



te kaunihera ā-rohe o
matamata-piako
district council



Ture ā-Rohe mō ngā waka ā whenua 2008 (i whakahounga i 2026) | Land Transport Bylaw 2008 (Amended 2026)

DRAFT – FOR ADOPTION

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Kupu Whakataki | Introduction

1. Purpose

- 1.1 The purpose of this *Bylaw* is to manage and protect the *Roads* and *Footpaths* under the control of the *Council*, and to protect the safety, accessibility and amenity of the transport network for all users.
- 1.2 To achieve the purpose in clause 1.1 this *Bylaw* establishes standards for activities within the *Road Reserve* and general control of vehicular or other traffic.

2. Title and Commencement

- 2.1 This *Bylaw* shall be known as the 'Matamata-Piako District Council Land Transport Bylaw 2008 (Amended 2026)'.
2.2 This *Bylaw* comes into force on 1 July 2026.

3. Review

- 3.1 This *Bylaw* is a statutory review of the Land Transport Bylaw 2008 (Amended 2022), which formed part of the Matamata-Piako District Council Consolidated Bylaw 2008.

4. Application

- 4.1 This *Bylaw* applies to all land or buildings owned or controlled by the *Council*, including public carparks, reserves, *Public Places*, and all *Roads* vested in or under the care, control, or partial management of the *Council*, and to any parts of State Highways identified by clause 4.2.
- 4.2 This *Bylaw* does not apply to State Highways controlled by New Zealand Transport Agency Waka Kotahi, except for the determination and management of the transport network where delegated by New Zealand Transport Agency Waka Kotahi to the *Council*, pursuant to section 62 of the Government Roading Powers Act 1989.
- 4.3 The *Council* may by resolution Publicly Notified rescind, amend or vary any resolution made pursuant to any section or schedule of this *Bylaw*.

Explanatory notes:

Council and New Zealand Transport Agency Waka Kotahi hold a Memorandum of Understanding, including the Delegation Agreement between both parties.

This Memorandum of Understanding clarifies the responsibility for maintenance issues on East Waikato State Highways within the Matamata-Piako District.

5. Enabling Enactments

- 5.1 This *Bylaw* is made under the Local Government Act 1974, the Local Government Act 2002, and the Land Transport Act 1998. In addition, traffic and *Parking* issues are also regulated and controlled by other enactments and regulations, including the Local Government Act 1974 and the Land Transport (Road User) Rule 2024. These should be referred to in conjunction with this *Bylaw*.

6. Delegation

- 6.1 Any of the powers and functions of the *Council* as detailed and set out in this *Bylaw*, may be delegated by it, to its *Chief Executive* and sub-delegated by the *Chief Executive* to any such other *Authorised Officer*.

7. Definitions

- 7.1 For the purposes of this *Bylaw* the following definitions shall apply:

Term	Definition
<i>Act</i>	means the Land Transport Act 1998.
<i>Approved or Approval</i>	means <i>Approved</i> in writing by resolution of the <i>Council</i> or by any <i>Authorised Officer</i> so authorised on behalf of the <i>Council</i> , pursuant to this <i>Bylaw</i> or any <i>Enactment</i> .
<i>Authorised Officer</i>	Means any <i>Person</i> delegated, appointed or authorised in writing by the <i>Council</i> to act on its behalf.
<i>Berm</i>	includes any uncultivated margin of a <i>Road</i> adjacent to but not forming part of either the roadway or the <i>Footpath</i> (if any) - Has the same meaning as <i>Road</i> margin in section 1.6 of the Land Transport (Road User) Rule 2004.
<i>Bylaw</i>	means the Matamata-Piako District Council Land Transport Bylaw 2008 (Amended 2026), or in the context of more general terms refers to a <i>Bylaw</i> adopted by the <i>Council</i> , made under the provisions of any <i>Enactment</i> or authority enabling the <i>Council</i> to make <i>Bylaws</i> .
<i>Chief Executive</i>	means the <i>Chief Executive</i> appointed pursuant to section 42 of the Local Government Act 2002.
<i>Class of Vehicle</i>	means the <i>Vehicle</i> classes set out in Table A: Vehicle classes of the Land Transport Rule: Vehicle Standards Compliance 2002, as amended from time to time.
<i>Council</i>	means the governing body of the Matamata-Piako District Council or any <i>Person</i> delegated to act on its behalf.
<i>Cycle Lane</i>	means the same as section 1.6 of the Land Transport (Road User) Rule 2004.
<i>Cycle Path</i>	means the same as section 1.6 of the Land Transport (Road User) Rule 2004.
<i>District</i>	means the <i>District</i> within the jurisdiction and under the control of the Matamata-Piako District Council.
<i>District Plan</i>	means the Matamata-Piako District Council <i>District Plan</i> .
<i>Emergency Vehicle</i>	means a <i>Vehicle</i> used for attendance at emergencies and operated: a) by an <i>Enforcement Officer</i> ; b) by an ambulance service; c) as a fire service <i>Vehicle</i> ; d) as a civil defence <i>Emergency Vehicle</i> ; or e) as a defence force <i>Emergency Vehicle</i> .
<i>Enforcement Officer</i>	means the same as section 2(1) of the <i>Act</i> .

Term	Definition
<i>Footpath</i>	means a path or way principally designed for, and used by, <i>Pedestrians</i> ; and includes a footbridge.
<i>Freight Container</i>	means an article of transport equipment that is: <ul style="list-style-type: none"> a) of a permanent character and strong enough to be suitable for repeated use; and b) specifically designed to facilitate the transport of goods, by one or more modes of transport, without intermediate loading; and c) designed to be secured and readily handled having fittings for this purpose.
<i>Heavy Motor Vehicle</i>	means a motor <i>Vehicle</i> that has a gross <i>Vehicle</i> mass exceeding 3500kg.
<i>Hours of Darkness</i>	means any period of time: <ul style="list-style-type: none"> a) between half an hour after sunset on one day and half an hour before sunrise on the next day; or b) when there is not sufficient daylight to render clearly visible a <i>Person</i> or <i>Vehicle</i> at a distance of 100 metres.
<i>Mobile Billboard</i>	includes any panel for display of advertisement in a <i>Public Place</i> that can be moved.
<i>Mobility Parking Permit</i>	means the same as Approved Disabled Person's Parking Permit in the Land Transport (Road User) Rule 2004.
<i>Mobility Parking Space</i>	means a <i>Reserved Parking Place</i> set aside for use by people who hold a <i>Mobility Parking Permit</i> .
<i>Offence</i>	means any act or omission that breaches this <i>Bylaw</i> , including any infringement offence arising from such a breach.
<i>Owner or Occupier</i>	in relation to any property or premises, means the inhabitant <i>Occupier</i> of that property or premises and, in any case where any building, house, tenement, or premises is unoccupied includes the <i>Owner</i> .
<i>Park/Parking/Parked</i>	means: <ul style="list-style-type: none"> a) in relation to any portion of a <i>Road</i> where <i>Parking</i> is for the time being governed by the location of <i>Parking</i> meters placed pursuant to a <i>Bylaw</i> of a local authority, the stopping or standing of a <i>Vehicle</i> on that portion of the <i>Road</i> for any period exceeding 5 minutes; and b) in relation to any other portion of a <i>Road</i>, the stopping or standing of a <i>Vehicle</i> on that portion of the <i>Road</i>.
<i>Parking Warden</i>	means a <i>Person</i> appointed to hold the office of <i>Parking Warden</i> under section 128D of the <i>Act</i> .
<i>Passenger Service and Passenger Service Vehicle</i>	means the same as section 2(1) of the <i>Act</i> .
<i>Pedestrian</i>	means any <i>Person</i> on foot.

Term	Definition
<i>Person</i>	includes a corporation sole and a body of <i>Persons</i> , whether corporate or unincorporated.
<i>Public Place</i>	means: a) a place that is open to or is being used by the public, whether free or on payment of a charge, and whether any <i>Owner</i> or <i>Occupier</i> of the place is lawfully entitled to exclude or eject any <i>Person</i> from it; but b) does not include licenced premises.
<i>Reserved Parking Place</i>	means any <i>Parking Space</i> which has been reserved by the <i>Council</i> for allocation to any <i>Person</i> or category of <i>Persons</i> for <i>Reserved Parking</i> and which is clearly marked by a sign, notice or number or otherwise as being not available for public <i>Parking</i> .
<i>Road</i>	includes: a) a street; and b) a motorway; and c) a beach; and d) a place to which the public have access, whether as of right or not; and e) all bridges, culverts, ferries and fords forming part of a <i>Road</i> or street or motorway, or a place referred to in paragraph (d); and f) all sites at which <i>Vehicles</i> may be weighed for the purpose of the <i>Act</i> or any other enactment. This does not include state highways controlled by New Zealand Transport Agency Waka Kotahi. <u>For the avoidance of doubt, 'Road' includes all formed and unformed legal roads, including paper roads, that are vested in or under the control of the Council, whether or not they are constructed or maintained.</u>
<i>Road Corridor</i>	includes all parts of the legal <i>Road</i> , including the carriageway, <i>Berm</i> and <i>Footpath</i> .
<i>Road Reserve</i>	Has the same meaning as described in section 111 of the Reserves Act 1977.
<i>Shared Pathway</i>	means the same as described in section 11.1A of the Land Transport (Road User) Rule 2004.
<i>Speed Limit</i>	has the same meaning as Part 2 of the <i>Act</i> . For further information please refer to the Land Transport Rule – Setting of Speed Limits 2024.
<i>Stock</i>	means live farm animals, including, but not limited to cattle (cows, heifers, steers, calves), sheep (rams, lambs), goats (kids), and pigs (boars, sows).
<i>Stock Movement</i>	means to drive, muster, lead or herd <i>Stock</i> along or across the <i>Road Reserve</i> .
<i>Vehicle</i>	means the same as section 2(1) of the <i>Act</i> .
<i>Vehicle Crossing</i>	means a place where <i>Vehicles</i> are being taken or, in the opinion of the <i>Council</i> , are likely to be taken, on to or from any land across any

Term	Definition
	<i>Footpath</i> , on any <i>Road</i> or any water channel on or adjoining any <i>Road</i> .

8. Council's Powers

8.1 The *Council* may from time to time, by resolution Publicly Notified:

- a) prohibit or otherwise restrict the stopping, standing, or *Parking* of *Vehicles* on:
 - i. any *Road*, or
 - ii. any land *Owned* or *Occupied* by the *Council* and not being a *Road* or part of a *Road*, including any *Parking Place*; and/or
- b) set aside, designate or reserve any *Road* or any land *Owned* or *Occupied* by the *Council*, which is not defined as a *Road*, as:
 - i. stopping places or stands for a specified class, classes or types of *Vehicles*, including bus stops, taxi stands and loading zones; and/or
 - ii. *Parking Places*; and/or
 - iii. reserved *Parking Areas*; and/or
 - iv. *Cycle Paths* and *Cycle Lanes*; and/or
 - v. *Shared Pathways*; and/or
 - vi. *Footpaths*; and/or
 - vii. clearways; and/or
 - viii. one-way *Roads*; and/or
 - ix. *Stock* underpasses; and/or
 - x. lanes for *Passenger Service Vehicles*, or *Vehicles* of any other specified classes; and/or
 - xi. lanes for *Vehicles* carrying specified classes of loads or not less than specified number of occupants.
- c) prohibit or restrict:
 - i. u-turns; and/or
 - ii. left or right turns; and/or
 - iii. use of lanes or turning movements to be made by *Passenger Service Vehicles*, or *Vehicles* of other specified classes or *Vehicles* carrying specified loads or not less than a specified number of occupants; and/or
 - iv. weights of *Vehicles* or loads that may pass over bridges or culverts; and/or
 - v. any specified class of traffic, or any motor *Vehicle* or class of motor *Vehicle* which, by reason of its size, nature, or the nature of the goods carried is unsuitable for the use on any *Road* or *Roads*; and/or
 - vi. the *Parking* of *Heavy Motor Vehicles*, or any specified class or description of *Heavy Motor Vehicles*, on any specified *Road* during such hours or exceeding such period as may be specified.

8.2 The *Council* shall mark *Roads* and/or erect signs on any *Road*, or any land *Owned* or *Occupied* by the *Council* to give effect to any resolution made pursuant to clause 8.1 and as required under applicable national standards.

8.3 Any resolution made under clause 8.1 must be for the purpose of achieving the objectives of this *Bylaw* and the purposes of the Local Government Act 2002 and the Land Transport Act 1998, and only to the extent necessary and proportionate to address the issue being regulated. Nothing in this clause authorises a resolution that is inconsistent with any enactment, Land Transport Rule, or requirements for prescribed traffic control devices.

9. List of Schedules

9.1 The following schedules are adopted and form part of this *Bylaw*:

Schedule 1	One Way Roads
Schedule 2	Turning Restrictions
Schedule 3	Traffic Prohibitions
Schedule 4	Boat Launching Ramps
Schedule 5	Weight and Load Restrictions over Bridges and Culverts
Schedule 6	Shared Pathways

10. Explanatory Notes

10.1 Text headed 'Explanatory notes' in this *Bylaw* are for information purposes only, and:

- a) they do not form part of this *Bylaw*; and
- b) cannot be considered in the interpretation or application of a provision of this *Bylaw*; and
- c) may be inserted, amended or removed without any formality.

DRAFT - FOR ADOPTION

Ngā Rori me ngā ara hīkoi | Roads and Footpaths

11. Objects and Hazards on the Road

- 11.1 No *Person* may, without the prior *Approval* of the *Council*, place or leave any object or thing on any *Road* other than a lawfully *Parked Vehicle*.
- 11.2 Without limiting the generality of clause 11.1, no *Person* shall:
- a) on any *Road* construct, rebuild, repair or make alterations to any *Vehicle*, except for repairs rendered necessary by reason of accident or breakdown; or
 - b) display any article or articles whatsoever outside any shop, shop window or doorway or in any other place so as to encroach on any *Road* or *Footpath*; except as provided for in *Council's* Community Safety Bylaw; or
 - c) place, pack or unpack any goods on any *Road*; or
 - d) erect any scaffolding, fence or structure of any kind on or over any *Road*; or
 - e) use any hoist or crane on or above any *Road*; or
 - f) erect or install or cause to be erected or installed any gates or doors capable of being swung over or across any *Roads*; or
 - g) being a *Person* in charge of a *Vehicle* or machine, permit any clay, gravel or other material to be carried on to any *Road*; or
 - h) permit or allow any object to fall from any *Vehicle* onto the *Road* or having fallen, to remain on the *Road*.
 - i) discharge *Stock* effluent or similar material onto any *Road*.
- 11.3 If anything is placed on the *Road* in breach of clause 11, the *Council* may give notice to the *Person* who put it there, or anyone responsible for or connected to it, requiring that it be removed within the timeframe stated in the notice.

Explanatory notes:

Objects placed on *Roads* can create safety hazards by obstructing traffic, blocking sightlines, or causing damage to *Vehicles* and infrastructure. This clause ensures *Roads* remain safe and accessible for all users at all times. A *Stock* effluent disposal site is available at the Morrinsville Saleyards on Anderson Street for safe and responsible disposal.

12. Vegetation and Encroachment

- 12.1 No *Person* may, without the prior *Approval* of the *Council*, place, erect, or allow any building, structure, object, vegetation, or other item on, over, or under any part of the *Road Corridor*. This includes any permanent or semi-permanent encroachment that may obstruct, endanger, or otherwise interfere with the safe use, maintenance or operation of the *Road Corridor*.
- 12.2 The *Owner* or *Occupier* of property adjoining the *Road Corridor* is responsible for pruning and trimming vegetation to ensure it does not encroach onto or over the *Road Corridor*.
- 12.3 If any vegetation or object encroaches onto or over any *Public Place* so as to obstruct or interfere with the free movement of *Persons* using that *Public Place* and without the permission of *Council*, the *Council* may by written notice, require the

Owner or Person responsible to remove or trim the item within the timeframe specified.

- 12.4 *Council* may require trees or hedges to be removed, lowered, or trimmed:
- a) when work is required on the *Road* to repair damage to the *Road* as a result of trees on adjoining land,
 - b) where overhanging vegetation is obstructing visibility at intersections or *Road* corners or obstructing signs and street lights,
 - c) it is of an age or condition that significant branches or the tree may fall onto the *Road Corridor*.

13. Activities that Damage Roads

13.1 No *Person* shall undertake any activity that causes or may cause incidental damage to any *Road*.

13.2 Without limiting the generality of clause 13.1, no *Person* shall:

- a) mix any concrete or other material of any kind on the surface of any *Road*;
- b) cause or permit any concrete, mortar, or material of a similar nature to be swept, washed, hosed or sluiced into any *Road* or into any drain connected with any part of the *Council's* drainage or sewerage system;
- c) use any *Vehicle* whose wheels or tracks cause or may cause damage to the surface or any part of any *Road*; or
- d) drag or trail anything whether on a sledge or skids or otherwise so as to damage any *Road*.

14. Costs of Repair or Reinstatement

14.1 Without limiting any other remedies available, if a breach of this *Bylaw* causes or contributes to damage to any part of the *Road*, the *Council* may undertake any necessary repair or reinstatement and recover from the *Person* who caused the damage, or any *Person* responsible for the breach, all costs reasonably incurred in carrying out that work.

15. Damage to Signs

15.1 No *Person* shall interfere with, damage or remove any traffic control sign.

Ngā ara waka me ngā Tūnga waka | Traffic and Parking

16. Vehicle Parking

16.1 The following applies to the *Parking of Vehicles*:

- a) no *Person* shall stop, stand, or *Park a Vehicle* on any carpark, *Public Place*, *Road*, *Reserve*, *Reserved Parking Place* or other places controlled by the *Council* which has a restriction imposed by the *Council* and evidenced by appropriate signs and/or *Road* marks.
- b) despite subclause a), an *Authorised Officer*, subject to such conditions as appropriate in the circumstances, may authorise the stopping, standing or *Parking* of specified *Vehicles*.
- c) no *Person* shall stop, stand, or *Park a Vehicle* on any *Footpath*, *Berm*, flowerbed, shrubbery, median strip, traffic island, or ornamental verge or plot within the *Road Corridor*, in a manner that obstructs or restricts *Pedestrian* or *Vehicle* movement, creates a nuisance, or may present a safety hazard in the opinion of an *Authorised Officer*, except:
 - i. with the prior *Approval* of the *Council*; or
 - ii. authorised by and *Authorised Officer* of *Council*; or
 - iii. in accordance with a public notification issued by the *Council*.
- d) no *Person* shall stop, stand, or *Park a Vehicle*:
 - i. in breach of any provision of any *Council Bylaw*; or
 - ii. in a manner that causes damage to property, creates a nuisance or causes danger to *Road* users.

Explanatory notes:

The regulation of *Road* use and *Parking* is primarily established under national legislation, with additional provisions made by the *Council* to address local conditions.

The applicable *Parking* and *Road* use requirements are set out in the following legislation:

- [New Zealand Road Code](#)
- [Land Transport \(Road User\) Rule 2004](#)
- [Land Transport Act 1998](#)

16.2 No *Person* shall, without the prior *Approval* of the *Council*:

- a) *Park a Vehicle* or trailer on any *Road*, or any land owned or occupied by the *Council* for the primary purpose of advertising, including *Vehicles* or trailers displayed for sale and *Mobile Billboards*.
- b) *Park a Vehicle* on any *Road*, or any land *Owned* or *Occupied* by the *Council*, for any period exceeding 7 days if that *Vehicle* cannot be easily moved at the request of an *Authorised Officer*, or if it cannot be safely driven.
- c) *Park* or place any machinery, equipment, materials, *Freight Containers*, or waste disposal bins on any *Road* or *Public Place*, except where permitted by this *Bylaw* or an *Approval* granted by the *Council*. Any permission granted may be subject to conditions imposed by the *Council*.

16.3 Subclause 16.2 (a) does not apply to *Vehicles* that display business signage or advertising incidental to their ordinary use and that are not *Parked* for the primary purpose of advertising.

- 16.4 Subclause 16.2 (c) does not apply to refuse or recycling containers placed on the roadside for collection in accordance with the *Council's* Solid Waste Management and Minimisation Bylaw or any *Approved* private waste collection service; provided the container/s are placed out only for the required collection period and are removed as soon as reasonable practicable after collection.

17. Mobility Parking

- 17.1 Where the *Council* has *Reserved Parking Places* operating as a *Mobility Parking Space*, the *Mobility Parking Permit* shall be displayed so that it is visible and legible through the front windscreen or on the *Vehicle* if no windscreen is fitted.
- 17.2 Any *Vehicle* displaying a valid *Mobility Parking Permit* will be permitted to *Park* in a time-restricted place for twice the time specified by *Council*, providing that the *Mobility Parking Place* is being used for the benefit of the permit holder.

18. One Way Roads

- 18.1 A *Person* may only drive a *Vehicle* along the *Roads* listed in Schedule 1 of this *Bylaw*, in the direction specified.

19. Turning Restrictions

- 19.1 Subject to erection of prescribed signs, no *Person* shall drive a *Vehicle* contrary to any turning restriction listed in Schedule 2 of this *Bylaw*.
- 19.2 The *Council* may amend Schedule 2 of this *Bylaw* by resolution Publicly Notified to prohibit, subject to erection of prescribed signs:
- a) *Vehicles* on a roadway turning from facing or travelling in one direction to facing or travelling in the opposite direction (no 'u-turns'); or
 - b) *Vehicles*, or specified *Classes of Vehicles*, from turning to the right or left, or from proceeding in any other direction; or
- 19.3 The *Council* from time to time amend Schedule 2 of this *Bylaw* by resolution Publicly Notified to provide that a turning restriction be removed.

20. Traffic Prohibitions

- 20.1 No *Person* shall drive or permit to be driven any *Class of Vehicle* that is prohibited on specified *Roads* during restricted hours, as set out in Schedule 3 of this *Bylaw* except for the purpose of loading or unloading goods or passengers at any property whose access is by way of the *Road* or *Roads*.
- 20.2 No *Person* shall *Park* or allow to be *Parked* any *Class of Vehicle* that is prohibited on specified *Roads*, as set out in Schedule 3 of this *Bylaw* except for the purpose of loading or unloading goods or passengers at any property whose access is by way of the *Road* or *Roads*.

21. Parking of Heavy Motor Vehicles

- 21.1 No *Person* may stop, stand, or *Park* a *Heavy Motor Vehicle* for more than one hour on any *Road* in an urban area or any part of a *Road* with a *Speed Limit* of 50km/h

or 70km/h (as listed in the National Speed Limit Register), unless otherwise *Approved* by an *Authorised Officer*. This restriction does not apply to the frontage adjacent to business and industrial zones under the *District Plan*.

- 21.2 It is not an *Offence* to stop, stand, or *Park* a *Heavy Motor Vehicle* on such a *Road* for the time reasonably needed to load or unload the *Vehicle*, if loading or unloading is actively taking place.
- 21.3 *Parking of Heavy Motor Vehicles* on the frontage adjacent to business or industrial zones is only permitted if, in the opinion of an *Authorised Officer*, the *Heavy Motor Vehicle* meets the following conditions:
- a) is not *Parked* within the shop specified frontage as depicted in *the District Plan*;
 - b) does not compromise traffic safety of all *Road* users, including visibility and *Pedestrian* safety;
 - c) does not block or impede access to other property; and
 - d) is *Parked* fully within the formed *Road* carriageway.
- 21.4 Notwithstanding the above, *Heavy Motor Vehicles* may *Park* near hotels, motels, or other facilities offering temporary accommodation, regardless of the zone under the *District Plan*, if the *Parking* complies with the following conditions:
- a) is not *Parked* within the shop specified frontage as depicted in *the District Plan*;
 - b) does not compromise traffic safety of all *Road* users, including visibility and *Pedestrian* safety;
 - c) does not block or impede access to other property; and
 - d) is *Parked* fully within the formed *Road* carriageway.
- 21.5 *Council* may, from time to time, by resolution Publicly Notified:
- a) prohibit any heavy traffic on any maintained or unmaintained *Road* or *Roads* within the *District*; or
 - b) rescind, amend or vary any such prohibition.

22. Boat Launching Ramps

- 22.1 Unless authorised by the *Council*, *Persons* may only use a boat launching ramp for the purpose of launching boats from trailers or retrieving them onto trailers.
- 22.2 No *Person* shall:
- a) *Park* or stop a *Vehicle* on any *Park* on a boat launching ramp or its approach for longer than is reasonably necessary to launch or retrieve a boat.
 - b) drive or position a *Vehicle* on a boat launching ramp to retrieve a boat before the boat is ready for collection.
- 22.3 The boat launching ramps permitted under clause 22 shall be contained in Schedule 4 of this *Bylaw*.

23. Weights of Vehicles and Loads over Bridges and Culverts

- 23.1 The *Council* may from time to time determine by resolution Publicly Notified the weights of *Vehicles* or loads that may pass over bridges and culverts.

- 23.2 The weights of *Vehicles* and loads that may pass over bridges and culverts permitted under clause 23.1 shall be contained in Schedule 5 of this *Bylaw*.
- 23.3 The *Council* may from time to time amend by resolution Publicly Notified schedule 4 of this *Bylaw*.

Te wāhi whakawhitinga o ngā waka | Vehicle crossings

24. Prohibition of Crossing Construction without Council Approval

- 24.1 Except with the permission of an *Authorised Officer*, no *Person* shall drive, ride, propel, or wheel any *Vehicle* across any *Footpath*, *Shared Pathway*, *Berm* or water channel in a *Public Place* otherwise than by means of a crossing (whether permanent or temporary) constructed in accordance with the *Bylaws* of the *Council*.

25. Approval of constructions of crossings

- 25.1 Except with the prior *Approval* of the *Council*, no *Person* shall:
- a) construct any crossing (including a temporary crossing) across any *Footpath*, *Shared Pathway*, or any water channel on or adjoining any *Road*; or
 - b) construct any double crossing or additional crossing to a single Premises across any *Footpath*, *Shared Pathway*, or any water channel on or adjoining any *Road*; or
 - c) repair, reconstruct, renew or carry out any work in connection with any existing any double crossing or additional crossing to any single premises.

26. Approval of work

- 26.1 Any *Person* designing the construction, repair, reconstruction, or renewal of any crossing (including a temporary crossing), shall make an application in writing to the *Council*, who may:
- a) consent to the applicant, or an agent, carrying out the work, to such standards as the *Council* may from time to time determine; and
 - b) ensure that such work is carried out to such standards as the *Council* may from time to time determine; and
 - c) require the applicant to provide a bond for an amount specified by the *Council*, on terms and conditions determined by the *Council*, for the estimated cost of the proposed work; or
 - d) refuse to carry out or permit such work to be carried out if the existence of any such crossing causes or may be likely to cause any danger or obstruction in any *Public Place*.

27. Removal of unsafe crossings

- 27.1 If the *Council* considers that any crossing (including a temporary crossing) is in an unsafe state of repair, or is incorrectly located or constructed, the *Council* may by notice in writing, require the *Owner* or *Occupier* of the premises served by the crossing to carry out the necessary work to remove, upgrade, or repair the crossing to the standards specified by the *Council*.
- 27.2 If the *Owner* or *Occupier* fails to comply with a notice issued under clause 27.1, the *Council* may carry out the required work to remove, upgrade, or repair the crossing,

and recover the actual costs from the *Owner* or *Occupier* of the premises served by the crossing.

Te nekehanga o ngā kararehe | Stock Movement

28. Prohibition of Stock Movement without a Permit

- 28.1 No *Person* shall move any *Stock* on any *Road* in the *District* unless a valid permit is held and the *Stock Movement* takes place in compliance with the permit.
- 28.2 Upon timely application by a *Person*, the *Council* may issue a permit for the movement of *Stock* along or across one or more *Roads* within the *District*, subject to such conditions as it may determine.

Explanatory notes:

Further detail for Stock movement on Roads is contained in section 3.23 of Council's Development Manual. The Stock Control Strategy sets out Council's permit regime and conditions.

- [Stock Control Strategy](#)
- [Development Manual \(Part 3 - Road Works\)](#)

29. Stock Movement on Roads

- 29.1 The following are standard conditions for *Stock Movement* on *Roads* and shall apply to all permits issued by the *Council*:
- Stock* shall always move at a rate of progress of not less than 1 kilometre per hour. This provision does not apply during *Stock* rest or overnight periods.
 - Stock* shall be controlled at all times during the movement and shall give way to *Vehicles* travelling along the *Road*.
 - The permit holder must indemnify the *Council* against any liability for damage to the *Road*, nearby property, or any other loss caused directly or indirectly by the movement of the *Stock*.
 - The *Council* may require proof of suitable public liability insurance or another acceptable form of indemnity.
 - If the *Council* does not request this or set a specific liability amount, it does not waive or limit its right to be indemnified.
 - The permit holder shall comply with the applicable requirements of the relevant document/s published by *Council* for this purpose and/or Codes of Practice of the New Zealand Transport Agency Waka Kotahi, at the time of issuing of a permit and which are imposed on the permit as a specific condition of the permit.
 - No *Stock* shall be driven during the *Hours of Darkness*, except for the purpose of returning escaped *Stock* to the nearest secure area.

30. Powers of Authorised Officers at Stock Movement

- 30.1 If an *Authorised Officer* present during a *Stock Movement* determines that complying with a permit requirement would create or worsen unsafe conditions, or is impractical or unreasonable in the circumstances, the *Authorised Officer* may grant a temporary

dispensation. Any dispensation may include conditions the *Authorised Officer* considers appropriate.

- 30.2 An *Authorised Officer* may refuse to permit a *Stock Movement* only where, in exceptional circumstances, the movement may or has the potential to, pose a significant and immediate risk to public safety. Any refusal must be reasonable and proportionate to the risk identified.
- 30.3 An *Authorised Officer* who has acted in accordance with clause 30.2 shall report this to the *Council* in writing as soon as practicable, where the *Council*, shall consider the possible revocation of the permit or amendment to its conditions.
- 30.4 The *Council* or any *Authorised Officer* who acted in good faith shall not be liable for damages due to the exercise of the above powers.

31. Stock Underpass

- 31.1 Where *Stock Movement* across a *Road* will be in excess of the limits specified in the relevant document/s published by Council for this purpose in schedule 5 of this Bylaw, *Council* may require the applicant to construct an *Approved Stock* underpass that meets the requirements of the *Council*.

32. Shared Pathways

- 32.1 The *Council* may from time to time, by resolution Publicly Notified determine:
- a) the length, route and/or location of a *Shared Pathway*; and
 - b) the priority for users on a *Shared Pathway*; and
 - c) any restrictions on the use of a *Shared Pathway* including prohibiting use in a manner considered unreasonable or inappropriate by the *Council*.
- 32.2 All pathways will be deemed to be *Shared Pathways*, as defined under clause 7 of the *Bylaw*, if identified by official *Council Shared Pathway* signage and shall be treated as such 24 hours a day, 7 days a week.
- 32.3 Where any land has been set aside, designated or otherwise reserved as a *Shared Pathway*, any *Person* using that *Shared Pathway* shall have full regard for other users.
- 32.4 No *Person* shall operate any motor *Vehicle* (not including mobility aids) on any *Shared Pathway* except where a motor *Vehicle* is driven:
- a) into a vehicular entrance over a *Shared Pathway*; or
 - b) for the purpose of maintaining any land or infrastructural or network utility, adjacent to or within the *Shared Pathway*; or
 - c) with permission of an *Authorised Officer*, where no reasonable alternative access is available, and provided that due consideration is given to allow periodic access for *Pedestrians* and/or cyclists.
- 32.5 *Shared Pathways* permitted under clause 32 shall be contained in Schedule 6 of this *Bylaw*.

Te uruhitanga me ngā hara | Offences and Enforcement

33. Specific Offences and Penalties

- 33.1 Every *Person* commits an *Offence* against this *Bylaw* and is liable to the penalties prescribed in the relevant Acts if that *Person*:
- a) fails to comply in all respects with any prohibition, restriction, direction or requirement indicated by any lines, markings, traffic signs and other signs placed by the *Council* pursuant to any of the provisions of or any resolution made under this *Bylaw*; or
 - b) fails to comply with any condition, duty, or obligation imposed by this *Bylaw* or any resolution made under it; or
 - c) breaches any prohibition or restriction set out in this *Bylaw* or by any resolution made under it.

34. Defences

- 34.1 A *Person* is not in breach of this *Bylaw* if that *Person* proves that the act or omission:
- a) took place in compliance with the directions of an *Authorised Officer*, *Enforcement Officer*, a *Parking Warden* or a traffic control device; or
 - b) was necessary for an *Authorised Officer*, *Enforcement Officer* or a *Parking Warden*, in the execution of that *Person's* duty; or
 - c) in the case of *Stock Movement*, was necessary in response to an emergency or the escape of the *Stock*.

35. Exempted Vehicles

- 35.1 This *Bylaw* shall not apply to the following:
- a) *Emergency Vehicles* being used in an emergency; or
 - b) *Vehicles* operated by utility providers whilst engaged in emergency repair work to a public utility service; or
 - c) *Vehicles* operated by the *Council* or for the *Council* during the necessary fulfilment of *Council's* statutory functions, duties or powers; or
 - d) Any *Vehicle* that has permission from the *Council*.
- 35.2 Clauses 16.1 and 20 of this *Bylaw* shall not apply to medical practitioners such as doctors, district nurses and midwives who are attending an emergency.

36. Council Request to Move Vehicle

- 36.1 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 an *Authorised Officer*, *Enforcement Officer*, or *Parking Warden*, move such *Vehicle* as directed for the purpose of facilitating traffic movement or public works.

Explanatory notes:

Council may remove a *Vehicle* left or abandoned on a public *Road*. This process can include issuing a notice, notifying Police before removal, towing and storing the *Vehicle*, or disposing of it if unclaimed, and recovering all associated costs from the *Owner*.

37. Seizure and Impounding

- 37.1 An *Authorised Officer* may seize and impound any property that is materially involved in a breach of this *Bylaw*, in accordance with the applicable provisions of the Local Government Act 2002.
- 37.2 Before seizing and impounding property, an *Authorised Officer* must:
- direct the *Person* to stop committing the *Offence*; and
 - advise that the property may be seized if they do not comply; and
 - give the *Person* a reasonable opportunity to comply.
- 37.3 As soon as practicable after seizing and impounding property, an *Authorised Officer* must give a notice to the *Person* from whom the property was seized, or to the *Owner*, in the manner required by the Local Government Act 2002.
- 37.4 *Council* may recover all reasonable costs of seizing, impounding, transporting, storing, and (if required) disposing of the property, in accordance with the Local Government Act 2002.

Explanatory notes:

Council's compliance approach

Council's first priority is to help people understand the rules and why they matter. We focus on supporting voluntary compliance first, and then only take further action when necessary.

Information and support:

We provide clear information about responsibilities, why the rules exist, and what happens if a breach occurs.

Fair and appropriate action:

Where necessary, *Council* may use tools available under this *Bylaw*, the Local Government Act 2002 (LGA), and Land Transport legislation, including:

- giving a formal warning;
- issuing an infringement notice (where authorised under land transport legislation);
- removing or fixing work or structures constructed in breach of the *Bylaw* (LGA s163);
- seizing and impounding property not on private land (LGA s164);
- seizing and impounding property from private land under warrant (LGA s165).
 - Applications for warrants must follow the Search and Surveillance Act 2012 process (LGA s165(2)).
 - A warrant issued under s165 is treated as a search warrant under Part 4 of the Search and Surveillance Act (LGA s165(4)).
- taking prosecution action if appropriate.

Note: LGA s165 requires an issuing officer (as defined in the Search and Surveillance Act 2012) to issue the warrant; elected members and *Council* employees cannot act as issuing officers.

This *Bylaw* was made pursuant to a resolution passed by Matamata-Piako District Council on [TBC], resolution number [TBC].

38. Record of Bylaw Review and Amendments

Activity	Date
Full statutory review undertaken and <i>Bylaw Approved by Council</i>	[TBC]
Next review required by:	[TBC]

DRAFT - FOR ADOPTION

Rārangi 1: Ngā rori ahutahi | Schedule 1: One Way Roads

The *Roads* or areas described in this schedule are declared to be one-way *Roads* for vehicular traffic.

Road Name	Start	End	Distance
Peria Road (Westbound)	State Highway 27	Smith Street	158 metres
Peria Road (Eastbound)	Smith Street	State Highway 27	162 metres

DRAFT - FOR ADOPTION

Rārangi 2: Ngā here o te huringa | Schedule 2: Turning Restrictions

At this time, there is nothing determined by this *Bylaw*, but in future *Council* may determine the addition of turning restrictions to this Schedule and *Bylaw*.

DRAFT - FOR ADOPTION

Rārangi 3: Te turaki o ngā waka | Schedule 3: Traffic Prohibitions

At this time, there is nothing determined by this *Bylaw*, but in future *Council* may determine the addition of traffic prohibitions to this Schedule and *Bylaw*.

DRAFT - FOR ADOPTION

Rārangi 4: Ngā Papa Rōnaki mō te Poti | Schedule 4: Boat Launching Ramps

Pursuant to the *Act* and the Local Government Act 2002, *Council* declares the use of the following boat launching ramps is restricted to specific usage.

Types of Restriction

~~Unless authorised by the *Council*, *Persons* may only use a boat launching ramp for the purpose of launching boats from trailers or retrieving them onto trailers.~~

Persons may only use a boat launching ramp to launch a boat from a trailer or to retrieve a boat onto a trailer, unless authorised by the *Council* for another purpose.

Location	Description
Off Lawrence Avenue/Terminus Street, alongside the Coulter Bridge (Te Aroha)	This area includes the motorhome dump station for Te Aroha, a <i>Parking</i> area, and a boat-launching ramp. It is also part of the Te Aroha to Paeroa section of the Hauraki Rail Trail.

Rārangi 5: Te turaki I te toimaha I runga I ngā arawhiti, karawata rānei | Schedule 5: Weight and Load Restrictions over Bridges or Culverts

The bridges described in this Schedule have the following maximum weight and *Speed Limits* for *Heavy Motor Vehicles* pursuant to clause 11(3) of the Heavy Motor Vehicle Regulations 1974.

Bridge ID	Road Name	Length	Weight Restriction	Speed Restriction
No. 92	Mace Road	56	80 % of Class I 35,000kg	--
No. 236	Herries Street	11	30 % of Class I 13,200kg	30 km/hr
No. 93	Wairakau Road	11	60 % of Class I 26,400kg	--
No. 52	Haumia Road	72	44,000 kg	--
No. 72	Rawhiti Road	9	44,000kg	--
No. 94	Wairakau Road	14	44,000kg	--
No. 96	Wairakau Road	14	44,000kg	--
No. 97	Wairakau Road	10	44,000kg	--
No. 131	Kereone Road	31	44,000kg	--
No. 132	Kereone Road	31	44,000kg	--
No. 133	Kuranui Road	31	44,000kg	--
No. 135	Kuranui Road	28	44,000kg	--
No. 138	Avenue Road South	31	44,000kg	--
No. 140	Harbottle Road	31	44,000kg	--
No. 153	Hutchinson Road	31	44,000kg	--
No. 166	Rohe Road	12	44,000kg	--
No. 192	Tower Road	38	44,000kg	--
No. 194	Okauia Springs Road	53	44,000kg	--
No. 213	Old Te Aroha Road	31	44,000kg	--

Rārangi 6: Nga ara tohatoha | Schedule 6: Shared Pathways

Road Name	Start	End	Side	Position	Length	Width	Total Area
Burwood Road	1169	1462	Right	Middle	257	2.5	642.5
Harp Street	243	249	Left	Middle	5	3	15
Harp Street	246	252	Right	Middle	5	3	15
Howie Street	251	257	Left	Middle	4	3.7	14.8
Lockerbie Street	439	444	Left	Middle	4	3	12
Lockerbie Street	445	450	Right	Middle	7	3	21
Marsh Avenue	2	31	Right	Middle	27	3	81
Marsh Avenue	52	96	Right	Middle	44	3	132
Marsh Avenue	111	157	Right	Middle	47	3	141
Marsh Avenue	171	233	Right	Middle	61	3	183
Marsh Avenue	258	331	Right	Middle	70	3	210
Marsh Avenue	343	416	Right	Middle	71	3	213
Marsh Avenue	430	499	Right	Middle	68	3	204
Marsh Avenue	517	589	Right	Middle	72	3	216
Morrin Street	235	240	Left	Middle	4	3	12
Morrin Street	238	243	Right	Middle	6	3	18
Morrinsville Rec. Ground	0	957	Centre	Loop	960	3	2880
Waharoa Road East	33	66	Right	Boundary	33	3	99
Waharoa Road East	66	112	Right	Middle	46	3	138
Waharoa Road East	112	244	Right	Boundary	133	3	399
Waharoa Road East	303	465	Right	Boundary	162	3	486
Werewere Street	144	260	Left	Middle	113	3	339
Werewere Street	281	304	Left	Middle	24	3	72
Werewere Street	283	302	Right	Middle	22	3	66
Hauraki Rail Trail	Te Aroha to Matamata Section: The <i>Shared Pathway</i> extending from the intersection of Rewi Street and Boundary Street in Te Aroha to the intersection of Broadway and Tainui Street in Matamata.						