KAIKOURA DISTRICT COUNCIL TRAFFIC AND PARKING BYLAW 2025

Contents

1. SHORT TITLE 3
2. COMMENCEMENT 3
3. APPLICATION 3
4. PURPOSE 3
5. INTERPRETATION 3
6. RESOLUTIONS MADE UNDER THIS BYLAW 5

PART 1 - PARKING 6

7. STOPPING, STANDING AND PARKING 6
8. PARKING PLACES, PARKING BUILDINGS, TRANSPORT STATIONS AND ZONE PARKING AREAS 6
9. TEMPORARY DISCONTINUANCE OF A PARKING PLACE 7
10. RESIDENTS' PARKING 7
11. NO PARKING ON CERTAIN PARTS OF THE ROAD 8
12. MOTORHOMES, IMMOBILISED VEHICLES AND TRAILERS 8
13. STORAGE OF VEHICLES ON ROAD 9
14. PARKING FOR DISPLAY OR SALE 9
15. WORKING ON VEHICLES 9

PART 2 - TRAFFIC MOVEMENT RESTRICTIONS 10

16. ONE WAY STREETS/ROADS 10
17. LEFT OR RIGHT TURNS AND U-TURNS 10
18. SPECIAL VEHICLE LANES 10
19. CONTROL OF VEHICLES ON ROADS 10
20. SHARED ZONES 11
21. SHARED PATHS 11
22. RESTRICTING VEHICLES ON UNFORMED ROADS 11

PART 3 - INTERFERENCE WITH THE ROAD, TRAFFIC, OR PEDESTRIANS 12

23. EVENTS ON OR AFFECTING THE ROAD 12
24. OTHER TEMPORARY USE OF LEGAL ROAD 12
25. VEHICLE CROSSINGS 12
26. TEMPORARY ACCESS WAYS 13

PART 4 - SPEED LIMITS 14

27. SPEED LIMITS 14

PART 5 - MISCELLANEOUS 15

28. PERMISSIONS UNDER THIS BYLAW 15
29. MATERIAL/DEBRIS ON ROADS AND DAMAGE TO ROADS 15
30. VEHICLE AND OBJECT REMOVAL 15
31. EXEMPTED VEHICLES 16
32. DEFENCES 16
33. PENALTIES 16
34. REVOCATIONS AND SAVINGS 16

KAIKŌURA DISTRICT COUNCIL TRAFFIC AND PARKING BYLAW 2025

This bylaw is made under the Land Transport Act 1998, the Local Government Act 2002, and Part 4 is also made in accordance with the Land Transport Rule: Setting of Speed Limits 2024.

1. SHORT TITLE

(1) This bylaw is the Kaikōura District Council Traffic and Parking Bylaw 2024.

2. COMMENCEMENT

(1) This bylaw comes into force on ?? 2025.

3. APPLICATION

(1) This bylaw applies generally to all roads under the care, control and management of the Council.

4. PURPOSE

(1) The purpose of this bylaw is to set out the requirements for parking and control of vehicular or other traffic on any road or area under the care, control or management of the Council.

5. INTERPRETATION

(1) In this bylaw, unless the context otherwise requires,

ACT	means the Land Transport Act 1998 and the regulations and the rules made under that Act.
AUTHORISED OFFICER	means an officer or other person appointed by the Council to perform duties, or give permissions under this bylaw.
CLASS OF VEHICLE	means groupings of vehicles defined by reference to any common feature and includes - a) vehicles by type, description, weight, size or dimension; b) vehicles carrying specified classes of load by the mass, size or nature of such loads; c) vehicles carrying no fewer or less than a specified number of occupants; d) vehicles used for specified purposes; e) vehicles driven by specified classes of persons; f) carpool and shared vehicles; and g) vehicles displaying a permit authorised by the Council.
CARRIAGEWAY	means that part of a road laid out for vehicular traffic as determined by the Council under section 319 of the Local Government Act 1974.
CORRIDOR ACCESS REQUEST (CAR)	means an application to carry out any work or activity that affects the normal operation of the road, footpath and grass berm prior to performing the work or activity.

COUNCIL	means the Kaikōura District Council and includes any person authorised by the Council to act on its behalf.
DESIGNATED LOCATION	means, in accordance with section 8.2 of the Speed Limits Rule, any of the following: a car park, an educational or scientific institution; a commercial or industrial facility; a health facility; a residential facility; marae land; a camping ground; a sports facility or other recreational area; a botanical garden; a cultural reserve; a port or wharf area; an airport; a beach; a cemetery or urupā; a facility operated by the New Zealand Defence Force; a facility operated by the Department of Corrections; any other location approved by the New Zealand Transport Agency by notice in the Gazette.
ENFORCEMENT OFFICER	means - (a) any person who has been appointed as an enforcement officer by the Council under the Local Government Act 2002; or (b) any person who is an enforcement officer under the Land Transport Act 1998.
GRASS BERM	means the area behind a kerb which is laid out in grass.
IMMOBILISED VEHICLE	means any vehicle that cannot be moved on its own because it is mechanically not able to be moved or has a wheel or wheels missing from the vehicle.
MOTORHOME	means any vehicle designed or converted to be used for human habitation, whether self-contained or not, and includes a caravan, campervan, or house truck.
PARKING COUPON or COUPON	means a coupon issued by or on behalf of the Council to any person for the purpose of parking a vehicle in accordance with the provisions of this bylaw.
PARKING MACHINE	means a parking meter or other device that is used to collect payment in exchange for parking a vehicle in a particular place for a limited time.
PARKING PLACE	means a place (including a building or a road) where vehicles, or any class of vehicles, may stop, stand, or park.
PARKING RECEIPT	means a receipt produced by a parking machine to indicate the payment of a parking fee for parking and the end of the period allowed.
SHARED PATH	means a cycle path, a cycle track, a footpath, or some other kind of path that may be used by some or all or of the following persons at the same time - (a) cyclists; (b) pedestrians; (c) riders of mobility devices; (d) riders of wheeled recreational devices.
SHARED ZONE	means a length of roadway intended to be used by pedestrians and vehicles (including cyclists).
SPEED LIMIT	(a) means in accordance with Section 2 of the Speed Limits Rule – (i) an urban, rural, permanent, holiday, temporary, emergency, or variable speed limit; and (ii) the maximum speed at which a vehicle may legally be operated on a particular road; but

(b) does not mean the maximum permitted operating speed for classes or types of vehicle specified in any Act, regulation, or rule.

SPEED LIMITS RULE	means the Land Transport Rule: Setting of Speed Limits Rule 2024.
TRAFFIC MANAGEMENT PLAN	means a document describing the design, implementation, management, and removal of temporary traffic management measures (such as signs and road cones) while an activity or event is taking place within the road or adjacent to and affecting the road. This includes plans prepared for one-off events and generic plans to cover activities carried out frequently.
TRANSPORT STATION	has the same meaning as in section 591(6) of the Local Government Act 1974 *and generally means a place where transport-service vehicles may wait between trips, and all buildings and facilities associated with the use of that place*.
URBAN TRAFFIC AREA	means an area designated pursuant to the Speed Limits Rule that consists of one or more specified roads or a specified geographical area, to which the urban speed limit generally applies.
ZONE PARKING	has the same meaning as in Part 2 of the Land Transport Rule: Traffic Control Devices 2004.
ZONE PARKING AREA	means an area where zone parking applies.

In this bylaw, unless the context otherwise requires -

(a) **motor vehicle, owner, parking, road, and vehicle** have the same meanings as in section 2(1) of the Land Transport Act 1998; and

(b) **bus lane, cycle, cycle lane, cycle path, driver, emergency vehicle, footpath, mobility device, power assisted cycle, roadway, and special vehicle lane** have the same meanings as in clause 1.6 of the Land Transport (Road User) Rule 2004.

(2) Any undefined words, phrases or expressions used in this bylaw have the same meaning as in the Act unless the context plainly requires a different meaning.

(3) The Interpretation Act 1999 applies to the interpretation of this bylaw.

(4) Explanatory notes are not part of the bylaw, and the Council may add, amend or delete explanatory notes at any time without amending the bylaw.

Explanatory note: Explanatory notes are used for a number of reasons, including to explain the intent of a clause in less formal language, to include additional helpful information, or because the information may be subject to change and need to up updated before the bylaw itself has to be updated.

6. RESOLUTIONS MADE UNDER THIS BYLAW

(1) A resolution may be made under this bylaw -

(a) to regulate, control or prohibit any matter or thing generally, or for any specific classes of case, or in a particular case; or

(b) that applies to all vehicles or traffic or to any specified class of vehicles or traffic using a road; or

(c) that applies to any road or part of a road, greenspace adjoining the road, building, or transport station under the care, control, or management of the Council; or

(d) that applies at any specified time or period of time.

(2) The Council may subsequently amend or revoke any resolution made under this bylaw at any time.

PART 1 - PARKING

7. STOPPING, STANDING AND PARKING

(1) The Council may by resolution -

(a) prohibit or restrict the stopping, standing or parking of vehicles, or any class of vehicles, on any road; or

(b) limit the stopping, standing or parking of vehicles on any road to any class of vehicles.

(2) Any prohibition, restriction or limitation may be subject to such conditions as the Council thinks fit.

(3) A person must not stop, stand or park a vehicle on any road in contravention of a prohibition, restriction or limitation made by the Council.

Explanatory note: Examples of restrictions include:

- *prohibiting parking on any roads ("No Stopping");*
- *prohibiting heavy motor vehicles from parking on roads in residential areas;*
- *prohibiting trailers and motorhomes from parking in certain locations (e.g. next to slipway entrances); and*
- *providing for bus stops, taxi stands and loading zones.*

All resolutions made under this clause by the Council will be recorded in a register which is available to members of the public.

8. PARKING PLACES, PARKING BUILDINGS, TRANSPORT STATIONS AND ZONE PARKING AREAS

(1) The Council may by resolution -

(a) designate an area to be a zone parking area and the restrictions that apply in that zone parking area ("zone parking controls"); and

(b) reserve any area of land or any road or any part of a road or any building or any part of a building owned or under the care, management or control of the Council to be a parking place or a transport station, subject to restrictions; and

(c) specify the vehicles or classes of vehicle that can use or must not use a parking place or transport station or zone parking area; and

(d) prescribe the restrictions that apply including (without limitation) the times, manner and other conditions for the parking of vehicles or classes of vehicles in a parking place or transport station or zone parking area; and

(e) prescribe:

(i) any charges to be paid for the use of a parking place or transport station or in a zone parking area; and

(ii) the manner by which parking charges may be paid by the use of parking machines or in any other specified manner; and

(f) make provision for the efficient management and control of a parking place or transport station or zone parking area.

(2) Any restrictions that apply to a zone parking area, do not apply in locations within that zone parking area where other specific stopping, standing or parking restrictions apply.

(3) Where the Council has prescribed a fee for parking in a parking place or transport station or zone parking area, any person parking there must -

(a) pay the fee without delay and in the manner so prescribed; and

(b) if a parking receipt or parking coupon, in paper form, states that it must be displayed in or on the vehicle, display the parking receipt or parking coupon in accordance with the instructions printed on it.

(4) A person must not park a vehicle in a parking place or transport station or zone parking area in contravention of any prohibition or restriction made by the Council.

Explanatory note: This clause provides for both on-street and off-street parking that is subject to restrictions. Examples of restrictions include prescribing:

- *the number and location of parking spaces;*
- *when restrictions apply and the length of those restrictions; and parking charges and the method of payment for those charges.*

If the Council designates an area as a zone parking area, the parking restrictions in that zone may apply to a number of roads. Parking zones can apply in areas where people using vehicles within the area can reasonably be expected to be aware of the application of the parking restriction to the area, without the need for signs at each intersection within the area.

9. TEMPORARY DISCONTINUANCE OF A PARKING PLACE

(1) If an authorised officer is of the opinion that any parking place should be temporarily discontinued as a parking place, the authorised officer may authorise the placement of a sign or other controls that sufficiently indicates "No Stopping" at such parking place.

(2) If an authorised officer is of the opinion that any parking place should be temporarily discontinued as a parking place, except for the use by specified vehicles or classes of vehicle, the authorised officer may authorise the placement of a sign or other controls that sufficiently reserves parking, stopping or standing provisions for specified vehicles or classes of vehicles at such parking place.

Explanatory Note: From time to time, the Council may need to temporarily discontinue parking places and use those places for other temporary activities. For example, temporary bus stops, temporary bus lanes, and construction activity spaces.

(3) No person may -

(a) stop or park a vehicle at:

(i) a parking place affected by a sign or other traffic controls under subclause (1); or

(ii) a parking place affected by a sign or traffic control under subclause (2) unless that person is specifically authorised by the authorised officer or complies with any specified condition by the sign or traffic control.

(b) remove any signs or traffic controls authorised under subclauses (1) or (2).

(4) Any sign or traffic control installed under this clause must be removed after a period of three months from installation unless the Council, by resolution, has approved its continued use.

10. RESIDENTS' PARKING

(1) The Council may by resolution reserve any specified parking place or places as -

(a) a residents' only parking area for the exclusive use of persons who reside in the vicinity; or

(b) a residents' exemption parking area for the use of persons who reside in the vicinity.

Explanatory note: residents with a residents' parking permit are exempt from general parking, stopping and standing restrictions in the exemption area, for example a parking place with time restrictions.

(2) The Council may by resolution prescribe -

(a) any fees to be paid annually or in any other specified manner, for the use of a residents' parking area or a residents' exemption parking area; and

(b) the manner by which any such fees may be paid for the use of a residents' parking area or a residents' exemption area; and

(c) which parking, stopping and standing restrictions permit holders are exempt from within a residents' exemption parking area.

(3) Any person who parks a vehicle in a residents' only parking area must pay the prescribed residents' parking permit fee and display a current approved residents' parking permit so that it is clearly visible.

(4) To be exempt from parking restrictions, including parking charges, any person who parks a vehicle in a residents' exemption parking area must pay the prescribed residents' parking permit fee and display a current approved residents' parking permit so that it is clearly visible.

(5) A person must not park a vehicle in a residents' parking area in contravention of a prohibition or restriction made by the Council under this clause.

11. NO PARKING ON CERTAIN PARTS OF THE ROAD

(1) A person must not stop, stand or park a motor vehicle, wholly or partially, on that part of any road which is laid out as a cultivated area, being a garden or grass berm unless the person parking is approved to do so by the owner or occupant of the immediately adjacent private property who is undertaking such cultivation.

(2) A person must not stop, stand or park, wholly or partially, a motor vehicle on that part of any road which has been separated from the roadway by a kerb that is a paved or other surfaced landscaped area, with or without a planted area, and whether or not it is designed for use by pedestrians.

(3) A person may stop, stand or park a motor vehicle in contravention of sub-clauses (1) and (2), if-

(a) that part of the road is designed and constructed to accommodate a parked vehicle; or

(b) an authorised officer has given written permission to stop, stand or park a vehicle in that part of the road; or

(c) the Council, by resolution, has allowed motor vehicles to stop, stand, or park in that part of the road.

(4) Clause 6.2(2) of the Land Transport (Road User) Rule 2004 applies to this clause, and clause 6.2(1) of that Rule does not apply.

Explanatory Note: This clause still allows a person to stop, stand or park a motor vehicle off the roadway where there is no kerb unless otherwise restricted by signs and/or markings. For example, a person may park a motor vehicle off the roadway on a rural road on the grass verge or on a beachfront area.

All resolutions made under this clause by the Council will be recorded in a register which is available to members of the public.

12. MOTORHOMES, IMMOBILISED VEHICLES AND TRAILERS

(1) No person may park a motorhome, immobilised vehicle or trailer, whether or not the trailer is attached to another vehicle, on any road for a continuous period exceeding seven days without the prior written permission of an authorised officer.

(2) Parking on any road for a continuous period exceeding seven days in sub-clause (1) includes parking on any road within 500 metres of the original parking place, at any time during the seven days.

Explanatory Note: The restriction on the parking of trailers to a maximum of seven days continuous period is consistent with Rule 6.19 of the Land Transport (Road User) Rule 2004.

13. STORAGE OF VEHICLES ON ROAD

(1) No person (**Person A**) may place or park, or allow another person (**Person B**) to place or park a vehicle on any road for storage in connection with Person A's trade or business, whether or not the vehicle is owned by Person A.

(2) Sub-clause (1) does not apply if Person A has the prior written permission of an authorised officer.

Explanatory Note: In order to constitute storage in connection with a person's trade or business, there will need to be the notion of "commercial advantage" of some kind. For example if a panel-beater or a mechanic is in the practice of parking their customers' vehicles in the street adjacent to their premises or a car dealer who parks vehicles for sale on the street. This clause is not intended to apply to customers parking on the street while undertaking a transaction at a premises.

14. PARKING FOR DISPLAY OR SALE

(1) A person must not stop, stand or park a vehicle on any road or parking place –

(a) for the purpose of advertising a good or service to be provided elsewhere; or

(b) for the purpose of offering the vehicle for sale

unless the vehicle is being used for day to day travel.

15. WORKING ON VEHICLES

(1) No person may stop, stand or park any vehicle on any road to carry out repairs unless those repairs are of a minor but urgent nature.

PART 2 - TRAFFIC MOVEMENT RESTRICTIONS

16. ONE WAY STREETS/ROADS

(1) The Council may by resolution specify any road or part of a road where vehicles must travel in one specified direction only.

(2) No person may drive a vehicle in a manner that contravenes a restriction made under this clause.

Explanatory note: All resolutions made under this clause by the Council will be recorded in a register which is available to members of the public.

17. LEFT OR RIGHT TURNS AND U-TURNS

(1) The Council may by resolution prohibit or restrict turning movements, including -

(a) vehicles or classes of vehicles on any road from turning to the right, or to the left, or from proceeding in any other direction; and

(b) vehicles turning from facing or travelling in one direction to facing or travelling in the opposite direction (performing a U-turn) on specified roads.

(2) Any resolution made under this clause may specify the hours or days of the week that a restricted turning movement may be made (if any).

(3) A person must not turn a vehicle to the left, or to the right, or perform a U-turn, or proceed in any other direction on any road where the Council has prohibited or restricted such movements.

Explanatory note: All resolutions made under this clause by the Council will be recorded in a register which is available to members of the public.

18. SPECIAL VEHICLE LANES

(1) The Council may by resolution prescribe a road, or a part of a road, as a special vehicle lane.

(2) Any resolution made under this clause must specify, as the case may be -

(a) the type of special vehicle lane; and

(b) the hours of operation of the special vehicle lane (if any) when it is restricted to specific classes of vehicles.

(3) A person must not use a special vehicle lane contrary to any restriction made by the Council under this clause.

Explanatory note: A special vehicle lane includes a bus, small passenger service vehicle or cycle lane.

All resolutions made under this clause by the Council will be recorded in a register which is available to members of the public.

19. CONTROL OF VEHICLES ON ROADS

(1) The Council may by resolution prohibit or restrict, subject to such conditions as the Council thinks fit, any specified class of traffic or any specified motor vehicles or class of vehicle that, by reason of its size or nature or the nature of the goods carried, is unsuitable for use on any road or roads.

(2) A person must not use a vehicle on a road, or any part of a road, contrary to a prohibition or restriction made by the Council under this clause.

Explanatory note: Under this clause, the Council could, for example, prohibit:

- *Heavy motor vehicles from using certain roads in the District.*

All resolutions made under this clause by the Council will be recorded in a register which is available to members of the public.

20. SHARED ZONES

(1) The Council may by resolution specify any road or part of a road to be a shared zone.

(2) Any resolution made under this clause may specify -

(a) whether the shared zone may be used by specified classes of vehicles;

(b) the days and hours of operation of the shared zone (if they differ from 24 hours per day, 7 days per week); and

(c) any other restrictions on how the shared zone is to be used by the public, including how traffic and pedestrians will interact.

(3) Except where the Council has by resolution specified otherwise, no person may stand or park a vehicle in a road or part of a road specified as a shared zone.

(4) No person may use a shared zone in a manner that contravenes a restriction made by the Council under this clause.

Explanatory note: All resolutions made under this clause by the Council will be recorded in a register which is available to members of the public.

21. SHARED PATHS

(1) The Council may by resolution —

(a) determine the length, route and/or location of a shared path; and

(b) determine priority for users on a shared path.

(2) No person may use a shared path in a manner that contravenes a restriction made by the Council under this clause

Explanatory note: All resolutions made under this clause by the Council will be recorded in a register which is available to members of the public.

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22. RESTRICTING VEHICLES ON UNFORMED ROADS

(1) The Council may by resolution restrict the use of motor vehicles on unformed legal roads for the purposes of protecting the environment, or the road and adjoining land, or the safety of road users.

(2) A person must not use a motor vehicle on an unformed legal road contrary to a restriction made by the Council under this clause.

Explanatory note: All resolutions made under this clause by the Council will be recorded in a register which is available to members of the public.

PART 3 - INTERFERENCE WITH THE ROAD, TRAFFIC, OR PEDESTRIANS

Explanatory Note: Section 357 of the Local Government Act 1974 provides for a number of offences where a person encroaches on a road or damages a road without permission. For example, a person commits an offence where he or she, without permission, "encroaches on a road by making or erecting any building, fence, ditch, or other obstacle or work of any kind upon, over, or under the road, or by planting any tree or shrub thereon". It is open to the Council to bring enforcement action under this section or use the Council's other enforcement remedies under the Local Government Act 2002.

23. EVENTS ON OR AFFECTING THE ROAD

(1) No person may hold an event that affects the normal operating conditions of a road, unless the person has prior written permission of an authorised officer.

Explanatory note: An event includes major public events, such as the Kaikoura Hop,as well as community events (including street parties). Organisers of all events held on or affecting public road need to apply to Council for an Events Permit and supply all necessary information to support an event permit application.

24. OTHER TEMPORARY USE OF LEGAL ROAD

(1) No person may carry out a temporary act that affects the normal operating conditions of a road, unless the person has the prior written permission of an authorised officer.

Explanatory Note: Examples of temporary acts include operating construction equipment or machinery from the road, placing a shipping container/skip on the road; erecting temporary fencing or scaffolding on the road; and temporary art installations. Road within this context includes the footpath, berm, verge, carriageway, etc.

In certain cases, a Corridor Access Request (CAR) is required. For example, a CAR is required for digging, drilling, resurfacing, or doing any other activity that will alter, or cause to be altered, the surface of the road corridor. If there is any doubt, submit a CAR prior to carrying out any works or other activity.

(2) If any object is placed on the road without permission under this clause or does not comply with the conditions of the permission, the Council may -

(a) request the owner to remove the object or repair the damage to the Council's satisfaction within 24 hours or a timeframe set by an authorised officer, or charge the owner for this work; and

(b) place adjacent to, or affix to, the object any safety or warning devices, and the costs of the safety or warning device will be charged to the owner of the object.

(3) This clause does not apply to any object that may be placed on the road which has been authorised by the Council (for example, wheelie bins that are specifically for the purpose of Council rubbish collection).

(4) This clause does not apply to stock droving or roadside grazing.

Explanatory note: All utility operators in legal road are generally covered under the CAR process, including those done during emergency situations. The CAR process reflects requirements in the Utilities Access Act 2010 and the National Code of Practice for Utility Operators' Access to Transport (Code). Where the utility operators occupy the legal road corridor to do their works, it is considered a worksite and an approved Traffic Management Plan is required.

25. VEHICLE CROSSINGS

(1) No person may construct or alter any vehicle crossing across a footpath or a road unless the person has the prior written permission of an authorised officer.

(2) Where the vehicle crossing will be a new crossing and there is a difference in level between the edge of the kerb or road seal on a formed road and the property boundary, then the standard of any works carried out on the road must be the standard that would be appropriate for a right-of-way to a new subdivision.

(3) Where the vehicle crossing requires a structure on the road (for example a retaining wall, ramp or bridge), the applicant must also apply for a Kaikōura District Council Licence to Occupy the land.

(4) The applicant is responsible for all costs associated with the vehicle crossing construction and/or alteration and any other related structures.

26. TEMPORARY ACCESS WAYS

(1) No person may construct or use a temporary access way across a footpath or a road unless the person has the prior written permission of an authorised officer.

(2) Where a person is authorised to construct or use a temporary access way, the person must protect the footpath or road to ensure no damage occurs. This protection may be wooden planks 20mm thick plywood with minimum dimensions 1200mm by 2400mm, held and laid close together, steel plates, a combination of wooden and steel materials, or some other approved material.

(3) Where damage occurs to a footpath or road as a result of a vehicle crossing it on an unprotected or inadequately protected point, the cost of repairing the road, including the footpath, is recoverable from the owner of the property, contractor undertaking the works, or person in charge of the vehicle.

Explanatory Note: the owner of the property, contractor undertaking the works, or person in charge of the vehicle must notify Council if damage is caused to the footpath.

PART 4 - SPEED LIMITS

27. SPEED LIMITS

(1) For any roads under the Council's jurisdiction in accordance with Section 2.5 or 2.6 of the Land Transport Rule – Setting of Speed Limits 2024, or any Rule passed to replace that Rule, the Council may, by resolution –

(a) set speed limits;

(b) designate urban traffic areas.

(2) The Council may, by resolution, set speed limits for roads in any designated location under the Council's jurisdiction in accordance with Section 2.7 of the Land Transport Rule – Setting of Speed Limits 2024, or any Rule passed to replace the Speed Limits Rule.

Explanatory Note: *All speed limits and all resolutions made under this clause by the Council will be communicated to and given effect through the National Speed Limits Register.*

PART 5 - MISCELLANEOUS

28. PERMISSIONS UNDER THIS BYLAW

(1) The Council may set application fees for permissions under this bylaw and any application for a permission must be accompanied by the relevant application fee (if any).

(2) An application for permission must be in writing, contain all information necessary for the authorised officer to consider issuing a permit, and be submitted in accordance with applicable Council policy.

(3) Any permission under this bylaw may –

(a) include conditions (including the payment of ongoing fees and charges); and

(b) be granted by an authorised officer at the officer's discretion.

(4) An authorised officer determining an application for permission may require the applicant to provide further information, such as (without limitation) a Traffic Management Plan, site location plan, and a Corridor Access Request.

(5) The Council may, in its discretion, at any time, review any permission given under this bylaw.

(6) Any breach of the conditions of a permission granted under this bylaw -

(a) may result in the permission being withdrawn

(b) is a breach of this bylaw.

29. MATERIAL/DEBRIS ON ROADS AND DAMAGE TO ROADS

(1) No person may cause damage to the road or to any associated signage.

(2) Any material or debris deposited on the road must be removed as soon as practicable.

(3) The Council may give any person who has damaged, or deposited material or debris on a road notice:

(a) to remove that material or debris from the road or to repair the damage caused to the road to Council's satisfaction, within 24 hours; and

(b) that if the person does not comply, that person commits a further breach of this bylaw and the Council may undertake the work and recover all costs from that person.

(4) Subclauses (2) and (3) do not apply to faecal matter deposited on the road by stock.

Explanatory Note: Section 357 of the Local Government Act 1974 provides for a number of offences where a person encroaches on a road or damages a road without permission. It is open to the Council to bring enforcement action under this section or use the Council's other enforcement remedies under the Local Government Act 2002.

30. VEHICLE AND OBJECT REMOVAL

(1) An enforcement officer may remove or cause to be removed any vehicle or other thing from any road, or other area controlled by the Council, which contravenes this bylaw, or any resolution made under this bylaw, and the Council may recover from the person committing the breach of this bylaw all expenses incurred in connection with the removal of the offending vehicle or thing.

(2) The powers that may be exercised under this clause are in addition to those provided by any other enactment.

31. EXEMPTED VEHICLES

(1) This bylaw does not apply to any of the following vehicles being used in the execution of duty:

(a) an emergency vehicle; or

(b) a vehicle that is used by a Parking Warden/Officer; or

(c) a vehicle that is used by an enforcement officer.

32. DEFENCES

(1) A person is not in breach of this bylaw if that person proves:

(a) that the act complained of was done in an emergency on the road or immediately adjoining the road; or

(b) that the act complained of was done in compliance with the directions of a Police Officer, Parking Warden/Officer, authorised officer, traffic control signal or traffic sign.

33. PENALTIES

(1) Every person who breaches this bylaw (including any control, restriction, limitation or prohibition made under this bylaw) commits an offence under the Act, or the Local Government Act 2002 and is liable to the penalties set out in the relevant Act.

34. REVOCATIONS AND SAVINGS

(1) The following bylaw is revoked:

(a) Kaikōura District Council Traffic and Parking Bylaw 2018:

(2) Any approval, permit or other act of authority which originated under or was continued by the bylaw revoked in subclause (1) that is continuing at the commencement of this bylaw and is not contrary to this bylaw, continues to have full force and effect for the purposes of this bylaw, but is subject to the application of any relevant clauses in this bylaw.

(3) The revocation of the bylaw under subclause (1) do not prevent any legal proceedings, criminal or civil, being taken to enforce those bylaws or any speed limit set under the Kaikōura District Council Traffic and Parking Bylaw 2018 and such proceedings continue to be dealt with and completed as if the bylaws had not been revoked.

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