

Notice is hereby given that an ordinary meeting of the Lake Domain Board will be held on:

Date: Tuesday 17 September 2024
Time: 3:30 pm
Meeting Room: Horowhenua Room
Venue: 126-148 Oxford St
Levin

Horowhenua Lake Domain Board

ADDITIONAL ITEM

MEMBERSHIP

Chairperson
Members

Mr Kevin O'Connor
Mr Charles Rudd
Mr Adrian Henare
Ms Deanna Rudd
Mr Tama Ruru
Cr Nina Hori Te Pa
Cr Jonathan Procter
Mayor Bernie Wanden JP

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www.horowhenua.govt.nz

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted. Should Members require further information relating to any reports, please contact the Chief Executive Officer or the Chairperson.

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5.5 Appointment of Ranger for Horowhenua Lake Domain

File No.: 24/661

1. Purpose

- 1.1 This report seeks the Board's agreement to appoint a Ranger or Rangers for the Horowhenua Lake Domain

2. Recommendation

- 2.1 That Report 24/661 Appointment of Ranger for Horowhenua Lake Domain be received.
- 2.2 That the Horowhenua Lake Domain Board appoints Brent Harvey, Group Manager – Community Experience and Services, Lacey Winiata, Parks and Property Manager and Sean Hester, Parks and Property Lead as Ranger for the Horowhenua Lake Domain under section 8(9) of the Reserves Act 1977, and to enforce the Park Bylaws 2015.

Issues for Consideration



- 2.3 Horowhenua District Council and its staff were appointed as unpaid officers of the Horowhenua Lake Domain Board, to undertake reserve maintenance, to manage the Board accounts, and to receive applications for recreational activities (not leases) for Horowhenua Lake Domain, by resolution of the Domain Board, dated 14 November 2021.
- 2.4 The maintenance and servicing of Park facilities by Council, and servicing of gate opening and closure times by the Security Firm contracted for this task has been undertaken very well, however there is often a lack of on-site Board presence at the Park.
- 2.5 Issues that have arisen in recent years is that there is unauthorised occupation of the Board's Rowing Club building; a Gang Group is resident without Board authority in another Board building, while a Horowhenua 11 Block (lake bed) shareowner who resides in a nursery building adjacent to the Domain uses his vehicle on the formed roads in the reserve to access Queen Street West and places distant.
- 2.6 Unauthorised occupiers have threatened Council officers and contractors to a level where it is no longer safe for officers and contractors to complete maintenance and servicing of Park facilities
- 2.7 Public use of the Domain including the lake has lessened significantly.
- 2.8 It is considered that the presence of a DOC or Board authorised Ranger presence at the Park, able to communicate and advise on provisions of the Park Bylaws, and where necessary to undertake enforcement under sections 93 to 95 of the Reserves Act 1977, will provide greater security to the public and enable park servicing by Council to be undertaken without complication.
- 2.9 Members of the Horowhenua Lake Domain Board are through their role deemed to be honorary rangers for the Domain for the purposes of the Reserves Act 1977, however they rarely carry out honorary ranger duties at the park.
- 2.10 The Minister of Conservation is able to appoint any person to be a Ranger in an honorary capacity, either for this reserve or generally throughout New Zealand, under delegation of the Director Operations.
- 2.11 The Board may also appoint any officer or servant of the Board to be a Ranger and to exercise duties in the domain.

- 2.12 While all Council officers were appointed as unpaid officers of the Board, it is not necessary for all to be appointed as Rangers. Three officers have been identified as appropriate for appointment as Rangers for the Board. They are:
- Brent Harvey, Group Manager – Community Experience and Services
 - Lacey Winiata, Parks and Property Manager
 - Sean Hester, Parks and Property Lead
- 2.13 As employees of Horowhenua District Council, they are already unpaid officers of the Domain Board through the resolution of the Board approved in November 2011.
- 2.14 Should there be issues arising with any Ranger (full or honorary) exercising its role, the Ranger is able to request assistance from NZ Police. This is since Constables are empowered by section 93 (1) of the Reserves Act 1977 to undertake enforcement actions.
- 2.15 The relevant sections of the Reserves Act 1977, and the Horowhenua Lake Domain Bylaw 2015 are attached to this report.

Attachments

No.	Title	Page
A	Section 8 - Rangers - Reserves Act 1977	7
B	Sections 93 - 95 - Power of Rangers - Reserves Act 1977	8
C	Horowhenua Lake Domain Bylaw 2015	15

Signatories

Author(s)	Grayson Rowse Principal Advisor - Democracy Kaitohutohu Mātāmua - Manapori	
Approved by	Monique Davidson Chief Executive Officer Tumuaki	

New Zealand Legislation
Reserves Act 1977
Part 1 Administration - (s 3 - s 11)

Reserves Act 1977

8 Rangers

Applies from 7 August 2020

1977 No 66

- (9) The administering body of any reserve may from time to time appoint any officer or servant of that body, or, if the administering body is a local authority, then any suitable person, whether an officer or servant of that body or not, to be a ranger for the purposes of this Act to exercise his duties in that reserve, and with respect to every such ranger the following provisions shall apply:
- (a) He shall hold office during the pleasure of the administering body and may at any time be removed from office by the administering body, or may at any time resign his office by writing addressed to the principal administrative officer [or chief executive] of the administering body:
 - (b) The administering body shall supply to him a written warrant signed by the principal administrative officer [or chief executive] of the administering body evidencing the appointment, and the production of that warrant shall be sufficient proof of the appointment:
 - (c) He shall, on the expiry of his appointment by removal from office or resignation, surrender to the principal administrative officer [or chief executive] of the administering body his warrant of appointment and any badge of office that may have been issued to him.

New Zealand Legislation
Reserves Act 1977
Part 5 Miscellaneous provisions - (s 93 - s 125)
Offences - (s 93 - s 105)

Reserves Act 1977

93 Powers of constables, rangers, and other officers

Applies from 21 December 2018

1977 No 66

- (1) Any officer may summarily interfere to prevent any actual or attempted breach of this Act or of any regulation or bylaw thereunder, and he may require any person found offending to desist from the offence. If any person when so required continues the offence, he commits a further offence against this Act.
- (2) It shall be lawful for an officer to require any person found offending against this Act or any regulation or bylaw made under this Act to disclose [the person's full name, residential address, and date of birth, and to provide evidence, as soon as practicable, of those particulars,] and if that person, when so required,—
 - [(a) refuses or fails to disclose information required under this subsection; or]
 - [(b) refuses or fails to provide evidence required under this subsection as soon as practicable,—]
 - (c) *Repealed.*[the person commits] an offence against this Act, and may be arrested without warrant by any constable.
- (3) Any person arrested under subsection (2) of this section shall be brought before a Court, as soon as possible, to be dealt with according to law.
- (4) The production by any officer of his warrant, instrument of appointment, or other written evidence of identification shall be sufficient evidence of the authority of that officer to exercise the powers conferred by this section.
- [(5) In this section, **officer** means—
 - (a) any ranger or constable; and
 - (b) any officer or employee of an administering body who is authorised by that body to exercise the powers of an officer under this Part.]

New Zealand Legislation
Reserves Act 1977
Part 5 Miscellaneous provisions - (s 93 - s 125)
Offences - (s 93 - s 105)

Reserves Act 1977

94 Offences on reserves

Applies from 1 July 2013

1977 No 66

- (1) Every person commits an offence against this Act who, without being authorised (the proof of which shall be on the person charged) by the Minister or the Commissioner or the administering body, as the case may require,—
- (a) Lights any fire on a reserve except in a fireplace in any camping ground or picnic place established by the Minister or the Commissioner or the administering body; or
 - (b) Causes or allows any cattle, sheep, horses, or other animals of any kind whatsoever to trespass on any reserve; or
 - (c) Liberates any animal on any reserve; or
 - (d) Plants any tree, shrub, or plant of any kind, or sows or scatters the seed of any tree, shrub, or plant of any kind, or introduces any substance injurious to plant life, on any reserve; or
 - (e) Wilfully breaks or damages any fence, building, apparatus, or erection on any reserve; or
 - (f) Removes or wilfully damages any, or any part of, any wood, tree, shrub, fern, plant, stone, mineral, gravel, kauri gum, furniture, utensil, tool, [protected New Zealand object], relic, or thing of any kind, on any reserve; or
 - (g) Wilfully digs, cuts, or excavates the sod on any reserve; or
 - (h) Not being the lessee or licensee [or concessionaire] of the reserve or any part thereof, occupies or uses any land in a reserve for cultivation or any other purpose; or
 - (i) Takes or destroys or wilfully injures or in any manner disturbs or interferes with any animal or bird or other fauna or the nest or egg of any bird on any reserve; or
 - (j) Deposits or throws on any reserve (being a reserve which is not a public place within the meaning of [section 2](#) of the [Litter Act 1979]) any substance or article of a dangerous or offensive nature or likely to be of a dangerous or offensive nature or any rubbish, except in a place or receptacle approved or provided by the Minister or the Commissioner or the administering body; or
 - (k) Erects any building, sign, hoarding, or apparatus on any reserve; or
 - [(ka) Carries on within any reserve any activity for which a concession is required under [section 59A](#) of this Act; or]
 - [(kb) Carries on within any reserve vested in an administering body any trade, business, or occupation; or]
 - (l) Trespasses with any vehicle or boat or aircraft or hovercraft on any reserve, in breach of any prohibition under this Act; or
 - (m) In any way interferes with a reserve or damages the recreational, scenic, historic, scientific, or natural features or the flora and fauna therein:

Provided that nothing in any authorisation by the Minister or the Commissioner or the administering body to do any act which would otherwise be unlawful under paragraph (c) or paragraph (i) of this subsection shall be deemed to authorise any person to do any act in contravention of the [Wildlife Act 1953](#) or any regulations or Proclamation or notification under that Act.

- (2) Every person commits an offence against this Act who—
- (a) When required by notice from the Minister or the Commissioner or the administering body to remove any animal from a reserve, fails to do so within the period specified in the notice; or
 - (b) Being the driver of any vehicle or the pilot of any aircraft or the person in charge of any boat or hovercraft that is illegally on a reserve, fails or refuses to remove it from the reserve when so requested by any officer as defined in [section 93\(5\)](#) of this Act; or
 - (c) Without a lease, licence, permit, or other right or authority, does or causes to be done any act, matter, or thing for which a [concession,] lease, licence, permit, or other right or authority is required by this Act or by any regulations under this Act; or
 - [(d) Not being an officer of the Department or a ranger, acting in either case in the course of his official duties, enters any nature reserve in breach of [section 20\(2\)\(c\)](#) of this Act, or in breach of any condition imposed in any permit granted or notice given under [section 57](#) of this Act; or]
 - [(da) Being a person in charge of any boat, anchors or moors that boat in breach of a notice given under [section 57\(3\)](#) or [section 59\(3\)](#) of this Act or in breach of any permit granted under [section 57\(7\)](#) or [section 59\(7\)](#) of this Act; or]
 - (e) While any scientific reserve or any part of such a reserve is subject to a notice under [section 21\(2\)\(b\)](#) of this Act prohibiting entry—
 - (i) Not being an officer of the Department or a ranger, acting in either case in the course of his official duties, or not being the holder of a permit issued under [section 59](#) of this Act, enters the reserve or that part, as the case may be, in breach of the said [section 59](#); or
 - (ii) Being the holder of such a permit, does not comply with any term or condition of the permit; or
 - (f) Counterfeits or without due authority issues any [concession,] lease, licence, permit, or other authority required by this Act or by any regulations under this Act; or
 - (g) Unlawfully alters, obliterates, defaces, pulls up, removes, interferes with, or destroys any boundary marks, or any stamp, mark, sign, poster, licence, lease, permit, or other right or authority issued by the Minister or the Commissioner or an administering body.
- (3) Every person commits an offence against this Act who uses, receives, sells, or otherwise disposes of any wood, timber, bark, flax, mineral, gravel, kauri gum, [protected New Zealand object], relic, or other substance or thing whatsoever knowing the same to have been removed unlawfully from any reserve.
- (4) Every person commits an offence against this Act who, without being authorised by the Minister, or the Commissioner, or the administering body,—
- (a) Is in possession of any firearm, weapon, trap, net, or other like object in a reserve; or
 - (b) Discharges any firearm, weapon, or other instrument on a reserve; or
 - (c) From outside a reserve, shoots at any fauna or any other object or thing inside the reserve with any

firearm, weapon, or other instrument,—

and, where any person is found discharging a firearm, weapon, or other instrument in contravention of this subsection, [section 95\(6\)](#) of this Act shall apply in respect of that firearm, weapon, or other instrument in all respects as if it were illegally in the possession of that person in the reserve:

Provided that nothing in any such authorisation shall be deemed to authorise any person to do any act in contravention of the [Wildlife Act 1953](#) or any regulations or Proclamation or notification under that Act.

- (5) Where any person commits an offence against subsection (1)(j) of this section, the Minister or the Commissioner or the administering body, as the case may be, may cause the removal of any objects deposited or thrown in breach of that subsection, and the cost of that removal shall be assessed by a [District Court Judge] and shall be recoverable ... from that person in like manner as a fine.
- (6) Any person convicted of an offence under this section shall, in addition to any penalty for which he may be liable for the offence, pay twice the full market value of any substance removed from the reserve or pay for the damage done to the reserve, or to any forest, wood, timber, flax, or scrub growing or being thereon; and, in the case of an offence against subsection (1)(a) of this section, for the cost of extinguishing the fire and the expenses incurred in investigating the origin of the fire. That value or damage or cost shall be assessed by a [District Court Judge], and shall be recoverable ... in like manner as a fine. The full market value shall be deemed to be that amount which the Crown would have received by way of purchase price if the Crown had removed the substance from the reserve and offered it for sale on reasonable terms.

New Zealand Legislation
Reserves Act 1977
Part 5 Miscellaneous provisions - (s 93 - s 125)
Offences - (s 93 - s 105)

Reserves Act 1977

95 Seizure and forfeiture of property

Applies from 21 December 2018

1977 No 66

- (1) Any animal or bird or the nest or egg of any bird or the body of any animal or bird, or any part thereof, or anything specified in [section 94\(1\)\(f\)](#) of this Act, or any boundary mark, sign, or poster, found in the possession of any person in a reserve may be seized by any officer as defined in [section 93\(5\)](#) of this Act, if he has good cause to suspect that that person in obtaining possession thereof has committed an offence against this Act
- (2) If no proceedings are taken in respect of that offence within 6 months after that seizure, or if in proceedings taken within that period the [charge] is dismissed, [then, despite [subpart 6 of Part 4 of the Search and Surveillance Act 2012](#),]—
 - (a) in any case where the property seized is protected wildlife or the nest or egg of any protected wildlife or the body of any protected wildlife, or any part thereof, it shall be ... dealt with pursuant to the [Wildlife Act 1953](#):
 - (b) in any case where the property seized is [a protected New Zealand object], it shall be dealt with as follows:
 - (i) where pursuant to the [Protected Objects] Act 1975 it is the property of the Crown, it shall be delivered to the Secretary for Internal Affairs or, with the consent of the Secretary for Internal Affairs, retained in the custody of the Director-General ... :
 - (ii) in any other case, it shall be delivered to the person who is entitled to its custody pursuant to the [Protected Objects] Act 1975:
 - (c) *Repealed.*
- (3) Where in proceedings taken within that period in respect of that offence against the person from whom the property was seized the defendant is convicted, then—
 - (a) in any case where that property is protected wildlife or the nest or egg of any protected wildlife or the body of any protected wildlife, or any part thereof, it shall be deemed to be forfeited to the Crown and shall be dealt with pursuant to the [Wildlife Act 1953](#):
 - (b) in any case where the property seized is [a protected New Zealand object], it shall be dealt with as follows:
 - (i) where pursuant to the [Protected Objects] Act 1975 it is the property of the Crown, it shall be delivered to the Secretary for Internal Affairs or, with the consent of the Secretary for Internal Affairs, retained in the custody of the Director-General ... :
 - (ii) in any other case, it shall be delivered to the person who is entitled to its custody pursuant to the [Protected Objects] Act 1975:

- (c) In the case of any other property, it shall be deemed to be forfeited to the administering body, or to the Crown if there is no administering body, and shall be disposed of as the administering body or, if there is no administering body, the Commissioner, directs.
- [(3A) Subsection (3) applies as if a person were convicted of an offence if an infringement notice is issued to the person or a charging document is filed against the person in relation to an infringement offence and any of the following occurs:
 - (a) the infringement fee for the offence is paid:
 - (b) a copy of a reminder notice in respect of the infringement offence is filed or a reminder notice is deemed to have been filed in a court under [section 21 of the Summary Proceedings Act 1957](#), as the case requires, within 6 months after the time when the offence is alleged to have been committed:
 - (c) the informant and the person enter into an arrangement under [section 21\(3A\) of the Summary Proceedings Act 1957](#) allowing the person to pay the relevant infringement fee by instalments:
 - (d) the person is found guilty, or admits the commission, of the infringement offence.]
- (4) Where any person is convicted of an offence against this Act, the Court may order that any animal or bird or the nest or egg of any bird or the body of any animal or bird, or any part thereof, taken by the defendant in the course of committing the offence and still in his possession or in the possession of any other person on his behalf shall—
 - (a) in the case of any protected wildlife or the nest or egg of any protected wildlife or the body of any protected wildlife, or any part thereof, be forfeited to the Crown, and the property shall be deemed to be forfeited to the Crown accordingly and shall forthwith be delivered to the [Director-General] by the defendant or person holding it on his behalf, and shall be dealt with pursuant to the [Wildlife Act 1953](#):
 - (b) in the case of any other property, be forfeited to the administering body, or to the Crown if there is no administering body, and the property shall be deemed to be forfeited to the administering body or to the Crown, as the case may be, accordingly, and shall forthwith be delivered to the administering body, or, if there is no administering body, to the Commissioner, by the defendant or person holding it on his behalf, and shall be disposed of as the administering body or the Commissioner directs.
- (5) All buildings, signs, hoardings, or apparatus erected on any reserve without the consent in writing of the Minister or the administering body shall be deemed to be forfeited to the Crown or, as the case may be, the administering body, and shall be disposed of by the Commissioner or that body in such manner as he or it thinks fit.
- [(6) Any firearm, trap, net, or other like object found illegally in the possession of any person in any reserve, and any tool or instrument or other equipment found in the possession of any person in any reserve and used in committing an offence in the reserve may be seized by any officer (within the meaning of [section 93\(5\)](#)).]
- [(6AA) A court may direct that an item seized under subsection (6) be forfeited to the Crown if—
 - (a) proceedings for an offence are taken against the person from whom the item was seized within 6 months after the seizure and the court enters a conviction against the person; or
 - (b) proceedings for an infringement offence are commenced against the person from whom the item was seized by filing a charging document within 6 months after the seizure and the person is found guilty, or admits the commission, of an infringement offence.]
- [(6AB) If proceedings are not commenced within 6 months after the seizure, or if the court does not direct that the item be

forfeited to the Crown, the item must be returned to the person from whom it was seized.]

- [(6A) Subject to subsection (2), the provisions of [Part 4 of the Search and Surveillance Act 2012](#) (except subpart 3) apply in respect of the seizure of any thing under this section.]
- (7) The proceeds of the sale or disposal of anything sold or otherwise disposed of under this section shall, where it is sold or disposed of by the Commissioner, be paid into the Public Account to the credit of the Trust Account, and may be applied, as directed by the Minister, in purchasing, taking on lease, managing, administering, maintaining, protecting, improving, and developing reserves or as consideration for conservation covenants, and, where it is sold or disposed of by an administering body, shall form part of the funds of that body.
- (8) In this section the term **protected wildlife** means wildlife that pursuant to [section 3 of the Wildlife Act 1953](#) is absolutely protected throughout New Zealand.

HOROWHENUA LAKE DOMAIN BOARD

DOMAIN BYLAW 2015

Pursuant to the Reserves Act 1977, the Horowhenua Lake Domain Board hereby makes the following bylaw for the control and administration of the said reserve.

Interpretation

1. In this Bylaw - "BOARD" means the Horowhenua Lake Domain Board appointed under the Reserves Act 1977 and the Reserves & Other Lands Disposal Act 1956.

"LAKE WATERS" means that area of water known as Lake Horowhenua and includes the surface waters of Lake Horowhenua;

"OFFICER OF THE BOARD" means any officer or servant of the Board, whether paid or unpaid, that has been authorised by the Board to exercise powers under the Reserves Act 1977; and

"RESERVE" means the Muaupoko Park Reserve area comprising:

- (a) The land described in the schedule hereto;
- (b) All other lands that may hereafter become a public reserve under the Reserves Act 1977 and under the control of the Board.

Reserve Open to the Public

2. Subject to the provisions of this Bylaw, the Reserve shall be open to the public at all times, except during such closure as the Board determines that the reserve shall be closed to the public.
3. No person shall enter the Reserve or remain there during the hours when the Reserve is closed to the public, except with the express permission of an Officer of the Board.
4. "THE Board may, on the recommendation of MidCentral Health Board or Horizons Regional Council when it advises the Board of a health-risk recommendation on behalf of the MidCentral Health board, restrict or close public access and/or use of the lake waters while a danger to health exists." In such circumstances, the Board will erect signage advising the public of any such closure or restriction(s).
5. No person shall use the Lake Waters or enter or remain there during any period that the Lake Waters are closed to the public or contrary to any restriction imposed.

Gates

6. No person, except with the express permission of an Officer of the Board shall leave any gate in a different position from that in which he or she finds it: gates found open shall be left open; gates found closed shall be left closed.

Misbehaviour

7. (1) Within the said Reserve no person shall wilfully obstruct, disturb or interfere with any other person in the use of, or enjoyment of the said Reserve or use foul, abusive, indecent or obscene language, or be intoxicated, noisy or riotous, or any way misbehaved.
- (2) Where any person commits an offence against the foregoing Bylaw he or she shall commit a further offence if he or she does not leave the said Reserve when so requested by an Officer of the Board; and
- (3) Licensed occupiers are not to be disturbed in the enjoyment of their licensed areas.

Dangerous Weapons

8. Except with the prior written permission of the Board, no person shall within the Reserve carry or use any weapon or instrument of a dangerous character (including, but without limiting the generality of the foregoing provisions, any bow and arrow, catapults or shanghais).
9. No firearm is to be brought into the Reserve area unless under special permit of the Board for which prior written approval has been granted.

Tents, Booths and Other Structures

10. No person shall put up or erect any stall, booth, tent, swing or structure of any kind within the Reserve, except with the prior written permission of the Board and then only at such place, for such time or term, of such dimensions, and subject to such conditions as specified in the permit.
11. In addition to approval from the Board under the Foregoing Bylaw, approval from the Horowhenua Lake Trustees may be necessary if the activity is to be carried out on land under the lawful ownership of the Horowhenua Lake Trustee.

Selling Food and Drink

12. No person shall within the Reserve 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), or carry out any trade, precept or calling, except with the prior permission in writing of the Board and then only in compliance with every condition specified in the permit; provided that 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 and Supply of Alcohol Act 2012.

Fires

13. (1) No person shall light any fire, except at any picnic places in fire places as provided by the Board, without the expressed permission of the Board or any Officer of the Board.
- (2) No person shall light a fire in any position where it is likely to present a fire hazard.
- (3) Once a fire is lit, the person lighting the fire, or such other person as detailed by him or her, shall remain in

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attendance of the fire until it is completely extinguished. No match, lighted or not lighted, cigarette or other lighted matter shall be dropped, thrown or otherwise placed in any grass or other inflammable material.

- (4) Nothing in this Bylaw shall exempt an offender from liability under any other Act, with respect to lighting of fires.

Litter

14. No person shall deposit or throw on any part of the said Reserve, any litter, rubbish or any substance or article of a dangerous or offensive nature or likely to be a dangerous or offensive nature except in a place or receptacle approved or provided by the Board or an Officer of the Board for the purpose.

Dogs

15. (1) No person shall bring any dog into the Reserve, or allow any dog in their custody or charge or under his or her control to be within the Reserve, unless authorised by the Board or an Officer of the Board.
- (2) Any person authorised by the Board, (either generally or in any particular case) may seize and detain any dog found within the Reserve not secured as the aforesaid. If the owner of the dog is not known to the Board and cannot reasonably be ascertained, it shall be committed to the local Pound or to the Society for the Prevention of Cruelty to Animals; and
- (3) For the avoidance of doubt, during such times as the Horowhenua Obedience Training Club Incorporated holds a valid lease and licence (or other authorisation) for the occupation and use of any part of the Reserve, the members of the Horowhenua Obedience Dog Training Club Incorporated and their lawful invitees are authorised to bring dogs onto the Reserve pursuant to the terms of that valid lease and licence (or other authorisation).
- (4) Working Dogs as defined in the Dog Control Act 1996, carrying out their statutory legislative functions, and certified Disability Assist Dogs are exempt from this Bylaw.

Water

16. (1) No person shall within the Reserve permit or cause wastage of water or permit any tap water to flow for a longer period than is reasonably required to obtain water for drinking or cooking or other lawfully purposes within the Reserve; and
- (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 the Reserve.

Birds and Marine Life

17. (1) No person shall undertake any activity on or at the Reserve that would be detrimental to the flora and fauna of the area.
- (2) No person shall within the limits of the Reserve shoot, snare, trap, destroy or interfere with any bird, animal or fish, or destroy the nests or eggs of any birds, except with the written permission of the Board. ~~Provided that~~ In the case of any bird or animal covered by the Wildlife Act 1953, no such permission shall be granted unless and until the provisions of that Act have been fully complied with; and
- (3) As a means of controlling birdlife within the reserve the Board may authorise controlled culling to be carried out from time to time to reduce the number of domestic species currently present in the Reserve..

Assemblage of Persons

18. (1) No person shall attend or take part in any organised meeting or assemblage of persons or sport or games or any other purposes whatsoever or any organised picnic within the Reserve, unless the holding of the meeting or assemblage or picnic within the Reserve has been permitted in writing by the Board; and
- (2) For the purposes of this Bylaw, an organised meeting or assemblage or picnic is one that is attended by the employees or members of any government department, trade union, club, company, firm, incorporated body, religious organisation or any other body or person, or any group of several of such organisations.

Damage to Property

19. No person shall remove, disturb, destroy, break, paint or carve or write names or letters or words or figures or devices on, or deface any building, object of art, natural object, erection, tool, instrument, seat, gate, bridge, fence, or tree within the Reserve.

Wandering Stock

20. No person shall allow any bull, stallion, boar, horse, cow, sheep or any other animal or poultry in his charge to wander or graze within the limits of the Reserve and any animal or poultry so wandering or grazing, may be impounded and dealt with by any person authorised by the Board, or any Officer of the Board, either generally or in any particular case.

Musical Instruments

21. No person shall, if forbidden to do so by any person authorised by the Board, (either generally or in any particular case) use or play any instrument, (musical or otherwise) any type of a public address system or any type of amplified sound system within the Reserve, or cause in any way any noise or sound that disturbs or annoys, or is likely to disturb or annoy other occupants or users of the Reserve.

Parking

22. (1) No person shall park any vehicle (not being a bicycle) within the Reserve except in a place set aside by the

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Board for the parking of vehicles unless otherwise authorised by the Board.

- (2) No person shall stop or stand any vehicle in the Reserve in such a place or is likely to cause an obstruction to any entrance, thoroughfare (path or walkway) within the Reserve; and
- (3) In this Bylaw the term "PARKED" in relation to any vehicle means to stand the vehicle in the Reserve for a period exceeding five minutes.

Vehicle and Other Traffic

23. (1) No person shall drive or ride any animal or any vehicle (whether propelled by mechanical power or not) within the Reserve in the manner in which and regard to the circumstances of the case, is or may be dangerous to the public or any person.
- (2) No person shall take, ride or drive any animal or any vehicle (whether propelled by mechanical power or not) onto or in the Reserve except upon such parts as are laid off vehicular traffic, unless otherwise authorised by the Board in writing.
- (3) No motorised craft shall be permitted on the Lake Waters unless authorised by the Board. Except for rescue purposes no consent shall be given by the Board in respect of a boat driven by a motor engine which the Board determines can reasonably be described as a speed boat unless the Board has first obtained on each occasion the prior written approval of the Horowhenua Lake Trustees; and
- (4) Every vehicle (whether propelled by mechanical power or not) shall not exceed 20kph on parts of the Reserve laid off for vehicular traffic.

Camping

24. (1) No person shall camp in the Reserve unless prior written approval has been granted by the Board, and
- (2) Camping shall only take place in an area as set aside by the Board for this purpose.

Use of Water Restrictions

25. (1) No person shall take any boat or other craft (whether propelled by mechanical power or not) into any areas closed by the Board to boating or similar.
- (2) Prior to any boat or other craft being taken onto the Lake Waters, the person responsible for taking that boat or other craft onto the Reserve shall ensure that it does not harbour any weed species, substance or material (other than fuel and oil) that if accidentally dropped into the lake waters could be harmful or detrimental to wildlife and/or fisheries on or within the Lake Waters.

- (3) All boats or other craft brought onto the Reserve must have been washed down prior to entering the Reserve and prior to entering the Lake waters, preferably at the wash down facility provided at Queen Street West. For the avoidance of doubt, boats and other craft permitted to be stored at the Reserve must have been washed down prior to entering the Reserve but do not require to be washed down again while they are stored at the Reserve; and
- (4) No person shall allow detergents, soaps, cleaners or other solutions to enter the Lake Waters.

General

- 26 Nothing in this Bylaw shall be deemed to limit or prevent the taking of proceedings under any Act in respect of an offence committed within the said Reserve.

Penalty

- 27. Every person who commits a breach of this Bylaw commits an offence and is liable according to the penalty described in Section 104 of the Reserves Act 1977.

Schedule

All the land comprised and described now as Section 37 Block I, Waiopēhu Survey District (was part Horowhenua 11B 39 and Horowhenua 11B 38), shown on CSD plan SO 444350. Area: 5,6580 hectares as contained in cancelled Certificate of Title Volume 165 Folio 241 Wellington Registry (SO Plan 15589).

Also the surface waters of Lake Horowhenua and the land between north western boundary of the said Subdivision 38, Horowhenua 11B and the surface waters of the said Lake subject to the certain rights as set out in Section 18 of the Reserves & Other Lands Disposal Act 1956.

Nothing in this Bylaw shall affect the Māori title to the bed of the Lake or adjoining Māori owned land. Further, nothing in this Bylaw shall derogate from the rights reserved to the Māori owners under Section 18 of the Reserves and Other Lands Disposal Act 1956.

The above lands were classified as a reserve for recreation purposes, subject to the provisions of the Reserves Act 1977, by New Zealand *Gazette* 9 July 1981, page 1920 (GN 442830.1)

Notes:

The former Domain Bylaw 1996 was passed and adopted by resolution of the Horowhenua Lake Domain Board at a meeting held at 22nd day of September 1997.

The 1996 Bylaw was amended following a public consultation process in 2002 and was adopted by the Horowhenua Domain Board by way of resolution made at a meeting on 21 October 2002.

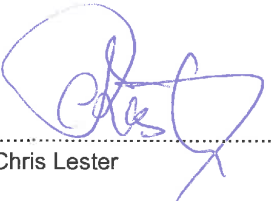
A newly constituted Horowhenua Lake Domain Board in 2011 set up a working party in November 2011 to review the 2002 amendments; the working party subsequently recommended the Board approve the amendments without change. However public consultation was undertaken following the working party review, with 10 submissions received. These submissions were taken into account in the final draft of the Bylaw.

The Horowhenua Lake Domain Board by resolution on 03 August 2015 approved the above Domain Bylaw 2015.

Prior to adoption by the Board, a notice stating the object or purport of the proposed Bylaw was published in a newspaper circulating in the district of the reserve two (2) weeks preceding a Board meeting at which the Bylaw was made.

Following the resolution by the Board to adopt the Bylaw, it was submitted to the Minister for approval.

SIGNED for and on behalf of the Horowhenua Lake Domain Board this 27th day of August 2015

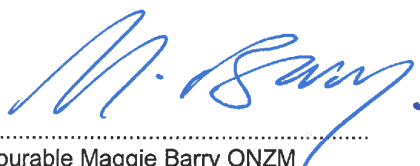

..... **Chairperson**
Chris Lester


..... **Horowhenua Lake Domain Board Member**
Brendan Duffy (Mayor)

Approval of Bylaw by the Minister of Conservation

Pursuant to Section 108 of the Reserves Act 1977, this Bylaw for the Horowhenua Lake Domain Board Reserve, to be known as the Domain Bylaw ~~2014~~^{2015 MS}, is approved.

DATED at Wellington this 21 day of 10 2015



.....
Honourable Maggie Barry ONZM
Minister of Conservation