



# **Ruapehu District Council**

## **Land Transport Bylaw**

**2006**

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**Revisions:**

- Schedule Maps 2007 revision





# RUAPEHU DISTRICT COUNCIL

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## Land Transport Bylaw 2006

The Ruapehu District Council pursuant to its powers under the Local Government Act 1974, the Local Government Act 2002, the Transport Act and Regulations made hereunder and any other Act or authority in any way enabling it to make bylaws hereby makes the following Bylaw, entitled RUAPEHU DISTRICT COUNCIL LAND TRANSPORT BYLAW.

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## **1.0 TITLE**

- 1.1 This Bylaw may be cited as the Ruapehu District Council Land Transport Bylaw 2006 (the Bylaw).

## **2.0 COMMENCEMENT**

- 2.1 This Bylaw shall come into force on the date that the Bylaw is adopted by Council.

## **3.0 PURPOSE**

- 3.1 The purpose of this Bylaw is to protect the roads, an important public asset, from nuisances and damage to enhance the safety of road users and to manage this asset for the well-being of the public at large.
- 3.2 This Bylaw does not duplicate statutory provisions. It seeks to compliment existing statutory provisions that may also affect the management of the road such as the Local Government Act 1974, Local Government Act 2002, Land Transport Act 1998, and Land Transport Management Act 2003, by addressing specific needs assessed in the community over time.
- 3.3 Bylaws are recognised by Council as part of a wider approach to the control of undesirable actions or matters that involve both regulatory and non-regulatory methods.
- 3.4 This Bylaw is made pursuant to Sections 145, 146, 147, 169, and 170 of the Local Government Act 2002, read in conjunction with Sections 317 and 348 of the Local Government Act 1974, with consideration given to the decision-making and consultation sections of that Act.

## **4.0 INTERPRETATIONS**

- 4.1 For the purposes of this Bylaw the following definitions shall apply:  
“*Animal*” means stock, poultry, and any other vertebrate animal of any age or sex that is kept in a state of captivity or is dependent upon human beings for its care and sustenance.

“*Authorised Officer*” means any person appointed or authorised by the Council to act on its behalf and with its authority including a parking warden, any police officer, the District Engineer or the Chief Executive Officer, appointed by Council under Section 7 of the Transport Act 1962.

“*Building*” means any temporary or permanent, or movable structure (including any structure intended for occupation by people, animals, machinery or chattels), more than 2.0 m in height above ground level excluding:

- (a) Cranes, including any cranes as defined in any regulations in force under the Health and Safety in Employment Act 1992; or
- (b) Any description of a vessel, boat, ferry, or craft used in navigation, whether or not it has any means of propulsion, and regardless of that means; or

- (c) Vehicles and motor vehicles (including vehicles and motor vehicles as defined in section 2(1) of the Land Transport Act 1998).

“*Carriageway*” means that portion of the road used or reasonably useable for the time being for vehicular traffic in general and includes any cycle track or footpath used by the public.

“*Council*” means the Ruapehu District Council, or its authorised agent.

“*Dairy Cattle*” means and includes any cow used to produce dairy products.

“*Debris*” means any refuse, rubbish, animal remains, glass, metal, garbage, dirt, filth, rubble, ballast, stones, earth, hedge trimmings or waste matter, or any other thing of a like nature.

“*District*” means the area administered by the Ruapehu District Council.

“*District Engineer*” means the person employed in this role at the Ruapehu District Council or his/her authorised representative.

“*Drover*” means any person with the necessary skills and experience to lead or drive stock on a public road and who is responsible for stock on a public road.

“*Footpath*” means as much of any road or public place that is laid out or constructed by the authority of the Council for pedestrian use.

“*Four Wheel Drive Vehicle*” means any four-wheel drive vehicle with off-road tyres.

“*Heavy Motor Vehicle*” means a motor vehicle the gross laden weight of which exceeds 4,500 kg but it excludes vehicles used, kept, or available for the carriage of passengers for hire or reward.

“*Holiday*” means any day declared by any Act to be a public holiday or proclaimed by the Governor General as set apart as a public holiday.

“*Hours of Darkness*” means –

- (a) Any period of time between half an hour after sunset on one day and half an hour before sunrise on the next day: or
- (b) Any other time when there is not sufficient daylight to render clearly visibility a person or vehicle at a distance of 100 metres.

“*Machine*” means a mechanical device or vehicle that may not be legally used on the road.

“*Maintained Road*” means any road that Council currently funds the improvement or renewal of.

“*Minister*” means the Minister of Transport and includes any officer, person, or authority acting by or under the direction of the Minister.

“*Mob*” means a group (more than one) of stock being moved from one place to another.

“*Mobility Scooter or Wheel Chair*” has the same definition as described under the New Zealand Standard NZS 4121.

“*Ohakune Mountain Road*” means that portion of the legal public road from Ohakune Junction to its surveyed terminus at 1,616 metres above sea level on Mount Ruapehu, which commences adjacent to the Ranger Station operated at the commencement of this Bylaw by the Department of Conservation and ending at the terminus, and includes all of the land within the legal boundaries of that road and where the context so requires means any particular part or parts of the road described above.

“*Paper Road*” means any road or road reserve in the District that has never been formed

“*Parking Place*” has the same meaning as in section 591 (6) of the Local Government Act 1974.

“*Parking Officer*” or “*Parking Warden*” means a parking warden/officer appointed under Section 7 of the Transport Act 1962 by Council.

“*Pilot Vehicle*” means and includes any motorcycles, 4 wheel farm bikes, cars, utility vehicles, tractors, or trucks operating and moving with hazard lights in operation in front of, or behind, the mob.

“*Person*” means any individual, body corporate or partnership.

“*Publicly Notified*” means a notice published in:

- (i) One or more regular newspapers circulating in the District and.
- (ii) Any other public notice that Council thinks desirable in the circumstances.

“*Race*” means that part of any road margin fenced off and used specifically for the purpose of shifting and moving stock.

“*Relocation*” means the movement of a building into, out of, or within the Ruapehu District by use of roads maintained by the Ruapehu District Council.

“*Restrictions*” means any prohibitions, restrictions, controls, or directions.

“*Road*” has the meaning provided in Section 315 of the Local Government Act 1974.

“*Road Opening*” or “*Trench*” means any excavation within a Road for the purpose of maintaining, locating or installing services, except shallow excavations for the purpose of constructing vehicle crossings, and excavations on grassed verges for the purpose of providing or maintaining services to residential sections.

“*Road Verge*” means any margin of a road adjacent to, but not forming part of, either the carriageway or footpath (if any).

“*Speed Limit*” means the same as in the Land Transport Rule Setting of Speed Limits 2003.

“*Stock*” means and includes any cow, bull, ox, heifer, steer, sheep (includes any ram ewe, wether, lamb, goat, or kid), horse not under harnessed control, donkey, mule, calf, boar, sow, pig, llama, alpaca or deer of any kind.

“*Stock Crossing*” means that part of any road and associated drainage system used for the purpose of shifting and moving livestock across any roadway.

“*To move*,” means to ride, drive, muster, lead, or otherwise shift stock whose feet are in contact with the road.

“*Unformed Road*” means any road in the District that was once formed and has subsequently become unformed.

“*Urban Traffic Area*” means the same as in Land Transport Rule: Setting of Speed Limits 2003.

“*Vehicle*” has the same meaning as in the Land Transport Act 1998, but includes a horse with a harnessed control or a horse that is being ridden.

“*Working Day*” means a calendar day other than any Saturday, Sunday, Public Holiday or any day falling within the period from 24 December to 5 January, both inclusive irrespective of the days on which the work is actually carried out.

## **5.0 REVOCATIONS**

5.1 The following Bylaws in force in the District at the time of the coming into operation of this Bylaw are revoked with effect from the day this Bylaw comes into operation:

- (a) Ruapehu District Council Use of Chains Bylaw 1992,
- (b) Ruapehu District Council Stock Droving Bylaw 1992,
- (c) Ruapehu District Council Engine Brake Bylaw 1997,
- (d) Ruapehu District Council Traffic Bylaw 1992,
- (e) Ruapehu District Council Ohakune Mountain Road Bylaw 1998,
- (f) Ruapehu District Council Road Use Bylaws 1995.

5.2 All sections of any Bylaw hereby revoked shall remain in full force and effect so far as relates to anything done or any offence committed, penalty incurred, prosecution or proceeding commenced, right or liability accrued, licence issued, notice given, or order made, under or against any of the provisions thereof before the coming into force of this Bylaw. All licences issued under any revoked Bylaw shall, after the coming into operation of this Bylaw, be deemed to have been issued under this Bylaw and be subject to the provisions thereof.

## **6.0 FEES AND CHARGES**

- 6.1 In relation to this Bylaw, the Chief Executive is authorised to, at any time, prescribe fees that may be charged in respect of any certificate, authority, approval, consent given, inspection made or service given by Council under the provisions of the Local Government Acts 1974 and 2002, or any other enactment where that enactment contains no provision for authorising Council to charge a fee.
- 6.2 Unless an Act, Regulation, or Bylaw provides that a certificate authority, licence, consent or service given or inspection made shall be given free of charge then all fees and charges, which Council is empowered by an Act, Regulation, or Bylaw to prescribe, charge or vary by the making of a Bylaw or otherwise, may be prescribed, charged or varied from time to time by the Chief Executive. Such fees and charges will be publicly notified. The public notification shall specify when the fee or charge will come into force and to which persons, applications, objects and period they shall apply and (where appropriate) on what basis they may be assessed.
- 6.3 Except as otherwise provided in any Act, every fee or charge which is prescribed or charged under 6.1 above, shall be such as to recover no more than the reasonable costs incurred by Council in respect of the matter for which it is prescribed or charged.

## **7.0 OFFENCES**

- 7.1 No person shall do anything or cause any condition to exist for which a licence or approval from Council is required under this Bylaw without first obtaining that licence or approval, and the failure to do so shall constitute a breach of this Bylaw.
- 7.2 No application for a licence or authority from Council, and no payment of, or receipt of any fee paid in connection with such application, licence, or authority, shall in itself be sufficient to confer any right, authority, or immunity on the person making such application or payment.
- 7.3 Any person commits a breach of this Bylaw who:
- (a) Does or causes to be done, or knowingly permits or suffers to be done anything whatsoever contrary to, or otherwise than as provided by, this Bylaw, or
  - (b) Omits or neglects to do, or knowingly permits or suffers to remain undone, anything which according to the true intent and meaning of this Bylaw ought to be done by them at the time and in the manner therein provided, or
  - (c) Does not refrain from doing anything which under this Bylaw they are required to abstain from doing, or
  - (d) Knowingly permits or suffers any condition of, or thing to exist, contrary to any provision contained in this Bylaw, or
  - (e) Refuses, fails or neglects to comply with any notice or direction duly given under this Bylaw, or
  - (f) Obstructs or hinders any authorised officer of Council in the performance of any duty to be discharged by such officer under, or in the exercise of any power conferred by this Bylaw.

- 7.4 Where it is suspected that any person has committed a breach of this Bylaw, that person shall, on the direction of an authorised officer provide their full name and address.

## **8.0 PENALTIES**

- 8.1 Every person convicted of an offence against this Bylaw shall be liable to the penalties as set out in Section 242 of the Local Government Act 2002. Further if the offence is one to which section 243 of the Local Government Act 2002 applies (and is therefore an infringement offence) the offender shall be liable to the infringement offence process and infringement fees as prescribed by regulations made under section 259 (b) of the Local Government Act 2002, or where any person is alleged to have committed an offence against this Bylaw; be prosecuted against, pursuant to any other enactment so empowering Council.
- 8.2 The continued existence of any work, building, land, premises, droving or moving of stock, or thing in such a state or form as to be in contravention of any provision of this Bylaw shall be deemed to be a continuing offence under this Bylaw.

## **9.0 SCHEDULES**

- 9.1 Every schedule to this Bylaw shall be deemed to form part of this Bylaw provided that any such schedule may be altered from time to time by Council resolution. Council may from time to time by resolution publicly notified, add, delete or amend any schedule of this Bylaw, or any of the provisions of any schedule to this Bylaw.

## **10.0 GENERAL CONDITIONS**

- 10.1 The Council is authorised, from time to time, to make resolutions to impose such prohibitions, restrictions, controls, or directions concerning the use of vehicular traffic or otherwise on any road controlled by Council.
- 10.2 All officers appointed by Council under, or for the purpose of, any repealed Bylaw, and holding office at the time of the coming into operation of this Bylaw, shall be deemed to have been appointed under this Bylaw.
- 10.3 In all cases where this Bylaw provides for the issue of any order, notice or licence, such order, notice or licence shall be deemed to be issued in compliance with this Bylaw if the same is issued by any officer of the Council authorised for that purpose.

## **11.0 APPLICATION OF BYLAW**

- 11.1 This Bylaw shall apply in respect to all roads (including unformed 'paper' roads) vested in and under the control of Council. Any operator of any vehicle, or rider of any animal, or drover of any stock, travelling on roads within the District, which are subject to any restrictions, prohibitions, controls or directions imposed by Council, shall comply with those requirements.

- 11.2 Upon written request from an occupier, landowner, or ratepayer, Council may grant exemptions to the Land Transport Bylaw 2006, by resolution of Council.
- 11.3 An exemption will be at the discretion of Council and may contain specific conditions regarding the exemption. Any non-compliance with any specific conditions of the exemption will be deemed an offence under this Bylaw.
- 11.4 Council reserves the right on reasonable grounds to withdraw any approval for exemption with 24 hours' notice.

## **12.0 STOCK MOVEMENT ON PUBLIC ROADS**

### **12.1 Introduction**

12.2 The objective of this part of the Bylaw is to:

- Provide for the orderly droving of stock on maintained roads within the District with particular regard to traffic safety and damage to roads.
- Protect the structure and surface of maintained roads.
- Minimise inconvenience, nuisance and potential danger to road users.

12.3 This section sets out the conditions when it is or is not permitted to move stock along or across public maintained roads.

12.4 This part of the Bylaw is made pursuant to Council's powers under the following Acts and Regulations and any other Act or authority in any way enabling it to make bylaws:

- Local Government Act 2002.
- Electricity Act 1992.
- Electricity Regulations 1997.
- Local Government Act 1974.
- Animals Law Reform Act 1989.
- Public Works Act.
- Building Act 1991.
- Ruapehu District Plan.

### **12.5 Movement Of Stock Prohibited In Certain Circumstances**

12.6 No person shall move stock along any maintained road as follows:

- (a) During the hours of darkness.
- (b) At any time when weather or climatic conditions restrict visibility to such an extent that a person or vehicle is not clearly visible at a distance of at least 170 metres.
- (c) Any other road, public reserve, or public place that Council may seek to restrict from time to time by resolution publicly notified.
- (d) Within an urban area as set out in Schedule 1.

Note: Exceptions to (d) are set out in Schedule 1.

### **12.7 Movement of Stock Permitted in Certain Circumstances**

12.8 A person may move any stock, along any maintained road that is not an urban street, within the District in the following situations:

- (a) Returning stock to a farm in the case of an escape or emergency.
- (b) In the case of moving stock in a rural area on Council roads the following conditions shall be complied with:

- (i) The number of animals in any one mob shall not exceed 600 head of cattle or 3000 head of sheep, and
- (ii) Each mob shall be accompanied by a minimum of one competent drover for any number of cattle up to and including 300 head, or any number of sheep up to and including 1,500 head, and by a minimum of two competent drovers for any number of cattle exceeding 300 head, or any number of sheep exceeding 1,500 head, and such other assistance as is necessary to fulfil the requirements of this Bylaw.
- (iii) Where there are two or more drovers, one shall be in front and one shall be behind the mob at all times, for the purpose of alerting traffic, in addition to the control of stock.
- (iv) Each drover shall wear a bright coloured reflective jacket, vest, or similar for visibility.
- (v) The stock shall at all times be kept under control.
- (vi) The drover or drovers shall keep the animals moving along the road at all times so as to make progress towards the destination at an average rate of not less than eight kilometres per day.
- (vii) The roadway shall be kept clear of debris and other matter that may cause danger or inconvenience to other road users.
- (viii) The stock are to be driven in such a manner as will ensure that potential danger and inconvenience to other road users will be minimised. Drovers shall facilitate the passing of vehicles through a mob.
- (ix) No road shall be closed for the droving of stock except that, if in the reasonable opinion of the Council the droving of any stock would be likely to:
  - Constitute a danger to road users, or
  - Constitute a nuisance, or
  - Cause damage to any road.
- (x) The owner / drover of stock shall be responsible for public safety, or any damage to public or private property, which may arise from any stock droving activity. To protect their liability for damage to third parties, the owner / drover shall arrange and keep in force public liability insurance.
- (xi) At all times, appropriate warning signs or flashing lights that can be seen from a distance of 170 metres from the front and back of the mob, are to be displayed to appropriately warn other road users.

12.9 Any person causing damage to the maintained road, road reserve, Council or private property in the course of moving any stock shall be liable for costs incurred by Council to rectify the damage.

12.10 Nothing in clause 12.8 of the Bylaw shall apply to the movement of dairy cattle on a regular basis, this is covered in clause 12.12 of this section of the Bylaw. For the purposes of this part of the Bylaw regular means the movement any stock once a week or more

**12.11 Stock Crossings**

12.12 All stock crossings (regular or irregular) are subject to the general conditions as outlined below:

- (a) The exit and entry points of any stock crossings are to be installed directly opposite one another in the road and fences are to be fitted with gates.
- (b) Crossings shall be sited with a minimum of 170 meters clear visibility in both directions and no closer than 60 metres to an intersection, if no practical stock crossing location can be found satisfying the above condition then appropriate signage shall be positioned to ensure that road users are aware of stock crossing.
- (c) The property owner is to make provision for clearing of debris generated by the droving, from maintained road surfaces after each crossing, to leave the road in a same or better condition than before the stock movement took place. If the road is not left in a same or better condition after stock has been driven across or along the road Council reserves the right to remove debris from the road surface and recover the costs from the stock owner.
- (d) Crossing of stock from one side of the maintained road to the other is to be completed by droving the herd in a controlled manner and with a minimum of delay and inconvenience to motorists.
- (e) Council may require the payment by the stock mover of any additional costs incurred by Council. These costs may include costs incurred in respect of:
  - (i) The maintenance of the maintained road due to damage caused by the moving of stock (including dairy cattle), as is assessed by an authorised officer of Council.
  - (ii) The installation of warning signs at the crossing point.
  - (iii) The removal by Council (or its agents or contractors) of stock excrement from a sealed maintained road at the point where the cattle cross.

12.13 In addition to the conditions provided above (clause 12.12) all dairy cattle crossings shall be subject to the following conditions:

- (a) Internal farm race and farm management practices are to be arranged so that only one crossing is required per property and there is no requirement to drive dairy stock along the maintained road.
- (b) Internal farm races leading to maintained road crossings are to be hard surfaced for at least 50m into the property, in order to reduce the carriage of mud etc. onto the maintained road by stock movement. Surfaces between

fences and the edges of sealed or metalled formations shall be similarly maintained at the owners expense and shall be shaped to ensure effluent and surface water drain away from the maintained road carriageway.

- (c) Temporary warning signs are to be installed at the crossing point to meet the requirements of the most recent copy of Transit New Zealand's Manual of Traffic Signs and Markings while dairy cattle are crossing the maintained road.

#### **12.14 Stock Underpasses**

12.15 The following conditions shall apply to all applications for the development of a stock underpass:

- (a) A bond is payable prior to the beginning of construction of 1.5 to 2.4 times the cost of construction.
- (b) All stock underpasses shall conform to any relevant Council standards and specifications.
- (c) For a stock underpass, completion of work is defined as being three months after the completion of the physical works.
- (d) The bond money paid or guaranteed to Council may be forfeited to Council and applied in completing or correcting work where in the opinion of Council the work has not been undertaken in a satisfactory time or manner. Any surplus may be retained as bond in respect of future work or refunded in the event of termination of the operator's approval for vehicle crossing work.

Note: The construction of a stock underpass will require a resource consent under the Ruapehu District Plan and may require a resource consent from the Regional Council.

#### **12.16 Stock in a Public Place**

12.17 Any person being the owner or having the care, custody or control of any stock, or horse shall keep and prevent the same from wandering, or being at large in any public place.

12.18 No person shall tether stock or horse in any public place other than on the grass area directly adjacent to his or her property without first obtaining written permission from Council. Permission shall be granted subject to such conditions as are considered necessary by an authorised officer.

12.19 A person is allowed to tether any stock or horse on the grass area directly adjacent to their property on the condition that they do not tether any stock in a position where the stock are able to stray within 2.0 metres of the carriageway.

12.20 Grazing the maintained road verge in rural areas is allowable subject to the requirements outlined below. The grazing of the maintained road verge is subject to the provisions of the Ruapehu District Plan.

- (a) Grazing of the maintained road margin on state highways, arterial or collector maintained roads shall not be permitted.
- (b) Stock and horses must be constrained by a secure temporary fence or tethered in such a manner that they:
  - (i) cannot get closer than 2 metres to the edge of the carriage way or
  - (ii) 0.5 metres from the edge of the water table or
  - (iii) a distance equal to the height of any cut batter back from the top of that batter
- (c) Grazing is not permitted on both sides of the road at the same time
- (d) No temporary fence shall remain in position for more than one week
- (e) No stock may be grazed on the maintained road margin during the hours of darkness. No cattle or horses may be tethered on the maintained road margin during the hours of darkness. No pigs shall be grazed or tethered on the maintained road margin at any time.
- (f) Only stock proof electric fences shall be permitted. These shall only be constructed of approved flexible electric fence standards with one or more wires suitable for the type of stock being grazed. Steel waratahs/standards are not permitted.
- (g) All fences shall be erected in compliance and accordance with the requirements of the Electricity Act 1992 and subsequent Electricity Regulations. Fences shall be suitably labelled notifying the public that the fence is live.
- (h) The limits outlined in clause (a) to (g) above, may be extended, subject to written permission of Council in special circumstances only.
- (i) All temporary fences shall remain in position while the maintained road margin is being grazed, and must be completely removed immediately when not in use. Council may require the fence to be removed at any time.

12.21 Any person causing damage to the maintained road, road reserve, or Council property in the course of grazing any livestock shall be liable for costs incurred by Council to rectify the damage.

## **12.22 Offences**

12.23 Any person who commits an offence against this part of this Bylaw is liable to:

- (a) If the offence is an infringement offence under either the Transport Act 1962 the Land Transport Act 1998, or the Local Government Act 2002 (and any subsequent Regulations), the maximum infringement fee fixed by or under either of such Acts or in and under the Schedules to either of such Acts, or

- (b) Where the offence is not an infringement offence under the above prescribed Acts, on summary conviction a fine not exceeding \$20,000.00.

## **13.0 SPEED LIMITS**

### **13.1 Introduction**

13.2 The purpose of this part of the Bylaw is to set speed limits for District roads, as specified in Schedules 3-15 to this Bylaw. This part of the Land Transport Bylaw allows Council to set speed limits by resolution on all maintained roads under its control.

13.3 This part of the Land Transport Bylaw is made pursuant to Council's powers under the following Acts and Regulations and any other Act or authority in any way enabling it to make Bylaws:

- Local Government Act 1974.
- Local Government Act 2002.
- Land Transport Rule: Setting of Speed Limits 2003.

### **13.4 Date The Speed Limits Come Into Force**

13.5 The speed limits described in Schedules 3-13 of this Bylaw come into force on the date specified in these Schedules.

### **13.6 Speed Limits**

13.7 The roads or areas described in the Schedules specified in paragraph 13.5, or as shown on a map referenced in the Schedules are declared to have the speed limits specified in the Schedules and maps, which are part of this Bylaw.

13.8 Council may, by resolution publicly notified, alter or change Schedules 3-13 to this Bylaw. All resolutions shall be recorded in Council's register of speed limits. Where a speed limit is set through this Bylaw the areas will be marked with appropriate signage.

13.9 Before making any resolution to alter, change or amend any speed limit, Council will undertake the following consultation process:

- (a) Advise affected parties in writing of Council's intention to alter, change, or amend any speed limit, and
- (b) Advertise, via a public notice Council's intentions to alter, change, or amend any speed limit, and
- (c) Call for submissions to be received on the proposed alteration, change, or amendment, and
- (d) Ensure that submitters have the opportunity to be heard in support of their submission.

13.10 For the purpose of this part of the Bylaw, affected parties means the police and all owners and occupiers of property on the affected road. Owner means the persons/entity listed as the ratepayer for the property on the Council's Rating Information Database.

### **13.11 Offences**

Every person commits an offence against this part of the Bylaw who operates a vehicle in excess of the Bylaw speed limits listed in Schedules 3-13 of this Bylaw. Offences and penalties and fees relating to infringement of speed limits are provided for in the relevant provisions of the Land Transport Act 1998 and Transport Act 1962. These provisions do not change as a result of this Bylaw.

## **14.0 TRAFFIC RESTRICTIONS**

### **14.1 Introduction**

14.2 The purpose of this part of the Bylaw is to set the requirements for parking and the control of vehicular or other traffic on any road in the District, other than state highways controlled by Transit New Zealand.

14.3 This part of the Bylaw is made pursuant to Council's powers under the following Acts and Regulations hereunder and any other Act or authority in any way enabling it to make bylaws:

- Local Government Act 1974.
- Transport Act 1962.
- Local Government Act 2002.
- Heavy Motor Vehicle Regulations 1974.

### **14.4 One-Way Roads**

14.5 The Council may from time to time by resolution, publicly notified:

- (a) Prohibit the driving of vehicles or riding of any horse or bicycle along any road except in one specified direction only,
- (b) Rescind, amend, or vary any such prohibition from time to time.

14.6 The roads listed in Schedule 16 of this Bylaw as "One-Way Roads" are hereby deemed to be resolved and notified under section 14.5.

### **14.7 One-Way Bridges**

14.8 Where any bridge within the District is signposted in accordance with a version of the Manual of Traffic Signs and Markings issued jointly by Transit New Zealand and Land Transport New Zealand, the right of way for that bridge shall be as indicated by the signage erected at the bridge.

### **14.9 Heavy Motor Vehicles**

14.10 Council may from time to time by resolution publicly notified, prohibit any heavy traffic on any maintained or unmaintained road or roads within the District. Schedule 17 sets out the roads on which heavy traffic is prohibited. Schedule 17 can be amended by resolution publicly notified.

14.11 No person shall drive, or permit to be driven, any heavy motor vehicle except a bus, on or along those roads, or parts of roads listed in Schedule 17 of this Bylaw, except for the purpose of:

- (a) Picking up from, or delivering goods to, an address on those roads when alternative access is not available for this purpose.
- (b) Loading or unloading goods or passengers at any property whose safe vehicular access is by way of the road or public place.

14.12 The prohibitions set out in 14.10 and 14.11 shall not apply to a network utility operator or its authorised agent, or contractor engaged in the provision of, or maintenance of a road or network utility operation on a road or part of a road specified in Schedule 17. The expression “network utility operator” has the same meaning given to it by section 166 of the Resource Management Act 1991.

**14.13 General Parking Restrictions**

14.14 Council may from time to time by resolution publicly notified:

- (a) Prohibit the stopping, standing or parking of vehicles on any road, public car park, reserve, or any other public place.
- (b) Set aside portions of any maintained road as bus stops, bus stands, transport stations, taxi stands, car parks reserved for people with a disability, cycleway, clear ways, no stopping areas and traffic lanes for buses, taxis or vehicles or others specified classes as recorded in Schedule 18.

14.15 A resolution in respect of any matter in items 14.14 may be in respect of a specified class, type, weight or description of vehicle and may be expressed or limited to apply only on specified days, or between specified times or in respect of specified events or classes of events, or be limited to specified maximum periods of time.

14.16 Council shall mark such roads and/or erect such signs on any road, public car park, reserve, or other public places as necessary to give effect to any resolution made pursuant to 14.14 above.

14.17 Council may from time to time by resolution rescind, amend, or vary any resolution made pursuant to this Bylaw.

14.18 Schedule 18 of this Bylaw sets out the parking restrictions that are hereby deemed to be imposed under 14.14.

14.19 No person shall stop, stand or park a vehicle on any road, public car park, reserve or any other public place in contravention of a restriction imposed by Council and evidenced by appropriate signs and/or road marks. Notwithstanding the provisions of this clause:

- (a) An authorised officer may, subject to such conditions as appropriate in the circumstances and payment of the prescribed fee, authorise the stopping, standing or parking of specified vehicles.
- (b) Motor Vehicles may, for the picking up, or delivering goods to, an address on those roads when alternative access is not available for this purpose, stop, stand, or park in heavy traffic parking restricted areas.

14.20 No person shall stop, stand or park a vehicle on any berm, flowerbed or shrubbery, laid out on any road or on a median strip or traffic island, or on any grass verge, or any land in or under the control of Council, unless specifically authorised by Council.

- 14.21 No person shall park any machinery, equipment, materials, or waste disposal bins on any maintained road or public place, except with the permission of an authorised officer and in accordance with any conditions that may be required.
- 14.22 Any of the said prohibitions, limitations, and restrictions may be prescribed so as not to apply on specified days between specified hours.
- 14.23 The Council may from time to time by resolution publicly notified, fix a rental or charge to be paid for the use of any parking area and in like manner may vary the same.

**14.24 Cars Parked for Display or Breakdown**

Without the permission of Council, no person shall:

- (a) Leave on the maintained road or public place for more than 24 hours, any motorised vehicle which no longer has any effective motive power or which is so disabled or in such a state that it cannot be safely driven.
- (b) Display for sale a vehicle or object on any maintained road or in any other public place in the District during the hours of darkness.

**14.25 Request to Move Vehicle**

The owner or person in charge of any vehicle, parked on any maintained road or public place, whether attended or unattended, shall upon request of any parking warden, fire warden, police officer or other authorised officer, move such vehicles as directed for the purpose of facilitating traffic movement or public works.

**14.26 Parking - Footpaths and Walkways**

- 14.27 Subject to 14.28, 14.29, 14.30 and 14.31 no person shall park or drive any vehicle on any footway, footpath, walkway or any part thereof.
- 14.28 Clause 14.27 shall not apply to the driving of a vehicle over a footway, footpath, or walkway, by means of a vehicle crossing constructed on the road for the purpose of gaining vehicular access to any property from that road.
- 14.29 Clause 14.27 shall not apply to the riding of a bicycle on a footway, footpath or walkway, where the bicycle is being ridden on designated cycle ways, or for the purpose of delivering newspapers, mail or printed material to letterboxes.
- 14.30 Clause 14.27 shall not apply to the driving of a mobility scooter.
- 14.31 Clause 14.27 shall not apply to emergency service vehicles where they are in the course of their duty or utility vehicles with the approval of an authorised officer.

**14.32 Temporary Restrictions On The Use Of Roads**

- 14.33 Where an authorised officer considers that there is, or is likely to arise at any place on a road under the jurisdiction of the Council a temporary risk of:

- (a) Danger to the public or to road workers; or
- (b) Damage to the road.

14.34 Council may temporarily restrict the use of, or speed of, or class of vehicles which may use any part of that road. Any such restriction shall be defined by the display of temporary warning signs in conformity with the Traffic Regulations 1976 and Transit New Zealand's Code of Practice for Temporary Traffic Management and Local Roads Supplement.

**14.35 Road Works**

14.36 Without limiting the Traffic Regulations 1976, any vehicle being used for the purpose of maintenance or construction of roading, or of any other utility, or otherwise, may be driven or parked contrary to any restriction in force under this part of this Bylaw with permission of an authorised officer, provided it is parked or driven with due consideration of other road users.

**14.37 Damage To Signs**

14.38 No person shall interfere with, damage or remove any traffic control sign.

**14.39 Selling Of Goods And Services At Intersections**

14.40 No person shall wash or clean the windows of any vehicles for payment or donation, solicit any subscription, collection or donation at any road intersection or within 100 metres of the intersection on any of its approaches, or use the intersection for the purposes of selling or offering any goods or services of any kind without the written permission of an authorised officer.

**14.41 Temporary Parking Areas**

14.42 In all cases where no parking places for vehicles are provided for under this Bylaw, any police officer, or the Chief Executive, shall have power in cases of necessity or emergency, to appoint, provide, reserve and mark out any part of a street within the District as a temporary parking area to be used only in accordance with the instructions of such police officer, or the Chief Executive and no person shall use such temporary parking area except in accordance with such instructions.

**14.43 Taxi-Cabs**

14.44 Council may from time to time by resolution, publicly notified, establish public stands for the operation of taxicabs. No licensed taxicab shall operate on a regular basis other than from a public stand established for that purpose by resolution of Council.

14.45 Schedule 18 lists the public stands for the operation of taxicabs that are hereby deemed to be authorised under 14.44.

**14.46 Height Restrictions**

14.47 Council may from time to time by resolution, publicly notified, establish height restrictions for certain sections of road, Where a height restriction is imposed vehicles with a total height greater than that listed are prohibited from travelling along the road or under the structure in question.

14.48 Any height restriction imposed by Council is listed in Schedule 22.

**14.46 Parking and Standing Prohibitions**

No person shall:

- (a) Leave in a parking area a vehicle that is not in the class or classes permitted to use it.
- (b) Leave a vehicle in any space in a parking area during the time that the space is reserved by Council for the use of any other person.
- (c) Leave a vehicle in a parking area except in a parking space, when parking spaces are marked.
- (c) Obstruct any street or public place by leaving a vehicle or object unattended so as to cause a nuisance or obstruct the street. If the owner thereof, or the person entitled to the possession of the vehicle, cannot be found after reasonable enquiry in the vicinity, the Chief Executive, or authorised officer, or any police officer may remove such a vehicle or object or cause the same to be removed.
- (e) Alter, add to, or repair any vehicle on any street, except where such alteration, additions or repairs are necessary to enable such a vehicle to be removed from the street.
- (f) Permit to remain on any street or public place any derelict machinery, boat, vessel, or article of any kind. Council may, if it thinks fit, have the article removed and recover from the owner of such article all costs and expenses incurred by the Council.
- (g) Construct any entranceway onto any property in such a way that a vehicle stopping at a gate obstructs the carriageway.

**14.47 Engine Braking**

14.48 The use, application, or operation of braking devices of the “Jacobs Engine Brake” type or any braking device that causes or creates a similar or excessive noise is prohibited within such areas of the District as the Council shall determine by resolution.

14.49 The areas within which the use of these engine-braking devices is prohibited are listed in Schedule 19 of this Bylaw.

14.50 Council shall mark such roads and/or erect such signs on any road, as necessary to give effect to any resolution made pursuant to 14.48 above.

**14.51 Offences**

14.52 Every person commits an offence against this part of this Bylaw who:

- (a) Fails to comply in all respects with any prohibition, restriction, direction or requirement indicated by the lines, markings, traffic signs and other signs or notices laid down, placed, made or erected on, or upon any road, public car park, reserve or other places controlled by Council pursuant to any of the provisions of this part of this Bylaw or any resolution made under this part of this Bylaw.
- (b) Fails to comply with any condition, duty, or obligation, imposed by this part of this Bylaw or by any resolution made under this part of this Bylaw.

**14.53 Defence to Breach of Traffic Restrictions**

14.54 It shall be a defence to any person charged with a breach of this part of the Bylaw if he or she proves:

- (a) That the act complained of was done in a emergency or in compliance with the directions of a police officer, traffic control signal or traffic sign: or
- (b)
  - (i) that the vehicle was at the time, with reasonable necessity actually engaged in a public work at the place where it was stopped, and
  - (ii) that the vehicle was being used with due consideration for other road users.

**14.55 Penalties**

14.56 Any person who commits an offence against this Bylaw is liable:

- (a) If the offence is an infringement offence under either the Transport Act 1962, the Land Transport Act 1998, or Local Government Act 2002 (or any subsequent Regulations) the maximum infringement fee fixed by or under any of such Acts, or in and under the Schedules to any such Acts, together with any towage fee incurred by the Council; or
- (b) Where the offence is not an infringement offence, on summary conviction a fine not exceeding \$20,000.00.

## **15.0 VEHICLE ACCESSWAYS**

### **15.1 Introduction**

15.2 The purpose of this part of the Bylaw is to set the requirements for the construction of vehicle accessways within the Ruapehu District.

15.3 This part of the Bylaw is made pursuant to Council's powers under the following Acts and Regulations hereunder and any other Act or authority in any way enabling it to make bylaws:

- Local Government Act 2002.
- Local Government Act 1974.
- Resource Management Act 1991.

### **15.4 Requirement to Construct Vehicle Crossings**

15.5 Whenever access between a maintained road and any other land requires vehicles to cross a footpath, kerb, channel, or any part of the maintained road not formed as carriageway the Council may require the owner of the other land to provide a vehicle crossing in accordance with the provisions of this part of the Bylaw.

15.6 Where Council undertakes any kerb and channel, or undertakes any other construction or reconstruction work, or replaces or installs any pipeline culvert resulting in damage to an existing vehicle accessway, Council shall reinstate the accessway to the level of service that existed before Council carried out the work.

15.7 Property owners are required to maintain and use existing crossings in such a way that damage to the part of the road that Council or Transit New Zealand maintains does not occur.

### **15.8 Design and Construction Requirements**

15.9 Design and construction of any vehicle crossing shall comply with the Ruapehu District Plan, Standards New Zealand (SNZ) document NZS 4044:2004 Land Development and Subdivision Engineering or any subsequent standard produced by SNZ in substitution thereof.

15.10 The District Engineer or other authorised officer shall be authorised at all times to create, modify, and extend the Vehicle Crossing Design and Construction Standards.

15.11 The construction of any vehicle crossing shall only be undertaken by a person or persons with suitable skill and experience to the satisfaction of the District Engineer.

### **15.12 Requirements before Commencement of Work**

15.13 Before any vehicle crossing construction starts, the owner of the land requiring access to the carriageway make an application on the "Vehicle Accessway Construction" form and supply plans of the proposed work.

- (a) The application and plans are approved by the Council in writing.

- (b) The applicant has entered into the bond required by Council, representing 1.5 to 2.4 times the estimated cost of the proposed work.
- (c) The fee payable in respect of application for the vehicle crossing construction has been paid.

**15.14 Construction Controls**

- 15.15 Before any permanent work is undertaken the person undertaking the work shall provide the District Engineer or any person appointed by that Engineer with 24 hours notification, for the purpose of inspection of work. The person carrying out an inspection may require works to be uncovered or partly removed to properly show methods and materials used in the construction.
- 15.16 The bond money paid or guaranteed to Council may be forfeited to Council and applied in completing or correcting any vehicle crossing work where in the opinion of Council the work has not been undertaken in a satisfactory time or manner. Any surplus may be retained as bond in respect of future work or refunded in the event of termination of the operator's approval for vehicle crossing work.

**15.17 Failure to Construct Crossing**

- 15.18 If the owner of any land accesses the land or permits access to the land at any point other than by way of a crossing approved by Council. Council may require the owner to construct a crossing in accordance with the provisions of the Bylaw.
- 15.19 In the event that the owner fails to construct a crossing within one month of being so required by Council, the Council may construct the crossing and recover the actual and reasonable costs from the owner.

**15.20 Maintenance and Repairs of Vehicle Accessways and Crossings**

- 15.21 Where Council undertakes any kerb and channel, or other construction or reconstruction work, or replaces or installs any pipeline culvert resulting in damage to an existing vehicle accessway, Council shall reinstate the accessway to the level of service that existed before Council carried out the work.
- 15.22 When carrying out any construction or reconstruction work Council will provide one crossing per property in a single certificate of title, at Council's expense.
- 15.23 Property owners are required to maintain existing crossings in such a way that damage to the part of the road that Council or Transit New Zealand maintains does not occur.
- 15.24 Property Owners are required to maintain all areas outside of Council control. Council will maintain all existing road carriageways included in Council's Road Maintenance contract.
  - a) This is from seal edge to seal edge or the property side of kerb and channel where it is installed on the seal edge on sealed roads. Where crossings are

sealed, the part to be maintained will be a straight line between the edges of seal either side of the crossings on straights or an arc of the same radius of the carriageway curve on bends. In rural areas an extra one metre of seal maintenance in approved situations shall apply.

- b) In unsealed areas the maintenance will be from water table to water table or the edge of the metal surface where no water table is formed. At private entrances the extent of maintenance shall be a straight line between water tables or the edge of metal on either side of the crossing on straights or an arc of the same radius of the carriageway curve on bends.

15.25 Property owners are required to construct and maintain all new property vehicle driveways and crossings within the road reserve to Council standards at the property owner's expense. Kerb and channel crossings shall comply to NZS 4404:1981 and this Bylaw

#### **15.26 Offences**

15.27 Any person commits an offence who commits any omission, breach or act in contradiction to any of the provisions of this part of the Bylaw.

#### **15.28 Penalties**

15.29 Any person who commits an offence against this part of this Bylaw is liable:

- (a) If the offence is an infringement offence under either the Transport Act 1962 the Land Transport Act 1998, or the Local Government Act 2002 (and any subsequent Regulations), the maximum infringement fee fixed by, or under such Acts, or in and under the Schedules to either of such Acts, or
- (b) Where the offence is not an infringement offence under the above prescribed Acts, on summary conviction a fine not exceeding \$20,000.00.

## **16.0 WORKING IN THE ROAD**

### **16.1 Introduction**

16.2 The purpose of this part of the Bylaw is to prescribe the conditions and specification requirements for any work in the maintained road that may interfere with the safe and efficient flow of traffic or any works, which include the excavation, trenching or opening of the road surface within any road controlled and managed by the Ruapehu District Council.

16.3 This part of the Bylaw is made pursuant to Council's powers under the following Acts and Regulations hereunder and any other Act or authority in any way enabling it to make bylaws:

- Local Government Act 1974.
- Land Transport Act 1998.
- Local Government Act 2002.
- Standards New Zealand 2002:2003 Hand Book – Code of Practice for Working in the Road.

### **16.4 General Conditions**

16.5 All parties undertaking any work on, in or over the maintained road must comply with Transit NZ Code of Practice for Temporary Traffic Management (CoPTTM) and the Local Roads Supplement (LRS) to CoPTTM and must install or arrange to have installed, temporary traffic management plan (TMP) before commencing their activities (except as necessary to save lives and/or prevent serious injury).

### **16.6 Opening the Road**

16.7 This section of the Bylaw complements the provisions of the statutory requirements described in:

- Telecommunications Act 2001
- Gas Act 1992
- Electricity Act 1992
- Public Works Act 1981
- Railway Safety and Corridor Management Act 1992
- Local Government Act 1974

16.7 Without limiting the provisions of 16.5, all parties intending to undertake any of the following activities must comply with SNZ2002:2003 HB Code of Practice for Working in the Road:

- (a) Any activity that will alter or cause to be altered the surface of the road including but not limited to excavating, drilling, resurfacing.
- (b) The placement of any pipe, duct, pole, cabinet or other structure below, on or above the road.

16.8 All parties involved in any of the activities set out in 16.7 a) or b) must comply with the operating procedures as set out in Schedule 2 of this Bylaw.

16.9 Where there are any procedural differences or discrepancies between the aforementioned codes and the requirements of the bylaw, the meaning of this Bylaw and any attached schedules take precedence.

**16.10 Partnering Agreements**

16.11 Council may grant, to any service provider, exemptions to this part of the Land Transport Bylaw 2006, by the entering into of a Partnering Agreement between a service provider and the District Engineer or his authorised representative.

16.12 Without limiting the provisions of parts 16.1-16.9 of this bylaw, any exemption or agreement entered into will be at the discretion of Council and may contain specific conditions regarding the exemption. Any non-compliance with any specific conditions of the exemption will be deemed an offence under this Bylaw.

16.13 Where the work is being undertaken on behalf of Council by way of contract the contractor will be exempt from the requirement to obtain a road opening notice, but shall comply with all other requirements of this bylaw except as exempted by any specific partnering agreement.

**16.14 Fees**

16.15 The Council may, at any time, require a fee or charge to be paid. The fee, or charge will represent the actual and reasonable cost of processing the road opening notice and associated documents as set out in Schedule 2 of this Bylaw.

**16.16 Offences**

16.17 Any person commits an offence who commits any omission, breach or act in contradiction to any of the provisions of this part of the Bylaw.

**16.18 Penalties**

16.19 Any person who commits an offence against this part of this Bylaw is liable:

- (a) If the offence is an infringement offence under either the Transport Act 1962 the Land Transport Act 1998, or the Local Government Act 2002 (and any subsequent Regulations), the maximum infringement fee fixed by, or under such Acts, or in and under the Schedules to either of such Acts, or
- (b) Where the offence is not an infringement offence under the above prescribed Acts, on summary conviction a fine not exceeding \$20,000.00.

## **17.0 DAMAGE TO COUNCIL ASSETS DURING PROPERTY DEVELOPMENT AND RELOCATION OF BUILDINGS OR OTHER STRUCTURES**

### **17.1 Introduction**

17.2 The purpose of this part of the Bylaw is to ensure public assets, including but not limited to footpaths, kerb and channel and road signs, are protected from damage by property development activities such as the relocation of buildings or development of new buildings.

17.3 This part of the Bylaw is made pursuant to Council's powers under the following Acts and Regulations hereunder and any other Act or authority in any way enabling it to make bylaws:

- Transport Act 1962.
- Local Government Act 2002.

### **17.4 General Conditions**

17.5 All property development activities must:

- (a) Comply with the requirements of the Ruapehu District Plan, Ruapehu Land Transport Policy, Building Act 2004, the Resource Management Act 1991, and any other Act or Regulation and their amendments.
- (b) Be notified to Council on the appropriate form, and be accompanied by the required fee.

17.6 For the purposes of this section of the Bylaw "Owner" means the person(s) or organisation that has ownership or for other reason and has therefore caused the building to be relocated.

### **17.7 Street Damage Bond**

17.8 This bond is in addition to any bond or fee set for Resource Consent

17.9 Where a Resource Consent or Building Consent is required for any activity for which a street damage bond is required the bond shall be entered into prior to the issuing of the consent.

17.10 Bond For Street Damage Form shall be submitted to Council and a street damage bond and processing fee shall be required to be paid by the owner or their authorised representative prior to undertaking any of the following work

- Construction of a new building.
- Construction of a replacement building.
- Relocation of a building, into, out of or within the District, or
- Demolition of a building.

However if in the opinion of the District Engineer no possibility of any damage exists the requirements for the bond may be waived.

- 17.11 The purpose of the bond is to cover the cost of any damage sustained to District roads and streets, including but not limited to damage to road signs, the road surface, kerb and channel, footpath and grass verge as a result of development activity.
- 17.12 The applicant or his/her representative shall notify Council of commencement of the activity at least 48 hours prior to the commencement of the activity, to allow the Council to undertake a pre-inspection of the site and route followed by any relocated building.
- 17.13 The applicant or his or her representative shall notify Council at the completion of the activity and Council will carry out an inspection of the site and route of any relocated building.
- 17.14 If damage to Council assets has occurred during the removal of the building or structure, the cost of repairs, when verified, will be deducted from the bond.
- 17.15 If Council is satisfied that no damage to Council assets has occurred, and all terms and conditions have been met, the bond will be released within 10 working days unless otherwise notified.
- 17.16 The amount of the bond shall be as set from time to time by the Chief Executive and advertised in Council's Schedule of Fees and Charges.
- 17.17 A contractor employed by Council shall repair if street damage is recorded within 30 days of the applicant being advised in writing of the damage. The cost of the repairs shall be deducted from the bond.
- 17.18 At the completion of the repair work, the balance of the bond left after meeting any repair costs will be refunded to the building owner or the person specified on the Street Damage form. Should the cost of the repair works exceed the value of the bond, the consent holder will be required to meet the additional costs and any actual and reasonable costs incurred by Council.

**17.19 Offences and Penalties**

- 17.20 Every person commits an offence against this section of the Bylaw that acts in contravention of, or fails to comply in any respect with any of the provisions of this part of the Bylaw.
- 17.21 Every person who commits an offence against this part of this Bylaw is liable on summary conviction to a fine not exceeding \$20,000.00.

## **18.0 OHAKUNE MOUNTAIN ROAD**

### **18.1 Introduction**

18.2 The purpose of this part of the Bylaw is to control the use of Ohakune Mountain Road to protect the safety of the road users.

18.2 This part of the Bylaw is made pursuant to Council's powers under the following Acts and Regulations hereunder and any other Act or authority in any way enabling it to make bylaws:

- Local Government Act 1974.
- Transport Act 1962.
- Local Government Act 2002.

### **18.3 Prohibited Access**

18.4 Council may temporarily prohibit the operation of any vehicle or particular type of vehicle on the Ohakune Mountain Road when in the opinion of Council or any agent of Council:

- (a) The Ohakune Mountain Road is dangerous for the operation of any vehicle, or
- (b) The Ohakune Mountain Road is impassable or blocked or likely to become impassable or blocked due to:
  - (i) snow, ice or adverse climatic conditions.
  - (ii) land slippage, land slump, lahar avalanche debris or obstruction of any kind.
  - (iii) volcanic activity.
  - (iv) accidents.
  - (iv) any public and/or road safety reason, or
- (c) Snow and/or ice clearing work on the Ohakune Mountain Road, or on car parking areas, is necessary for the maintenance of road or public safety and/or convenience.

18.5 In the exercise of the power in 18.4 Council:

- (a) Shall erect and maintain temporary and permanent signs at appropriate positions on the Ohakune Mountain Road stating the prohibition and at times other information for road users.
- (b) May erect or place a barrier, manned or unmanned, at an appropriate position on the Ohakune Mountain Road preventing the passing of any vehicle.

18.6 Council may temporarily prohibit the entry of vehicles onto particular parts of the Ohakune Mountain Road or onto car parking areas on the Ohakune Mountain Road when in the opinion of Council it is necessary to ensure:

- (a) The orderly and safe management of traffic volumes and/or traffic flow on the Ohakune Mountain Road.
- (b) The orderly and safe management of traffic within the car parking areas on the Ohakune Mountain Road.

18.7 In the exercise of that power Council:

- (a) Shall erect, and maintain temporary signs at appropriate positions on the Ohakune Mountain Road prohibiting, while such signs are displayed, the entry of any vehicle on those parts of the Ohakune Mountain Road.
- (b) May erect or place a barrier, manned or unmanned, at appropriate positions on the Ohakune Mountain Road preventing the passing of any vehicle onto particular parts of the Ohakune Mountain Road.

Those vehicles that at the time the prohibition in 18.6 was established had already entered or remained on the prohibited areas may use the prohibited parts of the Ohakune Mountain Road for the purposes of exiting the Ohakune Mountain Road.

**18.8 Restricted Access**

18.9 When in the opinion of Council, adverse road or climatic conditions have resulted in the Ohakune Mountain Road becoming dangerous or unsafe, Council may restrict access to the Ohakune Mountain Road or parts of it unless:

- (a) The driving wheels of the vehicle are fitted with chains, and/or
- (b) The vehicle is a suitable four-wheel drive vehicle.

18.10 When in the opinion of Council adverse road or climatic conditions are imminent or forecast; Council may restrict the operation of vehicles on the Ohakune Mountain Road to:

- (a) Those vehicles which are carrying chains suitable for fitting to the driving wheels of the particular vehicle, and or
- (b) Suitable four-wheel drive vehicles.

18.11 In the exercise of the power in clause 18.9 and 18.10, Council shall erect and maintain temporary signs at appropriate positions on the Ohakune Mountain Road stating the restriction

18.12 Council may, from time to time, in order to ensure the orderly and safe management of traffic volumes and traffic flows on the Ohakune Mountain Road and/or for the maintenance or promotion of road or public safety and/or convenience:

- (a) Direct that any vehicle operating on the Ohakune Mountain Road shall travel in one specified direction only.

- (b) Prohibit on the Ohakune Mountain Road the turning to the left or to the right of any vehicles.

**18.13 Parking of Vehicles**

18.14 Council may from time to time, in relation to Ohakune Mountain Road by resolution publicly notified:

- (a) Prohibit the stopping, standing or parking of vehicles on the Road, public car parks, reserves, or any other public place.
- (b) Set aside portions of the road as bus stops, bus stands, transport stations, operation mobility car parks, cycleway, clear ways, no stopping areas and traffic lanes for buses or vehicles of other specified classes.

18.15 No person being the driver or person in charge of any vehicle shall park, stop, or stand that vehicle on any part of Ohakune Mountain Road in contravention of the prohibitions, limitations, or restrictions imposed from time to time by resolution of Council and where appropriate evidenced by signs prescribed by Council at the places affected.

18.16 Without prior permission of Council, no person shall:

- (a) Park or leave on the Ohakune Mountain Road;
  - (i) any boat,
  - (ii) machinery implements, or
  - (iii) structure of any kind, that is not attached or connected to a vehicle, or leave any vehicle which is;
    - (a) disabled, or
    - (b) lacking effective motive power, or
    - (c) in a state that it cannot be safely driven.

Council may, if it thinks fit, by its servant agents or contractor, remove such vehicles, boats, machinery implements or structures from the road or public place and recover from the owner or from the person in charge of the same, all of the costs and expenses incurred by the Council on their behalf, including storage charges.

- (b) Park in or on the Ohakune Mountain Road any vehicle displaying a “For Sale” notice or any vehicle having on it anything displaying a for sale notice unless that vehicle is being used for bona fide purpose of travel and stoppage.

**18.17 Prohibitions**

18.18 No person shall wilfully or negligently obstruct Ohakune Mountain Road in any manner:

- (a) Which causes a nuisance to other users of the road, or

- (b) Which interferes with the right of any person to use that road for its principal purpose, or
- (c) That is unsafe to other users.

18.19 No person shall move, deface, overturn, or otherwise interfere with any notice board, sign, or disc located or placed by the authority of Council on the Ohakune Mountain Road.

**18.20 Defences**

18.21 It shall be a defence for any person charged with a breach of the prohibitions, limitations, or restrictions imposed by this section of the Bylaw that the act complained of was: done or permitted or incurred:

- In an emergency, or
- With the prior written authorisation of the Council, or
- In compliance with a direction of a parking warden or police officer, or
- In compliance with a traffic control signal or a traffic sign, or
- By reason of mechanical failure provided that in the case of mechanical failure the breach is not continued for longer than 24 hours.

**18.22 Offences**

18.23 Every person commits a breach of this Bylaw who does, or causes, or permits to be done, anything contrary to, or other than is provided by this Bylaw or any resolution of Council made hereunder.

18.24 Without limiting the generality of clause 18.23, no person, being the driver or person in charge of any vehicle shall operate that vehicle on the Ohakune Mountain Road or any particular part of it contrary to the prohibitions, limitations, restrictions, and directions imposed from time to time by the Council pursuant to clauses 18.3 – 18.6, and in particular:

- (a) Through or beyond any barrier erected or placed on the Ohakune Mountain Road by authority of the Council, and/or
- (b) Contrary to signs erected or placed on the Ohakune Mountain Road by authority of the Council, while such signs are displayed.

**18.25 Penalties**

18.26 Any person who commits an offence against this part of the Bylaw is liable to:

- (a) If the offence is an infringement offence under either the Transport Act 1962, the Land Transport Act 1998, or the Local Government Act 2002 (and any subsequent Regulations), the maximum infringement fee fixed by, or under such Acts or in and under the Schedules to such Acts, or

- (b) Where the offence is not an infringement offence under the above prescribed Acts, on summary conviction a fine not exceeding \$20,000.00.

## **19.0 USE OF CHAINS**

### **19.1 Introduction**

19.2 The purpose of this part of the Bylaw is to protect Council maintained roads from damage by vehicles fitted with chains when the conditions do not so require such chains to be fitted.

19.3 This part of the Bylaw is made pursuant to Council's powers under the following Acts and Regulations hereunder and any other Act or authority in any way enabling it to make bylaws:

- Local Government Act 1974.
- Local Government Act 2002.

### **19.4 General Conditions**

19.5 No person shall use upon any roadway any motor vehicle, if any of its wheels are fitted with chains, unless because of the presence of snow or ice thereon, that portion of the roadway is dangerous for use by motor vehicles.

### **19.6 Offences**

19.7 Any person who shall do, or cause to be done, or knowingly permits or suffers to be done, or is concerned in doing anything whatsoever contrary to this part of the Bylaw, shall be guilty of an offence under this part of the Bylaw.

19.8 In any proceedings for an offence against this part of the Bylaw if it is shown that chains were fitted to any wheel of a motor vehicle using a roadway, the offence shall be deemed to have been committed unless the defendant satisfies the Court to the contrary.

### **19.9 Penalties**

19.10 Any person who commits an offence against this part of this Bylaw is liable to:

- (a) If the offence is an infringement offence under either the Transport Act 1962 the Land Transport Act 1998, or the Local Government Act 2002 (and any subsequent Regulations), the maximum infringement fee fixed by, or under such Acts or in and under the Schedules to either of such Acts, or
- (b) Where the offence is not an infringement offence under the above prescribed Acts, on summary conviction, a fine not exceeding \$20,000.00.

## **20.0 USE OF ROAD**

### **20.1 Introduction**

20.2 The purpose of this part of the Bylaw is to regulate the use of Council roads to ensure that access and public health and safety is maintained and promoted.

20.3 This part of the Bylaw is made pursuant to Council's powers under the following Acts and Regulations hereunder and any other Act or authority in any way enabling it to make bylaws:

- Local Government Act 1974.
- Transport Act 1962.
- Local Government Act 2002.

### **20.4 Restriction on Use of Road**

20.5 Council may from time to time by resolution publicly notified, prohibit the stopping standing or driving any vehicles on any road, as described in Schedule 20.

20.6 Any road or roads subject to any restrictions imposed by resolution of Council may be formed or unformed. Such roads may at sometime have been formed but have become unformed and may or may not be in a fit state to take any form of traffic.

20.7 Council may from time to time by resolution publicly notified impose restrictions on any bridge, culvert, or other artificial structure forming part of any road in the District or bordering the District.

20.8 If Council considers a road, bridge or other artificial structure to be unsafe for any form of traffic, whether vehicular, animal or human, then it may at anytime, close that part of the road or restrict its use.

### **20.9 Notification of Restrictions**

20.10 Any road, part of a road or bridge which has any restriction imposed upon it by resolution shall be sign posted with a copy of the resolution made pursuant to this Bylaw or a statement of its effect conspicuously displayed before the resolution comes into force.

### **20.11 Encroachment onto the Road Reserve**

20.12 In certain circumstances Council may allow encroachment by private property owners into the road, including unformed roads.

20.13 Any individual group or organisation wishing to occupy any road shall be required to inform Council by completing a road encroachment application. This form can be obtained from any Council office.

20.14 If any building, bridge, wheelchair access, staircase, fence or other structure or any part thereof shall have been erected, constructed or placed upon, under, over or

across any road reserve without the permission of Council, Council may by notice in writing require the owner of such building or structure or remove the same or such part thereof as specified in the notice.

- 20.15 Any notice issued under 20.14 above may require such precaution to be taken as Council thinks necessary for the safety of the public and for the proper securing of such building or structure as is to remain after such removal.
- 20.16 Council may authorise any officer thereof to pull down, remove or alter or cause to be pulled down, removed or altered any work, material or thing, erected or being in contravention of this Bylaw or section 357 of the Local Government Act 1974.
- 20.17 Council may recover from any person responsible for the erection, or from any person permitting the continued existence, of any such work, material or thing, all expenses incurred by it in connection with such pulling down, removal or alteration.

**20.18 Fence Encroachments**

20.19 Council may allow private individuals and organisations to install fences within the maintained road. The following shall be considered when deciding whether or not to approve an application for a fence encroachment:

- (a) All applicants must complete a road encroachment application.
- (b) Fences must be of an “adequate” standard and state of repair, as defined in the Fencing Act 1978.
- (c) Fences should not reduce lines of sight or vehicle sight distance below industry accepted safety standards.
- (d) Strainer posts and other solid objects that are potential hazards to road users and/or vehicles during accidents should be avoided, or marked with reflector tape if considered necessary. All gates must be located on property boundaries, and not constructed within the designated road reserve.
- (e) Any property boundary fence erected on the road reserve be appropriate to the type of stock to be farmed within the adjoining property and that that fence be maintained in good order and repair for as long as the encroachment applies.

20.20 The applicant is responsible for keeping the enclosed portion of road reserve tidy and free from plant pests or any plant growth that would create a visibility hazard to road users. If the applicant does not adequately maintain drainage structures, Council may enter the enclosed area as if no enclosure existed to carry out maintenance works at the occupier’s expense.

20.21 The applicant must agree to maintain all surface water channels, culverts, and culvert entrances within the enclosed area in good workable condition. If the applicant does

not adequately maintain drainage structures, Council may enter the enclosed area as if no enclosure existed to carry out maintenance works at the occupier's expense.

20.22 The applicant must accept all liability for any loss incurred or damage done, affecting or arising from a fence erected under the authority of the encroachment licence, unless negligence by a Council employee can be proved. Damage done to the fence by any private person or private contractor will be an issue between the applicant and other party.

20.23 No permanent property boundary fence erected on the road reserve may be electrified or constructed using barbwire.

20.24 Any fence erected under the authority of the encroachment licence shall be removed within one week of a request from Council to remove the fence.

**20.25. Gates and Cattle Stops across Roads**

20.26 Council may allow the erection of a swing gate, cattle stop or both across any rural road where:

- In Council's opinion it is not practicable or reasonable to fence the road, or
- By agreement, the road has been taken or may be constructed through private lands and the owner or occupier requests that a gate or cattle stop or both be erected on the outer boundary at the cost (including maintenance) of one or both of the parties as may be agreed.

20.27 All applications for gates and/or cattle stops across roads will be referred to the relevant Community Board for comment prior to deciding the application.

20.28 The following conditions shall apply to any gate or cattle stop across a public road:

- (a) Any gate across a road shall not be locked, and must be able to be freely opened at all times.
- (b) If the Council considers that there are issues of public safety Council may require or arrange for the gate to be locked.
- (c) Any person who erects a gate across a road shall erect signs with the words "Public Road" painted thereon in letters not less than 75mm in height to be fixed on either side of the gate and this signage shall be at all times maintained by the person authorised to erect the gate.
- (d) Council shall not be liable for damages in respect to any accident arising from the existence of the gate or cattle stop.

20.29 Any property left or placed on the road reserve can be removed and impounded by Council.

**20.30 Offences**

20.31 Every person commits an offence that contravenes any provision or a resolution made, or deemed to have been made, by Council pursuant to this part of the Bylaw.

**20.32 Penalties**

20.33 Any person who commits an offence against this part of this Bylaw is liable to:

- (a) If the offence is an infringement offence under either the Transport Act 1962 the Land Transport Act 1998, or the Local Government Act 2002 (and any subsequent Regulations), the maximum infringement fee fixed by, or under such Acts or in and under the Schedules to either of such Acts, or
- (b) Where the offence is not an infringement offence under the above prescribed Acts, on summary conviction a fine not exceeding \$20,000.00

**20.34 Fees**

20.35 The Council may, at any time, require a fee or charge to be paid. The fee, or charge will represent the actual and reasonable cost of processing the encroachment and associated documents as set out in Schedule 19 of this Bylaw.

## **SCHEDULE 1      STOCK MOVEMENT**

### **Part One: Prohibited Areas**

Prohibited in 50km/h areas as defined in the speed limit restrictions in:

Raetihi, with the exception noted below,

### **Part Two: Exceptions**

Raetihi Stock Route.

All of State Highway Four.

Raetihi Ohakune Road from its junction with State Highway 4 to the point where it goes into Zoned Rural land.

All of Alexandra and Islington Roads.

Grey Street from its junction with Islington Road to its junction with Hukaroa Street.

All of Plunket Street, Jacksons Road and Ranfurly Street.

Seddon Street from Plunket Street to its junction with Hakaroa Street.

## **SCHEDULE 2      OPERATING PROCEDURES FOR OPENING THE ROAD**

### **Step One: Notification**

Utility Provider (or nominated contractor/consultant) lodges a RON (Road Opening Notice) at Council with attached Traffic Management Plan (TMP), plans of the work and other relevant documents (for instance, examples of letters to affected residents) not less than 15 working days prior to commencement of work.

### **Step Two: Council's Assessment and Setting of Conditions**

Council assesses the RON Application for

- The TMP
- Measures to ensure adequate notification and minimum inconvenience to road users, residents and property owners
- Any proposed reinstatement of the road surface/berms etc
- The imposition of any reasonable conditions. These will normally be those set out in the code of Practice for Working in the Road - SNZ 2002:2003.

### **Step Three: Work Commences**

The approved RON is then forwarded to the Utility Provider and Contractor (where contact details are known) at which time the work may commence.

### **Step Four: Observation**

Council will observe work in progress. The RON is kept on site throughout the duration of the works.

### **Step Five: Works Completion Advice**

The Contractor/Utility Provider, within one week of the completion of all work, supplies Council with a Works Completion Advice at which time Council will certify that it is satisfied with the reinstatement, if appropriate.

### **Step Six: Maintenance & Warranty Period**

The 12 months following the completion of all works are a Maintenance Period, during which time the Principal Provider will conduct random audits and inspections on the completed works. At the end of the Maintenance Period, the Contractor/Utility Provider conducts a 12 Month Maintenance audit and inspection, lodging a Maintenance Notice for acceptance by Council.

**SCHEDULE 3****ROADS WITH A SPEED LIMIT OF 10KM/H**

<b>Reference Number</b>	<b>Speed Limit</b>	<b>Description</b>	<b>Date Speed Limit Comes Into Force</b>	<b>Legal Instrument</b>	<b>Previous Instrument</b>	<b>Legal</b>
		Currently no roads scheduled.				

**SCHEDULE 4:****ROADS THAT HAVE A SPEED LIMIT OF 20KM/H**

<b>Reference Number</b>	<b>Speed Limit</b>	<b>Description</b>	<b>Date Speed Limit Comes Into Force</b>	<b>Legal Instrument</b>	<b>Previous Instrument</b>	<b>Legal</b>
		Currently no roads scheduled.				

**SCHEDULE 5:****ROADS THAT HAVE A SPEED LIMIT OF 30KM/H**

<b>Reference Number</b>	<b>Speed Limit</b>	<b>Description</b>	<b>Date Speed Limit Comes Into Force</b>	<b>Legal Instrument</b>	<b>Previous Legal Instrument</b>
S5/16	30 km/hr	At Waiouru All the roads within the area marked on the map entitled "Speed Restrictions Ruapehu District Council", drawing number sixteen and identified in the legend as an Urban Traffic Area having a speed limit of 30km/h, except for State Highways and those roads or areas that are marked on the said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of this Bylaw.	24 June 2006	Ruapehu District Council Land Transport Bylaw 2006	
S5/17	30 km/hr	Ohakune Mountain Road RP 16.200 (car park entrance) to end of road	24 June 2006	Ruapehu District Council Land Transport Bylaw 2006	

**SCHEDULE 6:**

**ROADS THAT HAVE A SPEED LIMIT OF 40KM/H**

<b>Reference Number</b>	<b>Speed Limit</b>	<b>Description</b>	<b>Date Speed Limit Comes Into Force</b>	<b>Legal Instrument</b>	<b>Previous Instrument</b>	<b>Legal</b>
		Currently no roads scheduled.				

**SCHEDULE 7: URBAN TRAFFIC AREAS - SPEED LIMIT OF 50KM/H**

The roads or areas described in this schedule or as shown on a map referenced in this schedule are declared to be urban traffic areas that have a speed limit of 50km/h, except for those roads or areas that are:

- (c) Described as having a different speed limit in the appropriate schedule of this Bylaw: or
- (d) Shown on a map on having a different speed limit, as referenced in the appropriate schedule of this Bylaw.

Reference Number	Speed Limit	Description	Date Speed Limit Comes Into Force	Legal Instrument	Previous Legal Instrument
S5/02	50 km/hr	At Kakahi: All the roads within the area marked on the map entitled "Speed Restrictions Ruapehu District Council", drawing number two and identified in the legend as an Urban Traffic Area having a speed limit of 50km/h, except for State Highways and those roads or areas that are marked on the said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of this Bylaw.	24 June 2006	Ruapehu District Council Land Transport Bylaw 2006	Notice in the New Zealand Gazette, 12 December 1996, No 1, page 52
S5/03	50km/hr	At Manunui: All the roads within the area marked on the map entitled "Speed Restrictions Ruapehu District Council", drawing number three and identified in the legend as an Urban Traffic Area having a speed limit of 50km/h, except for State Highways and those roads or areas that are marked on the said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of this Bylaw.	24 June 2006	Ruapehu District Council Land Transport Bylaw 2006	

Reference Number	Speed Limit	Description	Date Speed Limit Comes Into Force	Legal Instrument	Previous Legal Instrument
S5/05	50 km/hr	At National Park: All the roads within the area marked on the map entitled "Speed Restrictions Ruapehu District Council", drawing number five and identified in the legend as an Urban Traffic Area having a speed limit of 50km/h, except for State Highways and those roads or areas that are marked on the said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of this Bylaw.	24 June 2006	Ruapehu District Council Land Transport Bylaw 2006	
S5/06	50 km/hr	At Ohakune: All the roads within the area marked on the map entitled "Speed Restrictions Ruapehu District Council", drawing number six and identified in the legend as an Urban Traffic Area having a speed limit of 50km/h, except for State Highways and those roads or areas that are marked on the said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of this Bylaw.	24 June 2006	Ruapehu District Council Land Transport Bylaw 2006	Notice in the New Zealand Gazette, 12 December 1996, No 1, page 52
S5/09	50 km/hr	At Owhango: All the roads within the area marked on the map entitled "Speed Restrictions Ruapehu District Council", drawing number nine and identified in the legend as an Urban Traffic Area having a speed limit of 50km/h, except for State Highways and those roads or areas that are marked on the said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of this Bylaw.	24 June 2006	Ruapehu District Council Land Transport Bylaw 2006	
					Notice in the

<b>Reference Number</b>	<b>Speed Limit</b>	<b>Description</b>	<b>Date Speed Limit Comes Into Force</b>	<b>Legal Instrument</b>	<b>Previous Legal Instrument</b>
S5/12	50km/h	At Rangataua: All the roads within the area marked on the map entitled "Speed Restrictions Ruapehu District Council", drawing number eleven and identified in the legend as an Urban Traffic Area having a speed limit of 50km/h, except for State Highways and those roads or areas that are marked on the said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of this Bylaw.	24 June 2006	Ruapehu District Council Land Transport Bylaw 2006	New Zealand Gazette, 12 December 1996, No 1, page 52
S5/15	50 km/hr	At Taumarunui: All the roads within the area marked on the map entitled "Speed Restrictions Ruapehu District Council", drawing number Fifteen and identified in the legend as an Urban Traffic Area having a speed limit of 50km/h, except for State Highways and those roads or areas that are marked on the said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of this Bylaw.	24 June 2006	Ruapehu District Council Land Transport Bylaw 2006	
S5/16	50 km/hr	At Waiouru: All the roads within the area marked on the map entitled "Speed Restrictions Ruapehu District Council", drawing number Sixteen and identified in the legend as an Urban Traffic Area having a speed limit of 50km/h, except for State Highways and those roads or areas that are marked on the said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of this Bylaw.	24 June 2006	Ruapehu District Council Land Transport Bylaw 2006	Notice in the New Zealand Gazette, 12 December 1996, No 1, page 52

<b>Reference Number</b>	<b>Speed Limit</b>	<b>Description</b>	<b>Date Speed Limit Comes Into Force</b>	<b>Legal Instrument</b>	<b>Previous Legal Instrument</b>
S5/3	50 km/hr	At Mahoe All the roads within the area marked on the map entitled “Speed Restrictions Ruapehu District Council”, drawing number 3 and identified in the legend as an Urban Traffic Area having a speed limit of 50km/h, except for State Highways and those roads or areas that are marked on the said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of this Bylaw.	24 June 2006	Ruapehu District Council Land Transport Bylaw 2006	
S5/07	50 km/hr	At Ohura: All the roads within the area marked on the map entitled “Speed Restrictions Ruapehu District Council”, drawing number seven and identified in the legend as an Urban Traffic Area having a speed limit of 50km/h, except for State Highways and those roads or areas that are marked on the said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of this Bylaw.	24 June 2006	Ruapehu District Council Land Transport Bylaw 2006	
S5/11	50 km/h	At Raetihi All the roads within the area marked on the map entitled “Speed Restrictions Ruapehu District Council”, drawing number eleven and identified in the legend as an Urban Traffic Area having a speed limit of 50km/h, except for State Highways and those roads or areas that are marked on the said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of this Bylaw.	24 June 2006	Ruapehu District Council Land Transport Bylaw 2006	

**SCHEDULE 8****ROADS WITH A SPEED LIMIT OF 60KM/H**

<b>Reference Number</b>	<b>Speed Limit</b>	<b>Description</b>	<b>Date Speed Limit Comes Into Force</b>	<b>Legal Instrument</b>	<b>Previous Instrument</b>	<b>Legal</b>
S5/17	60km/h	Ohakune Mountain Road .	24 June 2006	Ruapehu District Council Land Transport Bylaw 2006		

**SCHEDULE 9:****ROADS THAT HAVE A SPEED LIMIT OF 70KM/H**

<b>Reference Number</b>	<b>Speed Limit</b>	<b>Description</b>	<b>Date Speed Limit Comes Into Force</b>	<b>Legal Instrument</b>	<b>Previous Legal Instrument</b>
S5/04	70 km/hr	At Matiere: All Roads as marked on the map entitled “Speed Restriction Ruapehu District Council”, drawing number four and identified in the legend as having a speed limit of 70km/hr.	24 June 2006	Ruapehu District Council Land Transport Bylaw 2006	
S5/07	70 km/hr	At Ohura: All the roads within the area marked on the map entitled “Speed Restrictions Ruapehu District Council”, drawing number seven and identified in the legend as an Urban Traffic Area having a speed limit of 70km/h, except for State Highways and those roads or areas that are marked on the said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of this Bylaw.	24 June 2006	Ruapehu District Council Land Transport Bylaw 2006	
S7/08	70km/hr	At Ongarue: All Roads as marked on the map entitled “Speed Restriction Ruapehu District Council”, drawing number eight and identified in the legend as having a speed limit of 70km/hr.	24 June 2006	Ruapehu District Council Land Transport Bylaw 2006	

Reference Number	Speed Limit	Description	Date Speed Limit Comes Into Force	Legal Instrument	Previous Legal Instrument
S5/13	70 km/hr	At Raurimu: All the roads within the area marked on the map entitled "Speed Restrictions Ruapehu District Council", drawing number thirteen and identified in the legend as an Urban Traffic Area having a speed limit of 50km/h, except for State Highways and those roads or areas that are marked on the said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of this Bylaw.	24 June 2006	Ruapehu District Council Land Transport Bylaw 2006	Notice in the New Zealand Gazette, 12 December 1996, No 1, page 52
S5/10	70 km/hr	At Piriaka: All the roads within the area marked on the map entitled "Speed Restrictions Ruapehu District Council", drawing number ten and identified in the legend as an Urban Traffic Area having a speed limit of 70km/h, except for State Highways and those roads or areas that are marked on the said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of this Bylaw.	24 June 2006	Ruapehu District Council Land Transport Bylaw 2006	
S7/14	70km/hr	At Taringamotu: All Roads as marked on the map entitled "Speed Restriction Ruapehu District Council", drawing number fourteen and identified in the legend as having a speed limit of 70km/hr.	24 June 2006	Ruapehu District Council Land Transport Bylaw 2006	
S7/15	70km/hr	At Taumarunui: All Roads as marked on the map entitled "Speed Restriction Ruapehu District Council", drawing number fifteen and identified in the legend as having a speed limit of 70km/hr.	24 June 2006	Ruapehu District Council Land Transport Bylaw 2006	

<b>Reference Number</b>	<b>Speed Limit</b>	<b>Description</b>	<b>Date Speed Limit Comes Into Force</b>	<b>Legal Instrument</b>	<b>Previous Legal Instrument</b>
S5/06	70km/hr	At Ohakune All the roads within the area marked on the map entitled “Speed Restrictions Ruapehu District Council”, drawing number six and identified in the legend as an Urban Traffic Area having a speed limit of 70km/h, except for State Highways and those roads or areas that are marked on the said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of this Bylaw.	24 June 2006	Ruapehu District Council Land Transport Bylaw 2006	

**SCHEDULE 10: ROADS THAT HAVE A SPEED LIMIT OF 80KM/H**

<b>Reference Number</b>	<b>Speed Limit</b>	<b>Description</b>	<b>Date Speed Limit Comes Into Force</b>	<b>Legal Instrument</b>	<b>Previous Legal Instrument</b>
S5/17	80km/h	Ohakune Mountain Road.	24 June 2006	Ruapehu District Council Land Transport Bylaw 2006	

**SCHEDULE 11:****ROADS THAT HAVE A SPEED LIMIT OF 90KM/H**

<b>Reference Number</b>	<b>Speed Limit</b>	<b>Description</b>	<b>Date Speed Limit Comes Into Force</b>	<b>Legal Instrument</b>	<b>Previous Legal Instrument</b>
	90km/h	Currently no roads scheduled.	24 June 2006	Ruapehu District Council Land Transport Bylaw 2006	

**SCHEDULE 12**

**RURAL AREAS – ROADS THAT HAVE A SPEED LIMIT OF 100 KM/H**

<b>Reference Number</b>	<b>Speed Limit</b>	<b>Description</b>	<b>Date Speed Limit Comes Into Force</b>	<b>Legal Instrument</b>	<b>Previous Legal Instrument</b>
S9/01	100km/h	<p>All Ruapehu District Council roads outside an Urban Traffic Area listed in Schedule 5 have a speed limit of 100km/h, except for roads that are:</p> <p>(a) Described as having a different speed limit in the appropriate schedule to this bylaw, or</p> <p>(b) Shown on a map as having a different speed limit as referenced in the appropriate schedule of this bylaw.</p>	24 June 2006	Ruapehu District Council Land Transport Bylaw 2006	Regulation 21(1) Traffic Regulations 1976

**SCHEDULE 13****HOLIDAY SPEED LIMITS**

<b>Reference Number</b>	<b>Speed Limit</b>	<b>Description</b>	<b>Date Speed Limit Comes Into Force</b>	<b>Legal Instrument</b>	<b>Previous Instrument</b>	<b>Legal</b>
		Currently no roads scheduled.				

**SCHEDULE 14:****VARIABLE SPEED LIMITS**

The roads or areas described in this schedule or as shown on a map referenced in this schedule is declared to have a variable speed limit as specified in this schedule.

<b>Reference Number</b>	<b>Speed Limit</b>	<b>Description</b>	<b>Date Speed Limit Comes Into Force</b>	<b>Legal Instrument</b>	<b>Previous Instrument</b>	<b>Legal</b>
		Currently no roads scheduled.				

**SCHEDULE 15:****ROADS THAT HAVE A MINIMUM SPEED LIMIT**

<b>Reference Number</b>	<b>Speed Limit</b>	<b>Description</b>	<b>Date Speed Limit Comes Into Force</b>	<b>Legal Instrument</b>	<b>Previous Instrument</b>	<b>Legal</b>
		Currently no roads scheduled.				

## **SCHEDULE 16: ONE WAY ROADS**

In accordance with Part 14 of this Bylaw, the following roads are hereby deemed to be one way roads:

	<b>Road Name</b>	<b>Location</b>	<b>Description</b>
1.	Mangakahu Valley Road	Taumarunui	From Ngakonui-Ongarue Road to the junction of both lanes.
2.	Manuaute Street	Taumarunui	Between Hakiaha Street & Miriama Street.
3.	Ohura Road	Taumarunui	From State Highway 4 for north bound traffic turning west in Ohura Road.
4.	Taupo Road	Taumarunui	From Hakiaha Street under the State Highway 4 bridge to Taupo Road opposite Thompson Avenue for eastbound traffic.
5.	Taupo Road	Taumarunui	From Thompson Avenue, past Paraone Street to Hakiaha Street for westbound traffic.
6.	Moore Street	Ohakune	From opposite Rata Street, adjacent to the Mangateitei Stream to the Give Way on Moore Street.
7.	Turoa Drive	Ohakune	From State Highway 49 to the Roundabout.
8.	Service Lane North	Waiouru	
9.	Service Lane South	Waiouru	

**SCHEDULE 17: HEAVY TRAFFIC RESTRICTIONS**

Pursuant to part 14 of this Bylaw the following roads and streets are hereby deemed to have the following restrictions:

<b>Road Name</b>	<b>Description</b>
Goldfinch Street, Ohakune	From intersection with Clyde Street (SH49) to intersection with Ayr Street.

## SCHEDULE 18: PARKING RESTRICTIONS

Pursuant to part 14 of this Bylaw the roads and streets shown below are deemed to have restrictions as detailed on the appended Parking Restriction maps.

TOWN	ROAD NAME	DRAWING NO.	
Manunui	Rata Street	47	
Manunui	State Highway 4	46	
National Park	Carroll Street	41	
National Park	Waimarino Tokaanu Road	63	
Ohakune	Arawa Street	48	
Ohakune	Clyde Street	44	(1 of 2)
Ohakune	Clyde Street	45	(2 of 2)
Ohakune	Goldfinch Street	32	
Ohakune	Mangateitei Terrace	60	
Ohakune	Mangawhero Terrace and Thames Street	33	
Ohakune	Miro Street	61	
Ohakune	Moore Street	38	
Ohakune	Railway Row	34	
Ohakune	Rata Street	51	
Ohakune	Tyne Street	49	
Raetihi	Duncan Street	55	
Raetihi	Duncan Street	59	
Raetihi	Grey Street	44	
Raetihi	Raetihi-Ohakune Road	43	
Raetihi	Seddon Street	56	(1 of 3)
Raetihi	Seddon Street	57	(2 of 3)
Raetihi	Seddon Street	58	(3 of 3)
Raetihi	Ward Street	50	
Taumarunui	Golf Road	39	
Taumarunui	Hakiaha Street	15	(1 of 7)
Taumarunui	Hakiaha Street	14	(2 of 7)
Taumarunui	Hakiaha Street	13	(3 of 7)
Taumarunui	Hakiaha Street	12	(4 of 7)
Taumarunui	Hakiaha Street	11	(5 of 7)
Taumarunui	Hakiaha Street	10	(6 of 7)
Taumarunui	Hakiaha Street	09	(7 of 7)
Taumarunui	Hikaia Street	30	
Taumarunui	Huia Street	03	(1 of 3)

<b>TOWN</b>	<b>ROAD NAME</b>	<b>DRAWING NO.</b>	
Taumarunui	Huia Street	04	(2 of 3)
Taumarunui	Huia Street	05	(3 of 3)
Taumarunui	Katarina Street	28	(1 of 2)
Taumarunui	Katarina Street	29	(2 of 2)
Taumarunui	Kydd Lane	27	
Taumarunui	Lairdvale Road	42	
Taumarunui	Maata Street	16	
Taumarunui	Manson Street	40	
Taumarunui	Manuaute Street	20	(1 of 3)
Taumarunui	Manuaute Street	21	(2 of 3)
Taumarunui	Manuaute Street	22	(3 of 3)
Taumarunui	Marae Street	24	(1 of 3)
Taumarunui	Marae Street	25	(2 of 3)
Taumarunui	Marae Street	26	(3 of 3)
Taumarunui	Miriama Street	01	(1 of 2)
Taumarunui	Miriama Street	02	(2 of 2)
Taumarunui	Morero Terrace	35	(1 of 3)
Taumarunui	Morero Terrace	36	(2 of 3)
Taumarunui	Morero Terrace	37	(3 of 3)
Taumarunui	North Street and High Street	23	
Taumarunui	Porou Street and Makere Street	31	
Taumarunui	Taumarunui Street	06	(1 of 2)
Taumarunui	Taumarunui Street	07	(2 of 2)
Taumarunui	Taupo Road	08	
Taumarunui	Tumoana Street	17	(1 of 2)
Taumarunui	Tumoana Street	51	(2 of 2)
Taumarunui	Turaki Street	18	(1 of 2)
Taumarunui	Turaki Street	19	(2 of 2)
Waiouru	State Highway 1 and Service Lanes	52	(1 of 2)
Waiouru	State Highway 1 and Service Lanes	53	(2 of 2)

**SCHEDULE 19: ENGINE BRAKING RESTRICTIONS**

Pursuant to part 14 of this Bylaw the use of engine brakes is prohibited in the following areas:

1. Within the township of Taumarunui.
2. Within the township of Ohakune.
3. Within the township of Waiouru.
4. Within the township of Raetihi.
5. Within the township of National Park.

## **SCHEDULE 20: RESTRICTION ON USE OF ROAD**

Pursuant to Part 14 of this Bylaw, the following roads are hereby deemed to have restrictions as detailed below:

<b>Road Name</b>	<b>Description</b>
Goldfinch Street	No Heavy Motor Vehicles from Clyde Street (SH 49) to Ayr Street
Hikumutu Road	No Heavy Motor Vehicles from RP 16.300 km to 21.800 km
Hoihenga Road	Heavy Motor Vehicles maximum length including trailer 9.2m
Huttons Road	Heavy Motor Vehicles maximum length including trailer 9.2m
Kouturoa East Road	Heavy Motor Vehicles maximum length including trailer 9.2m
Makino Road	Heavy Motor Vehicles maximum length including trailer 9.2m
Matahiwi Track	Heavy Motor Vehicles maximum length including trailer 9.2m
Ohutu Road	Heavy Motor Vehicles maximum length including trailer 9.2m
Opotiki Road	Heavy Motor Vehicles maximum length including trailer 6.0m from RP 4.000 km to 9.600 km (Ararimu East Road)
Papa Road	Heavy Motor Vehicles maximum length including trailer 9.2m

**SCHEDULE 21: ROAD ENCROACHMENTS**

Nil

**SCHEDULE 22: HEIGHT RESTRICTIONS**

<b>Road Name</b>	<b>Type of Structure</b>	<b>Location</b>	<b>Height Restriction</b>
Short Street	Rail Underpass	Taumarunui	3.91
Taupo Road	Rail Underpass	Taumarunui	4.70
Taupo Road	Rail Underpass	Taumarunui	3.30
Taupo Road	Rail Underpass	Taumarunui	3.42
Waitea Branch Road	Rail Underpass	Kakahi	4.34
Tongaporutu Road	Rail Underpass	Ohura	2.13
Mangaparo Road	Rail Underpass	Ohura	4.75
Wilkie Road	Rail Underpass	Ohura	3.50
Borck Road	Rail Underpass	Okahukura	4.55
Okahukura Bridge Road	Rail Underpass	Okahukura	4.75
Ongarue Back Road	Rail Underpass	Okahukura	4.65
Ongarue Back Road	Rail Underpass	Te Koura	5.10
Ohakune Mountain Road	Rail Underpass	Ohakune	4.30
Matahiwi Track	Suspension Bridge	Raetihi	4.80
Hoihenga Road	Suspension Bridge	Ruatiti	4.25
Haitanas Access	Suspension Bridge	Ruatiti	4.50
Ongarue Back Road	Electrical Overhead Lines	Taringamotu	5.24
Ongarue Back Road	Electrical Overhead Lines	Okahukura	5.24
Ongarue Back Road	Electrical Overhead Lines	Ongarue	5.24
Ongarue Village Road	Electrical Overhead Lines	Ongarue	5.24
Poru-O-Tarao Road	Electrical Overhead Lines	Waimiha	5.24
Racecourse Road	Electrical Overhead Lines	Taumarunui	5.24
Titoki Street	Electrical Overhead Lines	Manunui	5.24
Dahya Lala Drive	Electrical Overhead Lines	Kakahi	5.24
Whakapapa Road	Electrical Overhead Lines	Kakahi	5.24
Kawautahi Road	Electrical Overhead Lines	Owhango	5.24
Oio Road	Electrical Overhead Lines	Owhango	5.24
Owhango Road	Electrical Overhead Lines	Owhango	5.24
Onematua Road	Electrical Overhead Lines	Owhango	5.24
Raurimu Road	Electrical Overhead Lines	Raurimu	5.24
Mansons Siding	Electrical Overhead Lines	Oio	5.24
Fisher Road	Electrical Overhead Lines	National Park	5.24
Station Road	Electrical Overhead Lines	National Park	5.24
Matapuna Road	Electrical Overhead Lines	Horopito	5.24
Ngauruhoe Street	Electrical Overhead Lines	Waiouru	5.24
Karioi Station Road	Electrical Overhead Lines	Waiouru	5.24