983 page 2763 (H.485845)	1983 page 2763 (H.485845)
361.3108ha	Sections 31 and 32 Tautari Settlement, Maungatautari 3A6A and 3A7A Blocks	NZ Gazette 1953 page 1341	1983 page 2763 (H.485845)	1983 page 2763 (H.485845)
40.4609ha	Part Maungatautari 3A5G1 Block	NZ Gazette 1957 page 183	1983 page 2763 (H.485845)	1983 page 2763 (H.485845)
56.8330ha	Lot 1 DPS 5051	NZ Gazette 1959 page 908	1983 page 2763 (H.485845)	1983 page 2763 (H.485845)
37.0287ha	Lot 1 DPS 7036	NZ Gazette 1962 page 562 (S.232175)	1983 page 2763 (H.485845)	1983 page 2763 (H.485845)
180.9703ha	Maungatautari 4G2B Block	NZ Gazette 1963 page 1463 (S.968111)	1983 page 2763 (H.485845)	1983 page 2763 (H.485845)
81.6731ha	Lot 2 DP 27762	NZ Gazette 1965 page 157 (S.307536)	1983 page 2763 (H.485845)	1983 page 2763 (H.485845)
10.8100ha	Lot 1 DPS 19374	NZ Gazette 1978 page 1086	1983 page 2763 (H.485845)	1983 page 2763 (H.485845)
73.5013ha	Lot 3 DPS 27075	Transfer H.273349	1980 page 991 (H.281467)	1980 page 991 (H.281467)
0.0910ha	Lot 1 DPS 29722	Transfer H.361488.2	1983 page 2763 (H.485845)	1983 page 2763 (H.485845)
20.23ha	Lot 1 DPS 34267	Transfer H.533839	1986 page 2908 (H.669220)	1986 page 2908 (H.669220)

30.83ha	Lot 1 DPS 39276	Transfer H.631080.4	1986 page 3414 (H.676597)	1986 page 3414 (H.676597)
124.1460ha	Lot 3 DPS 59103	SA51B/944	Gazette 2005 page	
35.4300ha	Lot 4 DPS 59103	SA6D/1232	Gazette 2005 page	

SECOND SCHEDULE LOCATION OF PUBLIC ACCESS GATEWAYS

- at the northern end of Tari Road
- at the end of Akaterere Road
- at the end the track leading from Hicks Road over Parts Maungatautari 3A5A4D, 3A5A4G and 3A5A4C2 Blocks