

**SELWYN DISTRICT COUNCIL
VEHICLE SPEED RESTRICTIONS AND CONTROLS
IN RESERVES BYLAW 2008**

1. TITLE

- 1.1 This Bylaw is made by the Selwyn District Council pursuant to the powers and authority vested in the Council pursuant to Section 145 of the Local Government Act 2002 and Section 17 (2)(a) of the Reserves Act 1977. This bylaw shall be known as the Vehicle Speed Restrictions and Controls in Reserves Bylaw 2008.

2. APPLICATION

- 2.1 This bylaw applies in all Reserves classified and administered by the Selwyn District Council.

3. DATE OF COMMENCEMENT

- 3.1 This bylaw comes into force on 1 July 2008.

4. OBJECTIVES

- 4.1 To control the speed and manner of operation of vehicles within reserves for the protection and general well-being of reserves and for the protection and control of the public using those reserves.

5. DEFINITIONS

- 5.1 In this bylaw, except where inconsistent with the context:

"Cycle" means a vehicle that has at least two wheels and that is designed primarily to be propelled by muscular energy of the rider.

"Council" means the Selwyn District Council or any officer authorised to exercise the authority of the Council.

"Fauna" means animals of any kind.

"Flora" means plants of any kind.

"Natural water body" means any naturally occurring body of water, including a river, creek, stream, drain or lake.

"Registered" in relation to a vehicle, means registered under the Transport (Vehicle and Driver Registration and Licensing) Act 1986.

"Reserve" or **"public reserve"** has the same meaning as the Reserves Act 1977 and includes cemeteries, sports grounds, recreation areas and gravel reserves.

"Vehicle" has the same meaning as in Section 2(1) of the Land Transport Act 1998 except that it does not include cycles.

"Wheeled recreational device" means a vehicle that is a wheeled conveyance (other than a cycle that has a wheel diameter exceeding 355mm) and that is propelled by muscular energy of the rider.

6. VEHICLE CONTROLS WITHIN DISTRICT RESERVES

- 6.1 No person may drive or ride any vehicle within any reserve in a manner which, having regard to all the circumstances is or might be dangerous to any person.
- 6.2 No person may drive or ride any vehicle within any reserve in a manner which, having regard to all the circumstances causes or might cause damage to structures, facilities, flora or fauna.
- 6.3 No person may drive any vehicle in any reserve at a speed in excess of 20 km/h or at a speed contrary to the intent of clause 6.1 or such other speed limit as the Council from time to time indicates by a sign or signs. This limit does not apply to cycles and wheeled recreational devices.
- 6.4 No person may stop or park any vehicle within any reserve in such a manner that it causes or is likely to cause an obstruction to any entrance, thoroughfare, path or walkway.
- 6.5 Where, in the opinion of any authorised officer of the Council, a vehicle (whether complete or not) has been abandoned in any reserve, the officer may take possession of the vehicle and dispose of it in the same manner as provided by Section 356 of the Local Government Act 1974.
- 6.6 No person may operate a vehicle in a natural water body or on its banks and margins and its associated waters.
- 6.7 No person may cause a vehicle to enter or exit a natural water body or its associated waters.
- 6.8 No person may operate the following motor vehicles in any reserve:
- All-terrain vehicles (ATVs)
 - tri or quad bikes,
 - farm bikes and
 - trail bikes,
 - any other vehicle that has been designed for off road use
 - any vehicle that is not registered
 - any vehicle that does not have a current Warrant of Fitness.
- unless
- a) prior approval in writing has been granted by the Council; or
 - b) use of such vehicle is required for authorised reserve maintenance purposes.
- 6.9 A person who does not have a current driver's licence may not operate a vehicle in a reserve.

7. ORDERING OFF

- 7.1 Every person committing any breach of the provisions of this Bylaw must, upon any request or order by any authorised officer of the Council, immediately leave the reserve for such period as the authorised officer deems fit.


8. OFFENCES AND PENALTIES

- 8.1 Every person who breaches this Bylaw commits an offence and is liable on summary conviction to a fine not exceeding \$1,500.00; and
- 8.2 Every person who is convicted of an offence against this bylaw is liable for the costs of remedying any damage caused in the course of committing the offence.


9. REPEALS

- 9.1 The Selwyn District Council Motor Vehicle Speed Restriction in Reserves Bylaw 1999 is hereby repealed.

The **COMMON SEAL** of the
SELWYN DISTRICT COUNCIL
was hereunto affixed, in accordance
with the Special Order made by the
Council on 11th June 2008
in the presence of:



Mayor



Chief Executive

