



General Bylaws 2008



Kaipara te Oranganui

**KAIPARA
DISTRICT**

Two Oceans Two Harbours

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Relationship of this Bylaw to Statute Acts and Regulations thereto:

To avoid any doubt, where there is any conflict between this Bylaw and the provisions of the Operative District Plan of the Kaipara District Council or any Statute Act or Regulation, the Statutory Act, Regulation or District Plan, shall prevail.

Part 1

General Bylaws

Introductory

Scope

The purpose of the introductory section is to identify those terms and expressions that are used throughout the bylaw document and to clearly interpret those terms and expressions.

Some definitions are contained within various Parts of the Bylaws.

101 Interpretation

101.1 In this Bylaw, unless the context otherwise requires -

Act means Local Government Act 1974 and its amendments and the Local Government Act 2002.

Animal means stock, poultry and any other vertebrate animal of any age or sex that is kept in a state of captivity or is dependent upon human being for its care and sustenance (includes sheep).

Approved means approved by the Council or by any officer authorised on behalf of the Council.

Authorised Officer means any person appointed or authorised by the Council to act on its behalf and with its authority including a Police Constable.

Bylaw means a bylaw of the Council for the time being in force, made under the provisions of any Act or authority enabling the Council to make bylaws.

Council means the Kaipara District Council.

Custodian means any person for the time being appointed by Council to control or manage or to assist in the control and management of any land, building, or premises belonging to or under the jurisdiction of the Council.

District means the district within the jurisdiction and under the control of the Council.

Dwelling or Dwelling house includes any house, tent, vehicle or other structure, whether permanent or temporary, and whether attached to the soil or not, used in whole or in part for human habitation, and includes the land appurtenant to a dwelling.

Licensed means holding a licence under this bylaw or under any statute.

Local Authority means the Council, person, or group of persons authorised by an Act to make bylaws, and which has made this bylaw, and includes the body corporate on behalf of which any such Council, person, or group acts.

Motor Vehicle shall have the meaning assigned to it from time to time by the Transport Act 1962.

Occupier means the inhabitant occupier of any property, and in any case where any building, house, tenement, or premises is or are unoccupied shall be deemed to include the owner as hereinafter defined.

Offence includes any act or omission in relation to this bylaw or any part thereof for which any person can be punished either on indictment or by summary process.

Owner of any property, or as applied to any land, building, or premises, means any person for the time being entitled to receive the rent of such property, or who would be so entitled if the same were let to a tenant at a rack rent; and where any such person is absent from New Zealand, shall include their attorney or agent.

Person includes a corporation sole and also a body of persons, whether corporate or incorporate.

Portico includes every awning, porch, verandah, shed, shade, or covering upon, across, or over any public footway or part of a road, street, private street, or access-way for the purpose of shade or shelter, together with any supports thereof, other than the building against which it shall be.

Poultry means any bird (including domestic fowls, ducks, geese, turkeys, guinea-fowl, pheasants and pigeons) that is kept or raised for the purpose of sale or of producing eggs, hatching eggs or poultry products for human consumption, or for the purpose of rearing on behalf of another person.

Premises means any land, dwelling, storehouse, warehouse, shop, cellar, yard, building, or part of the same, or enclosed space separately occupied, and all lands, buildings, and places adjoining each other and occupied together shall be deemed to be the same premises.

Principal Administrative Officer means the principal administrative officer of Council, irrespective of the designation given to that officer, and includes any person for the time being appointed by the Council to perform the duties or a particular duty of the principal administrative officer.

Public Notice shall have the meaning assigned to it from time to time by the Local Government Act 2002.

Public Place means a place that is open to or is being used by the public, whether free or on payment of a charge, and whether any owner or occupier of the place is lawfully entitled to exclude or eject any person from that place, and includes every road, street, public highway, footpath, footway, court, alley, lane, access way, and thoroughfare of a public nature open to or used by the public as of right; and every place of public resort or place to which the public has access, so open or used.

Reserve means any land set aside for any public purpose and shall have the same meaning as in the Reserves Act 1977.

Road shall have the same meaning as in the Local Government Act 1974 and shall where the context requires include a street.

Stock means cattle, deer, alpaca and llama of any age or sex (excludes sheep).

Street, Private Road, Footpath and Private Way shall have the respective meanings assigned to them in the Local Government Act 1974 and shall, where the context requires, include a road.

Vehicle means a contrivance equipped with wheels, tracks, or revolving runners upon which it moves or is moved, but does not include:

- (a) A perambulator or pushchair;
- (b) A shopping or sporting trundler not propelled by mechanical power;
- (c) A wheelbarrow or hand-trolley;
- (d) A child's toy, including a tricycle and a bicycle, provided, in either case, no road wheel (including any tyre) has a diameter exceeding 335mm;
- (e) A pedestrian-controlled lawnmower;
- (f) Any pedestrian-controlled agricultural machinery not propelled by mechanical power;
- (g) Any article of furniture;
- (h) Any invalid wheel-chair;
- (i) Any hovercraft;
- (j) Any other contrivance specified by the Council.

Waterworks shall have the meaning assigned to it from time to time by Section 5 of the Local Government Act 2002.

Writing, Written or any term of like import means and includes words printed, painted, engraved, lithographed, or otherwise traced or copied.

101.2 Words importing the singular number include the plural number, and words importing the plural number include the singular number;

101.3 The headings to the clauses of this bylaw shall not affect the construction thereof.

101.4 Every Schedule to this bylaw shall be deemed to form part of this bylaw provided that any such schedule or policy note may be altered from time to time by Council resolution.

102 Officers to Continue In Office

102.1 All officers appointed by the Council under or for the purpose of any repealed bylaw, and holding office at the time of the coming into operation of this bylaw, shall be deemed to have been appointed under this bylaw.

103 Serving of Orders and Notices

103.1 Except where otherwise expressly provided for in any Act, in any case in which it is provided by this bylaw, that an order may be made upon or notice be given to any person requiring them to do or abstain from doing anything, or any notice is required by this bylaw to be given or sent to any person, such order or notice shall be delivered to such person, and may be delivered to them either personally or by sending the same, by messenger or post or fax, to them at their last-known place of abode or business.

103.2 If such person is absent from New Zealand the order or notice may be sent to their agent instead of to such person, in any manner mentioned in the last preceding subclause.

- 103.3 If such person is not known, or is absent from New Zealand, and has no known agent in New Zealand, and the order or notice relates to any land or building the order or notice, addressed to the owner or occupier of such building or land, as the case may require, may be served on the person in occupation thereof, or left with some individual of his/her abode; or, if there is no person in occupation, may be put up on some conspicuous part of such building or land. It shall not be necessary in such notice to name the occupier or the owner of such land or building.

104 Powers of Delegation

- 104.1 In all cases where this bylaw provides for the issue of any order, notice or licence, such order notice or licence shall be deemed to be issued in compliance with this bylaw if the same be issued by an officer of the council authorised by the Council for that purpose.
- 104.2 Where pursuant to this bylaw any powers or duties are imposed on a Principal Administrative Officer or any Authorised Officer of the Council that officer may with the consent of the Council delegate any of those powers or duties either generally or particularly to any other officer of the Council.

105 Powers of Entry for Purposes of this Bylaw

- 105.1 The Council shall have for the purpose of doing anything that is empowered to do under any bylaw, the power to enter for the purpose of inspection, by its officers or agents, upon;
- (a) any unoccupied land or building; or
 - (b) any occupied land or building after giving to the occupier thereof, and where practicable to the owner if the owner is not the occupier, 24 hours notice of the intended entry.
- 105.2 Where the occupier is not the owner and notice has not been given to the owner as above, notice of any entry shall be given to the owner as soon as practicable.
- 105.3 Every person who obstructs or hinders any such officer or agent in the exercise of their power hereunder shall be liable to prosecution for an offence against this bylaw.

Commentary

Specific provisions are also provided under other legislation.

106 Suspension and Revocation of Licences

- 106.1 Save and except as may be otherwise expressly provided for in any particular case in this bylaw:
- (a) Should the holder of any licence, granted pursuant to this bylaw be convicted of any offence thereunder as a licensee the Council may immediately thereupon revoke such licence or suspend the same for as long as it may think fit.
 - (b) Should it be brought to the notice of Council either by a report from an authorised Officer or otherwise that the holder of any licence granted hereunder has acted or is acting in a manner contrary to the true intent and meaning of this bylaw or that in any way they are deemed to be unfit to hold such licence, then and in any of such cases the Council may cause to be served upon such holder a notice calling upon him/her to appear before Council or a committee thereof and show cause why their licence should not be revoked or suspended, and the

Council may, if it considers the matter proved or if there be no appearance by the holder of such licence revoke such licence or suspend the same for as long as it may think fit.

- (c) Should it be brought to the notice of the Council either by a report from an Authorised Officer or otherwise howsoever that any premises licensed under this bylaw or any part of such premises -

- (1) Have been or are being used for any other purpose than that stated in such licence; or
- (2) Have fallen into a state of disrepair or are not being kept and maintained in the condition required by such licence; or
- (3) That in any other manner the bylaw in respect of such premises is not being observed in accordance with its true intent and meaning.

Then and in any such case the Council may cause to be served upon the owner or the occupier of such premises, being the holder of such licence, a notice similar to that provided for in subclause (b) hereof and may hear and determine the matter as provided in the said subclause (b).

- (d) Any person whose licence has been suspended as aforesaid, and any premises in respect of which the licence has been suspended as aforesaid shall, during the period of such suspension, be deemed to be unlicensed.

107 Encroachment to be Removed Upon Notice

107.1 If any building or other structure or any part thereof shall have been erected, constructed or placed upon, under, over or across any public place without the permission of the Council, Council may by notice in writing require the owner of such building or structure to remove the same or such part thereof as specified in the notice.

107.2 Any notice issued under clause 107.1 may require such precautions to be taken as Council thinks fit for the safety of the public and for the proper securing of such building or structure as is to remain after such removal.

108 Removal by Council Of Works Executed Contrary To The Bylaw Or Section 357 Of The Local Government Act 1974

108.1 The Council may authorise any officer thereof to pull down, remove or alter or cause to be pulled down, removed or altered any work material or thing erected or being in contravention of any bylaw of the Council or Section 357 of the Local Government Act 1974.

108.2 The Council may recover from any person responsible for the erection or from any person permitting the continued existence of any such work material or thing all expenses incurred by it, in connection with such pulling down, removal or alteration.

108.3 The exercise of this authority shall not relieve any such person from responsibility for any penalty for erecting or permitting the continued existence of any such work, material or thing.

- 108.4 The officer authorised to pull down, remove, or alter or cause to be pulled down, removed or altered any material, object or thing, erected or placed so as to encroach on a road may, following giving public notice of the intention to do so, offer for sale any material, object, or thing, by way of public tender and the successful tenderer thereby becomes the lawful owner of that material, object or thing.
- 108.5 If at any time prior to the sale by tender, the owner of any material, object or thing, requests the return of the property to his or her custody, then subject to first payment of Council's costs in removing the material, object, or thing from the road and storage, the property shall be returned to its owner.
- 108.6 Where any property is sold, pursuant to Clause 108.4 the successful tenderer thereby becomes the lawful owner of that property.

109 Dispensing Power

- 109.1 Where in the opinion of the Council a full compliance with any of the provisions of this bylaw, would needlessly or injuriously affect any person, or the course or operation of the business of any person without any corresponding benefit to the community, the Council may, on the special application of that person dispense with the full compliance with the provisions of this bylaw.
- Provided that any other terms or conditions (if any) that Council may deem fit to impose shall be complied with by such person as aforesaid.

110 Forms

- 110.1 Wherever throughout this bylaw forms are prescribed, slight deviations therefrom, but to the same effect and not calculated to mislead, shall not vitiate them.

111 Fees and Charges

- 111.1 The Council may from time to time prescribe fees or charges payable for a certificate, authority, approval, permit, or consent from, or inspection by, the Council in respect of a matter provided for in a bylaw made under the Local Government Act 2002, or under any other enactment provided the enactment does not prohibit the Council from charging a fee.
- 111.2 Where any inspection or service for which a fee has been paid (under the provisions of clause 111.1) has not been given or made, the Council may refund any such fee or portion thereof as it may determine.

112 Offences and Breaches

- 112.1 No application for a licence or authority from the Council, and no payment of or receipt for any fee paid in connection with such application, licence, or authority, shall confer any right, authority, or immunity on the person making such application or payment.
- 112.2 Any person commits a breach of this bylaw who -
- (a) Does, or causes to be done, or knowingly permits or suffers to be done anything whatsoever contrary to or otherwise than as provided by this bylaw; or
 - (b) Omits or neglects to do, or knowingly permits or suffers to remain undone, anything which according to the true intent and meaning of this bylaw, ought to be done by them at the time and in the manner therein provided; or
 - (c) Does not refrain from doing anything which under this bylaw they are required to abstain from doing; or

- (d) Knowingly permits or suffers any condition of things to exist contrary to any provision contained in this bylaw; or
- (e) Refuses or neglects to comply with any notice duly given to him/her under this bylaw; or
- (f) Obstructs or hinders any authorised officer of Council in the performance of any duty to be discharged by that officer under or in the exercise of any power conferred upon him/her by this bylaw; or
- (g) Fails to comply with any notice or direction given under this bylaw.

112.3 Any person commits a breach of this bylaw who -

- (a) Having constructed, affixed or provided, or caused to be constructed, affixed, or provided, any building or any part of a building, or any work, appliance, or material of any description whatsoever, contrary to, or otherwise than in accordance with the provision of this bylaw; or
- (b) Having omitted to contract, affix, or provide any work, appliance or materials as required thereby -

and who does not within a reasonable time after notice in writing has been given to them by the Council or any authorised officer of the Council, carry out the remedial action specified in that notice.

112.4 The notice shall state the time within which the remedial action is to be carried out, and may be extended from time to time by written authority of an Authorised Officer.

112.5 The provisions of this clause shall also apply to any building, part of a building, work, appliance, or material that has, before the coming into force of this bylaw, been constructed, affixed, or provided or omitted contrary to or otherwise than as provided by any provision of any bylaw hereby repealed, but re-enacted, in substance in this bylaw, and notice as aforesaid may be given and renewed in respect of any such building, part of a building, work, appliance or material.

112.6 Where it is suspected that any person has committed a breach of this bylaw, that person shall, on the direction of an Authorised Officer provide his/her full name and address.

113 Penalties for Breach of Bylaws

113.1 Every person who breaches this bylaw commits an offence and is liable on summary conviction to the penalty set out in Section 242(4) or (5) of the Local Government Act 2002 as the case may be:

“Every person who commits a breach of this bylaw is liable to a fine not exceeding \$500.00 and, where the breach is a continuing one, to a further fine not exceeding \$50.00- for every day during which the breach has continued.”

113.2 Pursuant to Section 162 of the Local Government Act 2002 the Council may apply to the District Court restraining a person from committing a breach of this bylaw.,

Part 2

General Bylaws

Public Places

Scope

The Local Government Act 1974 gives authority to the Council to adopt bylaws to regulate the activities that can be carried out in roads. The general bylaw-making powers in section 145 of the Local Government Act 2002 and the specific bylaw-making powers in section 146 of the later Act allow bylaws for the management and regulation of public places and reserves.

This Part of this bylaw controls a diverse range of activities to ensure that acceptable standards of convenience, safety, visual amenity and civic values are maintained for the well-being and enjoyment of citizens, visitors and businesses within the district. In particular this Part controls damage to public facilities such as roads, grass verges, garden areas and reserves. It also controls activities within public places and reserves that may have an adverse effect on other users of these facilities.

Several sections of the Local Government Act 1974 in particular and other relevant Acts outline the powers and requirements of the Council in regard to streets, public places and reserves. Areas of control so prescribed by this legislation are not necessarily repeated within this bylaw, and therefore the relevant sections of the Local Government Act 2002 and the Local Government Act 1974 and other Acts should be read in conjunction with it.

201 Interpretation

201.1 In this part of the bylaw, unless inconsistent with the context:

Infrequent means no more than once a week on an unsealed road and no more than once a fortnight on a sealed road.

Material or Thing means any material or thing of whatever kind and includes jumbo bins and other containers for waste material, but excludes vehicles.

Mind Altering Substance means a substance whether synthetic or naturally occurring which may alter consciousness, mood or emotions, or which might intoxicate or induce pleasurable sensations. It includes what is commonly known as glue sniffing, but does not include:

- (a) medically prescribed substances ingested by the person for whom they were prescribed;
- (b) substances purchased from a pharmacy without a medical prescription;
- (c) nicotine;
- (d) liquor as defined in the Sale of Liquor Act 1989.

Public Place means as well as those places defined in Part 1 every reserve, park, domain, beach, foreshore, and recreational ground under the control of Council.

Road means as well as that defined in Part 1 all land lying between the boundaries of a road including footpaths and berms.

202 Public Safety and Nuisances

202.1 Except with the prior permission of Council or an Authorised Officer a person shall not on any public place:

- (a) place or leave litter or any material, thing or substance that is likely to be hazardous or injurious to any person, or likely to create a nuisance;
- (b) deposit in or around a public litter receptacle any household or trade refuse;
- (c) interfere with any refuse that is awaiting collection by an authorised collector;
- (d) drive any vehicle except on a formed road, or in a manner that is dangerous or inconsiderate to pedestrians or other vehicles in the public place;
- (e) cause or allow any material or thing to be deposited onto a public place or road;
- (f) leave any work, hole or excavation in a public place in a manner that could be a danger to anyone entering or using that public place;
- (g) solicit any subscription, collection or donation, preach or undertake any busking;
- (h) distribute any printed or written material advertising any product, service or entertainment;
- (i) fly from or land any aeroplane including model aeroplanes, a hot air balloon or hang glider except in an emergency;
- (j) consume, inject or inhale any mind-altering substances or offer or sell such substances to any person;
- (k) play any game or use any object including skateboards, roller blades, roller skates, bicycles or motorised scooters, recklessly or in a manner which may intimidate, be dangerous or injurious or cause a nuisance to persons in the public place, or damage the public place; (also refer to Part 13 : Skateboards);
- (l) erect or place any structure on, over or under the public place except in compliance with any other Part of this bylaw.

202.2 Where any fence, wall, retaining wall or land adjacent to a public place is in a condition or state of disrepair which in the opinion of an Authorised Officer could cause damage or injury to persons passing, the Authorised Officer may give notice requiring the owner or occupier to repair or remove the fence, wall or retaining wall, or make the land safe.

203 Obstructing Public Places

203.1 A person shall not:

- (a) obstruct the entrances to or exits from a public place;
- (b) place or leave any material or thing, including signage, on a public place that could obstruct the public right of passage, without the permission of an Authorised Officer and then only in accordance with such conditions as may be imposed;
- (c) allow any gate or door on property abutting a public place, to swing over or across the public place or any part thereof;
- (d) carry out any work on any motor vehicle in a public place, except in the case of any accident or emergency when repairs are necessary to allow the vehicle to be removed.

204 Damage to Public Places

204.1 Except with the permission of Council or an Authorised Officer a person shall not in any public place:

- (a) damage, interfere with, destroy or remove any grass plot, flower bed, tree, shrub or plant growing thereon or any inscription or label relating to it;
- (b) pollute, damage, deface or disfigure, apply graffiti, posters or advertising devices to, or interfere with any ornament, statue, building, structure, or facilities;
Provided that the Council may supply or approve the installation of display boards in any public place for the purpose of allowing posters to be displayed announcing forthcoming functions or events. Posters so displayed shall be removed from display boards immediately after the function or event has taken place;
- (c) cause or permit to be done any act whatsoever by which damage is caused to any public place, or any work or thing in, on, over or under the public place;
- (d) damage or interfere with any natural feature, animal or plant;
- (e) use any vehicle, any object, or be in control of an animal in any manner so that it damages any part of a public place;
- (f) drive or park any vehicle in a public place except in an area set aside for the driving or parking of vehicles;
- (g) remove any sand, soil or other naturally occurring material found in a public place;
- (h) open any drain or sewer on, or disturb or remove the surface of, any public place, or make any cellar door or other opening from such public place without having first obtained the permission of Council, and except in accordance with such conditions as may be imposed.

204.2 The person responsible for ensuring compliance with Clause 204.1(b) or for removing any poster displayed in breach of this Part of this bylaw shall be the person who actually displayed the poster, or the organiser or person in charge of that function or event. Should any of these persons fail to remove the poster or advertising device when requested, an Authorised Officer or his/her agent may remove the poster or advertising device, and all expenses incurred by the Council in connection with such removal shall be recoverable from those persons.

204.3 Any person carrying out authorised works on a public place shall provide reinstatement of the works to a standard approved by an Authorised Officer.

204.4 Any person wishing to gain access to a beach shall use a designated access where this is available.

205 Placing of Articles on, and Damage to Public Places

205.1 A person shall not place or leave or cause or permit to be placed or left any material or thing, including signage, amusement devices or items for sale or hire, on any public place unless:

- (i) such action has first been approved by Council or an Authorised Officer, and then only in accordance with such conditions as he or she may impose; or
- (ii) such action is taken for the purpose of regular refuse or other collections authorised by the Council or is otherwise authorised by law; or
- (iii) such action is permitted pursuant to any other part of this bylaw.

205.2 A person shall not do, cause or permit to be done any act whatsoever by which damage is caused to any public place.

206 Exposing Articles for Sale

- 206.1 Except as provided for by any other part of this bylaw no person shall expose for sale any article whatsoever on any footpath, or outside of any shop, shop window, or doorway abutting on any public place, so as to encroach on or over that public place, without the prior permission of Council, and then only in accordance with such conditions as Council may think fit to impose.

207 Vehicular Crossings

- 207.1 Any person wishing to construct, repair, remove or widen any vehicular crossing shall first obtain a permit from the Council.
- 207.2 A permit issued by the Council under clause 207.1 may be subject to such conditions concerning dimensions and materials as the Council may consider reasonably necessary to protect the road (including any footpath or berm) adjacent to the vehicular crossing, and to ensure safe and convenient use of the road by pedestrians and vehicles.
- 207.3 No person shall drive, ride, propel, or wheel any motor vehicle across any footpath or water channel in any public place otherwise than upon a crossing properly constructed under the provisions of this bylaw.
- 207.4 If in the opinion of the Council any crossing is in a bad or unsafe state of repair, Council may by notice in writing, require the owner of the land which the crossing provides access to, to repair, reconstruct, or renew such crossing to the satisfaction of Council. Every such owner or occupier who fails to comply with any such notice within the period specified shall be guilty of an offence against this part of this bylaw.

208 Assembly

- 208.1 A person shall not, without the prior consent of an Authorised Officer:
- (a) participate in any assembly or associate with other persons on a public place in such a way as to impede pedestrian or vehicular traffic or to prevent or hinder ready access to shops or premises facing onto the public place.

209 Awnings and Blinds

- 209.1 No person shall erect or maintain, or cause to be erected or maintained, any awning over any public place, or hang any awning, blind, or screen from any portico on any public place except with the permission of an Authorised Officer. In granting such permission an Authorised Officer may set such conditions as is deemed appropriate. Any such permission may be revoked at any time by an Authorised Officer.

210 Projections on Public Places Not Permitted

- 210.1 Except where permitted by any other part of this bylaw or by Council consent no person shall put any portico, projecting window, balcony, wall, lamp, door step, cellar door, lamp post, signboard, window shutter, gate post, or other obstruction or projection of anything whatsoever in, on, over or under a public place or in such a position as to interfere with or obstruct in any way the free passage of pedestrians or traffic upon any public place.

211 Restrictions on Use of Barbed Wire and Electrified Fences

- 211.1 Except with the permission of an Authorised Officer:
- (a) no person shall erect or permit to be erected any electrified fencing or barbed wire along, or within 1 metre of any boundary line between any land or building on the one side, and any public place on the other side:
 - (b) no person shall renew or repair or join, in whole or in part, any existing or future fence, along, or within 1 metre of any such boundary line as aforesaid, with barbed wire, or electrified wire.
- 211.2 Subclause 211.1 shall not apply within any area which has a predominantly rural character under the District Plan prepared by Council, except when the fence abuts or adjoins a footpath; provided that Council may from time to time by resolution specify conditions that will apply to temporary electric fences.

212 Road and Building Identification

- 212.1 The Council shall have the exclusive right to cause to be painted or affixed on a conspicuous part of a building, the name of the road, private road or public place to which it has frontage.
- 212.2 Notwithstanding that a building or property is identified by other means, the owner or occupier of every building or group of buildings forming part of a complex or of the property shall mark such building or complex with numbers no less than 50mm in height for residential buildings and not less than 150mm in height for all other buildings. Numbers shall be as allocated or approved by an Authorised Officer and displayed in a position so as to be readily visible from the road to which it has frontage.
- 212.3 Numbers required by clause 212.2 shall be maintained by the owner or occupier in such a manner as to readily identify the property at all times.
- 212.4 Council shall have power at any time to alter the number of any building where it may be in Council's opinion necessary or advisable to do so.

213 Animals and Stock on Public Places

- 213.1 No person shall take or allow any animal under their care or control onto any public place if the Council has by resolution or public notice prohibited entry of that type of animal to that public place.
- See also the Dog Control Bylaw/Policy*
- 213.2 No person shall allow stock onto a public place except as provided in other acts, regulations and bylaws.
- 213.2 Any person having control of stock on any public place shall ensure that the stock are kept under proper control, with consideration for other persons using the public place.
- 213.4 No person shall drive any stock on any road during the period between half an hour after sunset and half an hour before sunrise unless sufficient warning is provided and maintained by such person by the use of lights or other effective devices or means to ensure that other persons using such road shall have adequate notice of the presence of such animals on the road.

- 213.5 No person shall drive any stock along any road within the district except:
- In the case of escape or emergency.
 - For the infrequent movement of stock up to two kilometres but not in the urban areas.
 - With the prior written permission of the relevant Council Officer.
- 213.6 No persons shall move dairy cattle along or across a road where they may reasonably move the cattle along private land. Where it is not reasonable to move cattle on private land those cattle shall not be moved unless it is with the prior written consent of the Council Officer who may set such conditions as deemed necessary.
- 213.7 Council may from time to time by resolution declare certain roads to be stock routes and prohibit or restrict the use of any other roads, public places or urban areas for the driving of stock. Any such declaration, prohibition or restriction may from time to time in like manner be altered or revoked. This shall not apply to any person who rides or leads a horse under proper control on a road.
- 213.8 Subject to the requirements of subclauses 213.1 to 213.7 every person being the owner or having the care, custody, or control of any animal shall keep and prevent the same from wandering or being at large without proper guidance on any public place.
See also the Dog Control Bylaw/Policy
- 214 Overhanging Vegetation Liable to Obstruct**
- 214.1 No person shall permit or allow vegetation to encroach onto or over any public place so as to obstruct or interfere with the free movement of persons using that public place.
- 215 Additional Requirements for Reserves**
- 215.1 Subject to the provisions of this Part of this bylaw every reserve shall be open to the public at all times except during such hours as the Council or an Authorised Officer may determine that any reserve shall be closed to the public.
- 215.2 An Authorised Officer may from time to time and for such periods as he or she thinks fit, set aside areas of a reserve, for the exclusive use of particular groups or for particular kinds of recreational activities thereon. Council may charge for the right to have exclusive use of a reserve.
- 215.3 The Council may fix charges for the entry to a reserve, and it shall be an offence against this part of the bylaw to enter a reserve without having paid the proper charge for entry if a charge is payable.
- 215.4 An Authorised Officer may close or restrict entry to all of, or any portion of, a reserve at such times as are considered necessary to prevent damage to, or allow maintenance of the reserve. Such closure shall be advertised by signs at the entrances to the reserve. It shall be an offence against this part of the bylaw to be found on a reserve at any time when the reserve is closed to public entry.
- 215.5 Notwithstanding the requirements of any other clause of this part of the bylaw a person shall not on any reserve:
- (a) light any fire except at fireplaces specially provided, or in an appliance designed for outdoor cooking; subject to any restriction imposed by Council on the lighting of fires;

- (b) camp in an area not set aside for the purpose. In this context camping shall include the use of any vehicle for sleeping whether or not it is specially set out for sleeping.

216

Ordering Off

Every person committing a breach of the provisions of this part of the bylaw shall, upon request by an Authorised Officer, immediately leave the reserve, and shall be prohibited from appearing on the reserve for such period as the Authorised Officer deems fit. Any person so ordered to leave shall still be liable to be prosecuted for the breach of the bylaw, and any person failing to leave with reasonable speed, to comply with a request to leave, shall be guilty of a further offence.

Part 3**General Bylaws****Trading in Public Places****Scope**

The general purpose of this Part of the bylaw is:

- (a) to regulate the conduct of persons selling goods on streets, roads and footpaths;
- (b) to regulate the conduct of persons using vehicles to sell goods and services to the general public; and
- (c) to ensure that persons who sell goods from house to house are not persons who should be restricted from doing so.

301 Interpretation

301.1 In this Part of this bylaw, unless the context otherwise requires:

Goods means any product or service.

Service Delivery Vehicle means any vehicle being used for the purpose of delivering goods to the premises of any business or organisation and does not involve the sale of the goods to the general public in any public place.

302 Licence Required

302.1 No person, whether acting on his/her own account, or as the servant of another person, shall engage in any public place in the sale of goods of any description whatsoever (except as provided in clause 309.1, Exemptions), without having first obtained a licence from Council.

303 Application

303.1 Every person who wishes to obtain a licence to sell goods in a public place shall make written application to the Authorised Officer of Council. The information to be supplied by the applicant may include any of the following, but not be restricted to:

- name and address of the applicant
- name and address of the person(s) selling the goods
- the location/site
- the telephone number of the applicant
- the type of goods for sale
- the time sought for selling
- the type of vehicle(s) and registration numbers if applicable
- evidence of good character.

304 Licence Details

304.1 The Authorised Officer in granting any licence may impose conditions. The conditions imposed may include, but not be restricted to, any of the following:

- time and place
- duration of the licence
- location

- types of goods for sale
- area available for sale
- persons entitled to sell
- safety and hygiene requirements
- use of signage
- use of musical chimes or other audible devices for attracting customers
- litter, cleanliness
- name and address to be conspicuously displayed
- site rental.

305 Fees

- 305.1 Council may by resolution prescribe fees for licences and/or site rentals. Fees may differ for any class of licence as prescribed.

306 Production of Licence

- 306.1 Every licence holder shall at all times when engaged in the sale of goods, carry a licence and show the licence to any Authorised Officer on demand.
- 306.2 Every licence holder shall, notwithstanding the conditions of the licence, upon being requested to do so by an Authorised Officer alter his/her position for sales to any other position as indicated by the Authorised Officer.

307 Conditions of Licence

- 307.1 Every person shall commit an offence who trades not in conformity with any of the conditions of the licence.

308 Licence not Transferable

- 308.1 No licence issued under this part of the bylaw shall be transferable to any other person except with the written permission of the Council on payment of transfer fee.

309 Exemptions

- 309.1
- 1 Part 4 of the Fisheries Act 1996
 - 2 Service delivery vehicles including milk vendors
 - 3 Any trade or calling that the Council has approved by resolution
 - 4 Any market, stall or stand which has a current approval under any other bylaw, legislation, resource consent or specific resolution of Council.

Part 4

General Bylaws

Solid Waste

Scope

The purpose of this Part of the bylaw is to control collection of refuse for most areas where Council offers such a service and the disposal of refuse to Council landfills.

401 Interpretation

401.1 In this Part of this bylaw, unless inconsistent with the context:

Household Refuse means cold ashes, sweepings, dust, paper, bottles, bones and waste food, cans, cartons, or other food containers, or any other refuse arising or resulting from domestic housekeeping operations.

Multi-Unit Building means a building which contains more than one separate household or family.

Official Container means any mobile bin, plastic bag or multi-wall paper bag or other receptacle from time to time approved by the Council.

Recyclables means paper, aluminium cans, tins, bottles, glass jars, small ferrous items and plastic containers coded "1" or "2" and other items that are specifically identified.

Receptacle in relation to household refuse means:

- (a) a Council approved bag that is marked to that effect; or
- (b) any other refuse container of a design approved by Council by resolution from time to time for the collection of household refuse.

All Council approved bags must pass both the impact resistance test and drop resistance test described below.

Impact resistance test

The impact resistance and fold impact resistance of the sample bag shall be determined in accordance with method 306F of BS 2782. The impact resistance (F50 value) shall not be less than 200 grams and the fold impact resistance shall not be less than 160 grams.

Drop resistance test

There shall be no spillage of the contents as a result of rips or tears when the bag is tested by the following method;

- (a) load the bag with 15kg of water saturated wood chips free from sawdust;
- (b) tie the bag as recommended by the manufacturer;
- (c) drop the bag from a height of 3 metres onto a concrete surface so that the bag lands on one face;
- (d) check the bag for rips and tears.

Special Wastes mean any wastes whether from a trade premise or any other source which is hazardous toxic or by its nature requires special disposal because of environmental considerations or landfill operational requirements.

Trade Refuse means any scrap or waste material resulting from the carrying on of any business, construction, demolition, manufacture, process, trade, market, or any other undertaking.

Household Refuse

402 Accumulation of Refuse

402.1 No person being the occupier of any building, land or premises or any portion thereof separately occupied shall permit any accumulation or collection of household refuse to remain or be in, upon or about such building, land, or premises or portion thereof unless contained in a manner hereinafter prescribed, in a receptacle approved by Council.

403 Receptacles to Be Kept Clean and In Repair

403.1 Except as is provided in clause 406 hereof every such occupier shall keep their rubbish receptacle as clean as practicable and shall maintain the same in good repair to the satisfaction of an Authorised Officer.

This clause shall not absolve any contractor from the provision and maintenance of bins in accordance with any contract Council has entered into.

404 Receptacles to be Placed Conveniently for Emptying or Removal

404.1 Every such occupier shall, on the day and not later than the time specified by public advertisement from time to time for removal of refuse, cause the said receptacle or receptacles to be securely sealed and placed for collection in such situation as may be required by an Authorised Officer appointed in that behalf.

404.2 Every refuse receptacle put out for collection shall be an official container.

405 Owner of Multi-Unit Building to Provide Receptacles

405.1 In every multi-unit building where no approved alternative method of refuse disposal is in operation the owner of such building shall provide or cause to be provided for each occupancy an approved refuse receptacle.

405.2 Every such owner shall ensure that no accumulation or collection of refuse, except as is herein provided, is permitted or suffered to remain or be in, on, or about such building or any portion thereof.

405.3 The refuse receptacles provided in accordance with clause 405.1 shall have sufficient storage capacity to hold refuse pending collection.

406 Deposit of Certain Materials in Receptacles Prohibited

406.1 No person shall deposit or cause or permit or suffer to be deposited in any such receptacle as aforesaid -

- (a) Any explosive, hot ashes, highly flammable material, infectious material or any matter, thing or refuse of any kind whatsoever, other than household refuse.
- (b) Any liquid, acid, printer's ink, paint, or any other viscous fluid.
- (c) Any broken bottles, glass, glass articles, broken crockery, china or other such sharp articles or materials unless such sharp articles or materials are wrapped so as to prevent injury to persons engaged on collection or disposal work.
- (d) Provided that if rigid wall receptacles are approved for use by Council, clause 406.1(c) shall not apply.

407 Method of Storage of Refuse in Receptacle

407.1 Except in cases where disposable containers are used, refuse shall not be packed tightly in receptacles, but shall be stored in such a manner that the whole of the contents of the receptacle fall out easily and cleanly when the receptacle is upended.

407.2 The Council may from time to time by resolution, publicly notified, make and amend a set of policy statements governing the collection of household refuse by or for the Council, including the weights and contents of containers which will be collected, the placing of containers for such collection and such other matters as the Council considers relevant and such policy shall be enforceable as part of this bylaw. Upon the making or amendment of such policy the Council shall in full give public notice of the policy so made or amended.

Removal of Trade Refuse**408 Trade Refuse**

408.1 No person carrying on a business, construction, demolition, manufacture, process, trade, market or other undertaking shall cause or permit an accumulation of trade refuse to remain in, or about the premises occupied by that person. Perishable or putrescent refuse shall be removed daily, except where stored in a manner approved by an Authorised Officer.

408.2 No trade refuse will be removed or disposed of by Council, unless the refuse is contained within an official collection container.

409 Disposal of Trade Refuse

409.1 The disposal of Trade Refuse not collected by Council in the official containers is the responsibility of the generator of that refuse.

409.2 Where Council agrees to accept trade refuse for disposal, then such refuse shall be taken to the place appointed and at the time specified by Council and disposed of at such charge as Council shall determine by resolution from time to time. No person shall take to any place of disposal material of anything which has been prohibited by Council.

410 Special Wastes

410.1 Should special trade wastes require disposal by Council the generator shall supply a complete description of the wastes including chemical composition, form, volume and any other information needed to assess the environmental and operational impact of its disposal.

411 Pre-treatment of Special Wastes

411.1 Council may require special wastes to be pre-treated to neutralise and stabilise them before being accepted for disposal.

412 Establishment and Control of Disposal Sites

412.1 The disposal of refuse on any land or premises set aside by Council for the disposal of refuse shall be subject to such conditions as Council may from time to time by resolution impose in respect of the hours of opening and closing, the nature of the refuse which may be disposed of therein, the charges in respect of any such disposal, the position in any such place, in which refuse may be placed, and any other matter which Council may consider necessary or desirable to determine by any such resolution.

413 Against Removal of Material from Disposal Site

413.1 On any land or premises set aside by Council for the disposal of refuse, it shall be unlawful for any unauthorised person to enter, loiter, or to disturb any deposit of refuse, or to remove there from any article or material of any kind.

414 Against Lighting of Fires

414.1 No person shall light any fire upon or near any refuse site without the express permission of Council.

415 Transport of Refuse

415.1 Persons transporting refuse in the district shall at all times ensure that refuse contained in any vehicle is adequately secured, to prevent the refuse falling from the vehicle.

416 Acceptance of Waste

416.1 The Council reserves the right not to accept certain wastes.

417 Official Containers

417.1 Council may either directly or by way of private contract, supply official containers to individual properties.

417.2 Any individual official containers supplied in accordance with 417.1 may be registered against specific properties and shall remain at that property. Mobile containers no longer required shall be returned to the Council.

Recycling**418 Recycling**

418.1 The Council may arrange for the collection of specified recyclable material from:

- (a) outside the premises on a property; or
- (b) outside of the boundary of each property on road reserve in a position that is readily accessible for collection; or
- (c) the road frontage of each property in a kerbside position.

418.2 The Council may supply to occupiers a specially marked container or containers for the recyclable materials to be placed in.

418.3 When a Council provided container has been placed on any road for collection by the Council, no person shall interfere with or remove the container or the contents, except in the course of collecting the same on behalf of the Council.

418.4 Where recycling stations have been established, recyclable materials will be received from the public and every person using that station shall obey instructions displayed on a sign for the use of that station.

418.5 No person shall place or leave any non-recyclable materials in any recycling container as described in clause 418.3 or any recycling station.

419 Restrictions on Refuse Collection Operations.**419.1 Licence Required**

No person shall engage in the collection of (trade or household) refuse from any road or from any land or premises owned by or under the control of the Council except pursuant to a licence issued pursuant to this clause and subject to such conditions as the Council may from time to time impose in any particular case. Without limiting the generality of the foregoing, conditions may be imposed relating to:

- (a) the types of vehicles to be employed in refuse collection
- (b) the hours and days of refuse collection
- (c) placement of refuse containers before and after collection
- (d) suitably qualified vehicle operators
- (e) type and capacity of refuse containers collected.

419.2 Provision of Information

All licensed person shall provide to the Council at regular intervals as specified in the licence written records detailing:

- (a) the name of the licensee
- (b) an address for service
- (c) the quantities, source (on a ward basis or such other basis as determined by Council), type and destination (as specified in the licence) of household refuse collected by the licensee from premises in the Council district.
- (d) the quantities, source, type and destination (as specified in the licence) of waste and hazardous waste collected by the licensee from industrial, rural and commercial premises in the Council's district.

419.3 Works performance bond

The licence may require the provision of a works performance bond.

419.4 Licence fees

The Council shall from time to time by resolution, publicly notified, determine the fees payable per tonne of waste collected by the licensee. Licence fees will be payable by the licensee to the Council quarterly in advance or on such other basis as the Council specified in the licence.

420 Ownership of Waste Stream

Except with the prior permission of Council or an Authorised Officer, no person, other than the occupier of the property from which the waste has come, shall on any public place interfere with or remove any waste which is awaiting collection by a licensed collector.

Part 5

General Bylaws

Control Of Advertising Signs

Scope

The purpose of this Part of the bylaw is to ensure that advertising signs are erected, maintained, and displayed in such a manner that they do not present a hazard or a danger to public safety. The bylaw also seeks to maintain aesthetic standards.

501 Interpretation

501.1 In this part of the bylaw, unless inconsistent with the context -

Sign means a visual message or notice conveyed to the public and visible from a public place displayed to advertise, identify a product, business, or service, inform or warn the public and any frame, supporting device and associated ancillary equipment. It includes but is not limited to any mural, message or notice painted on, affixed to or otherwise incorporated with a building, structure, or site, banner, flag, poster, billboard, sandwich board, wind sock, blimp or projection of light to create an advertising image. A bunting that has symbols or messages on it shall also be considered a sign for the purposes of this part of the bylaw.

501.2 This bylaw does not apply to traffic, direction, information and naming signs erected by or with the approval of the Council, signs indicating hazardous substances used at a hazardous facility, signs erected pursuant to any statute or regulation, or to signs that require a resource consent. This bylaw does not affect any conditions placed on signs by a resource consent.

502 General Requirements for Sitting of Signs

502.1 No person shall

- (a) display or erect any sign visible from a public place which does not comply with this part of this bylaw and with any provisions set out in the District Plan under the Resource Management Act 1991, except:
 - (i) where a resource consent has been granted for that sign, or
 - (ii) where an exemption to the requirements of this part of the bylaw has been granted by the Council or an Authorised Officer, or
 - (iii) where the sign is exempted by clause 501.2 of this part of this bylaw.

The Council may prescribe fees for the assessment of any sign that is required to, but does not comply with this part of this bylaw.

- (b) place any poster on any building or structure without the permission of the owner or occupier of that building or structure unless it is a designated poster board;
- (c) erect any sign identified in this Part of this bylaw as requiring a building consent before that building consent is issued;
- (d) place or allow to remain in place any sign which explicitly or implicitly:
 - (i) is discriminatory or advocates discrimination based on one or more of the prohibited grounds of discrimination set out in the Human Rights Act 1993;

- (ii) is objectionable within the meaning of the Films, Videos and Publications Classification Act 1993;
- (iii) is offensive, threatening or insulting; or
- (iv) incites or counsels any persons to commit any offence.

502.3 The Council may nominate streets or areas of the district where one sandwich board may be placed on public land outside the business to which the sandwich board relates. Sandwich boards shall only advertise services or products available from the business to which they relate. In approving areas or streets on which sandwich boards may be placed the Council shall nominate the maximum size of the sandwich boards and their correct placement.

503 General Requirements for Constructions and Maintenance of Signs

503.1 All signs and their supporting structures shall be constructed, fixed, placed and maintained in a manner so they do not pose a danger to property or the public. This shall be the responsibility of the sign owner and the owner of the land or building on which the sign is placed.

503.2 The following signs and their supporting structures require a building consent prior to their erection:

- (a) free standing signs where the maximum height is 3.0 metres or more above ground level, or where the sign area exceeds 2 square metres;
- (b) signs suspended clear of any building where the total weight of the sign and supports exceeds 50kg or where the sign area exceeds 2.0 square metres
- (c) signs attached to the face of any building where the total weight of sign and supports exceeds 50kg;
- (d) verandah signs where the total weight of signs and supports exceed 50kg but is less than 250kg or is supported at less than four locations;
- (e) all banners with a surface area exceeding 12 square metres;
- (f) all flags with a surface area exceeding 4.5 square metres.

Note that supporting structures may also require a resource consent in terms of the Council's District Plan.

504 Signs on Parked Vehicles

504.1 No person shall display any advertising material on a vehicle whether stationary or moving on a road, where that vehicle is being used primarily for the purpose of exhibiting advertising material thereon.

505 Exemptions

505.1 Where a sign lawfully existed prior to the coming in to force of this part of the bylaw, but it does not comply with the performance standards of this part of the bylaw it may remain in place and be repaired, altered or maintained, provided that such work does not increase its physical size or the extent of its non compliance with this part of the bylaw. Every sign shall be removed at the expiry of any time set as a condition of a consent.

505.2 A sign that does not comply with the requirements of this Part of the bylaw shall be removed or otherwise made to comply within six months of the coming into force of the clause of this part of the bylaw with which the sign does not comply.

505.3 Where the Council or an Authorised Officer is satisfied that compliance with any requirements of this part of the bylaw would be unreasonable or impracticable, having regards to the circumstances of the case a dispensation may be granted in whole or in part, with such modifications or conditions as are appropriate in the circumstances.

506 Removal of Signs

506.1 The Council may, by notice in writing require the owner or lessee of any unsightly, non-complying, unsafe or unauthorised sign to repair or remove such sign within a period stated in such notice.

506.2 Where any person fails to comply with any requirements to pull down, alter or remove any sign the Council may have the sign pulled down, altered or removed. The cost incurred in pulling down, altering or removing the sign shall be recoverable as a debt against the owner of the sign or the owner of the land on or over which the sign was placed.

506.3 Any sign removed by the Council shall be released to the owner upon payment of the costs incurred in its removal and storage.

506.4 Any sign that remains unclaimed for a period exceeding one month or, is not released for a period exceeding one month may be sold or otherwise disposed of by the Council. Where such sign is sold, the proceeds of sale shall be applied first towards the payment of the costs referred to above. Any balance shall be paid to the owner on application.

506.5 The Council may pull down, alter or remove any poster that has been placed on:

- (a) any building or structure without the permission of the owner of that building or structure;
- (b) any surface, building or structure in a public place not being a designated poster site; and recover the costs of removal from the persons placing the post or at whose direction the poster was placed.

Part 6

General Bylaws

Amusement Galleries

Scope

The purpose of this Part of the bylaw is to allow Council to exercise control over the operation of amusement galleries within the district.

It is an offence against the bylaw not to comply with a direction of an Authorised Officer or not to comply with clauses of the bylaw.

601 Interpretation

601.1 In this bylaw, unless the context otherwise requires:

“**Amusement Gallery**” means any premises offering public entertainment by the playing of pinball machines, video games, electronic machines such as space invaders and the like, whether for payment or not, provided that premises with less than five machines shall not be deemed to be an amusement gallery.

602 Licensing of Premises - Amusement Galleries

602.1 No person shall use or operate or permit to be used or operated any premises as an amusement gallery unless that person has applied for and obtained a licence from the Council for that purpose.

602.2 Any applications for a licence made under clause 602.1 shall specify whether the premises are to be used for a video amusement gallery or some other purpose.

603 Consideration of Licences

603.1 Without limiting section 686 of the Local Government Act 1974, but subject to the express provisions of that section, in considering whether to grant or refuse any application for a licence to operate an amusement gallery, the Council shall have regard to the following matters:

- (a) the suitability of the applicant to hold a licence for the premises and the suitability of the people to be employed by the applicant;
- (b) the suitability of the premises proposed as an amusement gallery;
- (c) the manner in which the applicant has conducted any other amusement gallery as manager or employer or as director or shareholder in any company which has operated any amusement gallery;
- (d) the likelihood of the public congregating on the footpath outside the proposed premises;
- (e) the likelihood of surrounding buildings or vehicles being damaged by the public;
- (f) provision of sanitary accommodation for staff and the public.

604 Conditions of Licence

604.1 When the Council decides to grant a licence under clause 603.1, the Council may impose conditions relating to the following:

- (a) the days and hours during which the amusement gallery can be opened;

- (b) the minimum age of the public to be admitted to the amusement gallery;
- (c) the number of occupants to be admitted to the amusement gallery at any one time;
- (d) the amount of clear floor space around any amusement game and the number of video amusement games proposed in any video amusement gallery;
- (e) the construction of any proposed shooting gallery and the steps to be taken to prevent danger from the use of firearms in any shooting gallery;
- (f) controls upon noise and other measures to protect the amenities, owners and occupiers of neighbouring land or premises.

605 Fees and Duration of Licence

- 605.1 Subject to clause 606.1, every licence shall remain in force from the date of issue of the licence until the 30th of June in the next succeeding year.
- 605.2 For every licence, there shall be paid to the Council before the issue of the licence, such fee as the Council may determine by resolution from time to time.

606 Revocation or Suspension of Licence

- 606.1 The Council may suspend or cancel a licence for the operation of an amusement gallery in accordance with section 686 of the Local Government Act 1974.

Part 7

General Bylaws

Fires In The Open Air

Scope

The purpose of this Part of the bylaw is to allow Council to exercise control over burning in residential areas of the district and prevent smoke from fires in the open causing a nuisance.

It is an offence against the bylaw not to comply with a direction of an Authorised Officer or not to comply with clauses by the bylaw.

Council has a further avenue of control over smoke nuisance in the Nuisances provisions of the Health Act 1956 and persons responsible for causing a smoke nuisance may be prosecuted under the provisions of either the Health Act or the bylaw.

701 General

Nothing in this part of this bylaw shall be regarded as derogating from the provisions of the Forest and Rural Fires Act 1977 and Rural Fires Regulations 1979.

702 Interpretation

702.1 In this part of this bylaw, unless inconsistent with the context or where otherwise expressly provided:

Acceptable Means of Fire Suppression means a hose connected to a reticulated water supply or an alternative means of fire suppression approved in writing in a particular case by the Authorised Officer.

Barbecue means any fixed or portable gas or solid fuel burning equipment or device designed or intended for the cooking of food in the open air.

Ethnic Cooking Fire means any hangi, umu or similar fire in the open air and used for the preparation of food using ethnic cooking methods.

Fire Permit means a permit to light a fire in the open air granted in accordance with clause 704.3 of this Part of this bylaw.

Incineration means an incinerator constructed to New Zealand Standard 5202 and subsequent amendments or

- (a) an oil drum covered over the top with a heavy gauge steel wire mesh or 3 cm²
- (b) an oil drum fitted with a flue and cowl and a lid
- (c) a pumice copper fitted with a flue and cowl and a lid
- (d) a masonry or concrete incinerator commercially produced placed on a concrete slab base and fitted with a fire box and heavy gauge steel wire mesh cover of 1.5 m²
- (e) a masonry or concrete incinerator commercially produced placed on a concrete slab base and fitted with a fire box flue and cowl and a lid
- (f) any other type of incinerator approved by the Principal Rural Fire Officer.

Incinerator Fire means a fire within an incinerator.

Open Air means in the open whether on or above ground level.

Open Fire Season means a period of time, whether fixed or indefinite during which the lighting of fires in the open air is not restricted either under this bylaw.

Prohibited Fire Season means the period of time, whether fixed or indefinite during which the lighting of fires in the open air is prohibited in accordance with clause 705.1 of this Part of this bylaw.

Prohibited Season Permit means a permit to light a fire during a prohibited fire season granted in accordance with clause 706.3 of this Part of this bylaw.

703 Fires in the Open

- 703.1 No person shall in any restricted or prohibited fire season, light any fire other than a barbecue, ethnic cooking fire, or incinerator fire, in the open air, or being the occupier of premises allow such a fire to remain alight on those premises, except pursuant to and in accordance with the conditions of a fire permit.
- 703.2 Nothing in clause 703.1 permits the lighting of a fire in contravention of clause 703.3.
- 703.3 Notwithstanding the provisions of clause 703.1, no person shall light any fire in the open air (including barbecue, ethnic cooking fire, or an incinerator fire) or, being the occupier of premises shall allow any such fire to be lit or allow to continue to burn on those premises, in the open air at any time:
- (a) where the location, wind, or other conditions cause or are likely to cause the fire to become:
 - (i) a danger to any person or property; or
 - (ii) out of control or spread beyond the limits of the premises on which it is lit; or
 - (iii) a smoke or ash nuisance to any person;
 - (b) within three metres of any part of a building, tree, hedge, fence or other combustible material; or
 - (c) between sunset on one day and sunrise the following day without first obtaining the written approved of the Principal Rural Fire Officer; or
 - (d) without continuous supervision being maintained at all times; or
 - (e) without an acceptable means of fire suppression being available where the fire is located on residential premises, or land adjoining such premises.

704 Fire Permits in a Restricted or Prohibited Fire Season

- 704.1 Any person wishing to obtain a fire permit shall apply in writing to the Principal Rural Fire Officer.
- 704.2 The Principal Rural Fire Officer may from time to time prescribe a form of application for the purposes of clause 704.1.
- 704.3 Upon receiving an application under clause 704.1 a Principal Rural Fire Officer may issue a fire permit and may impose such conditions and restrictions in respect of the permit as the Principal Rural Fire Officer considers reasonably necessary having regard to:
- (i) any cultural requirements or practices;
 - (ii) the location, terrain, natural vegetation, and the existence of buildings or other structures; and

- (iii) protection of the safety, health and convenience, of persons on the premises in respect of which the permit is issued and adjoining land.

704.4 Without limiting 704.3, a fire permit shall be issued for a maximum period of one month from the date of issue, or for such lesser period as the Principal Rural Fire Officer considers fit.

705 Prohibited Fire Season

705.1 The Principal Rural Fire Officer may at any time prescribe a prohibited fire season or seasons within the district or in any specified part or parts thereof, and may at any time cancel or vary such a prescription.

705.2 Except pursuant to and in accordance with a special permit granted under clause 706.3, no person shall light any fire in the open air, and no person being the occupier of any premises shall cause, permit or suffer any such fire to be lit to continue to burn in the open air on those premises in a prohibited fire season.

705.3 Nothing in clause 705.2 applies to the use of gas fire barbecues.

705.4 Public notice of the prescription of prohibited fire season made under clause 705.1 or the cancellation or variation of such a prescription, shall be made by:

- (a) broadcast or other similar means within the district; or
- (b) by a notice inserted in a daily or community newspaper circulating within the district.

706 Special Permits

706.1 Any persons wishing to obtain a special permit shall apply in writing to the Principal Rural Fire Officer.

706.2 The Principal Rural Fire Officer may from time to time prescribe a form of application for the purposes of clause 706.1.

706.3 Upon receiving an application under clause 706.1, the Principal Rural Fire Officer may issue a special permit during a prohibited fire season and may impose such conditions and restrictions in respect of the permit as the Principal Rural Fire Officer considers reasonably necessary having regard to:

- (i) any cultural requirements or practices;
- (ii) the location, terrain, natural vegetation, buildings or other structures; and
- (iii) the protection of the safety, health, comfort, and convenience of persons on the premises and adjoining land.

706.4 Without limiting clause 706.3 a special permit shall be issued for a maximum period of 48 hours from the date of issue, or such lesser period as the Principal Rural Fire Officer considers fit.

707 Revocation or Suspension of Permits

707.1 Subject to clause 707.2, every:

- (a) fire permit issued in accordance to clause 704.3; or
- (b) prohibited season permit issued in accordance with clause 706.3;

shall remain in force from the date of issue until the expiry of the period, date or time specified in the permit.

707.2 Notwithstanding any other provisions in this bylaw, any permit under this Part of this bylaw may be revoked or suspended by the Principal Rural Fire Officer at any time, or suspended

for such periods of time on such terms and conditions, as the Principal Rural Fire Officer may consider reasonable in the circumstances.

708 Fees for Permits

708.1 The Council may from time to time by resolutions specify the fee or fees payable in respect of the issue of any permit under this Part of this bylaw. Any fee prescribed shall be paid upon uplifting the permit.

709 Council may Extinguish Fires

709.1 Where

- (a) a fire has been lit or allowed to burn in an open fire season in breach of clause 703.1; or
- (b) a fire has been lit or allowed to burn in the open air in contravention of clause 703.2; or
- (c) a fire has been lit or allowed to burn in an open fire season in breach of the conditions of a fire permit issued in accordance with 704.3; or
- (d) a fire has been lit or allowed to burn in a prohibited fire season, in breach of clause 705.2; or
- (e) a fire has been lit or allowed to burn in a prohibited fire season in breach of the conditions of a prohibited season permit issued in accordance with clause 706.3, or officer or agent of the Council (including the New Zealand Fire Service) may extinguish any such fire or direct the occupier of premises on which the fire is located, or the person who lit the fire, to extinguish such fire.

709.2 Where a Principal Rural Fire Officer or agent of the Council has extinguished a fire pursuant to clause 709.1, the Council may recover any costs incurred in extinguishing the fire from the occupier of premises on which the fire was located or the person who lit the fire.

709.3 Where any occupier of premises upon which a fire in the open air is located, or person who lit such a fire, disregards a Council direction under clause 709.1 to extinguish the fire, the Principal Rural Fire Officer may authorise an agent of the Council (including the New Zealand Fire Service) to extinguish the fire and to take such other steps as may be reasonably necessary to ensure the safety of any person or to protect the premises, or any other property.

709.4 The Council may recover from the occupier of the premises, or the person who lit the fire (as the case may be), any costs incurred by it as a result of its officer or agents taking any action authorised by the Principal Rural Fire Officer under clause 709.3.

710 Live Ashes

710.1 No occupier shall place any live cinders, embers or ashes in or upon any premises other than:

- (a) in a container made and constructed of steel or other similarly fire resistant material to prevent the transmission of heat to any combustible material; or
- (b) in a pit or upon any fire-resistant substance in a manner which will prevent the spreading of fire or heat by the action of wind or otherwise
- (c) as part of a traditional cooking process including hangi and umu.

711 Removal of Gorse and Other Growth

- 711.1 No occupier or any other person having the control of any land shall allow any broom, gorse, bushes, scrub, dry grass, or similar growth to exist within 5 metres of any building or adjoining premises in such a condition or state that it is likely to become a source of danger from fire.
- 711.2 On the recommendation of the Principal Rural Fire Officer the Council may, by written notice, require an occupier or person having control of any land to remove any dangerous growth.
- 711.3 The Council may cut down or otherwise eradicate and remove any broom, gorse, bushes, scrub, dry grass or similar growth to which clause 711.1 applies, after giving oral notice to the occupier or where there is no occupier, to the owner, of the land, if life, property or any road is in imminent danger. The cost of the work shall be a charge against the land.

712 Storage of Timber

- 712.1 Except as provided in clauses 712.2 and 712.3, no occupier of any premises shall permit the storage or stacking in the open of any combustible material, unless the distance of the stack from any boundary other than a street boundary is at least equal to the height of the stack, but in any case not less than 1.4 metres.
- 712.2 A stack may be placed closer to the boundary than the distance specified in clause 712.1 if a brick, stone, or concrete wall extending not less than 450 millimetres above and not less than 1.4 metres beyond the length of the stack, is situated between the stack and the boundary.
- 712.3 A stack may, with the written approval of the adjoining owner and of the Principal Rural Fire Officer, be placed closer to the boundary than the distance specified in clause 712.1 where any of the following conditions continue to exist:
- (a) where there is a brick, stone or concrete wall as defined in clause 712.2 without openings situated on the adjoining property and within 1.4 metres of the common boundary; or
 - (b) where there are no buildings on the adjoining land; or
 - (c) where there is no danger of a stack adjacent to a boundary increasing the risk of the spread of fire.

713 Storage of Hay

- 713.1 No occupier of any premises shall permit the storage or stacking in the open of more than 3 cubic metres of hay, or similar material unless the distance of the stack from any building, boundary, fence, private road, public place, or adjacent land is not less than 6 metres and the intervening space is at all times kept free from any rubbish or obstruction of any kind.
- 713.2 No occupier of any premises shall permit the storage of more than 1 cubic metre of hay or similar material in any building attached to, or at a distance of less than 6 metres from, any other building unless the first mentioned building has a roof of approved fire-resistant material and walls constructed wholly of brick, stone, or concrete or any combination of brick, stone and concrete and complying with the specifications mentioned in clause 712.2.

- 713.3 The provisions of clause 713.2 shall not apply in any case where agricultural produce required for the keeping of horses is kept or stored in any building used only for the purpose of or in connection with a stable.

Part 8

General Bylaws

The Keeping Of Animals, Poultry And Bees

Scope

The purpose of this Part of the bylaw is to outline requirements for the keeping of animals, poultry and bees. The requirements are deemed necessary for the protection of neighbouring property owners.

801 Definition

801.1 In this part of this bylaw unless inconsistent with the context:

Nuisance shall have the meaning assigned to it by the Health Act 1956.

802 Pig keeping

802.1 Except in accordance with the District Plan under the Resource Management Act 1991 no person shall keep or allow to be kept any pigs in the district controlled by Council. No pigs shall be kept in any area which has a predominantly urban character under the District Plan prepared by Council.

802.2 No person shall construct, or allow any pigsty to remain, or any pigs to be at large at a distance less than 50 metres from any street, public place or dwelling.

803 Stock in Urban Areas

803.1 Any person keeping stock in an urban area shall be required to first obtain a permit and shall ensure that premises where stock are kept meet the provisions of the First Schedule to this part of the bylaw.

804 Poultry keeping

804.1 In areas other than those zoned rural no poultry caged or otherwise (which shall include geese, ducks, pigeons, turkeys, and domestic fowls of all descriptions) shall be kept in any part of the district except in a properly constructed poultry house covered in with a rainproof roof and provided with a floor of concrete or other approved material with a surround nibwall, to which may be attached a poultry run.

804.2 Every poultry house shall be constructed in the manner required by this part of this bylaw and as required by the provisions of the Building Act 2004.

804.3 No poultry house or poultry run shall be erected or maintained any part of which is within 10m from any dwelling, factory, or any other building, whether wholly or partially occupied, or within 2m of the boundary of adjoining premises, or such greater distance as may be required under the provisions of the Resource Management Act 1991.

804.4 Every poultry run of whatever size shall be so enclosed as to confine the poultry within such poultry run.

805 Noise from Animal, Bird, or Fowl

805.1 No person shall keep within any premises any noisy animal, bird, or poultry which shall be or cause a nuisance to residents in the neighbourhood.

806 Bee Keeping

- 806.1 No person shall keep bees at or upon any premises or place within an urban area within the district without first having obtained permission from Council for that purpose.
- 806.2 The Council may issue a licence subject to conditions and subject to payment of an application fee as may be prescribed by resolution of Council.
- 806.3 Where Council considers a hive to be dangerous, offensive or likely to be injurious to people it may require removal of such hive.

807 Cats

- 807.1 No person without the written authority of Council shall keep more than five cats of an age greater than three months on any property zoned residential, commercial or industrial. In granting permission to keep more than five cats Council may set conditions as it seems fit to ensure that no nuisance shall arise to the public or any resident in the area.

First Schedule**Stock Licence Conditions**

- 1 A licence shall not authorise the keeping of pigs.
- 2 The issue of any permit will be subject to due consideration of the opinion of the occupiers of neighbouring residential properties.
- 3 All fences must be approved by Council and must be adequate to prevent animals from wandering and all road gates to paddocks must be securely padlocked. In addition a restraining wire shall be placed 1 metre from any neighbouring residential property.
- 4 Any electric fencing must be:
 - (a) at least 1 metre from any boundary line and 1 metre from any neighbouring residential property;
 - (b) suitably labelled to indicate that the fence is electrified;
 - (c) checked daily to ensure it is operating correctly.
- 5 A water supply from a standpost must be provided in an approved position on any area used to keep animals.
- 6 Where natural feed on the section becomes insufficient, the animals (except horses) are to be removed. Feeding in for horses is permitted, provided no nuisance arises.
- 7 The leading or riding of any horse on any footpath or berm may result in the cancellation of any permit.
- 8 In the case of horses, manure is to be removed daily.
- 9 The maximum number of animals to be kept on any licensed section shall be determined by Council.
- 10 The minimum area for the keeping of horses shall be not less than 2023 m² for each horse (1/2 acre).
- 11 A permit for keeping stock may be cancelled should any stock wander off the property, create a nuisance, or cause any damage to property, or exceed the number of stock permitted or if any of the above conditions are not met, or where a person has been convicted of an offence under the Animals Protection Act 1960.

Part 9

General Bylaws

Cemeteries And Crematoria

Scope

The purpose of this part of the bylaw is to enable Council to control and set standards for the operation of cemeteries and crematoria within the district.

901 Interpretation

901.1 In this part of this bylaw, unless the context otherwise requires:

Cemetery means any cemetery vested in or under the control of the Council from time to time but excludes any closed cemetery.

Crematorium means any crematorium maintained by the Council.

Manager means any person appointed by the Council to control or manage or to assist in the control and management of any cemetery and crematorium under the jurisdiction of the Council and to carry out the burials and cremations as provided in this part of the bylaw.

901.2 Nothing in this part of the bylaw shall derogate from any provision of, or the necessity for, compliance with:

- (i) Burials and Cremations Act 1964
- (ii) Burial and Cremation (Removal of Monuments and Tablets) Regulations 1967
- (iii) Cremation Regulations 1974.

902 Manager to Make Rules for Cemeteries and Crematoria

902.1 The Manager may, by delegation from Council, make rules that shall apply to cemeteries and crematoria for the time being vested in or under the control of the Council.

902.2 The rules mentioned in clause 902.1 shall have regard to the following:

- (a) Hours of operation
- (b) Use of cemeteries
- (c) Erection and maintenance of monuments, headstones, structures, etc.
- (d) Conduct in cemetery or crematorium
- (e) Vehicles in cemetery or crematorium
- (f) Fees
- (g) Wreaths, shrubs, trees, flowers
- (h) Cremation
- (i) Burial or cremation of poor persons
- (j) Any other matter the Council considers necessary for the good management of cemeteries and crematoria.

903 Disinterment

903.1 Where an application for a disinterment and/or a reinterment is received by the Council, the disinterment shall be conducted pursuant to Sections 51 and 55 of the Burial and Cremation Act 1964 and subject to the payment of such fees as the Council decides.

904 Breach

904.1 Where in the opinion of the Manager any person has contravened any of the provisions of this part of the bylaw or any rules made by the Manager relating to the use of cemeteries and crematoria, or has otherwise acted improperly within a cemetery or a crematorium, that person shall be guilty of an offence against this part of the bylaw.

Part 10

General Bylaws

Public Libraries

Scope

This purpose of this part of the bylaw is to allow Council to exercise control over the operation of public libraries within the district.

1001 Interpretation

1001.1 In this part of this bylaw, unless inconsistent with the context-

Book means a book, magazine, newspaper, periodical, pamphlet, manuscript, standard or other article of a similar nature, or any part thereof which is the property of the Council or under the control of Council.

Borrower means any person to whom the Council has by registration granted the privilege to borrow library books or documents.

Borrower's Card means any card issued by a librarian as a means of identification of any borrower from the library.

Document means any map, chart, print, photograph or negative film, plan, picture, broadsheet, card, cutting, microfilm or microfile, photocopy, engraving or etching, videotape, or piece of music including a manuscript, compact disc, record, audio tape or any other article of a similar nature, or any part of it, whether the property of the Council or for the time being under the control of the Council.

Librarian includes any person for the time appointed by the Council to control or manage or to assist in the control and management of the library.

Library means any library established and operated for the time being by the Council for use by the public or any section of the public, and includes every portion of any building used for such purposes, and includes a mobile library.

Library Manager means the appointed manager of a Council library.

1002 Library Manager May Make Rules for Libraries

The Library Manager may by delegation from Council, make rules that shall apply to one or more libraries:

- (a) For the internal control, management, and use of the library;
- (b) For determining the number of books or documents to be lent to any one borrower at one time;
- (c) For determining the times and hours during which the library and any specified parts thereof shall be open and the holidays, days, and times upon which it may be closed;
- (d) For determining the time to be allowed for the return of any library book or document;
- (e) For maintaining good order and conduct within the library; and
- (f) For fees and charges payable by persons for library membership, overdue books and for any other services of any department of the library.

1003 Unauthorised Use of Borrower's Card

- 1003.1 Any person who is not named in any borrower's card, or duly authorised by the person so named, shall not make use of any such card for the purpose of obtaining any book or document from a library.

1004 Borrowing

- 1004.1 No person shall be entitled to borrow any library book or document specified as reference only, except with the permission of a librarian, and subject to such conditions as laid down by the librarian.
- 1004.2 No person shall take or borrow any library book or document without having the issue of the library book or document recorded in the library record system.

1005 Damage to Library Books or Documents

- 1005.1 If any library book or document is lost or returned in a damaged condition the borrower shall pay to the Council such a sum of money as will replace such library book or document or as will be full compensation for any damage or loss to the Council.
- 1005.2 If a lost book or document is subsequently found and returned within two years of the date of borrowing, a refund of all or part of the charge made for the loss may be paid to the borrower at the discretion of a Librarian.

1006 Unpaid Money

- 1006.1 No person owing any money to the Council in connection with any library service shall take out or borrow any library book or document, and a librarian may revoke that Borrower's card until all such charges have been paid in full.

1007 Change of Address

- 1007.1 Every holder of a borrower's card shall notify any change in his/her address to a librarian within one month of their obtaining a new address.

1008 Unauthorised Taking of Library Books or Documents

- 1008.1 Any person (other than as a borrower) taking or attempting to take any library book or document, or other article from a library, and any person knowingly pledging, pawning, selling, or purchasing or advancing money on any such library books or documents or article or attempting to do so, shall be guilty of an offence against this part of this bylaw, in addition to any other offence of which such offender shall be guilty.

1009 Expulsion of Offenders

- 1009.1 Any librarian may require any person guilty of disorderly conduct in the library, or any person who is not bona fide using the library for the purpose for which it is intended, to leave the library, and any refusal on the part of the offender so to do will constitute an offence against this part of this bylaw, in addition to any other offence of which such offender shall be guilty.

1010 Breach

- 1010.1 Where in the opinion of a librarian, any person has contravened any of the provisions of this part of this bylaw or any rules made by the Library Manager relating to the library use, or has otherwise acted in an unlawful manner in the library, a librarian may exclude that person from the library.

- 1010.2 Any person offending against, contravening, or committing or permitting or suffering a breach of any of the aforesaid provisions shall be guilty of an offence against this part of this bylaw.

Part 11

General Bylaws

Cultural and Recreation Facilities

Scope

The purpose of this part of the bylaw is to enable Council to control and set standards for the operation of the cultural and recreational facilities under the ownership or control of Council.

1101 Interpretation

1101.1 In this part of this bylaw:

Council Facility means a swimming pool, museum, art gallery, hall, zoo or golf course under the ownership or control of Council.

Manager means the appointed Manager of a Council facility, or his or her appointed deputy.

1102 Manager May Make Rules for Council Facility

1102.1 The Manager of any Council facility may by delegation from Council make rules that shall apply to one or more Council facility:

- (a) for the control, management and use of the Council facility;
- (b) for determining the hours during which the Council facility and any specified parts thereof shall be open and the holidays, days and times upon which it will be closed;
- (c) for maintaining good order and conduct whilst persons are in or on a Council facility;
- (d) for fees and charges payable for entry to, or use of a Council facility;
- (e) for the closure of that facility or part thereof or for setting aside of part or all of that facility for the exclusive use of individuals or groups.

1102.2 The Manager of a Council facility shall post the rules that apply to any member of the public using that facility, in a visible place as near as is reasonably practical to the entrance of that facility.

1103 Expulsion of Offenders

1103.1 A Manager may require any person guilty of disorderly conduct in or on a Council facility, or any person who is not bona fide using the Council facility for the purpose for which it is intended, to leave the Council facility, and any refusal on the part of the offender so to do will constitute an offence against this part of this bylaw, in addition to any other offence of which such offender shall be guilty.

1104 Breach

1104.1 Where in the opinion of a Manager any person has contravened any of the provisions of this part of this bylaw or any rules made by the Manager relating to the use of the Council facility, or has otherwise acted in an unlawful manner in or on the Council facility, the Manager may exclude that person from the Council facility.

1104.2 Any person offending against, contravening, or committing or permitting or suffering a breach of any of the aforesaid provisions shall be guilty of an offence against this part of this bylaw.

Part 12

General Bylaws

Nuisances

1201 Burning

1201.1 No person shall burn or cause to be burnt any matter in such a manner as to be offensive.

1202 Vehicles

1202.1 No person shall permit to remain for any unnecessary length of time in any public place or within 30 metres of any dwelling a vehicle containing any manure, offal, carcass or offensive matter.

1203 Vermin and Flies

1203.1 The owner or occupier of any land or premises within the district shall ensure:

- a) where any accumulation or deposit is in such a state or is so situated as to be offensive or likely to be injurious to health; and/or
- b) where any premises, including any accumulation or deposit thereon, are in such a state as to harbour or to be likely to harbour rats or vermin; and/or
- c) where any premises are so situated, or are in such a state, as to be offensive or likely to be injurious to health.

1204 Offensive Smells

1204.1 The owner or occupier of any land or premises shall ensure that no condition exists upon such property which causes or is likely to cause an offensive smell to be created therein or arise therefrom.

Part 13

General Bylaws

Skateboards

Scope

The purpose of this chapter of the bylaw is to control the riding of skateboards and similar articles, on footpaths and in malls where a nuisance or injury may be caused to pedestrians or damage caused to property.

1301 Interpretation

1301.1 In this part of this bylaw, unless inconsistent with the context:

Council means Kaipara District Council.

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

Officer means any Police Constable or Authorised Officer of the Council and any person appointed especially or generally by the Council to enforce the provisions of this bylaw.

Ride a Skateboard means having either one or both feet, or any other part of the body of any person, on the skateboard when it is moving.

Skateboard means a wheeled device controlled or propelled by gravity or by the muscular energy of the rider, including roller skates, in-line skates, or similar recreational devices.

The definition does not include any wheelchair, baby or invalid carriage.

1302 Control of Skateboards

1302.1 No person shall ride a skateboard in any area defined in the Schedule attached to this part of the bylaw.

1302.2 No person shall ride a skateboard on any footpath outside areas defined in the First Schedule, without due care to ensure no damage is caused to any property or without reasonable consideration for other persons using the footpath.

1302.3 The Council may from time to time by resolution publicly notified, amend the First Schedule, to add, delete or amend the areas to which the provisions of this bylaw shall apply.

1303 Impounding Skateboards

1303.1 Every person who commits an offence against this bylaw is liable to have the skateboard impounded by an Authorised Officer.

1303.2 Any person claiming a skateboard which has been impounded pursuant to this part of this bylaw shall:

- (a) satisfy the Council or an Authorised Officer that he or she is the owner or otherwise entitled to the custody and control of the skateboard; and
- (b) pay to the Council a fee of such amount as the Council may determine by resolution.

1303.3 The Council shall provide a secure place for any skateboard impounded under this part of this bylaw.

1303.4 The Council shall keep a register and enter details of every skateboard impounded and every person claiming a skateboard under this bylaw.

1303.5 The Council may from time to time by resolution publicly notified, alter the fee payable under clause 1303.2 of this bylaw.

1304 Offences

1304.1 Every person who fails to comply with any part of this bylaw commits an offence and shall be subject to penalty provisions outlined in Section 683 of the Local Government Act 1974.

Schedule

Areas where riding of skateboards is prohibited on footpaths and other public places are as follows:

Central Dargaville Business District (Victoria Street from Edward Street junction to Gladstone Street junction).

Mangawhai Centres

Wood Street from Fagan Place junction to Margaret Street junction. Moir Street from Insley Street to the Molesworth Drive junction.

Maungaturoto business district from Gorge Road to Whaka Road.

Part 14

General Bylaws

Gin Traps

1401 Interpretation

In this part of this bylaw:

Council means the Kaipara District Council.

District means the Kaipara District.

Gin Trap means an animal trap of the spring-jaw or gin trap type.

Township means the urban areas as stated within the Kaipara District.

1402 Prohibition of Gin Traps

- 1402.1 No person shall set or place or cause to be set or placed any gin trap on any land or in any building within the townships of Baylys Beach, Dargaville, Glinks Gully, Kaiwaka, Kellys Bay, Mangawhai, Matakohē, Maungaturoto, Pahi, Paparoa, Ruawai, Te Kopuru, Tinopai and Whakapirau. The Council or any officer of the Council, may remove any gin trap so set or placed in contravention of this bylaw and the exercise of this authority shall not relieve any person from liability to any penalty incurred by reason of the breach.

1403 Penalty for Breach of the Law

- 1403.1 Every person who commits a breach of this bylaw shall be liable to the penalties set out in Section 242 of the Local Government Act 2002, or any other relevant statute.

Part 15

General Bylaws

Traffic

Scope

The purpose of this Part of the bylaw is to set in the bylaw requirements for parking and control of vehicular or other traffic on any road in the district.

Schedules to the traffic bylaw may be amended from time to time by the Council. Up-to-date schedules are held at the Council office.

1501 Interpretation

1501.1 Within this part of the bylaw, unless the context otherwise requires:

Authorised Officer means any person appointed or authorised by the Council to act on its behalf and with its authority including any Police constable.

Berm and Grass Verge means any grassed area on a road separated from the carriageway by channelling or kerbing, but does not include a grassed area immediately adjoining the carriageway.

Footway, Footpath or Walkway means as much of any road or public place that is laid out or constructed by the authority of the Council for pedestrian use.

Operation Mobility Carpark means a carpark set apart under clause 1603.3 of this part of this bylaw.

Operation Mobility Permit means a permit issued by New Zealand CCS Incorporated to persons with physical disabilities for the purpose of its Operation Mobility programme.

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

Parking Warden means any parking warden appointed by the Council under section 7 of the Transport Act 1962.

Passenger Service has the same meaning as in section 2 of the Transport Services Licensing Act 1989.

Passenger Service Vehicle has the same meaning as in section 2 of the Transport Services Licensing Act 1989 and includes a taxicab and a bus.

Reserve shall have the same meaning as in the Reserves Act 1977.

Road shall have the same meaning as in the Local Government Act 1974 and shall where the context requires include a street.

Transport Station has the same meaning as in section 591(6) of the Local Government Act 1974.

1501.2 Notwithstanding anything in Part 1 of this bylaw but subject to clause 1501.1 any words, phrases or expressions used in this Part of this bylaw which have meanings assigned to them by the Transport Act 1962 or the Traffic Regulations 1976, or any amendments thereof, shall have such meanings as are respectively assigned thereby, unless such meanings shall be repugnant to or inconsistent with the context in which such words, phrases or expressions, occur.

- 1501.3 Nothing in this Part of this bylaw shall derogate from any provision of, or the necessity for, compliance with:
- (i) Transport Act 1962 or any Act passed in amendment of or substitution of that Act.
 - (ii) Any regulations made under the Transport Act or any regulations made in amendment of or substitution for those regulations.
- 1502 General**
- 1502.1 The Council may by resolution, publicly notified, regulate, control or prohibit vehicular or other traffic on any roads or portion of roads in the district.
- 1503 Parking**
- 1503.1 The Council may by resolution pursuant to section 151(2) of the Local Government Act 2002 regulate, control or prohibit vehicular or other traffic on any roads, or portions of roads under its control in the district.
- 1503.1(a) The portions of roads mentioned in Schedule "A" of this part of this bylaw as "No Stopping Areas" are hereby deemed to be authorised under clause 1503.1.
- 1503.1(b) The portions of roads mentioned in Schedule "B" of this part of this bylaw as "Restricted Parking Areas" are hereby deemed to be authorised under clause 1503.1.
- 1503.2 Every resolution under clause 1503.1 may:
- (a) be made in respect of a specified class, type or description of vehicle;
 - (b) be expressed or limited to apply only on specified days, or between specified times, or in respect of specified events or classes of events, or be limited to specified maximum periods of time;
 - (c) be abolished, amended or varied by resolution of Council.
- 1503.3 Without limiting clause 1503.1, the Council may by resolution:
- (a) the portions of roads mentioned in Schedule "C" to this part of this bylaw as "Operation Mobility Carparks" are hereby deemed to be authorised under clause 1503.3.
 - (b) abolish, amend, or vary any such setting apart under paragraph (a) of this clause.
- 1503.3(a) The portions of streets or public carparks mentioned in Schedule "C" of this part of this bylaw as "Operation Mobility Carparks" are hereby deemed to be authorised under clause 1503.3.
- 1503.4 No person shall stop or park any vehicle on any Operation Mobility Carpark unless the driver of that vehicle or a passenger in that vehicle holds a current operation Mobility Permit which is displayed on the dashboard of that vehicle in a manner so as to be clearly visible from the outside of that vehicle.
- 1503.5 Except as directed by a police officer, traffic officer, parking warden, traffic control signal, or traffic sign or except in a traffic emergency, no person shall stop or stand or park any vehicle or permit any vehicle to remain stopped, standing, or stationary:
- (a) on any road, public carpark or reserve, or any part or parts of such road, carpark or reserve where the stopping or standing of vehicles is prohibited or restricted contrary to the terms of a prohibition or restriction specified in a resolution of the Council made under clause 1503.1.
 - (b) on any Operation Mobility Carpark contrary to clause 1503.3 of this part of this bylaw.

1503.6 Except with the written permission of an Authorised Officer given in respect of any specified trailer and in compliance with any conditions subject to which permission is given, no person shall park a trailer on any road or other land under the control or ownership of the Council, for a period exceeding seven days.

1503.7 No person shall upon any grass verge or berm on any road or reserve:

- (i) drive, stop, stand, or park any vehicle;
- (ii) cause or permit any vehicle to be driven, stopped or parked.

1504 Footways

1504.1 Subject to clause 1504.2, no person shall drive any vehicle on any footway, footpath, walkway or any part thereof.

1504.2 Clause 1504.1 shall not apply to the driving of a vehicle over a footway, footpath, or walkway, by means of a vehicle crossing constructed on the road for the purpose of gaining vehicular access to any property from that road.

1505 Goods Vehicles

1505.1 No person using any goods service vehicle for the purpose of delivering or picking up any parcels or goods to or from any business premises, to which there is off-road vehicular access to the rear entrance of the premises either by service lane, loading docks, private right-of-way, or lane, yard or otherwise howsoever, shall stop, stand, or park such vehicle in any road or street while delivery or picking up such parcels or goods.

1506 One Way Roads

1506.1 The Council pursuant to section 151(2) of the Local Government Act 2002 may by resolution:

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

1507 Give Way and Stop Signs

1507.1 The Council pursuant to section 151(2) of the Local Government Act 2002 may by resolution:

- (a) the "Give Way" and "Stop" signs mentioned in Schedule "D" to this part of the bylaw are hereby deemed to be authorised under clause 1507.1.
- (b) abolish, amend, or vary, any such authorisation from time to time.

1508 Transport Stations, Bus Stops, and Taxi Stands

1508.1 The Council pursuant to section 151(2) of the Local Government Act 2002 may by resolution:

- (a) appoint any place or any road or any specified part of any place or road as a transport station, bus stop, or taxi stand, for the exclusive use of Passenger Service Vehicles or any specified class or classes of Passenger Service Vehicles;
- (b) abolish the appointment of any place or road, or enlarge or diminish the limits of the same;
- (c) impose conditions and charges in respect of the use of any transport station, bus stop, or taxi stand, so appointed;
- (d) add to, abolish, amend, or vary, such conditions or charges.

1508.1(b) The portions of streets mentioned in Schedule "E" of this part of this bylaw as "Bus Stands" are hereby deemed to be authorised under clause 1508.1.

1508.2 Except as directed by a police officer, traffic officer, or parking warden or except in the case of a traffic emergency, no person shall on any transport station, bus stop, or taxi stand, for the time being appointed by resolution under clause 1508.1

(a) stop, stand or park any vehicle; or

(b) permit any vehicle to remain stopped, standing, or stationary;

unless the vehicle is of the class of passenger service vehicle for the exclusive use of which the transport station, bus stop, or taxi stand, has been appointed or deemed to have been appointed under clause 1508.1.

1509 Speed Limits

1509.1 The Council pursuant to section 151(2) of the Local Government Act 2002 may by resolution:

(a) prohibit the driving of vehicles along any road at a speed exceeding a specified kilometres per hour; and

(b) abolish, amend, or vary any such authorisation from time to time.

1509.2 The roads mentioned in Schedule "F" to this part of this bylaw as "km/hour Speed Restriction: are hereby deemed to be authorised under clause 1509.1;

1509.3 No person shall drive any vehicle, motorcycle, power cycle, or other motorised power machine in any reserve at a speed exceeding 10 kilometres per hour.

1510 Temporary Speed Restrictions

1510.1 An Authorised Officer may temporarily restrict the use of or speed of, or class of vehicle which may use any part of any road or any other vehicle accessway under the jurisdiction of the Council. Any such restriction shall be defined by the display of temporary warning signs in conformity with the Traffic Regulations 1976.

1511 Road Works

1511.1 Without limiting the Traffic Regulations 1976, any vehicle being used for the purpose of maintenance or construction of roading or of any other utility or otherwise with permission of an Authorised Officer, may be driven or parked contrary to any restriction in force under this part of this bylaw, with due consideration of other road users.

1512 Damage to Signs

1512.1 No person shall interfere with or damage or remove any traffic control sign.

1513 Dangerous and Inconsiderate Driving

1513.1 No person shall drive any motor vehicle or cart or ride any motorcycle, power cycle or any other motorised powered machine or bicycle or horse or other animal in any reserve, without due care and attention or without reasonable consideration for other persons using, or driving in, the reserve.

1513.2 No person shall drive or ride any animal or vehicle (whether propelled by mechanical power or not) within any reserve in such a manner as to cause damage to the surface of any land.

1514 Offences

1514.1 Without limiting clause 113 of Part 1 of this bylaw, every person commits an offence against this part of this bylaw who:

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

1514.2 Notwithstanding anything to the contrary in Part 1 of this bylaw, every person who commits a breach of this part of this bylaw is liable to a fine not exceeding \$500 and, where the breach is a continuing one, to a further fine not exceeding \$50 for every day on which the breach has continued.

1514.3 Nothing in clause 1514.1 applied to any offence of a kind referred to in section 72(6A) of the Transport Act 1962.

Part 16

General Bylaws

Water Supply

1601 Interpretation

In this part of this bylaw, unless inconsistent with the context::

Approved means approved by the Engineer.

Controlled Catchment Area means an area under the control of a local authority, to which the public and domestic animals are prohibited from entry and from which waters are drawn for a public water supply.

Direct Connection includes any underwater outlet or any arrangement of pipes, hoses, or fittings temporary or otherwise which renders possible back flow into the local authority's waterworks system.

Distributing Pipe means any pipe conveying water supplied by the local authority from a storage tank or from a hot-water apparatus supplied from such tank and under pressure therefrom.

Fire Hose Reel means a metal reel, permanently connected to the water supply, on which is wound rubber tubing having an internal diameter of 12.5 mm nominal or 20 mm nominal, which can be used for first-aid fire-fighting purposes.

Fire Sprinkler System means a system of pipes fitted with sprinkler nozzles which open by extraordinary rise in temperature to automatically drench an area for the purpose of extinguishing fire and is maintained with a superimposed pressure so that an alarm is actuated when a nozzle opens allowing the pressure to fall to mains pressure.

Mechanical Sprinkler Or Sprinkler means a revolving spray, sprinkler pipe, or contrivance to distribute water for garden or lawn watering, but does not include a hand-held hose, or a contrivance installed exclusively for the purpose of extinguishing fire.

Push-Through Water Heater means a water heater with a to-top on the cold-water inlet so designed that the hot water is discharged through an open outlet.

Service Pipe means that section of the pipe conveying water from the street main to the consumer's premises, which lies between the main and a point 250mm distance from the consumer's property and includes -

- (a) The furrule or stoptap at the junction of the service pipe with the main;
- (b) Any stoptap fitted at the end of the service pipe; and
- (c) Any stoptap fitted on the service pipe between the end thereof and the main.

Stoptap includes stopcock, stop valve, and any other device for stopping at will the flow of water in a line of pipes.

Storage Tank means any tank other than a flushing cistern having free water surface under atmospheric pressure from which water supplied by the local authority is delivered for use.

Supply Pipe means the pipe provided by the consumer to connect the service pipe to their premises.

Uncontrolled Catchment Area means an area to which the public and domestic animals are not prohibited from entry and from which waters are drawn or likely to be drawn for public consumption.

Wet Riser Main means a vertical water main installed in a multi-storey building with outlets on each floor to which the fire brigade can connect hose for fire fighting purposes, and connected to a water supply.

Ordinary and Extraordinary Supply

1602 Ordinary Supply

- 1602.1 Any water supplied from the waterworks to properties situated within the district and used for any of the following strictly domestic purposes shall be deemed to be an "ordinary supply" for the purposes of this part of this bylaw - that is to say, water for the use of the consumer and their family and up to four other persons all of whom constitute and conduct themselves as one household, for drinking, for ordinary personal ablution, for cooking, for washing linen or clothes, for washing or cleansing floors, windows, domestic or other furniture or utensils or any part of the consumer's dwelling house or premises, and for water closets, baths, and urinals except automatic flushing water closets and urinals, and includes water supplied to rateable property within the defined Water Supply Areas from the waterworks through one connection for any purpose not exceeding up to and including such maximum quantity per year or half year as the Council may from time to time determine by resolution in that behalf publicly notified. The Council by the same or a further resolution in that behalf from time to time publicly notified may determine whether the period of the ordinary supply shall be calculated per year or per half year and the date of commencement of any such period. Council may determine, by resolution publicly notified, whether or not any Ordinary Supply shall be metered.
- 1602.2 Every person paying to the local authority the appropriate rates or charges levied in respect of such properties shall be entitled to an ordinary supply of water.

1603 Extraordinary Supply

- 1603.1 Any water supplied from the waterworks and not used for the purpose of an ordinary supply as hereinbefore defined shall be deemed to be an "extraordinary supply" shall include water used for the following purposes:
- Aerated-water factories
 - Automatic flushing of water closets, urinals and latrines
 - Blocks of flats and multiple dwelling units
 - Boilers
 - Bottle washing
 - Breweries
 - Building construction
 - Butchers, fishmongers, and fish curers

- Cleaning business premises by means of a hose
- Commercial photographic processing
- Cooling of air conditioning and industrial equipment
- Fire hose reel
- Fire sprinkler systems
- Hose or other removable pipe or mechanical sprinkler
- Hospitals
- Hotel, motel and boardinghouse premises and clubs
- Hydraulic lifts and other hydraulic machinery
- Laundries carried on as or in connection with a business
- Manufacturing
- Milk-shops and dairies
- Motor garages conducting a vehicle-washing service
- Ornamental and recreational purposes, such as for fountains, ponds, swimming pools, or the like
- Public baths and wash houses
- Railways
- Restaurants and refreshment rooms
- Schools, public and private
- Sewage-treatment plants
- Stock watering
- Trade, business, manufacture, or other similar undertaking not otherwise specified
- Water carted away from the property to which it is supplied
- Water supplied to any building or lands which, in terms of the Local Government (Rating) Act 2002 are not rateable property
- Water supplied to other local bodies and to consumers in areas beyond the jurisdiction of the local authority
- Wet riser main.

1603.2 No obligation to give extraordinary supply.

1603.3 The local authority shall be under no obligation to give or continue an extraordinary supply of water.

1604 Use of Ordinary Supply

1604.1 No consumer or other person shall use or permit or allow to be used in, upon or in connection with any premises for any of the purposes defined in this part of this bylaw as extraordinary supply, any water supplied from the waterworks as and for ordinary supply.

1605 Use of Extraordinary Supply

1605.1 No consumer or other person receiving an extraordinary supply for one purpose shall use or permit or allow to be used any part of such supply for any purpose other than the particular purpose for which they received it.

1606 Supply by Meter

- 1606.1 An extraordinary supply of water to any property shall be metered except where otherwise provided for herein, and where the supply of water to any premises consists of both ordinary and extraordinary supply the Engineer may require that the whole of such supply be metered as an extraordinary supply, and in any case of doubt or dispute regarding the use of any ordinary supply such supply shall be metered as an extraordinary supply.

Continuity of Supply And Pressure**1607 Continuity of Supply**

- 1607.1 The local authority does not guarantee the uninterrupted supply of water, whether in cases of ordinary or extraordinary supply, and no allowance or compensation will be made or allowed on account of water being shut off, whether for the purpose of laying mains, effecting repairs, attaching new services, or for any other purpose or reason whatsoever.
- 1607.2 All hospitals, schools, factories, office blocks, theatres, restaurants, hairdressing salons, hotels, motels, boardinghouses, blocks of flats, and all consumers who, for the purpose of continuing a business or process, or for any other reason are dependant upon a constant supply of water, shall provide such storage tanks as are necessary to give effective continuity for their particular purpose.
- 1607.3 The local authority may contract with any user, or group of users, for an Ordinary or Extraordinary supply of water from its waterworks under any terms and condition mutually agreed upon and whether consistent with this bylaw or not, and it is expressly accepted that any such agreement in force at the time of adoption of this bylaw shall remain in force until such time as it is re-ordered, cancelled, re-negotiated or renewed.

1608 Pressure

- 1608.1 The local authority does not guarantee any specified maximum or minimum pressure in its distribution system and no allowance or compensation will be made or allowed on account of change of pressure in the supply.

1609 Prohibition or Restriction of Supply

- 1609.1 The local authority may at any time, by resolution publicly notified, and until a further public notice of the rescission of such resolution has been given, restrict or prohibit the use of water for any one or more of the purposes covered in the definition of extraordinary supply, and thereupon it shall be an offence against this part of this bylaw for any person to use water in the manner so restricted or prohibited.
- 1609.2 If any time the local authority considers that because of drought or for any other reason the available water supply is not sufficient to allow the unrestricted consumption of water, and that extraordinary measures are necessary in order to conserve such available water supply, the local authority may by resolution publicly notified, and until public notice of the rescission of such resolution has been given, restrict or prohibit the use of water whether an ordinary or extraordinary supply for any specified purpose or for any specified period or may restrict the quantity which may be used. Any such restriction or prohibition may apply to the whole of the district or if the circumstances so require to a portion only of the district.
- 1609.3 No consumer shall in case of any such restriction or prohibition be entitled to any payment or compensation whatsoever.

1609.4 Any person offending against or failing to observe or comply with any of the provisions of any such resolution commits an offence against this part of this bylaw.

1609.5 In the case of urgency the Engineer or Authorised Officer may prohibit the use of water for any extraordinary purpose they deems necessary pending the next succeeding meeting of the local authority.

1610 Water supply Before Occupation of Dwelling

1610.1 No person shall occupy or permit the occupation of a building for residential purposes or human habitation unless such building shall be provided with an adequate and convenient supply of wholesome water for domestic purposes with approved pipes and fittings.

1611 Application for Supply

1611.1 Any person who

- (a) Shall be desirous of obtaining a supply of water either ordinary or extraordinary in respect of any premises, or
- (b) Is receiving a supply to their premises and wishes a change of their premises: shall sign an application to the local authority for the same on an application form obtained at the office of the Engineer.

1611.2 Every application shall state thereon the purpose for which the supply is required, and other relevant information as may be required by the Engineer, and shall be signed by the owner or lessee of the premises for which water is required.

1611.3 Every application shall, if required by the Engineer, be accompanied by a plan to their satisfaction showing the work proposed to be carried out.

1611.4 The applicant shall enter into such agreement as the local authority may required in relation to such supply and the Engineer may determine the method of supply by meter or otherwise.

1612 Supplies from Standpipes on Hydrants

1612.1 For approved purposes and subject to such conditions as the Engineer may prescribe, an extra ordinary supply of water may be given by means of a standpipe to be placed upon a specified fire hydrant. Application on a form to be obtained at the office of the Engineer shall be made for such supply and for the hire of a standpipe if supplied by the local authority.

1613 Determination of Size of Service

1613.1 The Engineer shall have the right to estimate the proposed consumption and to determine the size of main tapping, the size of meter, and the size of service pipe required for the supply.

1614 Issue of Permit

1614.1 Upon receipt of any such application in proper form the Engineer may, if satisfied that a permit should be issued, issue a permit.

1615 Work Not to Be Commenced Without a Permit

1615.1 No person shall attach or connect or permit to be attached or connected with the waterworks, any pipe, stoptap, or other apparatus, nor alter or repair any existing pipe or fitting connected with the waterworks other than the re-washing of taps, unless

- (a) The holder of a permit issued by the Engineer, under the Drainage and Plumbing Regulations 1959 and subsequent amendments; or
- (b) In the case of work which is not sanitary plumbing as defined by the Plumbers and Gasfitters Registration Act 1964, has satisfied the Engineer of their ability to carry out such work and has received a permit from the Engineer to carry out such work which permit the Engineer is hereby authorised to grant.

1616 No Deviation from Permit

- 1616.1 No person, without the prior consent of the Engineer, shall carry out any work otherwise than in accordance with the permit granted to them. All work shall be carried out in accordance with the subject to the provisions of the Drainage and Plumbing Regulations 1959 and the provisions of this part of the bylaw.

Connections, Disconnections, and Inspections

1617 No Person to Connect to System

- 1617.1 No person, other than an officer or an employee of the local authority shall, without express written authority signed by the Engineer, make any connection with or otherwise interfere with, any part of the waterworks system.

1618 Disconnections Required

- 1618.1 Where any water fitting is to be permanently disconnected, the portion of pipe that supplies water to that fitting only, and is not required to supply water to any other fitting, shall also be disconnected in an approved manner.

1619 Notice When Supply not Required

- 1619.1 When any building or property supplied with water by the local authority becomes unoccupied or for any other reason a supply of water is no longer required, the owner or occupier as is appropriate shall give notice thereof in writing to the local authority.

1620 Disconnection for Non-Payment or Non-Compliance with Notice

- 1620.1 If default shall be made for more than 1 month in payment of any monies payable in respect of an incidental to the supply of water from its mains, the local authority may cut off the supply without notice, and may recover all monies owing in any Court of competent jurisdiction as a debt owing to the local authority.
- 1620.2 The local authority may stop the supply of water to any premises where an owner or occupier -
- (a) Fails to comply with a notice from the Engineer requiring repair of defective pipes or fittings; or
 - (b) Wilfully allows water to run to waste or by misused.
- Such supply will only be restored when the offending condition has been eliminated and the re-connection fee paid.

1621 Turning-On Fee

- 1621.1 Whenever the water supply has been cut off from any premises such supply will not be again turned on except on payment of a fee of such amount as may from time to time be fixed by resolution of the local authority in that behalf.

1622 Inspection of Installations

1622.1 It shall be lawful for the Engineer or other duly appointed office of the local authority at any time of the day or night to enter upon any land, and at any time between the hours of 8.00 am and 6.00 pm of any day, to enter into any building for the purposes of inspecting all or any of the fittings and other apparatus therein connected directly or indirectly with the waterworks, and any person resisting or refusing to allow any such entry or inspection commits an offence against this part of this bylaw. If the Engineer or duly appointed officer is obstructed or refused admittance, the local authority may stop the supply of water to that premises in any manner it thinks fit.

1623 Point of Supply

1623.1 The point of supply to the consumer shall normally be a point 250 mm distant from the street boundary but in places where such alignment is inconvenient for making a connection by reason of fences, walls or other causes, it shall be sufficient if the service pipe is laid by the local authority to a point as close as reasonably possible to such street boundary.

1623.2 The extension to the boundary from the termination of the service pipe, and the supply pipe within the premises shall be provided by the owner or occupier at their own cost and expense, to the satisfaction and approval in all things of the Engineer.

1623.3 In the case of an extraordinary supply requiring metering, the meter may be installed on the supply pipe by arrangement between local authority and the consumer.

1624 Stoptaps to be Provided

1624.1 In addition to any stoptap fitted by the local authority on the service pipe, the consumer shall, except in the case of a fire sprinkler system, fit stoptaps as follows to the satisfaction of the Engineer:

- (a) Where a building is set back from the street boundary, a stoptap shall be fitted on the supply pipe to control all outlets on the premises.
- (b) Where a building is on the property boundary a stoptap shall be provided inside the building as close as possible to the point of pipe entry to control all the outlets on the property.
- (c) In every building of more than 1 floor, at every floor level including sub-floor or basement level, one or more stoptaps to control the supply to all outlets on such floor.

All stoptaps shall be kept readily accessible at all times and exterior stoptaps shall be protected by strong durable boxes of earthenware, concrete, cast iron, or other approved material.

1625 Only One Point of Supply

1625.1 Except with written consent of the Engineer, no premises shall be supplied with more than 1 service pipe and where this consent is given, only under such conditions as the Engineer prescribes.

1626 One Pipe Not to Serve Two Premises

- 1626.1 Except with the written consent of the Engineer no water shall be supplied to any building or premises from any pipe or water supply fitting or appliance laid or installed on or in connection with any other building or premises. Such consent will not be given unless both the premises are held under one rating assessment.

Fittings and Materials, and Installations**1627 Work in Streets and Public Places**

- 1627.1 Except with the written consent of the Engineer, no person shall carry out work in any street, private street, or public place. Any person having obtained such consent shall carry out and complete the same in accordance with the conditions as may be prescribed by the Engineer and without unnecessary delay, and shall well and properly refill all trenches and shall remove all waste materials from each street, private street or public place as soon as possible. The Engineer may specify the hours in which work in such street, private street, or public place may be undertaken.

1628 General

- 1628.1 All materials, fitting, and appliances used for the supply and distribution in any premises of water supplied by the local authority shall be of such design and quality as to prevent waste, undue consumption, misuse, or contamination of water, or the setting up of water hammer in any part of the system. They shall in every case be of approved design and materials for durability and ready maintenance. All such fittings shall be capable of standing a test pressure of 180 m head of water (1.8MPa) and suitable for working pressure equivalent to 90 m head of water (0.9 Mpa), or other such pressures as the Engineer shall prescribe.

1629 Pipes

- 1629.1 Pipes used for water supply and distribution in any premises shall be those approved by the Engineer, and shall in every case be capable of standing a test pressure equivalent to 180 m head of water (1.8Mpa) and be suitable for a working pressure equivalent to that of 90 m head of water (0.9Mpa) or such other pressures as the Engineer shall prescribe. Where such pipes are made of corrodible material they shall be efficiently protected against external corrosion and, unless they form part of a closed circuit from which water is not drawn, against internal corrosion.
- 1629.2 Every pipe shall be adequately supported and shall be so aligned as to avoid air locks.

1630 Pipes and Fittings to Be Accessible

- 1630.1 Every pipe and fitting within a building shall, so far as is reasonably practicable, be so placed as to be readily accessible for examination, repair, or replacement; Provided that this shall not prohibit the enclosing of any pipe in a properly designed chase or duct so constructed that the pipe is reasonably accessible for examination, repair, or placement.

1631 Pipe Carried Through Brick or Concrete

1631.1 Where in the opinion of the Engineer it is necessary that a supply pipe be laid under or carried through any brick or concrete work or laid in any other inaccessible position, such supply pipe shall be carried through an exterior sleeve pipe of approved material and of sufficient length to bring any leakage or waste within easy observation in such manner as to facilitate the carrying out of any necessary repairs to such supply pipe. Where a supply pipe enters a building or basement from the service connection through a sleeve pipe or clearance hole, such supply pipe shall be effectively sealed into the opening with an approved caulking compound and so maintained as to prevent the entry of surface or seepage water.

1632 Pipes Above Ground Level

1632.1 Every external service pipe fixed above the level of the ground shall be properly protected by the owner of the premises as and when required by the Engineer.

1633 Depth of Burial Pipes

1633.1 Unless otherwise approved in special cases the minimum cover from the surface to the top of the pipe shall be as follows:

| | |
|----------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| All pipes over 50mm nominal diameter | 750mm in all locations |
| Metal pipes up to 50mm nominal diameter | 500mm within public and private street boundaries or where likely in the opinion of the Engineer to be crossed by vehicles; 300mm elsewhere. |
| Plastics or other than metal pipes up to 50mm nominal diameter | 600mm within public or private street boundary or where likely in the opinion of the Engineer to be crossed by vehicles; 400mm elsewhere |

1634 Pipes for Fire Fighting Purposes

1634.1 Pipes of material known generally as plastics, and including pvc, polythene, rigid pvc, and all others which are mechanically affected by the action of heat shall not be fitted for use on any supply which is or may be required for fire fighting purposes.

1635 Quick Closing Valves Not To Be Used

1635.1 Quick closing valves of any kind shall not be used on any piping directly connected to the service pipe, that is, in any position where they are required to close against mains pressure. In circumstances specially approved they may be used, provided a suitable air chamber is fitted in the supply pipe at the stoptap or next to the fitting as may be required in the particular case. In special circumstances non-concussive types of valve may be used as approved by the Engineer.

1636 Float Valve Installation

- 1636.1 Every ball valve or float-operated valve fitted to a storage tank shall be securely and rigidly fixed thereto above the top water line, and shall be supported independently of the inlet pipe (unless such inlet pipe is itself rigid and rigidly fixed to the tank) in such a position that no part of the body of the valve would be submerged if the tank were charged to an amount above its overflowing level of twice the diameter of supply pipe and in no case less than 25mm.
- 1636.2 Where a ball valve is permitted to be provided with a pipe so arranged as to discharge water into a tank below its overflowing level, effective means such as an air hole shall be provided in the outlet chamber of the ball valve above such level to prevent siphonage of water back through the ball valve. Silencing pipes will be permitted only in break pressure tanks such as flushing cisterns and supply tanks for hot water systems.
- 1636.3 No ball valve shall be fitted directly to any thermal storage electric water-heater.

1637 Storage Tanks

- 1637.1 Every tank used for the storage of water, other than a flushing cistern, or one for supplying water to a thermal storage electric waterheating unit shall be made of approved material, and every such tank shall be made and shall at all times be maintained in an efficient and watertight condition.
- 1637.2 If placed inside any building every such tank shall have fixed thereunder, to the satisfaction of the Engineer, a tray fabricated of lead having a surface density of 25 kg/m^2 , or galvanized steel or sheet copper having a thickness of not less than 0.6 mm, or other suitable material with an overflow pipe of the same material not less than 40 mm nominal diameter discharging in a conspicuous position clear of the building and within the boundary of the premises. If the tray is of metal dissimilar to that of the tank or piping, to avoid corrosion it shall not be in direct contact with the tank or piping, but shall be separated by suitable material which is not an electrical conductor. The overflow pipe shall be of the same material as the tray.
- 1637.3 Every such tank shall be enclosed and ventilated so that the water therein may not be liable to contamination from any cause whatsoever and shall be placed in such a position that easy access may be had thereto for the purposes of inspection and cleansing. Adequate scour valves shall be fitted to permit periodic cleansing.
- 1637.4 No such tank shall be buried in, or placed below the ground except with the prior written consent of the Engineer, and then only provided that the supply is metered and in accordance with any conditions prescribed by the Engineer.
- 1637.5 Every such tank shall be provided with an efficient and approved overflow pipe not less than 40 mm nominal diameter, so as to discharge in the conspicuous position outside the building and within the boundary of the premises together with the drain from the tray where fitted.

1638 Flushing Cisterns

- 1638.1 Every water closet flushing cistern shall comply with NZS245 (including subsequent amendments) on all matters not otherwise referred to in this part of this bylaw. The flushing valve in the cistern shall be a siphonic type or where approved by the local authority Engineer for general use in the district, an underwater valve type.

1639 Flush Valves

- 1639.1 Flush valves shall be installed only by special permit from the Engineer; they shall be of the approved waste-preventing type discharging not more than 13.5 litres per flush and supplied by a separate storage tank. They shall be incapable of delivering more than 13.5 litres per flush regardless of any manipulation of the operating lever. The flush valve shall be so constructed as to seal automatically upon the termination of the prescribed flush, irrespective of the position of the starting lever.

1640 Supply to Water Heaters

- 1640.1 The supply of cold water to water heaters other than push through heaters or approved valve type of gas water-heater, or heat exchanger or other type under mains pressure, shall be by one of the following means:
- (a) Through a supply tank which shall comply with this part of this bylaw covering tanks and float valves.
 - (b) Through a pressure-reducing valve and separate non-return valve. The pressure-reducing valve and check valve and strainer shall be fitted between two isolating stop valves. The whole arrangement is to be to the approval of the Engineer.
 - (c) A mains pressure water-heater shall be supplied through a check valve installed between 2 isolating stop valves and with such safeguards as shall be determined by the Engineer.
 - (d) All water heaters shall be adequately protected against damage due to failure of the water supply.

1641 Mixing Valves

- 1641.1 No mixing valve in which hot water and cold water are mixed shall be supplied with cold water directly from a supply pipe at mains pressure unless:
- (a) Such valve forms part of an electric or gas water-heater which is not subjected to a working pressure higher than that for which it was designed.
 - (b) The draw-off point is not controlled by a separate stoptap or the cold supply is used in conjunction with a mains pressure hot-water cylinder in which case a check valve shall be placed on the cold supply.

1642 Protection of Ball Valves

- 1642.1 Every stoptap, ball valve or other fitting installed in an exposed position shall be protected against damage by an approved guard, and if considered necessary by the Engineer shall be fitted in a separate compartment protected by a securely fixed cover.

1643 Watering Troughs

- 1643.1 Every pipe supplying water to a watering trough for animals shall be fitted with a ball valve or some other effective means of controlling the inflow of water so designed as to prevent overflow and having an air gap as required and specified in this part of this bylaw and fixed in a separate compartment and protected by a securely fixed cover.

Prevention of Contamination**1644 No Connection to Other Supplies**

- 1644.1 In any system of piping supplied with water by the local authority, no direct connection with any other sources of supply of water shall be made.
- 1644.2 No direct connection shall be made or maintained to any drainage system, drainage or sanitary fitting, or to any fittings or apparatus including steam boilers used for the reception or conveyance of any liquid, gas, or drawn water.

1645 Drawn Water Not to Be Returned

- 1645.1 No person shall return or allow to return to any main or pipe or any other part of the water supply system of the local authority any water drawn from any part of such system.

1646 Minimum Air Gap

- 1646.1 The minimum air gap between the outlet of a water supply pipe or fitting which is directly connected to the local authority system and the highest possible water level of the fixture or receptacle into which water is drawn or used shall be twice the diameter of the effective opening of such supply pipe or fitting but in no case shall it be less than 25 mm.

1647 Priming of Pumps

- 1647.1 No pump shall be equipped with a direct connection for priming or other purposes. Priming may be arranged by means of a discharge point and funnel where the discharge point is a minimum of 25 mm above the funnel as defined by the air gap.

1648 Supply to Shipping

- 1648.1 Each water supply point available to shipping, including fire connections, shall be equipped with an approved backflow prevention device located to prevent the flow of water from the ship to any supply pipe.

1649 Check Valves in Multiple Services

- 1649.1 Where a supply of water to premises from more than one point of supply by the local authority is permitted and where in the opinion of the Engineer they may be interconnected, the supply at each point shall be through a check valve installed between 2 isolating gate valves with a bleed valve fitted on the delivery side of the supply isolating valve so that the effectiveness of the check valve may be readily determined.

1650 Protection of Supply Pipes

- 1650.1 No supply pipe or fitting shall be laid or fixed, through, in or into any drain, sink, ashpit, or manure pit, nor through, in or near any place where the water may become liable to be contaminated.

1651 Prevention of Backflow

- 1651.1 Where in the opinion of the Engineer any consumer has a piping system which may be connected or used in such a manner as to be a possible source of contamination of the local authority mains, the consumer shall protect the service connection at the point of

supply to such property by one of the following backflow preventers as the Engineer may direct;

- (a) *Air Gap Separator* defined as a physical break between a supply pipe and a receiving vessel. The air gap shall be at least double the diameter of the supply pipe, measured vertically above the top rim of the vessel, and in no case less than 25 mm. In all cases the piping from the point of supply to the receiving vessel shall be completely visible.
- (b) *Double Check Valve Assembly* defined as an assembly of at least 2 independently acting check valves including gate valves on each side of the check valve assembly and suitable leak-detector drains plus connections available for testing the water tightness of each check valve. The check valves shall seal readily and completely. The face of the closure element and valve seat must be of bronze, composition, or other corrosion-resistant material. Pins and bushes shall be of bronze or other corrosion-resistant non-sticking material, machined for dependable operation. The closure element shall be weighted or otherwise made to promote rapid and positive closure.
- (c) *Reduced-Pressure-Principle Back-Flow-Prevention Device* defined as a device incorporating an automatically operating differential relief valve located between the two check valves, 2 gate valves for isolating and the necessary appurtenances for testing. The device shall operate to maintain the pressure in the zone between the 2 check valves, less than the pressure on the local authority main side of the device. At cessation of normal flow the pressure between check valves shall be less than the supply pressure. In the case of leakage of either check valve the differential relief valve shall operate to maintain this reduced pressure by discharging to the atmosphere. When the inlet pressure is equivalent to 1.4 m head water (14kPa:imperial 2 lb/in²) or less the relief valve shall open to the atmosphere, thereby providing an air-gap in the device. The device must be readily accessible for maintenance and testing and installed in a location where no part of the valve will be submerged.
- (d) *A Vacuum Column* defined as an arrangement of pipes which forms an inverted U extending upwards to a point not less than 10.5 m above the highest point in the service pipe and in which there cannot be excess pressure on the property side of the column.

Prevention of Wastewater

1652 Waste and Improper Use to Be Prevented

- 1652.1 No person shall use, or permit or suffer to be used, the water supply obtained through the local authority's waterworks system improperly or to an unreasonable extent or in a wasteful manner, or otherwise in any manner contrary to the provisions of this part of this bylaw.

1653 Overflow Pipes

1653.1 Overflow pipes, if fitted to baths and water-using fittings or apparatus other than a washhand basin, shall be arranged to discharge in the open air or in an approved conspicuous position, and they shall not be led into waste pipes or drains.

1654 Fittings to Be in Good Repair

1654.1 No person shall allow any pipe, tap, or other fittings on his premises connected with the water supply to be out of repair or in any way defective so that water is wasted, misused, or contaminated, or water hammer is caused.

1655 Deficient Pipes

1655.1 Where, in the opinion of the Engineer, any pipe, cock, appliance, or fitting in connection with any water service of any premises has deteriorated, or is of inferior quality or workmanship, or is causing or is likely to cause waste of water, or is insufficient for the proper supply of water, it shall be lawful for the Engineer to give to the owner or occupier of such premises notice in writing requiring them to carry out such works as shall be specified in that behalf in such notice, and failure by such owner or occupier to comply with the requirements of such notice within the time specified therein shall be an offence against this part of this bylaw.

1656 Existing Pipes and Fittings

1656.1 Any existing pipes or fittings in any premises connected to the local authority's water supply at the date of this part of this bylaw or in any property which may subsequently be connected to the water supply may remain in use provided that upon inspection by the Engineer they are found to be satisfactory.

1657 Hoses

1657.1 Unless such use is specifically permitted otherwise by resolution of the local authority, no person shall use, permit or suffer water from a local authority supply to be used through a hose unless such person shall be actually holding such hose in their hand during the time water is flowing through it.

1658 Sprinklers

1658.1 Sprinklers or unattended hoses may only be used when authorised by resolution of the local authority and then only during the periods determined in the resolution and subject to such sprinklers or unattended hoses being under the immediate personal care of some competent person at all times when in operation.

1659 Water Used for Cooling

1659.1 Air-conditioning or industrial plant using an extraordinary supply for cooling purposes shall be provided with water conservation equipment so that the consumption is limited to that required to make up reasonable losses due to evaporation, wind, flushing, and similar effects. The use of water once through a cooling system that is without the use of recirculating equipment is prohibited without the written permission of the Engineer.

Meters**1660 Installation of Meters**

- 1660.1 When a supply of water is required by the local authority to be metered, the meter will be supplied and installed by the local authority and the consumer shall pay a meter rent, fixed by the local authority by resolution publicly notified, to cover the cost and maintenance of such meter provided in the part of this bylaw.
- 1660.2 Any meter which was installed by the consumer prior to the coming into operation of this part of this bylaw shall continue to be maintained by them until it is, in the opinion of the Engineer, no longer fit for use, when it will be replaced by a local authority meter.
- 1660.3 Without the prior written authority of the Engineer no branch fitting whatsoever shall be connected to the service pipe between the main and the meter.
- 1660.4 Approved high pressure isolating valves shall be fixed on either side of the meter.

1661 Protection of Meters

- 1661.1 Where required by the Engineer the consumer shall
- (a) Provide an approved site within the premises for the meter;
 - (b) Take sufficient precaution to protect the meter from damage at all times;
 - (c) Enclose the meter in a suitable box or other enclosure and shall in cases where natural support is absent provide suitable wall brackets or other support; and
 - (d) Ensure that the meter shall be readily accessible at all times.

1662 Testing of Meters

- 1662.1 Should a consumer dispute the accuracy of a meter they may apply to the Engineer to have the meter tested and if it is found to be over-reading there will be no charge for the test. If the meter is correct or under-reading the consumer shall pay to the local authority the cost of replacing the metre in addition to the testing fee.
- 1662.2 Should any meter which is owned by the consumer be out of repair, or cease to register, or register inaccurately, the consumer, on receiving written notice to that effect, shall forthwith have the meter put in order, shall forward the meter to the local authority's workshop to be tested, and shall obtain from the Engineer a certificate of its accuracy before refixing the same and shall pay for such testing. All costs incurred in removal, repairs, and re-installation shall be borne by the consumer.

1663 Method of Testing Meter

- 1663.1 All tests of meters shall be made at the local authority's workshop. The test will be made by running a measured quantity of not less than 2,000 litres through the meter and the meter shall be deemed to be correct if it registers within 4 percent either less or more than the measured quantity. In addition, the meter shall be capable of registering small flows from 2 percent of normal flow upward; the consumer shall have the right of witnessing the test.

1664 Fee for Testing

- 1664.1 The fee to be paid for testing meters under the foregoing provision shall be as provided elsewhere in this part of this bylaw.

1665 Meter Accounts Adjusted

1665.1 Should any meter after being tested be found to be reading incorrectly the Engineer shall make an adjustment in accordance with the results of such test after due allowance for permissible tolerances, and the consumer shall pay accordingly to such adjustment.

1666 Meter Tampered With

1666.1 Should any meter have its seal or dial broken or appear to the Engineer to have been tampered with, the Engineer may declare the reading void and estimate the consumption in any manner he thinks fit, and the consumer shall pay according to such estimate, and may be required also to pay for the repair to the meter and for all attendant charges.

1667 Estimating Consumption When Meter Out of Repair

1667.1 Should any meter be out of repair or cease to register (except as in clause 2.8.7.1 above) the Engineer shall estimate the consumption for the period since the previous reading of such meter (based on the average of the previous four periods charged to the consumer), which decision shall be final, and such consumer shall pay according to such decision: Provided that when, by reason of a large variation of consumption due to seasonal or other causes, the average of the previous four periods would be an unreasonable estimate of the consumption, the Engineer shall be entitled to take into consideration other evidence for the purpose of arriving at a reasonable estimate, and such decision shall be final, and the consumer shall pay according to such decision.

Charges**1668 Charges for Service Pipes Etc**

1668.1 The charges payable by the consumer for tapping the in pipe and for laying the service pipe, installing a meter, testing a meter where required, keeping such service pipe and meter in repair and renewing when necessary, disconnection and reconnection where required, and road restoration shall be of such amount as may from time to time be determined by resolution of the local authority or as may be agreed on with any person receiving that supply.

1669 Charges for Ordinary Supply

1669.1 Charges for an ordinary supply of water shall be either by water rates, or uniform annual charges, or a charge fixed in accordance with the quantity of water consumed.

1670 Charges for Extraordinary Supply

1670.1 Charges for extraordinary supply of water (whether according to the quantity consumed or otherwise) shall be of such amount as may from time to time be fixed by resolution of the local authority in that behalf, publicly notified, or may be agreed on with any person receiving that supply; minimum charges for such extraordinary supply may likewise be specified in the said resolution or agreement.

1671 Reading of Meters and Accounts

1671.1 Meters will be read and accounts rendered at such intervals as the local authority may from time to time decide.

1672 Water Supplied by Standpipe

1672.1 Where a supply of water is given by means of a standpipe, the applicant will be responsible for the full cost of any subsequent repairs found necessary following the use of such standpipe. Water used shall be paid for at normal rates for extraordinary supply or as determined by prior agreement. The consumer shall also pay such hire charges as required by the local authority in the event of using a local authority standpipe.

1673 Meter Supply to Non-Rateable Properties

1673.1 The charges for water supplied to non-rateable property in the district shall be by meter of such amounts as may from time to time be fixed by resolution of the local authority in that behalf, publicly notified, or as may be agreed on with any person receiving that supply; minimum charges for such extraordinary supply may likewise be specified in the said resolution or agreement.

1674 Water Charged At an Annual Charge

1674.1 When an extraordinary supply of water is granted to a consumer for any purpose at an annual charge, it shall be lawful for the local authority if it thinks fit, to affix a meter to such supply, and the charge shall be determined by the provisions of this part of this bylaw relating to the purpose for which the water is being used.

1675 Supplies to Local Authorities

1675.1 The charges to be made for water supplied to other local authorities shall be of such amounts as may from time to time be fixed by resolution of the local authority or as may be agreed on with any local body receiving that supply.

1676 Water for Extinguishing Fires

1676.1 Unmetered connections which may be provided for fire protection systems shall be used for no other purpose and shall be independent of any other service connection to the property.

1676.2 In any case in which, in the opinion of the Engineer, a fire connection is so constructed or so located that it is likely that water will be drawn from it or from any part of it by any person for purposes other than fire fighting, the Engineer may cause a water meter to be installed on such fire service or on such part. In every such case whenever water has been used for fire fighting purposes, the Engineer shall estimate the quantity of water so used and a sum based on such estimate at the appropriate charge rate, shall be allowed against the cost of such amount of water charged to the owner's account.

1676.3 A fire sprinkler system shall be constructed and installed and thereafter maintained in good order to the satisfaction of the Engineer, and shall be so designed and fixed that water cannot be drawn therefrom for any other purpose.

1676.4 In the case of premises outside the district, a connection for a sprinkler system may be provided from a local authority main, with the prior consent of the local authority.

1676.5 Hose reels used solely for fire protection purposes may be installed only under conditions prescribed by the Engineer.

1676.6 The cost of making, repairing, and renewing the connection from the main to the consumer's premises shall be paid and borne by the consumer.

- 1676.7 An annual licence fee of such amount fixed by resolution of the local authority shall be paid by the consumer to the local authority in respect of such installation.
- 1676.8 Water used for the purpose of extinguishing fires will not be charged for.

Supply Outside Districts

1677 Application of Bylaw

- 1677.1 Where the local authority supplies water outside the district and in the area of another local authority with the consent of that local authority, then for that supply all of the provisions of the empowering Act relating to waterworks shall apply and all the provisions of this part of this bylaw shall apply equally to all places, persons, and things outside the district as they apply to the same within the district.

1678 Protection of Water Supply

- 1678.1 No person shall pollute or cause to be polluted any water that is part of the waterworks in any controlled catchment area or uncontrolled catchment area, or in any part of the waterworks prior to the withdrawal of water therefrom by some pipe lawfully connected therewith.
- 1678.1 In any controlled catchment area or any part of the waterworks prior to the withdrawal of any water therefrom by some pipe lawfully connected therewith, no person shall:
- (a) Camp;
 - (b) Take, depasture, or allow to stray any livestock including horses, cattle, sheep, or goats;
 - (c) Bathe or wash any linen or other thing; or
 - (d) Deposit any dirt, rubbish, foul liquid, or matter of any kind.
- 1678.2 In any controlled catchment area or land held by the local authority as a water reserve, no person shall, without first obtaining a permit in writing from the local authority:
- (a) Enter;
 - (b) Hunt, trap, shoot or fish;
 - (c) Light or maintain any fire;
 - (d) Take any dog;
 - (e) Damage or destroy any trees, shrubs, or other existing cover, or interfere with any property;
 - (f) Take any firearm or weapon of any kind which may be used for the destruction of birds and animals; or
 - (g) Use any pesticide or toxic substances for any purpose whatsoever.
- 1678.3 In granting any such permit the local authority may impose such conditions as it shall consider necessary or advisable, and every person to whom any such permit shall have been issued who shall fail to comply with every condition thereof commits an offence against this part of this bylaw.
- 1678.4 No person shall burn, bury, or otherwise dispose of any refuse or other matter except to the satisfaction of the custodian.

1679 Carcasses to Be Removed

- 1679.1 Any person who kills any animal on any controlled catchment area or land held by the local authority as a water reserve shall remove the carcass thereof from such area, or shall dispose of the carcass as directed by and to the satisfaction of the custodian.

1680 Permits to Be Presented

- 1680.1 No person to whom any permit shall have been issued as aforesaid shall enter to leave any controlled catchment area or land held by the local authority as a water reserve without presenting such permit for inspection by the custodian and notifying the custodian of their intention of entering or leaving such area as the case may be.
- 1680.2 Every person on any controlled catchment area or land held by the local authority as a water reserve shall upon demand forthwith produce any such permit as aforesaid for inspection by the custodian.
- 1680.3 No permit issued as aforesaid shall be capable of being transferred.
- 1680.4 It shall be lawful for the local authority at any time by notice in writing delivered to the holder to revoke or suspend such permit for such time as shall be stated in such notice.

1681 Against Interference and Obstruction

- 1681.1 In any controlled catchment area or any land held by the local authority as water reserve -
- (a) No person whether they are a holder of any permit issued under the provisions of this part of this bylaw or not (other than a duly appointed officer of the local authority), shall commit or cause or permit to be committed any act which may interfere with or be likely to interfere with the free and lawful exercise of any rights vested in any other person in any such area.
 - (b) Every person shall upon the request of the custodian or other officer of the local authority immediately leave the controlled catchment area or land held by the local authority as a water reserve, but shall nevertheless be liable also to be prosecuted for the breach of any of the provisions of this part of this bylaw, and the failure so to leave shall constitute a further offence.
 - (c) No person shall obstruct or hinder any duly appointed officer of the local authority in the exercise of any powers vested in them under the provisions of this part of this bylaw.

Part 17

General Bylaws

Land Drainage

1701 Interpretation

1701.1 In this part of the bylaw unless inconsistent with the context:

Council means the Kaipara District Council.

Council Drain means and includes every drain vested in or under the management of the Council, and any canal or watercourse vested in, or under the jurisdiction of the Council, or incorporated in its drainage system.

Consent means the written notification by the Council consequent upon a resolution of the Council duly authenticated in terms of Section 52 of the Land Drainage Act 1908, or any enactment passed in substitution thereof.

Defence Against Waters includes any dam, weir, bank, carriageway, groyne, or reservoir, and any structure or appliance of whatsoever kind which has or may have the effect of stopping, diverting, controlling, restricting, or otherwise regulating the flow or spread or subsidence, in or out of a watercourse, of water including flood waters.

Drain and Drainage Works shall have the meanings assigned to them respectively by Section 2 of the Land Drainage Act 1908.

Owner of any property or as applied to any land building or premises, means any person for the time being entitled to receive the rack rent of such property, land building or premises or who and where the content so requires or admits, the expression shall include the inhabitant occupier of any such land, building or premises; where such owner is absent from New Zealand the expression shall include their attorney or agent, or any other person acting for them or on their behalf.

Person includes a corporation sole and also a body of persons, whether corporate or incorporate.

Private Drain means any drain constructed by or vested in an owner and not being a Council drain.

Stock means and includes horses, cattle, sheep, pigs, goats, ducks, geese, swan and other domestic animals and birds.

Watercourse shall have the meaning assigned to it by Section 2 of the Land Drainage Act 1908.

Water Race shall have the meaning assigned to it by Section 5 of the Local Government Act 2002.

1702 Private Drains Connection

- 1702.1 No owner shall connect a private drain with a Council drain or with a private drain connected with a Council drain or extend or enlarge a connected private drain or branches thereof or add new branch drains thereto without obtaining the previous consent of the Council or board.
- 1702.2 Any owner applying for any such consent shall submit to the Council such plans and specifications as may be required by the Council showing the exact location of the private drain and branches (if any) giving details of length, size and construction and indicating the approximate area sought to be drained.
- 1702.3 The Council may impose such conditions as it thinks fit upon the connection or continuance of the connection of private drains including the payment to the Council of a reasonable fee to cover the cost of inspection and report relating to any such drain, such annual or other charge as the Council think fit by way of contribution to the cost of the construction, maintenance or extension to the Council's drainage system, and the construction and maintenance of a sufficient bridge or crossing as set out immediately hereunder.
- 1702.4 The owner of any property on which approval is given under this bylaw to construct a private drain shall, if required by the Council, construct and thereafter maintain a sufficient bridge or crossing over such private drain in such a position and so placed as to enable Council's workers, or agents and their plant and machinery to pass along the banks of such Council drain for the purpose of cleaning or maintaining the same, and the Council may enter into any agreement in respect thereof as it decides is reasonable.

1703 Access to Council Drains

- 1703.1 Without the prior consent of the Council and then only subject to such conditions as the Council may impose, no owner of any land on the banks of any Council drain shall plant or permit to grow any tree, shrub or hedge, or erect or maintain any fence, building, bridge or other construction or make any excavation in such a position as to interfere with or obstruct the free access of Council's workers or agents, plant or machinery along such drain or to any part thereof, for a distance of 15 metres from the bank of the drain, or such other distance as the Council may specify in respect to any particular drain or part thereof.
- 1703.2 No person shall construct or maintain any road, or access way for the passage of stock, machines or other vehicles along the bank of any drain under the control of the Council or within 15 metres thereof, without having first obtained the consent of the Council which may impose any conditions it thinks fit if such consent is to be granted.

1704 Obstruction to Flow

- 1704.1 No person shall stop, obstruct or interfere with or divert the flow of water in any Council drain or private drain connected with a Council drain without the previous consent of the Council.
- 1704.2 No person shall throw into any drain, or cause, permit or suffer to be thrown or to fall therein any material or thing causing or likely to cause obstruction in the drain.

1704.3 No owner of the land on either side of any drain shall allow, permit, or suffer to grow therein or on the banks thereof any plant growth that may be likely to impede the flow of water in any such drain.

1704.4 No person shall permit or suffer any debris, weeds, plants or vegetation or other cleanings cut or removed from the bottom, side, or banks of any drain to float along such drain or into any other drain or watercourse.

1704.5 Any person who commits a breach of Clause 1704.4 hereof, notwithstanding that such person shall be liable to conviction pursuant to Clause 1719.1 of this part of this bylaw, shall on request by the Council remove such weeds or other obstruction and in default the Council may at its option remove same and recover the costs of such removal as a debt due to the Council.

1705 Use as Waterway

1705.1 No person shall without the previous consent of the Council, and then only on such terms including payment for the privilege as may be imposed by the Council use any Council drain for the purpose of floating any timber, flax, or any other material or thing, or for any purpose of haulage, propulsion, water carriage or navigation.

1706 Drains Through Watersheds

1706.1 Without the previous consent of the Council no owner shall construct or maintain any drain or system of drains in lands occupied by them if such drain or system of drains passes through any raised level of land or watershed.

1707 Artesian Overflow

1707.1 No owner or occupier shall allow the overflow of any artesian well on property owned or occupied by them to fall, flow or percolate into any Council drain, or any private drain connected with a Council drain, without the previous consent in writing of the Council.

1708 Artificial Obstruction or Addition of Water Causing Damage

1708.1 No person shall in any manner howsoever cause, allow or permit any damage to any Council drain or private drain connected with a Council drain to be occasioned by the release of any water into any of such drains other than by natural flow or by the abstraction of water therefrom, without first obtaining the consent of the Council and then only upon such conditions and in such manner as the Council shall impose or direct.

1709 Alteration to Public Drain

1709.1 No person shall make or cause to be made any Council drain wider or deeper than it is at the time, or stop or obstruct the same or alter the course thereof or in any way interfere with any drain or associated works or structures without the previous consent of the Council.

1710 Pollution

1710.1 No person shall discharge or cause, permit or suffer to be discharged into a Council drain or private drain connected therewith any liquid, gaseous or solid matter which shall be likely to be a nuisance or injurious to health or to the proper care of the drain.

- 1710.2 No owner or occupier shall permit or suffer any dead stock or any part thereof to be or remain in any drain on their property, and no owner or occupier of the land on either side of any drain shall permit or suffer to be or remain therein any dead stock or any part thereof being the carcass or remains of any stock which has strayed or fallen from their property into such drain.

1711 Maintenance and Repair

- 1711.1 The Council may by notice require the owner of the land through which any drain passes to cleanse, maintain and repair the said drain or any part thereof within such reasonable time as shall be allowed by the Council and in default the Council may execute the work and recover the cost thereof from such owner.

- 1711.2 Notwithstanding the provisions of Clause 1711.1 hereof, the Council may by notice to such person require the owner of the land through which a drain is made to clear therefrom and thereout and from the banks thereof all obstructions of any kind within such reasonable time as shall be allowed by the Council and in default the Council may execute the work and recover the cost thereof from the owner.

In this clause obstruction shall include earth, stone, timber and materials of all kinds and trees, plants, weeds and growths of all kinds.

1712 Obstruction to Officers, Etc

- 1712.1 No person, whether on private land or not, shall obstruct any member, appointee, employee, or agent of the Council with or without drain cleaning machinery or plant in the performance of anything which such member, appointee, employee, or agent is or may be required to do in the discharge of their duties.

1713 Damage

- 1713.1 No person shall injure, destroy, cause damage to or interfere with any dam, reservoir, stopbank, headworks or building or other installation connected with drainage works and under control of the Council, or allow, permit or suffer any stock to damage or destroy the same.

1714 Repairing Damage

- 1714.1 Where any drain is damaged by stock or otherwise the Council may require the owner responsible for such damage to repair such drain to the satisfaction of the Council and in default thereof the Council may have the necessary repairs executed and recover the costs thereof from the said owner.

1715 Erection of Stopbank

- 1715.1 No person shall erect or cause or permit to be erected any defence against waters without the prior consent of the Council and in accordance with such terms and conditions as the Council may impose.

- 1715.2 Every owner upon whose land a stopbank is located whether for the protection of that land or not shall maintain such stopbank according to the requirements of the Council and shall not remove it or suffer or permit it to be removed, lowered or breached without the prior consent of the Council and shall not at any time, plant or suffer to be planted, any trees or other growths thereon or within 15 metres thereof or construct, erect or place any

installation, building, roadway, fence or other structure thereon, nor shall they allow, permit or suffer any stock to have access, pass, graze, or trespass thereon without the prior consent of the Council and then only upon such terms and conditions as the Council may impose.

1716 Crossings

- 1716.1 No person shall cross or pass over a Council drain with any horse or vehicle or drive any stock or convey any implement or machinery or goods or materials thereover except at crossings appointed by the Council, provided that any bridge, culvert or ford bearing substantially the physical character of a crossing shall be deemed to be an appointed crossing unless there is erected adjacent thereto a notice bearing the words "*No Crossing*" or words equivalent thereto or to the like effect.
- 1716.2 No person shall construct any culvert, bridge or crossing in, upon or over any Council drain without the prior consent of the Council.
- 1716.3 No person shall erect, build or maintain any bridge or elevated crossing except of such dimensions as will obviate all obstruction or danger of obstruction at any time to the flow of water in the drain and as shall be authorised by the Council.
- 1716.4 The Council may require the owner or owners of properties on or adjoining which, there is a Council drain to construct, maintain or renew crossings at places and in such manner approved by the Council and such owner or owners shall construct, maintain or renew the same accordingly and in default thereof the Council may do and execute the works required and recover the cost thereof from such owner or owners.

1717 Watering Places

- 1717.1 No owner shall construct in any Council drain a watering place for stock or maintain or use the same without the previous consent of the Council which may impose such conditions for mode of construction and for fencing and otherwise as the Council decides and such consent may be suspended or revoked at any time.
- 1717.2 The owner or owners of lands adjoining watering places shall so use and maintain the same that no damage to the Council drain can result from their use. In the event of damage so resulting the Council may call upon the owner or owners responsible to repair the same and in default thereof may do and execute the work and recover the cost thereof from such owner or owners.

1718 Inspection

- 1718.1 The Council by its members, officer, workers, or agents shall have the powers, rights and authorities to inspect any installation set up for the withdrawal or diversion of water from any public or private drain or other watercourse within its district whether authorised or not and may direct any alteration or improvement to or replacement of such installation or request its removal or demolition at any time.

1719 Penalty

- 1719.1 Any person who commits a breach of this part of the bylaw shall be liable to a fine not exceeding \$100.00 and where the breach is a continuing one then to a further fine not exceeding \$10.00 for every day or part of a day during which the breach has continued and in addition to any penalty imposed for breach of this bylaw the Council may sue any person for the amount of damage done by them to the drainage works and for any penalty fine or fee which is prescribed by any statutory enactment whatsoever.

Schedule A

Parts of Carriageway covered by No Stopping Areas

Note: All measurements given from road intersections are measured from the projection of the kerb line or the projection of the edge of seal of the road being measured from.

Dargaville

Awakino Road

- i) All that portion on the north-eastern side from Victoria Street to a point 10 metres northwest from Victoria Street
- ii) All that portion on both sides from a point 279 metres northwest from Ranfurly Street to a point 373 metres northwest from Ranfurly Street
- iii) All that portion on the north eastern side from Jervois Street to a point 15 metres northwest from Jervois Street
- iv) All that portion on the south western side from Normanby Street to a point 23 metres northwest from Normanby Street
- v) 15 metres from Victoria Street for 10 meters towards State Highway 12 Jervois Street

Charlotte Street

- i) All that portion on the north-western side from Parore street to the north-eastern end of Charlotte Street
- ii) 4 meters from Parore Street for 9 meters to the end of the Cul-De-Sac

Day Street (Service Lane 5)

- i) 10 meters from Day street for 110 meters towards Pukeko Street
- ii) 10 meters from Day street for 110 meters towards Pukeko Street

Edward Street

All that portion of the south-western side from Victoria Street to a point 9.5 metres northwest of Victoria Street.

Gladstone Street

- i) All that portion on the north-eastern side form Victoria Street to a point 27 metres northwest from Victoria Street
- ii) 5 meters from Victoria Street for 27 metres towards State Highway 12 Normanby Street

Gordon Street

- i) No stopping Monday to Friday 8.30am to 9.00am and 3.00pm to 3.30pm

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All that portion on the north western side and the south eastern side from a point 44 metres north east from Carrington Street to a point 78 metres northeast from Carrington Street.

- ii) all the portion on the south-eastern side from Portland Street to a point 21 metres southwest of Portland Street
- ii) 107 meters from Hokianga Road for 17 meters towards Portland Street

Hokianga Road

- i) All that portion within such areas as are marked in accordance with the Traffic Regulations 1956 at approaches to pedestrian crossings.
- ii) All that portion on the south western side from a point 42 metres northwest from Haimona Street to a point 67 metres northwest from Haimona Street
- iii) 34m from Parenga Street for 10m towards Victoria Street
- iv) 45m from Parenga Street for 2m towards Victoria Street
- v) 107m from Station Road for 10m towards Gordon Street
- vi) 409m from Ranfurly Street for 35m towards Charlotte Street
- vii) 79m from Charlotte Street for 8m towards Earl Street
- viii) 100m from Charlotte Street for 3m towards Earl Street

Jervois Street (State Highway 12)

- i) All that portion on the north side from Awakino Road to a point 20 metres east of Awakino Road
- ii) All that portion on the south side from Awakino Road to a point 73 metres east of Awakino Road
- iii) All that portion on both sides from Grey Street to a point 100 metres east of Grey Street
- iv) All that portion on both sides from Grey Street to a point 100 metres west of Grey Street
- v) 14 meters from Awakino Road for 8 meters towards Carrington Street
- vi) 14 meters from Awakino Road for 18 meters towards Carrington Street

Logan Street

No stopping at all times - Mondays and Sale days.

All that portion on both sides from Bassett Street to 46 metres north of Murdoch Street

Montgomery Avenue

All that portion on both sides from a point 300 metres northeast from Hokianga Road to a point 380 metres north east from Hokianga Road.

- i) 308 meters from Hokianga Road for 80 meters towards Huia Crescent
- ii) 312 meters from Hokianga Road for 75 meters towards Huia Crescent

Murdoch Street (State Highway 12)

No stopping at all times - Mondays and Sale days.

All that portion on both sides from a point 74 metres east of Logan Street to a point 58 metres west of Logan Street.

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Normanby Street (State Highway 12)

- i) All that portion within such areas as are marked in accordance with the Traffic Regulations 1956 at approaches to pedestrian crossings.
- ii) All that portion on the north-western side from Portland Street to a point 38 metres northeast of Portland Street.
- iii) All that portion on the north-western side from Portland Street to a point 15 metres southwest of Portland Street.
- iv) All that portion on the south-eastern side from Poto Street to a point 15 metres northeast of Poto Street.
- v) All that portion on the south-eastern side from Poto Street to a point 10 metres south west of Poto Street
- vi) All that portion on both sides from Edward Street to a point 20 metres northeast of Edward Street.
- vii) All that portion on both sides from Edward Street to a point 20 metres southwest of Edward Street.
- viii) All that portion on both sides from Parore Street to a point 13 metres northeast of Parore Street.
- ix) All that portion on both sides from Parore Street to a point 15 metres southwest of Parore Street.
- x) All that portion on the north-western side from Gladstone Street to a point 16 metres southeast of Gladstone Street.
- xi) All that portion on the north-western side from Gladstone Street to a point 15 metres southwest of Gladstone Street.
- xii) All that portion on the north-western side from Awakino Road to a point 37 metres southwest of Awakino Road.
- xiii) All that portion on the south-eastern side from Awakino Road to a point 20 metres southwest of Awakino Road.
- xiv) 37 meters from Hokianga Road from 2 meters towards Portland Street
- xv) 46 meters from Hokianga Road for 10 meters towards Portland Street
- xvi) 79 meters from Hokianga Road for 27 meters towards Portland Street
- xvii) 23 meters from Portland Street for 22 meters towards Poto Street

Plunket Street

- i) 272 meters from Ranfurly Street for 17 meters towards the Dargaville High School
- ii) 264 meters from Ranfurly Street for 25 meters towards the Dargaville High School

Portland Street

- i) 5 meters from Gordon Street for 9 meters towards Tirarau Street
- ii) 106 meters from Gordon Street for 9 meters towards Tirarua Street

River Road

All that portion of the eastern side including the grass verge from a point 50 metres south of Murdoch Street to Colville Road

River Road (South)

- i) 337 meters from Liverpool Street for 21 meters towards Colville Road
- ii) 337 meters from Liverpool Street for 10 meters towards Colville Road

Station Road

- i) All that portion on the south-eastern side from Hokianga Road to a point 18 metres southwest of Hokianga Road.
- ii) All that portion on the north-western side from Hokianga Road to a point 12 metres from Hokianga Road.
- iii) All that portion on the southern side from a point 50 metres from Hokianga Road to a point 114 metres from Hokianga Road.
- iv) 8m from Hokianga Road for 15m towards Tunatahi Street
- v) 8m from Hokianga Road for 7m towards Tunatahi Street

Tirarau Street

- i) All that portion on the south eastern side from Portland Street to a point 18 metres northeast of Portland Street.
- ii) 6 meters from Portland Street for 18 meters towards Parore Street

Totara Street

- i) All that portion on the south-eastern side from Kapia Street to a point 28 metres northeast of Kapia Street.
- ii) All that portion on the north western side from Kapia Street to a point 44 metres northeast of Kapia Street.
- ii) 39 meters from Totara Street Park Entrance 1 for 8 meters towards to Totara Street Park Entrance 2
- iv) 9 meters from Totara Street Park Entrance 1 for 5 meters towards to Totara Street Park Entrance 2
- v) 8 meters from Kapia Street for 28 meters towards Totara Street car park
- vi) 8 meters from Kapia Street for 44 meters towards Totara Street car park entrance 1

Victoria Street

- i) All that portion within such areas as are marked in accordance with the Traffic Regulations 1956 at approaches to pedestrian crossings.
- ii) All that portion from Normanby Street to a point 29.7 metres northeast of Normanby Street on both sides of the street.

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- iii) All that portion on the north-western side from Edward Street to a point 14.7 metres south west of Edward Street.
- iv) All that portion on the north-western side opposite Kapia Street.
- v) All that portion on the north-eastern side from Awakino Road to a point 10 metres northeast of Awakino Road.
- vi) 173 meters from Edward Street for 10 meters towards Hokianga Road
- vii) 177 meters from Edward Street for 6 meters towards Hokianga Road
- viii) 8 meters from Hokianga Road for 6 meters towards Kapia Street
- xi) 8 meters from Hokianga Road for 8 meters towards Kapia Street
- x) 38 meters from Hokianga Road for 16 meters towards Kapia Street
- xi) 38 meters from Hokianga Road for 16 meters towards Kapia Street
- xii) 116 meters from Hokianga Road for 20 meters towards Kapia Street
- xiii) 125 meters from Hokianga Road for 6 meters towards Kapia Street
- xiv) Start of Kapia Street for 3 meters towards Poto Street
- xv) 8 meters from Kapia Street for 11 meters towards Poto Street
- xvi) Start of Gladstone Street for 8 meters towards Awakino Road
- xvii) 205 meters from State Highway 12 Normanby Street for 18 meters towards Edward Street

Aratapu

Pouto Road

All that portion on the south-western side from a point 23 metres southeast of Heawa Street to a point 47 metres northwest of Heawa Street.

Kaiwaka

State Highway 1

- i) All that portion on the western side from Oneriri Road to a point 275 metres north of Oneriri Road.
- ii) All that portion on the eastern side from Kaiwaka/Mangawhai Road to a point 123 metres north of Kaiwaka/Mangawhai Road
- iii) All that portion on the eastern side from a point 34 metres south of Kaiwaka/Mangawhai Road to Oneriri Road.
- iv) All that portion on the eastern side from a point 73 metres south of Oneriri Road to a point 288 metres south of Settlement Road

Mangawhai

Alamar Crescent

All that portion on the south western side from North Avenue to a point 119 metres northwest of North Avenue.

Fagan Place

- i) All that portion on both sides from Wood Street to 182 metres north of Wood Street.
- ii) 7 meters from Wood Street for 180 meters towards the end of the Cul-De-Sac
- iii) 15 meters from Wood Street for 174 meters towards the end of the Cul-De-Sac
- iv) 101 meters from Wood Street for 81 meters towards the end of the Cul-De-Sac

Mangawhai Heads Road (East)

- i) All that portion on the south side from Molesworth Drive to a point 95 metres east of Molesworth Drive.
- ii) 18 meters from Mangawhai Heads (East) Road for 81 meters towards Taranui Place.

Mangawhai Heads Road (West)

- i) 190 meters from Mangawhai Heads Road (West) for 102 meters towards Jack Boyd Drive
- ii) 229 meters from Mangawhai Heads Road (West) for 7 meters towards Parklands Avenue
- iii) 6 meters from Parkland Avenue for 8 meters towards Jack Boyd Drive

Moir Street

- i) All that portion on the north side from Molesworth Drive to a point 108 metres west of Molesworth Drive.
- ii) 158 meters from Tara Road for 40 metres towards Leslie Street
- iii) 5 metres from Leslie Street for 20 metres towards Insley Street
- iv) 58 metres from Leslie Street for 55 metres towards Insley Street
- v) 68 metres from Leslie Street for 64 metres towards Insley Street
- vi) From start of Molesworth Drive for 38 metres towards the end of the seal

Moir Point Road

- i) 230 meters from Devon Street for 91 meters towards the end of the Seal
- ii) 230 meters from Devon Street for 55 meters towards the end of the Seal
- iii) 299 meters from Devon Street for 18 meters towards the end of the seal
- iv) 16 meters from the end of the seal for 8 meters towards Estuary Drive
- v) 40 meters from the end of seal for 15 meters towards Estuary Drive
- vi) 301 meters from the end of seal for 14 meters towards Estuary drive

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- vii) 331 meters from the end of seal for 15 meters towards Estuary Drive

Molesworth Drive (North Branch)

All that portion on the west side from Moir Street to a point 36 metres north of Moir Street.

Molesworth Drive (West Branch)

North Avenue

All that portion on the north-eastern side from Alamar Crescent to a point 31 metres northwest of Alamar Crescent.

Parklands Avenue

- i) 8 metres from Mangawhai Heads (West) Road for 6 metres towards Hillside Avenue
- ii) 8 metres from Mangawhai Heads (West) Road for 6 metres towards Hillside Avenue

Wintle Street

- i) All that portion on the south side from a point 628 metres east of Mangawhai Heads Road (East) to a point 1,446 metres east of Mangawhai Heads Road (East).
- ii) All that portion on the north side from a point 925 metres east of Mangawhai Heads Road (East) to a point 1,425 metres east of Mangawhai Heads Road (East).
- ii) 316 metres from Claude Street for 40 metres towards Pearl Street
- iv) From start of Pearl Street for 778 metres towards end of the seal
- v) 256 metres from Pearl Street for 500 metres towards the end of the seal

Wood Street

- i) All that portion on the north side from Molesworth Drive to a point 100 metres east of Molesworth Drive and from a point 126 metres east of Molesworth Drive to a point 141 metres east of Molesworth Drive.
- ii) 8 metres from Molesworth Drive for 56 metres towards Fagan Place
- iii) 30 metres from Ellen Street for 12 metres towards Margaret Street

Black Swamp Road

- i) 95 meters from Tomarata Road for 89 meters towards the end of the seal
- ii) 98 meters from Tomarata Road for 86 meters towards the end of the seal

Baylys Beach

Seaview Road

- i) all that portion on the north side from a point 45 metres east of Kelly Street to a point 123 metres west of Bayly Street

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- ii) All that portion on the south side from a point 20 metres west of Kelly Street to a point 123 metres west of Bayly Street.
- iii) 353 meters from Ripiro Drive for 45 meters towards Kelly Street
- iv) From Kelly Street for 269 meters towards Bayly Street
- v) 17 meters from Kelly Street for 242 meters towards Bayly Street
- vi) From Bayly Street for 123 meters towards end of seal
- vii) 48 meters from Bayly Street for 75 meters towards End of the seal

Maungaturoto

Bickerstaffe Road

- i) All that portion on the western side from a point 665 metres south from Hurndall Street East to a point 745 metres south from Hurndall Street East.
- ii) 670 metres from State Highway 12 for 80 metres towards the end of the seal

Hurndall Street West (State Highway 12)

- i) All that portion within such areas as are marked in accordance with the Traffic Regulations 1956 at approaches to pedestrian crossings.
- ii) All that portion on the north side from a point 150 metres west of Whaka Street to a point 80 metres east of Whaka Street.

View Street

- i) All that portion on the north western side from State Highway 12 to a point 201 metres north east from State Highway 12.
- ii) All that portion on the south eastern side from State Highway 12 to a point 104 metres north east from State Highway 12.
- ii) 105 metres from State Highway 12 Hurndall Street for iv) 317 metres towards View Street East
- iv) 20 metres from State Highway 12 Hurndall Street for 232 metres towards View Street East

Glinks Gully

Glinks Road

- i) All that portion on the south-eastern side from the Mean High Water Spring Mark to a point 109 metres northeast of the High Tide Mark.
- ii) Glinks Road 456 meters from the 50/100 Km/ph sign to the Mean High Water Spring Mark

Matakohe

Church Road

- i) Along Church Road 73 metres from Church Road (West) intersection for 7 metres towards the end of the footpath on the right hand side
- ii) Along Church Road 103 metres from Church Road (West) intersection for 5 metres towards the end of the footpath on the right hand side

Te Kopuru

Norton Street

- i) all that portion on the northeast side of Norton Street from a point 34 metres northwest of Clean Street in a north-westerly direction for a distance of 116 metres.
- ii) All that portion on the southwest side of Norton Street from West Coast Road in a north-westerly direction for a distance of 142 metres.
- iii) All that portion on the southwest side of Norton street and to the southwest of the segregation island, in a north easterly direction from West Coast Road for a distance of 10 metres thence from 22 metres to 142 metres.

Pouto Road

- i) All that portion on the south western side from Turkey Flat Road to a point 216 metres northwest of Turkey Flat Road.
- ii) All that portion on the north-eastern side from a point 30 metres southeast of Turkey Flat Road to a point 200 meters northwest of Turkey Flat Road.
- iii) 4 meters from Graham Street for 332 meters towards Clean Street
- iv) 178 meters from Graham Street for 142 meters towards Clean Street
- v) 1561 meters from Redhill Road for 58 meters towards Heawa Road
- vi) From start Heawa Road for 25 meters towards Charity Hill Road

West Coast Road

- i) All that portion on the northwest side of West Coast Road from Norton Street in a south-westerly direction for a distance of 23 metres.
- ii) All that portion on the north-western side from Pouto Road to a point 18 metres northeast of Pouto Road.
- iii) 5 meters from Clean Street for 37 meters towards West Coast Road

Turkey Flat Road

- i) 6 meters from Pouto Road (south) for 8 meters towards the end of the seal
- ii) 6 meters from Pouto Road (south) for 10 meters towards the end of the seal

Pouto**Pouto Road (South)**

- i) 389 meters from 50 km/ph sign on Pouto Road for 270 meters towards Turkey Flat Road
- ii) 410 meters from 50 km/ph sign on Pouto Road for 249 meters towards Turkey Flat Road

Schedule B

Parts of Carriageway covered by Parking Restrictions

Note: All measurements given from road intersections are measured from the projection of the kerb line or the projection of the edge of seal of the road being measured from.

Dargaville

Hokianga Road

60 Minute Parking at all Times

- i) All that portion on the north eastern side from Parenga Street to a point 41 metres northwest on Normanby Street but excluding areas within identified as "No Stopping", "Taxi Stand" or "Disabled Parking".
- ii) All that portion on the southwestern side from Parenga Street to Normanby Street but excluding areas within identified as "No Stopping", "Bus Stop" or "Disabled Parking".

Kapia Street

- i) 7 meters from Victoria Street for 5 meters towards Totara Street
- ii) 7 meters from Victoria Street for 5 meters towards Totara Street
- iii) 36 meters from Victoria Street for 4 meters towards Totara Street
- iii) 36 meters from Victoria Street for 4 meters towards Totara Street
- iv) 34 meters from Totara Street for 5 meters towards Parenga Street

Normanby Street

10 Minute Parking at all Times

All that portion on the south eastern side from a point 54 metres southwest of Poto Street to a point 70 metres southwest of Poto Street.

60 Minute parking at all Times

- i) All that portion on the north western side from Hokianga Road to Portland Street but excluding areas within identified as "No Stopping", "Disabled Parking" or "10 Minute Parking at all Times"

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- ii) All that portion on the south eastern side from a point 125 metres southwest of Hokianga Road to Poto Street but excluding areas within identified as "No Stopping", "Disabled Parking" or "10 Minute Parking at all Times".

Parenga Street*60 minute Parking at all Times*

All that portion on the north-western side from Hokianga Road to Kaipa Street.

Victoria Street*60 Minute Parking at all Times*

- i) All that portion on the south-eastern side of the street from Edward Street to Gladstone Street excluding areas within identified as "No Stopping".
- ii) All that portion on the northwestern side of the street from Edward Street to Parore Street excluding areas within identified as "No Stopping".

Schedule C

Parts of Carriageway covered by Operation Mobility Carparks

Note: All measurements given from road intersections are measured from the projection of the kerb line or the projection of the edge of seal of the road being measured from.

Dargaville

Hokianga Road

- i) All that portion of the north eastern side from a point 5 metres southeast of Victoria Street to a point 12 metres southeast of Victoria Street.
- ii) All that portion of the south western side from a point 23 metres northwest of Victoria Street to a point 32 metres northwest of Victoria Street.
- iii) All that portion of a southwestern side from a point 6 metres southeast of Station Road to a point 16 metres southeast of Station Road.
- iv) All that portion of the northeastern side from a point 66 metres southeast of Gordon Street to a point 70 metres southeast of Gordon Street.
- v) From a point 4 metres from the intersection of Victoria Street on the right hand side
- vi) From a point 9 metres from the intersection of Victoria Street on the right hand side
- vii) From a point 58 metres from the intersection of Victoria Street on the left hand side
- viii) From a point 69 metre from the intersection of Victoria Street on the right hand side
- ix) From a point 64 metres from the intersection of Normanby Street on the right hand side

Normanby Street

All those portion of the northwestern side form a point 41 metres northeast of Portland Street to a point 48 metres northeast of Portland Street.

Mangawhai

Wood Street

All that portion on the north side from a point 45 metres east of Fagan Place to a point 50 metres east of Fagan Place.

Schedule D

Giveway and Stop Signs

Note: The controlled road/street is the one last mentioned

Road Signs

| | |
|------------------------------------------|-------------|
| Access Road/Wallace Road | Giveway x 2 |
| Aranga Coast Road/Monteith Road | Giveway x 2 |
| Aranga Coast Road/Waitapu Road | Giveway |
| Arapohue Road/Bee Bush Road | Giveway |
| Arapohue Road/Hoyle Road | Giveway |
| Arapohue Road/Pukehuia Road | Giveway |
| Awakino Road/Cranley Street | Giveway x 2 |
| Awakino Road/Gordon Street | Giveway x 2 |
| Awakino Road/Hospital Entrance | Giveway |
| Awakino Road/Ranfurly Street | Stop x 2 |
| Awakino Road/Tirarau Street | Giveway |
| Awakino Road/Victoria Street | Giveway |
| Avoca Road/Waihue Road | Giveway |
| Baylys Coast Road/Kelly Street | Stop |
| Bagnal Road/Cove Road | Giveway |
| Baldrock Road/Gibbons Road | Giveway |
| Barrier View Road/Cove Road | Giveway |
| Bassett Street/Logan Street | Giveway |
| Baylys Coast Road/Scottys Camp Road | Stop |
| Baylys Coast Road/Seaview Road | Giveway |
| Beatson Road/Whakapirau Road | Giveway |
| Bee Bush Road/Arapohue Road | Giveway |
| Bickers Road/Pouto North Road | Giveway |
| Black Swamp Road/Tomarata Road | Giveway |
| Bradleys Landing East Road/Arapohue Road | Giveway |
| Campbell Road/Pouto Road South | Stop |
| Central Road/Arcadia Road | Giveway |
| Cheviot Street/Lincoln Street | Giveway |
| Cheviot Street/Moir Point Road | Stop |
| Cheviot Street/Suffolk Street | Giveway |
| Clean Street/Norton Street | Giveway |
| Cliff Street/Pahi Road | Giveway |
| Cole Road/Pouto South Road | Giveway |

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| | |
|-----------------------------------------------------|-----------------------------|
| Cole Road/Te Maire Road | Giveway |
| Colville Road/Park Road | Giveway |
| Colville Road/River Road | Giveway x 3 Rotary Junction |
| Cove Road/Mangawhai Heads Road | Stop |
| Cove Road/Tara Road | Giveway |
| Cranley Street/Carrington Street | Stop |
| Cullen Street/Molesworth Drive/Mangawhai Heads Road | Giveway x 4 Rotary Junction |
| Devich Road/Mangawhai Road | Giveway |
| Dey Street/Olsen Avenue | Giveway |
| Dune View Drive/Molesworth Drive | Giveway |
| Dunn Road/Access Road | Giveway |
| Dunn Road/Gavin Road | Giveway |
| Dunn Road/Molloy Road | Giveway |
| Dunn Road/State Highway 12 | Giveway |
| Dunn Road/Silich Road | Giveway |
| Dunn Road/Tramline Road | Stop x 2 |
| Dunn Road/Whitcombe Road | Giveway x 2 |
| Edward Street/Station Road | Stop |
| Empire Street/Pouto Road | Giveway |
| Estuary Drive/Molesworth Drive | Stop |
| Findlay Street/Ellen Street | Giveway |
| Freyberg Road/Bledisloe Road | Giveway |
| Galvin Road/State Highway 12 | Giveway |
| Golden Stairs Road/Causer Road | Giveway |
| Golden Stairs Road/Finlayson Road | Giveway |
| Gordon Street/Carrington Street | Giveway x 2 |
| Gordon Street/Gladstone Street | Giveway |
| Gordon Street/Grey Street | Giveway x 2 |
| Gordon Street/Onslow Street | Giveway (Onslow North) |
| Gordon Street/ Onslow Street | Stop (Onslow South) |
| Gordon Street/Parore Street | Stop x 2 |
| Gordon Street/Portland Street | Giveway x 2 |
| Gorge Road/Golden Stairs Road | Giveway |
| Gorge Road/Griffin Road | Giveway |
| Green View Road/Molesworth Drive | Stop |
| Grey Street/Churchill Street | Giveway |
| Haimona Street/Lorne Street | Giveway x 2 |
| Halyard Way/Kedge Drive | Giveway |
| Heawa Road/Pouto Road South | Stop |
| Hillside Avenue/Parklands Avenue | Giveway |

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| | |
|----------------------------------------------|-------------|
| Hokianga Road/Ranfurly Street | Giveway |
| Hokianga Road/Station Road | Giveway |
| Hokianga Road/Tunatahi Street | Giveway |
| Hokianga Road/Victoria Street | Giveway |
| Holiday Crescent/Margaret Street | Giveway |
| Houto Road/Kirikopuni Road | Giveway |
| Hoyle Road/Cates Road | Giveway |
| Huarau Road/Ford Road | Giveway |
| Inch Road/Mititai Road | Giveway |
| Jack Boyd Drive/Mangawhai Heads Road | Giveway |
| Jerebine Road/Tangowahine Settlers East Road | Giveway |
| Jordan Street/ Moir Point Road | Giveway |
| Jumna Road/Bickerstaffe Road | Giveway |
| Judd Road/Whaka Road | Giveway |
| Kai Iwi Lakes Road/Omamari Road | Giveway |
| Kaipara View Road/Tinopai Road | Giveway |
| Kaira Road/Oneriri Road | Giveway |
| Kaiwaka Mangawhai Road/Balrock Road | Giveway |
| Kaiwaka Mangawhai Road/Brown Road | Giveway |
| Kaiwaka Mangawhai Road/Garbolino Road | Giveway |
| Kaiwaka Mangawhai Road/Gibbons Road | Stop |
| Kaiwaka Mangawhai Road/Lawrence Road | Giveway |
| Kaiwaka Mangawhai Road/Settlement Road | Giveway |
| Kaiwaka Mangawhai Road/Tara Road | Giveway |
| Karaaka Road/Mangawhai Heads Road | Giveway |
| Katui Road/Proud Road | Giveway |
| Kedge Drive/Insley Street | Giveway |
| Kelly Street/Cynthia Place/Ripiro Drive | Stop |
| Kellys Bay Road/Bay View Road | Stop |
| King Road/Cove Road | Giveway |
| King Road/Kapawiti Road | Stop |
| Kirikopuni Station Road/Paradise Road | Stop |
| Koremoa Road/Pouto Road South | Giveway |
| Kotare crescent/Pahi Road | Giveway |
| Latta Road/Whakapirau Road | Giveway |
| Lawrence Road/Mangawhai Road | Giveway |
| Logan Street/River Road | Giveway |
| Logan Street/Bassett Street | Giveway x 2 |
| Logan Street/Colville Road | Giveway |
| Logan Street/Liverpool Street | Giveway x 2 |

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| | |
|-----------------------------------------------------|-----------------------------|
| Mahuta Road/Redhill Road | Giveway |
| Mahuta Road/Wesley Coast Road | Giveway |
| Mangatu Road/Trounson Park Road | Giveway |
| Mangawhai Heads Road/Cove Road | Stop |
| Mangawhai Heads Road/Cullen Street/Molesworth Drive | Giveway x 4 Rotary Junction |
| Mangawhai Heads Road/Molesworth Drive Roundabout | Giveway x4 |
| Mangawhai Heads Road/Cove Road | Stop |
| Mapuna Road/Railway Crossing Road | Giveway |
| Marshall Road/Puawai Street | Giveway |
| Matakohe East Road/Church Road (East) | Giveway |
| Matakohe East Road/Church Road (West) | Giveway |
| Matakohe East Road/Hornblow Road | Giveway |
| Matakohe West Road/Tinopai Road | Stop |
| Mititai Road/Cates Road | Giveway |
| Mititai Road/Inch Road | Giveway |
| Moir Point Road/Cheviot Street | Stop |
| Moir Point Road/Devon Street | Stop |
| Moir Point Road/Heather Street | Stop |
| Moir Point Road/Suffolk Street | Giveway |
| Moir Point Road/Insley Street | Giveway |
| Moir Point Road/Molesworth Drive | Stop |
| Molesworth Drive/Awatea Street | Stop |
| Molesworth Drive/Eveline Street | Stop |
| Molesworth Drive/Findlay Street | Stop |
| Molesworth Drive/Green View Road | Stop |
| Molesworth Drive/Mangawhai Heads Road/Cullen Street | Giveway x 4 rotary junction |
| Molesworth Drive/Moir Point Road | Giveway |
| Molesworth Drive/North Ave | Stop |
| Molesworth Drive/Old Waipu Road | Giveway |
| Molesworth Drive/Olsen Ave | Stop |
| Molesworth Drive/Pearson Street | Stop |
| Molesworth Drive/Wharfdale Crescent | Stop |
| Molesworth Drive/Wood Street | Stop |
| Monteith Road/ State Highway 12 | Stop |
| Montgomery Avenue/Hokianga Road | Giveway |
| Mt Wesley Coast Road/Harding Park | Giveway |
| Neems Road/Tinopai Road | Giveway |
| Newsham Road/Pouto Road South | Stop |
| Ngatawhiti Road/Pouto Road South | Giveway |
| Norfolk Drive/Estuary Drive | Giveway |

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| | |
|---------------------------------------------|-------------|
| North Ave/ Dey Street | Giveway |
| North Ave/Holiday Crescent | Giveway |
| North Ave/Robert Street | Stop |
| North Ave/Wharfdale Crescent | Stop |
| Norton Street/West Coast Road/Bickers Road | Giveway |
| Norton Street/ West Coast/ Clean Street | Giveway |
| Old Waipu Road/Molesworth Drive | Giveway |
| Oneriri Road/Parekura Road | Giveway |
| Otara Point Road/Parakura Road | Stop |
| Oxford Street/ Whakapirau Road | Giveway |
| Pahi Road/Fisher Street | Stop |
| Parahi Road/Parahi Birch Road | Giveway |
| Paparoa Oakleigh Road/Goldenstairs Road | Giveway |
| Paparoa Oakleigh Road/Swamp Road | Giveway |
| Paparoa Oakleigh Road/ Taipuha Station Road | Giveway |
| Parakura School Road/ Parakura Road | Stop |
| Parore Street/Charlotte Street | Stop x 2 |
| Parore Street/Gordon Street | Stop x 2 |
| Parore Street/Ranfurly Street | Stop x 2 |
| Parore Street/Tirirau Street | Giveway x 2 |
| Parore West Road/Opanake Road | Giveway |
| Parore Street/Victoria Street | Stop |
| Parore West Road/Waihue Road | Giveway |
| Parklands Avenue/Mangawhai Heads Road | Giveway |
| Paul Road/Mangawhai Road | Stop |
| Parklands Avenue/Thelma Road | Giveway |
| Phillips Road/Oneriri Road | Giveway |
| Plunket Street/Ranfurly Street | Stop x 2 |
| Plunket Street/Tirirau Street | Giveway x 2 |
| Pouto Road/Aoroa Road | Stop |
| Pouto Road/Cole Road | Stop |
| Pouto Road/Heawa Road | Stop |
| Pouto Road/Kellys Bay Road (North) | Giveway |
| Pouto Road/Mt Wesley Coast Road | Giveway |
| Pouto Road/Notorious West and East Roads | Stop x 2 |
| Pouto Road/Redhill Road | Giveway |
| Pouto Road/Spring Street | Stop |
| Pouto Road/West Coast Road | Giveway |
| Ponyer Road/Ararua Road | Giveway |
| Pukenui Road/Oneriri Road | Stop |

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| | |
|--------------------------------------------------|-----------------------------|
| Ranfurly Street/Kauri Street | Giveway |
| Ranganui Road/Oneriri Road | Stop |
| Rangiora Road/Oneriri Road | Giveway |
| Raymond Bull Road/Black Swamp Road | Giveway |
| Redhill Road/Glinks Road | Giveway |
| Redhill Road/Oturei Settlement Road | Giveway |
| Redhill Road/Mahuta Road | Giveway |
| Redhill Road/Pouto Road North | Giveway |
| Reeves Street/Well Street | Stop |
| Rehia Road/Dunn Road | Giveway |
| Rehuta Road/Baylys Coast Road | Giveway |
| Ripiro drive/Seaview Road | Giveway |
| River Road/Colville Road | Giveway x 3 rotary junction |
| River Road/Murdoch Street (State Highway 12) | Stop |
| River Road/Liverpool | Giveway |
| Robert Street/Holiday Crescent | Giveway |
| Robert Street/Pinewood Place | Giveway |
| Robert Street/ North/Almar/Warfdale intersection | Stop |
| Robertson Road/Access Road | Stop x 2 |
| Robertson Road/Tramline Road | Stop x 2 |
| Rototuna Road/Pouto Road South | Stop |
| Ruawai Wharf Road/Bledisloe Street | Giveway |
| Ruawai Wharf Road/Well Street | Stop x 2 |
| Sarich Road/Pouto Road South | Giveway |
| Scarott Road/Pouto Road South | Giveway |
| Seabreeze Road/Molesworth Drive | Stop |
| Seabreeze Road/Molesworth Drive | Giveway |
| Seaview Road/Bayly Street | Giveway |
| Seaview Road/Baylys Coast Road | Giveway |
| Seaview Road/Kelly Street | Giveway |
| Selwyn Park Access/Jervios Street | Stop |
| Settlement Road/Valley Road | Giveway |
| Signal Station Road/Pouto Road South | Stop |
| Silich Road/Robertson Road | Giveway |
| Simpkin Road/Tokatoka Road | Giveway |
| Spinnaker Lane/Kedge drive | Giveway |
| State Highway One/Baldrock Road | Giveway |
| State Highway One/Kaiwaka Mangawhai Road | Giveway |
| State Highway One/Mountain Road | Giveway |
| State Highway One/Oneriri Road | Giveway |

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| | |
|----------------------------------------------------------------|-------------|
| State Highway One/Oruawhoro Road | Giveway |
| State Highway One/ Otirio Road | Giveway |
| State Highway One/Schiska Road | Giveway |
| State Highway One/ Settlement Road | Giveway |
| State Highway One/State Highway 12 | Giveway x 2 |
| State Highway 12 (Colville Road)/Colville Road | Giveway |
| State Highway 12 (Freyberg Road)/Ruawai Wharf Road | Giveway |
| State Highway 12 (Grey Street)/Victoria Street | Stop x 2 |
| State Highway 12 (Jellicoe Road)/Reeves Street | Stop |
| State Highway 12 (Jervois Street)/Bowen Street | Stop |
| State Highway 12 (Jervois Street)/Carrington Street | Stop x 2 |
| State Highway 12 (Jervois Street)/Finlayson Park Ave | Stop |
| State Highway 12 (Jervois Street)/Grey Street | Stop x 2 |
| State Highway 12 (Jervois Street)/Onslow Street | Stop x 2 |
| State Highway 12 (Jervois Street)/ Tuna Street | Stop |
| State Highway 12 (Murdoch Street)/Logan Street | Stop x 2 |
| State Highway 12 (Normanby Street)/Edward Street | Stop x 2 |
| State Highway 12 (Normanby Street)/Gladstone Street | Stop x 2 |
| State Highway 12 (Normanby Street)/Hokianga Road | Stop x 2 |
| State Highway 12 (Normanby Street)/Jervois Street/Awakino Road | Stop x 2 |
| State Highway 12 (Normanby Street)/Parore Street | Stop x 2 |
| State Highway 12 (Normanby Street)/Portland Street | Stop |
| State Highway 12 (Normanby Street)/Poto Street | Stop |
| State Highway 12 (Normanby Street)/Victoria Street | Giveway |
| State Highway 12 (Normanby Street)/Beach Road | Giveway |
| State Highway 12 (River Road Junction)/Beach Road | Giveway x 2 |
| State Highway 12 (River Road)/Campbell Tce | Giveway |
| State Highway 12 (Jellicoe Street)/Dunn Road | Giveway |
| State Highway 12 Katui Road | Stop |
| State Highway 12 (River Road)/Kings Court Avenue | Giveway |
| State Highway 12 (River Road)/Logan Street | Stop |
| State Highway 12/Ford Road | Giveway |
| State Highway 12/Franklin Road | Giveway |
| State Highway 12/Gallies Road (East) | Giveway |
| State Highway 12/Gallies Road (West) | Giveway |
| State Highway 12/Gallies Road (Tana Road End) | Giveway |
| State Highway 12/Galvin Road and Galvin Road (North East) | Giveway x 2 |
| State Highway 12/Gorge Road | Stop |
| State Highway 12/Griffin Road | Giveway |
| State Highway 12/Hames Road | Giveway |

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| | |
|----------------------------------------------------------------------------|-------------|
| State Highway 12/Hansen Road | Giveway |
| State Highway 12/Hoanga Road | Giveway |
| State Highway 12/Hood Road (North) | Stop |
| State Highway 12/Horniblow Road | Giveway x 2 |
| State Highway 12/Huarau Station Road | Giveway |
| State Highway 12/Kaihu Wood Road | Giveway |
| State Highway 12/Mamaranui Road (North) | Giveway |
| State Highway 12/Mamaranui Road (South) | Giveway |
| State Highway 12/Marlborough Road | Stop |
| State Highway 12/Matakohe East Road | Giveway |
| State Highway 12/Matakohe West Road | Giveway |
| State Highway 12/Mitchell Road | Stop |
| State Highway 12/Mititai Road | Giveway |
| State Highway 12/Mititai Wharf Road | Giveway |
| State Highway 12/Mountain Road | Giveway |
| State Highway 12/Naumai Wharf Road | Giveway |
| State Highway 12/Omamari Road (East) | Giveway |
| State Highway 12/Omamari Road (West) | Stop |
| State Highway 12/Oparakau Road | Giveway |
| State Highway 12/Pahi Road | Giveway |
| State Highway 12/ Paparoa Road | Giveway |
| State Highway 12/Parore West Road | Giveway |
| State Highway 12/Petley Road | Giveway |
| State Highway 12/Proud Road | Stop |
| State Highway 12/Quarry Road and Blong Road | Giveway |
| State Highway 12/Raupo Wharf Road | Giveway |
| State Highway 12/Scottys Camp Road | Giveway |
| State Highway 12/State Highway 14/Grey Street (Jervois Street/Grey Street) | Stop |
| State Highway 12/Simpson Road and Robertson Road | Giveway x 2 |
| State Highway 12/Smith Canal Road | Giveway x 2 |
| State Highway 12/Sterling Road | Giveway |
| State Highway 12/Te Kowhai Road and Hodgson Road | Giveway x 2 |
| State Highway 12/Tokatoka Road | Giveway |
| State Highway 12/Tramline Road | Giveway |
| State Highway 12/Trounson Park Road | Giveway |
| State Highway 12/Turiwiri West Road | Giveway |
| State Highway 12/View Road (West) | Giveway |
| State Highway 12/View Road (East) | Stop |
| State Highway 12/Village Road | Giveway |

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| | |
|----------------------------------------------------------------|-------------|
| State Highway 12/Waihue Road | Giveway |
| State Highway 12/ Waipoua Settlement Road | Giveway |
| State Highway 12/Waipu Gorge Road | Stop |
| State Highway 12/Wallace Road | Giveway |
| State Highway 12/Whaka Road | Giveway |
| State Highway 12/Whakapirau Road | Giveway |
| State Highway 14 (Jervois Street)/Finlayson Park Avenue | Stop |
| State Highway 14/Awakino Point East Road | Giveway |
| State Highway 14/Awakino Point North Road | Giveway x 2 |
| State Highway 14/Kirikopuni Road | Giveway |
| State Highway 14/Ounuwhao Road | Giveway |
| State Highway 14/Paerata Road | Giveway |
| State Highway 14/Paradise Road (East) | Giveway |
| State Highway 14/Paradise Road (West) | Giveway |
| State Highway 14/State Highway 12 (Jervois Street/Grey Street) | Stop |
| State Highway 14/Tangowahine Settlement Road | Giveway |
| State Highway 14/Tangowahine Valley Road | Giveway |
| State Highway 14/ Te Wharau Road | Giveway |
| Station Road/Railway Tracks | Stop |
| Stewart Road/Kaiwaka Mangawhai Road | Stop |
| Summer Road/Tinopai Road | Giveway |
| Tangowahine Valley Road/Karaka Road | Giveway |
| Tara Road/Kaiwaka Mangawhai Road | Giveway |
| Te Maire Beach Road/Te Maire Road | Giveway |
| Te Maire Road/Pouto South Road | Giveway |
| Te Ori Road/Whakapirau Road | Giveway |
| Te Whai Street/Thelma Road | Giveway |
| Thelma Road/Molesworth Drive | Stop |
| The Strand/Oxford Street | Giveway |
| Tinopai Road/Hall Road | Stop |
| Tinopai Road/Ngatoto Road | Giveway |
| Tokatoka Road/Inch Road | Giveway x 2 |
| Tomarata Mangawhai Road/Coal Hill Road | Giveway x 2 |
| Trounson Park Road/Opouteke Road | Giveway x 2 |
| Victoria Street/Gladstone Street | Giveway |
| Victoria Street/ Grey Street | Stop |
| Victoria Street/Hokianga Road | Giveway x 2 |
| Waihue Road/Avoca Road | Giveway |
| Waihue Road/Parore West Road | Giveway |
| Wallace Road/Dunn Road | Giveway x 2 |

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| | |
|---------------------------------------|---------|
| West Coast Road/Hospital Road | Giveway |
| West Coast Road/Lutrell Road | Giveway |
| West Coast Road/Redhill Cemetery Road | Giveway |
| West Coast Road/Redhill Road | Giveway |
| West Coast Road/Redhill Road | Giveway |
| Whaka Street/Calla Street | Giveway |
| Whaka Street/Judd Road | Giveway |
| Whakapirau Road/Heatley Road | Stop |
| Whakapirau Road/Huarau Road | Stop |
| Wharfedale Crescent/Robert Street | Giveway |
| Wharfedale Street/Dey Street | Giveway |
| Wharfedale Street/Dey Street | Stop |
| Wintle Street/Mangawhai Heads Road | Stop |
| Wood Street/Albert Street | Stop |
| Wood Street/Ellen Street | Stop |
| Wood Street/Fagan Place | Stop |
| Wood Street/Margaret Street | Stop |

Schedule E

Parts of Carriageway covered by Parking Restrictions

Note: All measurements given from road intersections are measured from the projection of the kerb line or the projection of the edge of seal of the road being measured from.

Bus Stops

Gordon Street

All that portion on the north western side from a point six metres south west of Portland Street to a point 36 metres south west of Portland Street.

Hokianga Road

All that portion of the south western side of the road from a point seven metres from Victoria Street to a point 23 metres north west of Victoria Street.

From a point 49 metres from Victoria street on the left hand side

Kapia Street

All that portion of the South Western side from Victoria Street to a point 23.3 metres South East of Victoria Street.

From a point 13 metres from Victoria Street on the right hand side

From a point 36 metres from Victoria Street on the right hand side

Normanby Street (State Highway 12)

All that portion of the north western side of the road from a point 30 metres south west of Hokianga Road to a point 39 metres south west of Hokianga Road.

Plunket Street

All that portion of the south western side, north west end, and north eastern side from a point 232 metres north west of Ranfurly Street measured on the south west side to a point 200 metres north west of Ranfurly Street measured on the north eastern side (cul-de-sac).

From a point 25 metres from Dargaville High School on the right hand side

From a point 35 metres from Dargaville High School on the left hand side

From a point 43 metres from Dargaville High School on the right hand side

From a point 43 metres from Dargaville High School on the left hand side

From a point 79 metres from Dargaville High School on the left hand side

Taxi Stand

Kapia Street

All the portion of the north eastern side from a point 6 metres north west of Totara Street to a point 22 metres north west of Totara Street.

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Schedule F

Speed Restrictions

Note: All measurements given from road intersections are measured from the projection of the kerb line or the projection of the edge of seal of the road being measured from.

Baylys Beach Township

15 km/hr

A 15 km/hr speed restriction shall apply within the Baylys Beach Motor Camp off Seaview Road.

30 km/hr

A 30 km/hr speed restriction shall apply 150 metres from the Baylys Street and Sea View Road and Ripiro Drive intersection through Chase's Gorge to a point one metre short of the Mean High Water Spring Mark.

50 km/hr

The 50 km/hr speed restriction shall apply within the Township of Baylys Beach to the following exit points:

- A point along Baylys Coast Road 380 metres east of the Seaview Road and Ripiro Drive intersection
- A point along Chases Gorge 150 metres from the intersection with Seaview Road

Dargaville Township

15 km/hr

A 15 km/hr speed restriction shall apply within the following areas:

- i) Selwyn Park Motor Camp grounds off Onslow Street.
- ii) The Kaipara District Council Workshops Yard off Station Road.

30 km/hr

A 30 km/hr speed restriction shall apply within the following areas:

- i) The Memorial Park internal roading network off Logan Street
- ii) Harding Park internal roads from the intersection with Mt Wesley Coast Road.

50 km/hr

The 50 km/hr speed restriction shall apply within the Township of Dargaville to the following exit points:

- i) A point along Jervois Street (State Highway 14) 10 metres north east of Finlayson Park Avenue intersection.
- ii) A point along Grey Street (State Highway 12) 320 metres south of Jervois Street.
- iii) A point along Awakino Road 1260 metres north of Ranfurly Street intersection

- iv) A point along Hokianga Road 180 metres northwest of Cobham Avenue intersection.
- v) A point along Murdoch Street (State Highway 12) 350 metres east of Colville Road intersection.
- vi) A point along Colville Road 35 metres south east of State Highway 12 intersection.

50 km/hr Isolated Areas

A 50 km/hr speed restriction will apply in the following isolated areas:

- i) Tuna Street cul-de-sac 15 metres from the intersection within Jervois Street (State Highway 14).

70 km/hr

The 70 km/hr restriction shall apply within the Township of Dargaville as defined below:

- i) The section of Murdoch Street (State Highway 12) from a point 310 metres east of the Colville Road intersection with State Highway 12 to a point on State Highway 12, 1480 metres west of the Colville Road and State Highway 12 intersection.
- ii) The section of Jervois Street (State Highway 14) from a point 10 metres north east of Finlayson Park Avenue intersection to a point on State Highway 14, 364 metres north of the Tuna Street intersection.

Donnellys Crossing Settlement

50 km/hr

A 50 km/hr speed restriction zone shall apply within the settlement of Donnellys Crossing between the following exit points:

- i) A point along Katui Road 950 metres in a westerly direction from the Old Mill Road/Trounson Park Road intersection.
- ii) A point along Old Mill Road 120 metres in a north easterly direction from the intersection with Trounson Park Road/Katui Road.
- iii) A point along Trounson Park Road 200 metres in a south easterly direction from the intersection with Old Mill Road/Katui Road.

Glinks Gully Township

30 km/hr

A 30 km/hr speed zone shall apply within the Township of Glinks Gully:

From a point along Glinks Road 1140 metres from Redhill intersection to a point 1 metre above the Mean High Water Spring Mark including Marine Drive

50km/hr

A 50km/hr speed restriction shall apply along Glinks Road from a point 860 metres west from Redhill intersection

Kaihu Settlement

50 km/hr

A 50 km/hr speed restriction zone shall apply within Kaihu Settlement along Kaihu Wood Road 40 meters from the intersection with State Highway 12 for 470 metres towards Baker Road..

Kaiwaka Township

50 km/hr

A 50 km/hr speed restriction zone shall apply within the Township of Kaiwaka to the following exit points:

- i) A point along State Highway 1, 75 metres north west of the Kaiwaka/Mangawhai Road intersection
- ii) A point along Gibbons Road 220 metres north from State Highway 1 intersection.
- iii) A point along Kaiwaka/Mangawhai Road 550 metres north east from State Highway 1 intersection
- iv) A point along Oneriri Road 370 metres from State Highway 1 intersection
- v) A point along State Highway 1 250 metres south from Oneriri Road intersection

50 km/hr Isolated Areas

- i) Hasties Lane cul-de-sac 20 metres from the intersection with State Highway 1
- ii) Settlement Road between the intersection with State Highway 1 and a point along Settlement Road 300 metres to the east of State Highway 1
- iii) Puawai Street and Marshall Road from the intersection with Settlement Road

70 km/hr

The 70 km/hr speed restriction shall apply along State Highway 1 between two points, 250 metres south of Oneriri Road Intersection with State Highway 1 and 200 metres south from the intersection with State Highway 1 and Hastie Lane.

Kellys Bay Township

15 km/hr

A 15 km/hr speed restriction shall apply within the camping ground Recreation Reserve off Bay View Road.

50 km/hr

The 50 km/hr speed restriction shall apply within the Township of Kellys Bay to the following exit points:

- i) A point along Kellys Bay Road 135 metres south of the Bay View Road intersection
- ii) A point along Kellys Bay Road 320 metres northwest of Bay View Road intersection.

Mangawhai Heads Township

15 km/hr

A 15 km/hr speed restriction shall apply to the public road and Motor Camp access roads bounded by the foreshore and a point on Mangawhai Heads Road 30 metres east from the intersection with Wintle Street.

30 km/hr

A 30 km/hr speed restriction shall apply within Fagan Place from the intersection with Wood Street, and within the Pensioner Village Complex off Fagan Place

50 km/hr

The 50 km/hr speed restriction shall apply within the Township of Mangawhai Heads to the following exit points:

- i) A point along Mangawhai Heads Road 280 metres northwest from Molesworth Drive, Cullen Street intersection.
- ii) A point along Molesworth Drive 110 metres south west from Moir Point Road intersection.
- iii) A point along Moir Point Road 360 metres south west from the Devon Street intersection.

70 km/hr

The 70 km/hr speed restriction shall apply within the Township of Mangawhai Heads as defined below:

- i) Moir Point Road from a point 360 metres south of the Devon Street intersection, to the cul-de-sac end of Moir Point Road.
- ii) Molesworth Drive from a point 110 meters south west of Moir Point Road to 380 metres south west of Moir Point Road.
- iii) Mangawhai Heads Road from a point 280 meters from Cullen Street intersection to a point 900 metres from Cullen Street intersection including Jack Boyd Drive.

Mangawhai Village Township

15 km/hr

The 15 km/hr speed restriction shall apply within the grounds and on the internal roads of the Mangawhai Village Sporting Complex off Moir Street.

50 km/hr

The 50 km/hr speed restriction shall apply within the Township of Mangawhai Village to the following exit points:

- i) Molesworth Drive 30 metres northwest from the Old Waipu Road intersection
- ii) Moir Street 280 metres south west from the Insley Street intersection
- iii) Insley Street 640 metres south east from the Moir Street intersection

70 km/hr

The 70 km/hr speed restriction shall apply within the Township of Mangawhai Village as defined below:

- i) Moir Street from a point 280 metres south west from the Insley Street intersection, to two points 210 metres along Tara Road and 300 meters along Kaiwaka Mangawhai Road from the Moir Street intersection.
- ii) Molesworth Drive between two points 30 metres and 110 meters northwest from the Old Waipu intersection and the area to include the Old Waipu Road cul-de-sac.

Matakohe Township

70 km/hr

A 70 km/hr speed restriction shall apply within the section of Matakohe East Road from a point 400 metres south west of State Highway 12 intersection to a point 500 metres generally south west of Horniblow Road intersection and a point 40 metres north west of Matakohe East Road including Matakohe Wharf Road and church Road.

Maunganui Bluff Settlement

30 km/hr

The 30 km/hr speed restriction shall apply within the settlement of Maunganui Bluff between the following exit points:

- i) A point along Aranga Coast Road 4950 metres generally in a westerly direction from Monteith Road.
- ii) A point along Aranga Coast Road 5730 metres generally in a westerly direction from Monteith Road.

Maungaturoto Township

50 km/hr

The 50 km/hr speed restriction shall apply within the Township of Maungaturoto to the following exit points:

- i) A point along Griffin Road 290 metres south west of Gorge Road intersection
- ii) A point along Gorge Road 1640 metres north east of Hurndall Street intersection
- iii) A point along Hurndall Street West (State Highway 12) 740 metres west of Gorge Road intersection.
- iv) A point along Whaka Road 740 metres south of Hurndall Street intersection
- v) A point along Judd Road 70 metres south east of Whaka Road intersection
- vi) A point along Bickerstaffe Road 670 metres south of Hurndall Street East (State Highway 12) intersection.
- vii) A point along Hurndall Street East (State Highway 12) 40 metres from View Street West intersection.
- viii) A point on the north eastern end of Hurndall Street East (State Highway 12) intersection.

50 km/hr Isolated Area

Doctors Hill Road between two points 20 metres and 520 metres north from the intersection with Hurndall Street (State Highway 12)

70 km/hr

The 70 km/hr speed restriction shall apply within the Township of Maungaturoto as defined below:

- i) Bickerstaffe Road between two points 670 metres and 1390 metres from the intersection with Hurndall Street (State Highway 12).
- ii) Hurndall Street East (State Highway 12) between the following points:
 - b) A point along Hurndall Street East (State Highway 12) 40 metres from View Street intersection to 110 meters east of Doctor Hills Road intersection
 - c) A point along Doctors Hill Road 0 metres to 20 metres from the intersection with Hurndall Street East (State Highway 12);
 - d) A point along View Street at the north eastern end 0 metres to 60 metres from the intersection with Hurndall Street East (State Highway 12).

Maungaturoto Station Village

50 km/hr

A 50 km/hr speed restriction shall apply within the Blakey Road cul-de-sac 15 metres from the intersection with State Highway 12.

70 km/hr

The 70 km/hr speed restriction shall apply within the Township of Maungaturoto Station Village to the following exit points:

- i) A point along State Highway 12 500 metres east from the intersection with Griffin Road.
- ii) A point along State Highway 12 100 metres north east from the intersection with Whakapirau Road.
- iii) A point along Whakapirau Road 530 metres generally in a south-western direction from the intersection with State Highway 12.

Omamari Beach Settlement**50 km/hr**

The 50 km/hr speed restriction shall apply within the settlement of Omamari Beach to the following exit points:

- i) At a point along Omamari Road 340 metres northwest of the intersection with Omamari Beach Road.
- ii) At a point on Babylon Coast Road 120 metres southeast of the intersection with Omamari Beach Road.
- iii) The end of the seal on Omamari Beach Road being 385 metres from the intersection with Omamari Road and Babylon Coast Road.

Pahi Township**15 km/hr**

A 15 km/hr speed restriction shall apply within the Pahi Domain Recreation area, along Fenwicks Point Road cul-de-sac, along Picadilly Street cul-de-sac and Pahi Road from the wharf to a point along Pahi Road 180 metres to the south west.

50 km/hr

As 50 km/hr speed restriction shall apply within the Township of Pahi between the following limit points:

- i) A point along Pahi Road 420 metres north of the intersection with Dem Street.

Paparoa Township**50 km/hr**

A 50 km/hr speed restriction shall apply within the Township of Paparoa, between the following exit points:

- i) A point along Franklin Road 460 metres north of the intersection with State Highway 12.
- ii) A point along State Highway 12 100 metres south west of the intersection with Franklin Road.

- iii) A point along State Highway 12 90 metres south west of the intersection with Skeleton Crescent.

50 km/hr Isolated Area

A 50 km/hr speed restriction shall apply within Skelton Crescent cul-de-sac 25 metres from the intersection with State Highway 12.

70 km/hr

- i) A 70 km/hr speed restriction shall apply within the area defined by the following exit points:
 - a) A point along State Highway 12, 100 metres south west of the intersection with Pahi Road
 - b) A point along State Highway 12, 100 metres south west of the intersection with Franklin Road.
 - c) A point along Pahi Road 300 metres south east of the intersection with State Highway 12.
- ii) A 70 km/hr speed restriction shall apply within the area defined by the following exit points:
 - a) A point along State Highway 12 90 metres south west of the intersection with Skeleton Crescent
 - b) A point along State Highway 12 760 metres south east of the intersection with Paparoa/Oakleigh Road.
 - c) A point along the Paparoa/Oakleigh Road 80 metres north east of the intersection with Hook Road.

Pouto Point Settlement

30 km/hr

A 30 km/hr speed restriction shall apply within the settlement of Pouto Point to the following exit points:

A point along Pouto Road 50 metres west of the intersection with Signal Station Road to the entry point onto the beach.

Ruawai Township

15 km/hr

A 15 km/hr speed restriction shall apply within the Ruawai Recreation Reserve off Wharf Road.

30 km/hr

A 30 km/hr speed restriction shall apply to Stop Bank Road over its entire length and the westward extent of Wharf Road from the intersection with Westlake Road.

50 km/hr

A 50 km/hr speed restriction shall apply within the township of Ruawai between the following exit points:

- i) A point along Freyberg Road (State Highway 12) 410 metres north east from the intersection with Jellicoe Road (State Highway 12)
- ii) A point along Jellicoe Road (State Highway 12) 790 metres south east from the intersection with Dunn Road.

70 km/hr

A 70 km/hr speed restriction shall apply on the outskirts of Ruawai Township between the following exit points:

- i) A point along Freyberg Road (State Highway 12), 1120 metres northeast from the intersection with Jellicoe Road (State Highway 12),
- iii) A point along Robertson Road 95 metres north of the intersection with Freyberg Road (State Highway 12)
- iv) A point along Simpson Road 30 metres south east of the intersection with Freyberg Road (State Highway 12)

Limited Speed Zone

A Limited Speed Zone speed restriction shall apply along State Highway 12 from a point 790 metres north west to a point 2100 metres north west along Jellicoe Road (State Highway 12) from the intersection with Freyberg Road (State Highway 12). The 70 km/hr speed restriction shall also extend north up Dunns Road for 100 metres from the intersection with State Highway 12.

Taharoa Domain (Kai Iwi Lakes)**15 km/hr**

A 15 km/hr speed restriction shall apply within any camping ground areas within the Domain.

30 km/hr

A 30 km/hr speed restriction shall apply within the Taharoa Domain on all roads except those within any camping ground area.

Tangiteroria Township**70 km/hr**

The 70 km/hr speed restriction shall apply within the Township of Tangiteroria to the following exit points:

- i) A point along Pukehuia Road 100 metres south of the intersection with State Highway 14
- ii) A point along State Highway 14 80 metres west of the intersection with Pukehuia Road.
- iii) A point along State Highway 12 560 metres east of the intersection with Pukehuia Road.

Te Kopuru Township

30 km/hr

A 30 km/hr speed restriction shall apply within the Te Kopuru Domain from the entry from Norton Street.

50 km/hr

A 50 km/hr speed restriction shall apply within the Township of Te Kopuru to the following exit points:

- i) A point along Norton Street 170 metres northwest of Wordsworth Avenue intersection
- ii) A point along West Coast Road 710 metres west of Pouto South Road intersection
- iii) A point along Pouto Road 50 metres south of West Coast Road intersection

70 km/hr

A 70 km/hr speed restriction shall apply in the section of Norton Street from a point 170 metres north west of Wordsworth Avenue intersection to a point 520 metres northwest of the Wordsworth Avenue intersection

Tinopai Township

15 km/hr

A 15 km/hr speed restriction shall apply within the Tinopai Motor Camp located of Komiti Road.

50 km/hr

A 50 km/hr speed restriction shall apply within the Township of Tinopai to the following exits points:

- i) A point along Tinopai Road 240 metres north west of the intersection with Ngatoto Road and Komiti Road
- ii) A point along Ngatoto Road 550 metres north east of the intersection with Tinopai and Komiti Road.
- iii) A point along Sandy Beach Road 630 metres west of the intersection with Komiti Road.

West Coast Beach and Other Beaches Accessible to Traffic

Limited Speed Zone

A limited speed zone shall apply to the West Coast beach and all beaches accessible to traffic within the Kaipara District, one metre inland from the mean High Water Spring Tide Mark or to the back face of any other approved speed restriction posting located on a beach access road.

Mahuta Gap Accessway**30 km/hr**

A 30 km/hr speed restriction shall apply 50 metres from the intersection of Mahuta Road and Mahuta Gap Road to 1 metre of the mean high water mark.

Whakapirau Township**50 km/hr**

A 50 km/hr speed restriction shall apply within the Township of Whakapirau from a point 280 metres west along Whakapirau Road from the intersection with Beaston Road

