

## ROTORUA DISTRICT SPEED LIMIT BYLAW 2005

*This Part of the Bylaw allows the Council to set speed limits by resolution, on all roads under its control and in certain designated locations specified in the Bylaw.*

*This Part of the Bylaw is made pursuant to section 684(1)(13) of the Local Government Act 1974, the Local Government Act 2002 and the Land Transport Rule: Setting of Speed Limits 2003, and allows the Rotorua District Council to set speed limits of 20,30,40,50,60,70,80 or 100 km/h in relation to roads or areas under its control in the district.*

*The speed limits shown on the attached plan shall come into force on the date specified on that plan.*

### 1.1 DEFINITIONS

#### 1.1.1 In this Part:

**Bylaw speed limit** means a speed limit for vehicle traffic imposed by the Council pursuant to clause 1.3.4 or 1.3.5 of this Bylaw.

**Owner** means the person/entity listed as the 'ratepayer' for the property on the Council's Rating Information Database.

**Road** has the same meaning as in Land Transport Rule: Setting of Speed Limits 2003, but does not include any State Highways within the district.

**Rural area** has the same meaning as in Land Transport Rule: Setting of Speed Limits 2003.

**Speed limit** has the same meaning as in Land Transport Rule: Setting of Speed Limits 2003.

**Urban traffic area** has the same meaning as in the Land Transport Rule: Setting of Speed Limits 2003.

### 1.2 APPLICATION OF THIS BYLAW

#### 1.2.1 This Bylaw applies to all roads under the control and management of the Rotorua District

Council. The previous legal instruments, now superseded are:

- Rotorua District Council Speed Restriction Bylaw 1997 No 1
- Rotorua District Council Speed Restriction Bylaw 1997 No 2
- Rotorua District Council Speed Restriction Bylaw 2001 No 1
- Rotorua District Council Speed Restriction Bylaw 2001 No 2
- Notice in the New Zealand Gazette, 9 January 2003, No 1 Page 68
- Regulation 21(1) Traffic Regulations 1976

### 1.3 BYLAW SPEED LIMITS

#### 1.3.1 The roads or areas indicated on the attached plans numbered LTO223/1 declared to be subject to the speed limits identified on those plans.

- 1.3.2 The speed limits identified in the plans referred to in clause 1.3.1 apply until any or all of those speed limits are altered by resolution under clause 1.3.4 or 1.3.5. Once altered under clause 1.3.4 or 1.3.5, the relevant speed limit on the attached plans ceases to have effect.
- 1.3.3 In accordance with clause 10 of the Land Transport Rule: Setting of Speed Limits 2003:
- a) the roads identified on the attached plans as having a 50km/hour speed limit, are designated as urban traffic areas
  - b) any speed limits other than 50km/h on roads within a designated urban traffic area and 100km/h on roads within a rural area, are validated.
- 1.3.4 The Council may by resolution in accordance with clauses 1.4.1 and 1.4.2 make additions to, or alterations to, the bylaw speed limits for any roads or areas identified on the attached plans. The Council may set speed limits of 20, 30, 40, 50, 60, 70, 80, or 100km/h on any road or area in its district.
- 1.3.5 The Council may, by resolution in accordance with clauses 1.4.1 and 1.4.2 of this bylaw and in accordance with the Land Transport Rule: Setting of Speed Limits 2003, make or alter bylaw speed limits for roads under their authority in any of the following designated locations:
- a) a car park
  - b) an educational or scientific facility
  - c) a health facility
  - d) a residential facility
  - e) a camping ground
  - f) a sports facility or other recreational area
  - g) a botanical garden
  - h) a port or wharf area
  - i) an airport
  - j) a beach
  - k) a cemetery
  - l) a facility operated by the New Zealand Defence Force
  - m) any other location approved by the Director of Land Transport Safety
  - n) any other location in which authority has been given i.e. a supermarket
- 1.3.6 Any resolution made by the Council under clauses 1.3.4 or 1.3.5 must be recorded by the Council in a Register of Speed Limits. The details to be recorded in the Register are set out in Rule 7.3 of the Land Transport Rule: Setting of Speed Limits 2003. The register must be made available to the public and describe all current speed limits.

- 1.3.7 Where a bylaw speed limit is set, areas to which the bylaw speed limit applies will be marked by notices or signs as required by Land Transport Rule: Setting of Speed Limits 2003.

#### **1.4 CONSULTATION**

- 1.4.1 If the Council chooses to create, amend or alter any bylaw speed limit by way of resolution under clauses 1.3.4 or 1.3.5 of this Bylaw, the consultation process in clause 7.1 of the Land Transport Rule: Setting of Speed Limits 2003 must be followed.
- 1.4.2 Where the Council intends to pass a resolution under clause 1.4.1 of this bylaw to set a speed limit for a particular road or area, then consultation with the community organisation or road user group that may be affected must be in accordance with clause 7.1(2) of the Land Transport Rule: Setting of Speed Limits 2003 will be done by way of:
- a) public notice in the newspaper(s) for the Rotorua area giving the public the opportunity to submit and be heard, and
  - b) consideration by The Works Committee of Council and then Council itself before adopting the resolution.

#### **1.5 OFFENCES**

- 1.5.1 Every person commits an offence against this Bylaw who operates a vehicle in excess of the bylaw speed limits set by this bylaw.

*Note: Offences, 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 do not change as a result of this Bylaw.*

#### **1.6 DATE BYLAW MADE**

This bylaw was made by the Rotorua District Council at a meeting of the Council on Monday 27 June 2005.