

**THE QUEENSTOWN LAKES DISTRICT COUNCIL  
TRAFFIC AND PARKING BYLAW 2012**

Acting pursuant to the powers vested in it by Part 8 of the Local Government Act 2002 and following the determinations and special consultative processes required by Sections 155 and 156 of the Local Government Act 2002, the Queenstown Lakes District Council makes the Queenstown Lakes District Council Traffic and Parking Bylaw 2012.

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## 1. TITLE

This Bylaw shall be known as “The Queenstown Lakes District Council Traffic and Parking Bylaw 2012”.

## 2. COMMENCEMENT

This Bylaw shall come into full force and effect on the 7<sup>th</sup> day following the making of this Bylaw by resolution of the Council.

## 3. REVOCATION

On the day that this Bylaw commences pursuant to Clause 2 hereof “The Queenstown Lakes District Council Traffic and Parking Bylaw 2006” shall be revoked.

## 4. PURPOSE

To regulate parking and the use of roads and public places vested in or under the control of the Queenstown Lakes District Council.

## 5. DEFINITIONS

Unless the context otherwise requires:

**Authorised officer** means any person appointed or authorised by the Council to act on its behalf under this bylaw and includes any Parking Warden or Enforcement Officer.

**Council** means the Queenstown Lakes District Council.

**Coupon parking space** means a space in a coupon parking area which is suitable for the accommodation of a motor vehicle.

**Coupon parking area** is a "zone parking" area as defined in the Traffic Control Devices Rule 2004 and means any area of land or building belonging to or under the control of the Council which is authorised by resolution of the Council pursuant to clause 7.2.5 of this Bylaw as a place where vehicles may be parked using parking coupons.

**Disabled person** means the holder of a Mobility Parking Permit card issued by New Zealand CCS Inc.

**Driver** in relation to a vehicle, includes the rider of a motorcycle or moped or bicycle; and “drive” has a corresponding meaning.

**Enforcement officer** means—

- (a) A sworn member of the Police
- (b) A non-sworn member of the Police who is authorised for the purpose by the commissioner of Police.
- (c) A person who is appointed to that office by warrant under section 208 of the Land Transport Act 1998 or who holds that office by virtue of that Act and includes an Enforcement Officer appointed under section 177 of the Local Government Act 2002 and any Parking Warden appointed by the Council and warranted accordingly.

**Goods service vehicle** means a motor vehicle designed exclusively or principally for the carriage of goods or a vehicle used for the collection or delivery of goods in the course of trade.

**Gross laden weight**, in relation to a motor vehicle, means—

- (a) the greatest of the following weights:
  - (i) a weight specified (subsequent to the latest modification specified, if any) as the gross laden weight of the vehicle by the manufacturer of the vehicle;
  - (ii) a weight specified as the gross laden weight of the vehicle, or of a vehicle of that kind, by or under the regulations or the rules;
  - (iii) the weight of the vehicle, together with the load that the vehicle is for the time being carrying, including equipment and accessories;
- (b) if evidence is adduced in respect of any but not all of the 3 weights referred to in paragraph (a), the greater of the weights, or (as the case may be) the only weight, in respect of which evidence is adduced;
- (c) if evidence is not adduced in respect of any of the weights referred to in paragraph (a), the total of the unladen weight of the vehicle and the weight of the maximum load that the vehicle may safely carry

**Holiday** means any Good Friday (being the Friday immediately prior to Easter Sunday), 25<sup>th</sup> day of December (Christmas Day) and the period between 12 midnight and 1.00pm on the 25<sup>th</sup> day of April (Anzac Day) in any year.

**Infringement offence** has the same meaning as it has in section 2(1) of the Land Transport Act 1998.

**Large passenger service vehicle** means any passenger service vehicle that is designed or adapted to carry more than 12 persons (including the driver)

**Motorcycle** means a motor vehicle running on 2 wheels, or not more than 3 wheels when fitted with a sidecar; and

- includes a vehicle with motorcycle controls that is approved as a motorcycle by the Agency; but
- does not include a moped

**Motor vehicle** means a vehicle drawn or propelled by mechanical power; and includes a trailer; but does not include—

- a vehicle running on rails; or
- a trailer (other than a trailer designed solely for the carriage of goods) that is designed and used exclusively as part of the armament of the New Zealand Defence Force; or
- a trailer running on 1 wheel and designed exclusively as a speed measuring device or for testing the wear of vehicle tyres; or
- a vehicle designed for amusement purposes and used exclusively within a place of recreation, amusement, or entertainment to which the public does not have access with motor vehicles; or
- a pedestrian-controlled machine; or
- a vehicle that the Agency has declared under section 168A of the Land Transport Act 1998 is not a motor vehicle; or
- a mobility device

**Operate**, in relation to a vehicle, means to drive or use the vehicle on a road, or to cause or permit the vehicle to be on a road or to be driven on a road, whether or not the person is present with the vehicle; and **operator** has a corresponding meaning

**Owner** in relation to a motor vehicle, means the person lawfully entitled to possession of the vehicle, except where—

- (a) the motor vehicle is subject to a bailment that is for a period not exceeding 28 days; or
- (b) the motor vehicle is let on hire pursuant to the terms of a rental-service licence,—

in which case **owner** means the person who, but for the bailment or letting on hire, would be lawfully entitled to possession of the motor vehicle; and **owned** and **ownership** have corresponding meanings

**Parking** means,

- a) in relation to a portion of a road where parking is for the time being governed by the location of parking meters or vending machines placed under the authority of a bylaw of a local authority, the stopping or standing of a vehicle on that portion of the road for any period exceeding 5 minutes;
- (b) in relation to any other portion of a road, the stopping or standing of a vehicle (other than a vehicle picking up or setting down passengers in a loading zone or reserved parking area, and entitled to do so) on that portion of the road,

and “park” has a corresponding meaning.

**Parking coupon or coupon** means a coupon issued by or on behalf of the Council to any person authorising the parking of a vehicle in a coupon parking space in accordance with these Bylaws.

**Parking place** means a place (including a building) where vehicles or any class of vehicles may wait or park

**Parking warden** means a person appointed to hold the office of parking warden under section 128D of the Land Transport Act 1998

**Passenger service vehicle** a) means a vehicle used or available for use in a passenger service for the carriage of passengers; but does not include—

- (i) a vehicle designed or adapted to carry 12 or fewer persons (including the driver) provided by one of the passengers being carried; or
- (ii) a vehicle specified as an exempt passenger service vehicle in the regulations or the rules

**Pay and display parking meter** means a parking meter designed for the purpose of issuing a receipt indicating the date and time of payment of a fee, amount of fee paid and time until which a vehicle may be parked within a parking meter area controlled by that pay and display parking meter.

**Public Place** means a place –

- (i) That is under the control of the Council; and
- (ii) That is open to, or being used by, the public, whether or not there is a charge for admission; and includes:
  - (i) a road, whether or not the road is under the control of the Council; and
  - (ii) any part of a public place

**Rental services vehicle** means a vehicle used or available for use in a rental service for letting on hire for the carriage of passengers or goods, or both, to a person who drives the vehicle or provides a driver for the vehicle; but does not include a vehicle specified as an exempt vehicle in the Land Transport Act 1998 or the regulations or the rules made under that Act.

**Reserve** means any Council reserve, including but not limited to designated reserves under the Reserves Act or the District Plan, any grass berm or verge, ornamental gardens, grass plots, flower beds and landscaped area.

**Residential zone** means all areas as defined in the Queenstown Lakes District Council District Plan as Low Density Residential zone and High Density Residential zone.

**Road** 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 road or street or motorway, or a place referred to in paragraph (d); and
- (f) all sites at which vehicles may be weighed for the purposes of this Act or any other enactment

**Small passenger service vehicle** means any passenger service vehicle that is designed or adapted to carry 12 or fewer persons (including the driver)

**Taxi** means a motor vehicle that is—

- (a) a small passenger service vehicle; and
- (b) fitted with a sign on its roof displaying the word “taxi” and any other signs required by the regulations or the rules made under the Land Transport Act 1998; and
- (c) in use or available for use for hire or reward for the carriage of passengers other than on defined routes

**Taxi service** means a passenger service carried on by means of a taxi or taxis

**Towage fee** in respect of a parking offence, means an amount specified as the towage fee in respect of that offence by the Secretary for Transport by notice in the *Gazette*; and, for the purposes of this definition, the Secretary may prescribe different rates of towage fees in respect of different classes of persons, vehicles, products, or any other property or item, or on the basis of different times of use, or different distances, or on any other differential basis.

**Town Centre zone** means all areas as defined in the Queenstown Lakes District Council District Plan as Town Centre zone.

**Transport station** means a place where transport service vehicles or any class of transport service vehicles may wait between trips.

**Use** in relation to a vehicle, includes driving, drawing or propelling on a road by means of such vehicle, and includes permitting to be on any road; and “to use” and “user” have corresponding meanings.

**Vehicle** means a contrivance equipped with wheels, tracks, or revolving runners on which it moves or is moved; and includes a hovercraft, a skateboard, in-line skates, and roller skates; but does not include—

- (i) a perambulator or pushchair:
- (ii) a shopping or sporting trundler not propelled by mechanical power:
- (iii) a wheelbarrow or hand-trolley:
- (v) a pedestrian-controlled lawnmower:

- (vi) a pedestrian-controlled agricultural machine not propelled by mechanical power:
- (vii) an article of furniture:
- (viii) a wheelchair not propelled by mechanical power:
- (ix) any other contrivance specified by the rules not to be a vehicle for the purposes of this definition:
- (x) any rail vehicle

## 6. NO PARKING AREAS

6.1 The Council may from time to time, by resolution (subject to the erection of the required signs under the Traffic Control Devices Rule 2004, or under any Rules made under the Land Transport Act 1998), declare any road, or part of any road, or public place, or part of any public place, to be a no parking area.

6.2 Any such resolution may prohibit parking at all times, or, alternatively, at or between times as are specified in the resolution.

## 7. RESTRICTED PARKING AREAS

7.1 The Council may, from time to time, by resolution (subject to the erection of the required signs under the Traffic Control Devices Rule 2004, or under any amended or substituted Rules made under the Land Transport Act 1998), declare any road, or part of any road, or public place, or part of any public place, to be a restricted parking area.

7.2 The Council may, by resolution, in respect of any restricted parking area:

- 7.2.1 Determine the time period or time periods between which parking restrictions shall have effect;
- 7.2.2 Declare the number and situation of parking spaces within each restricted parking area;
- 7.2.3 Declare the maximum time allowed for parking in any parking space in any restricted parking area;
- 7.2.4 Fix the charges payable for parking in a parking space in a restricted parking area.
- 7.2.5 Declare the means by which parking charges may be paid in a restricted parking area, including, but not by way of limitation, by the use of parking meters, pay and display tickets, parking coupons, attendant issued tickets, or otherwise.
- 7.2.6 Declare the maximum time allowed for parking by a mobility parking permit holder in any restricted parking area.

7.3 The Council may, by resolution:

- 7.3.1 Vary or abolish any restricted parking area.
- 7.3.2 Vary or revoke any resolution made under Clause 7.2 of this Bylaw and make any new resolution in substitution for the revoked resolution.

7.4 The Council or any authorised officer may remove or cause to be removed any vehicle or other thing from any public road, or public place, which

contravenes this Bylaw, or any resolution made under this Bylaw, and recover from the person committing the breach of this Bylaw all expenses incurred by the Council in connection with the removal of the offending vehicle or thing.

## 8. PAYMENT OF FEES

Where a charge has been prescribed by resolution which allows a vehicle to be parked in a restricted parking area for a determined period of time, payment of the charge shall be made in the manner as has been so prescribed for that restricted parking area or where alternative methods of payment have been approved and determined, by any one of such approved methods of payment.

## 9. PARKING METERS

9.1 When any vehicle is parked in a parking space controlled by a parking meter the driver of that vehicle shall immediately insert in the parking meter installed for that space, the prescribed fee so that the meter mechanism is activated. The vehicle may be lawfully parked in that parking space during the period for which the prescribed fee has been paid.

9.2 It shall be lawful for the driver of a vehicle during, or when the period for which the fee was paid has expired, to insert another prescribed fee in the parking meter and set the parking meter in operation for a further period.

9.3 Notwithstanding 9.2, in any area where the Council has, by resolution, fixed a maximum authorised period of parking, which area is indicated by signage under the Land Transport: Traffic Control Devices Rule 2004 or under any Rule made under the Land Transport Act 1998, no person shall park or cause to park any vehicle or allow a vehicle to occupy a parking space in that restricted parking area for any one time in excess of the maximum authorised period of parking.

## 10. COUPON PARKING

Where payment of a parking fee is made or is to be made by the use of a parking coupon, the following provisions shall apply:

10.1 The driver, or person in charge of the vehicle, shall without delay, on parking the vehicle, display on or in the vehicle, in a position where it can be inspected by any person outside the vehicle, a valid parking coupon in accordance with the instructions printed on the coupon, or which accompanied the coupon when purchased and which coupon has been activated in accordance with those instructions.

10.2 A parking coupon shall be invalid if:

10.2.1 The coupon is torn, defaced, or mutilated to such an extent that any material particular is not legible; or

10.2.2 The authorised time on the coupon has expired; or

10.2.3 The coupon has been tampered with or is used in such a way that is prevented from functioning properly; or

10.2.4 The coupon cannot be read and inspected by any person outside the vehicle.

10.2.5 The coupon has not been used or activated in accordance with the instructions printed on the coupon, or which accompanied the coupon when purchased.

## 11. PAY AND DISPLAY TICKETS

Where payment of parking charge is made, or is to be made, by the use of a pay and display ticket, the following provisions shall apply:

11.1 The driver or person in charge of the vehicle shall, without delay on parking, display on or in the vehicle in a position where it can be inspected by any person outside the vehicle a valid pay and display ticket in accordance with the instructions, if any, printed on the pay and display ticket, or the instructions, if any, given by any sign relating to the restricted parking area.

11.2 A pay and display ticket shall be invalid if:

11.2.1 The ticket is torn, defaced, or mutilated to such an extent that any material particular is not legible; or

11.2.2 The authorised time on the coupon has expired; or

11.2.3 The ticket has been tampered with; or

11.2.4 The ticket is not used in accordance with the instructions (if any) relating to the use of the ticket given on the ticket or on any sign.

11.2.5 The ticket cannot be read and inspected by any person outside the vehicle.

## 12. PARKING PLACES AND TRANSPORT STATIONS

12.1 The Council may, from time to time, by resolution (subject to the erection of the required signs under the Traffic Control Devices Rule 2004, or under any Rules made under the Land Transport Act 1998), set aside any specified part of any road or any specified part of a public place, as a parking place or transport station exclusively for the use of:

12.1.1 Goods service vehicles;

12.1.2 Passenger service vehicles;

12.1.3 Taxis;

12.1.4 Vehicles used by disabled persons;

12.1.5 Any other class or description of vehicle specified in the Resolution.

12.2 The Council may, from time to time, by resolution, prescribe:

12.2.1 The number, class or description of vehicles for each parking place or transport station.



12.2.2 The rental or fee to be paid for the use of any parking place or transport station, and the manner of payment.

12.2.3 The times, manner and conditions of use of any parking place or transport station.

12.3 The Council may, from time to time, by resolution:

12.3.1 Abolish any parking place or transport station, or extend or reduce the area of any parking place or transport station.

12.3.2 Vary the number, class or description of vehicles which may use any specified parking place or transport station.

12.3.3 Vary the rental or fees payable for the use of any parking place or transport station, and the manner of payment.

### 13. METHOD OF PARKING

13.1 In any restricted parking area, parking place, or transport station, where individual parks are indicated by painting lines or other markings:

13.1.1 Each vehicle shall be parked entirely within a single parking space.

13.1.2 Only motorcycles shall park in spaces marked for the use of motorcycles.

13.2 In any restricted parking area, where any parking spaces are marked for the use of motorcycles only:

13.2.1 If the space is divided into bays for angle parking of motorcycles, no motorcycle (other than a motorcycle with a sidecar attached) shall be parked across any line marking the edge of the bay.

13.2.2 Where more than one motorcycle occupies a metered space, it shall not be necessary for more than one parking fee to be paid, provided that no motorcycle shall remain parked in the metered space after the time on the meter has expired.

### 14. TAXI AND PASSENGER SERVICE VEHICLES

14.1 No taxi shall be parked on any road or in any public place other than at a parking space or transport station set aside for the use of taxis unless the vehicle is a taxi, and has either:

14.1.1 Been hired; or

14.1.2 Is not otherwise available for hire.

14.2 No large passenger service vehicle shall be parked in any public place other than at a parking space set aside for such vehicles.

14.3 No vehicle, other than a taxi, shall park in a parking place or transport station set aside for taxis.

14.4 No vehicle, other than a large passenger service vehicle, shall park in a parking place or transport station set aside for large passenger service vehicles.

- 14.5 No passenger service vehicle exceeding 2000 kilograms in tare weight or goods service vehicle exceeding 4000 kilograms in tare weight shall be parked in any public place between midnight and 5.00am, except where such overnight parking has been specifically authorised by the Council.
- 14.6 No goods service vehicle, large passenger service vehicle, small passenger service vehicle, or rental service vehicle parked on any road or in any public place situated within the area of the Queenstown Lakes District shall be washed down or cleaned such that any water, sludge or other liquid flows from the vehicle onto any road or into a culvert, ditch or drain associated with the road.
- 14.7 No goods service vehicle, large passenger service vehicle, small passenger service vehicle, or rental service vehicle shall park on any road or public place or reserve with its engine running for a period in excess of 5-minutes.

## 15. MISCELLANEOUS

- 15.1 No vehicle shall be driven or parked on any road or in any public place so that it causes a nuisance.
- 15.2 Without the prior written consent of the Council, no person shall:
  - 15.2.1 Leave or place on any road, or in any public place, any thing other than a vehicle except where the leaving or placing of such thing has been specifically authorised in writing by the Council.
  - 15.2.2 Park on any road or in any public place, any vehicle displaying a "For Sale" sign, unless the vehicle is being used bona fide for travel and is parked, incidentally, in the course of such travel.
  - 15.2.3 Leave any vehicle parked on any road or in any public place for a continuous period of more than 14 days other than in a designated long term parking area.
  - 15.2.4 Alter, add to, repair or maintain any vehicle on any road or in any public place, unless such alterations, additions or repairs are necessary to enable the vehicle to be immediately moved from the road or public place, and only if the time taken to alter, add to, or repair the vehicle is no longer than reasonably necessary for the vehicle to be so moved; provided that in any prosecution of any person for breach of this provision in this Bylaw, the onus shall be on such person to prove that alterations, additions or repairs were necessary to enable the vehicle to be immediately moved and that, in all circumstances, the time taken to move the vehicle was reasonable.
  - 15.2.5 Stop, stand or park any rental service vehicle on any road or in any public place, except in a parking place or transport station so designated under this Bylaw for the use of rental vehicles PROVIDED HOWEVER nothing in this paragraph applies to any rental vehicle actually under hire.
- 15.3 No person shall remove, deface, or otherwise interfere with any notice, board, sign, disk, meter, or pay and display machine located, erected or placed by the Council on any road or in any public place.

## 16. TRAFFIC

- 16.1 The Council may from time to time, by resolution (subject to the erection of any required signs under the Traffic Control Devices Rule 2004 or under any amended or substituted Rules made under the Land Transport Act 1998):
- 16.1.1 For the safety of the public or for the better preservation of the road, fix the maximum permissible speed for vehicles travelling on any road and to prescribe the type, nature and class of vehicle permitted to use any road.
  - 16.1.2 Prohibit on any specified road or at or in any public place any vehicle generally or any specified class of vehicle from making turns to either the left or to the right path of travel.
  - 16.1.3 Direct that vehicles on any specified road or in any specified place shall travel in one specified direction only.
  - 16.1.4 Prohibit and/or restrict, absolutely or upon such conditions as may be imposed in the resolution, any specified class of vehicle or any identified vehicle from using any particular road or public place, if because of the vehicles size, the vehicles type or manner of operation, or the nature of goods or persons carried upon such vehicle, the vehicle is considered to be unsuitable for use on any such road, or in any such public place as will be detailed or specified in the resolution without such prohibition, restriction or conditional use as the case may be.
- 16.2 An authorised officer may direct the driver of any vehicle to fit snow chains to such vehicle on any road. If provided with this direction no person shall drive, or direct or allow such vehicle to be driven without snow chains fitted.

## 17 ONE WAY STREETS

- 17.1 No person shall operate any vehicle on any of the roads specified in Schedule A of this Bylaw, except in the direction specified in that schedule.
- 17.2 Subclause (1) is subject to the erection of the required signs under the Traffic Control Devices Rule 2004 or under any Rules made under the Land Transport Act 1998.

## 18 TRAFFIC RESTRICTIONS IN THE QUEENSTOWN LAKES DISTRICT

No person shall operate:

- 18.1 Any goods service vehicle or heavy vehicle, with the exception of any large passenger service vehicle, exceeding 3,000 kilograms tare weight on:
- 18.1.1 Beach Street;
  - 18.1.2 Cow Lane;
  - 18.1.3 Rees Street;
  - 18.1.4 Marine Parade between Rees and Church Streets;

- 18.1.5 Searle Lane;
  - 18.1.6 Church Street;
  - 18.1.7 Earl Street;
  - 18.1.8 Camp Street between Shotover and Earl Streets;
  - 18.1.9 Buckingham Street in Arrowtown between Wiltshire and Berkshire Streets between 10.00am and 6.00pm on any day.
- 18.2 Any passenger service vehicle exceeding 3,000 kilograms tare weight on:
- 18.2.1 Beach Street;
  - 18.2.2 Rees Street;
  - 18.2.3 Marine Parade (Between Ballarat and Church Streets);
  - 18.2.4 Buckingham Street in Arrowtown between Wiltshire and Berkshire Streets; at any time on any day
  - 18.2.5 Helwick Street in Wanaka between Ardmore and Brownston Streets
- 18.3 Any heavy motor vehicle with a gross laden weight exceeding 3,500 kilograms on Hallenstein Street, Queenstown, except for the sole and specific purpose of delivery or collection of goods or passengers, to or from residential and commercial properties directly accessible only from Hallenstein Street.
- 18.4 A goods service vehicle or passenger service vehicle, or combination of such vehicles, having a gross laden weight of more than 14,200 kilograms or an overall length of more than 12.6 metres in that part of the Crown Range Road from the intersection of the Crown Range Road with State Highway 6 at Whitechapel to the west side of Bridge No 11 on the Crown Range Road (the 'prohibited zone'). Such prohibition is subject to the following conditions:
- 18.4.1 The prohibition shall not apply to any such prohibited vehicle where such vehicle is using the Crown Range Road for the sole and express purpose of travelling to or from properties situated within the prohibited zone.
  - 18.4.2 The prohibition shall not apply to any prohibited vehicle which is directly involved in road works, road maintenance and upkeep within the prohibited zone.
  - 18.4.3 The prohibition shall not apply and be deemed to have been lifted where there has been a temporary closure of State Highway 6 between Cromwell and Whitechapel; provided however that such temporary closure shall have been in effect for a period in excess of three hours.
  - 18.4.4 The prohibition shall not apply to any vehicle using the prohibited zone which is carrying and displaying a valid permit issued in respect of the said vehicle under regulation

7 of the Heavy Motor Vehicle Regulations 1974 and/or section 5 of the Land Transport Rule: Vehicle Dimensions and Mass 2002.

18.5 Any skateboard at any time in:

18.5.1 Any part of the area bounded by Shotover Street (between Rees and Stanley Streets), Stanley Street (between Shotover and Ballarat Streets), Ballarat Street (between Stanley and Camp Streets), Camp Street (between Ballarat and Earl Streets), Earl Street (between Camp Street and Marine Parade), Marine Parade, Rees Street and Beach Street (between Rees and Shotover Streets).

18.5.2 Duke Street

18.5.3 Brecon Street (between Shotover and Man Streets)

18.6 Subclauses 18.1, 18.2, 18.3, and 18.4 are subject to the erection of the required signs under the Traffic Control Devices Rule 2004 or under any Rules made under the Land Transport Act 1998.

18.7 Rubbish and waste collection vehicles operating under and pursuant to any Waste Management Collection Contract with the Council in collecting rubbish and waste from the Central Queenstown area are exempted from the provisions of Clauses 18.1 and 18.4 hereof.

18.8 The Chief Executive Officer of the Council is expressly authorised to issue permits to contractors and construction vehicles in respect of specified construction contracts and projects within the Central Queenstown and Wanaka areas so as to permit such vehicles on specific days to load and unload materials and supplies for such projects within such Central Queenstown and Wanaka areas and to use the various roads and streets as detailed in Clauses 18.1 and 18.2 hereof between 10.00am and 6.00pm on any day subject to such conditions as may be included in such permit by the said Chief Executive Officer.

18.9 The Chief Executive Officer of the Council is expressly authorised to issue permits to events organisers in respect of specified events within the Central Queenstown and Wanaka areas so as to permit parking spaces to be occupied within such Central Queenstown and Wanaka areas and the use of the various roads and streets as detailed in Clauses 18.1 and 18.2 hereof between 10.00am and 6.00pm on any day subject to such conditions as may be included in such permit by the said Chief Executive Officer.

19 INSPECTION

Any parking warden or any enforcement officer may, for the purposes of this Bylaw:

19.1 Inspect any parked vehicle.

19.2 Inspect any parking coupon or pay and display ticket or parking meter.

- 19.3 Require the driver, or any person appearing to be in charge of a parked vehicle, to produce for inspection any parking coupon or pay and display ticket.
- 19.4 Retain for the purposes of any proceedings under this bylaw, any parking coupon or pay and display ticket produced for inspection pursuant to a requirement issued under 19.3 of this bylaw, where the parking warden or enforcement officer believes on reasonable grounds that the parking coupon or pay and display ticket has been rendered invalid.

## 20 OFFENCES

- 20.1 The operation, driving, using or parking of any vehicle in breach of any of the provisions of this Bylaw or any resolution made under this Bylaw is a breach of this Bylaw.
- 20.2 Without limiting the liability of any person under any enactment, for a breach of this Bylaw, every person commits an offence against the Bylaw who:
  - 20.2.1 Commits a breach of this Bylaw.
  - 20.2.2 Causes or permits to be done, anything contrary to this Bylaw.
  - 20.2.3 Omits, fails or refuses to do anything required by this Bylaw.
  - 20.2.4 Operates any vehicle contrary to this Bylaw.
  - 20.2.5 As the owner of anything parked or left on any road or in any public place does any act contrary to the provisions of this Bylaw.
  - 20.2.6 Is the driver, operator, person in charge, or user of any vehicle, which is driven, operated, used or parked in breach of this Bylaw.
  - 20.2.7 Operates any vehicle contrary to any resolution made by the Council under clause 16 of this Bylaw.
  - 20.2.8 Operates any vehicle contrary to the provisions of clause 18 hereof.
- 20.3 Nothing in this clause limits the liability of any person for an infringement offence under Section 2(1) of the Land Transport Act 1998.

## 21 DEFENCE

- 21.1 It is a defence to any person charged with a breach of this Bylaw, or any resolution made under this Bylaw, if that person proves that the act or omission complained of was:
  - 21.1.1 Done in an emergency.
  - 21.1.2 Done in compliance with the directions of a parking warden, enforcement officer, constable, traffic signal or traffic sign.

- 21.1.3 In the case of an act done by a parking warden, enforcement officer, or constable, necessary in the execution of the duty of the parking warden, enforcement officer or constable.

## 22 PENALTIES

Without limiting the liability of any person under any enactment, for a breach of this Bylaw, any person who commits an offence against this Bylaw is liable to:

- 22.1 If the offence is an infringement offence under sections 41A, 42A and Schedule 2 of the Land Transport (Road Safety and Other Matters) Amendment Act 2011, the infringement fee fixed by that Act or regulations made under the Land Transport Act 1998, together with any towage fee incurred by the Council;
- 22.2 Notwithstanding 22.1, pursuant to the relevant provision of Part 10 of the Second Schedule of the Land Transport (Road Safety and Other Matters) Amendment Act 2011, a breach of a provision specified in the first column of Schedule B is an infringement offence, and the infringement fee is that amount specified in the third column of Schedule B.

## SCHEDULE A

## Clause 17.1

This Schedule forms part of and is to be read in conjunction with  
THE QUEENSTOWN LAKES DISTRICT COUNCIL TRAFFIC AND PARKING BYLAW  
2012

Name of street and required direction of movement:

<u>Beach Street</u>	-	Southwesterly from Camp Street to Shotover Street
<u>Cow Lane</u>	-	Southwesterly then northwesterly from Camp Street to Beach Street
<u>Rees Street/Marine Parade</u>	-	Southeasterly from Shotover Street to Church Street
<u>Marine Parade</u>	-	Northwesterly from Earl Street to Church Street
<u>Camp Street</u>	-	Southeasterly from Church Street to Earl Street
<u>Earl Street</u>	-	Southwesterly from Camp Street to Marine Parade.
<u>Church Street</u>	-	Northeasterly from Marine Parade to Camp Street
<u>Searle Lane</u>	-	Northwesterly from Church Street turning northeasterly to Camp Street
<u>Henry Street</u>	-	Northwesterly from Ballarat Street to Gorge Road
<u>Duke Street/Brecon Street</u>	-	In a southerly direction from the roundabout intersection at the junction of Man Street, Camp Street and Memorial Lane turning southeasterly onto Brecon Street to Shotover Street
<u>Templeton Way</u>	-	In a northerly direction for its full length from its intersection with Memorial Street
<u>Unnamed service lane located between 101 and 105 Ardmore Street</u>	-	In a northwesterly direction for its full length

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## SCHEDULE B

## Clause 23.2

This Schedule forms part of and is to be read in conjunction with  
 THE QUEENSTOWN LAKES DISTRICT COUNCIL TRAFFIC AND PARKING BYLAW  
 2012

Provision	Brief description	Infringement fee (\$)
16.3	Operating a vehicle without snow chains when directed	150
18.1	Operating certain vehicles over 3,000 kg tare weight on prohibited roads at prohibited times	150
18.2	Operating a passenger service vehicle over 3000 kg tare weight on prohibited roads	150
18.3	Operating a heavy motor vehicle over 3,500 kg tare weight on Hallenstein Street other than for delivery or collection of goods or passengers	150
18.4	Operating a goods service vehicle or passenger service vehicle, or combination of such vehicles, having a gross laden weight of more than 14,200 kilograms or an overall length exceeding 12.6 metres on the Crown Range Road.	500
18.5	Using a skateboard in a prohibited area	50

(THE QUEENSTOWN LAKES DISTRICT COUNCIL TRAFFIC AND PARKING  
BYLAW 2012)

This Bylaw was adopted pursuant to a Resolution passed by the Queenstown Lakes  
District Council on the [ ] day of [ ] 2012 under the Special  
Order process of the Local Government Act 2002

Mayor

Chief Executive  
Officer

The attached Bylaw "The Queenstown Lakes District Council Traffic and Parking  
Bylaw 2012" was confirmed pursuant to a Resolution passed by the Queenstown  
Lakes District Council on the [ ] day of [ ] 2012 under the Special  
Order process of the Local Government Act 2002.

Mayor

Chief Executive  
Officer