

Draft Timaru District Consolidated Bylaw 2017

Version 3 - 2017



Important Note:

This is a copy of the Consolidated Bylaw ~~2013~~ 2017.

Users should be aware that it is only a copy. The principal sealed bylaw documents are held within Council Premises and access can be obtained by contacting the Group Manager ~~Regulatory Services~~ Environmental Services.

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Preface

This Consolidated Bylaw of the Timaru District Council is made in pursuance of the powers and authorities contained in the following enactments and their amendments, and in pursuance of all other powers and authorities contained in any other Act enabling Council in that behalf:

- Local Government Act 1974
- Local Government Act 2002
- Bylaws Act 1910
- ~~Transport Act 1962~~ Transport Act (Road Safety and Other Matters) Amendment Act 2011
- Land Transport Act 1998
- Health Act 1956
- Food Act ~~1984~~ 2014
- ~~Sale of Liquor Act 1989~~ Sale and Supply of Alcohol Act 2012
- Burial and Cremation Act 1964
- ~~Standards Act 1988~~ Standards and Accreditation Act 2015
- ~~New Zealand Walkways Act 1990~~ Walking Access Act 2008
- ~~Transport Services Licensing Act 1989~~ Public Transport Management Act 2008
- Dog Control Act 1996
- Building Act 2004.

All previous bylaws enacted by Council are hereby revoked.

Notwithstanding the repeal of any provision in Council's Bylaw every document or thing prepared or done pursuant to the authority conferred by the provisions so repealed shall continue and have effect if it could have been made or done under any corresponding provisions substituted for the provision so repealed.

All approvals, licences, permits and acts of authority which originated under any previous bylaw are hereby repealed and all applications, plans and other acts of parties and generally all documents, matters, acts and things which so originated and are of continuing effect at the commencement of the Timaru District Consolidated Bylaw 2013~~7~~ shall, if they could have been made or done under the corresponding provisions of the last mentioned bylaw, continue and have effect accordingly.

The Timaru District Council reserves the right afforded under the Local Government Act 2002 to make minor changes or amendments by ordinary resolution publicly notified, which do not affect an existing right, interest, title, immunity or duty of any person to whom the bylaw applies; or an existing status or capacity of any person to whom the bylaw applies. This includes making amendments to the Consolidated Bylaw and associated schedules due to changes in legislation.

Chapter 1: Introductory & Miscellaneous

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.

100. Interpretation

100.1. In this bylaw, unless the context otherwise requires:

Acceptance criteria means the requirements for preparation and placement of solid waste, reusable, recyclable and compostable material into approved or contractor containers. It also means the requirements for depositing solid waste at the various waste management facilities as publicly notified, updated and amended from time to time by Council.

Air gap separation means a minimum vertical air gap between the outlet of the water supply fitting which fills a water storage tank, and the highest overflow water level of that water storage tank.

Airport means all that land and buildings situated between Falvey Road, Brosnan Road and Levels Plain Road, Timaru and known as the Richard Pearce Airport, Timaru.

Airport authority means the Timaru District Council acting in its capacity as the Airport Authority.

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

Apartment means a portion of a building or a room or suite of rooms forming part of an apartment building and which is occupied or intended or designed to be occupied by one family for living and sleeping purposes.

Apartment building means a building in which accommodation is provided for three or more families living independently of one another, with or without a common right to the use of cooking or laundry facilities, sanitary conveniences, entrances, passages, stairways or open spaces; and where necessary includes a portion of a building or a combination of two or more such buildings or parts thereof; but does not include any building comprising wholly or principally owner-occupier flats, or any single storey building comprising wholly or principally apartments each of which is completely self-contained and has its own separate outside entrance.

Approval means approval in writing by Council.

Approved means approved by Council or by any officer of Council authorised in that behalf.

Approved container means any paper bag, plastic bag, biodegradable bag, mobile bin, crate or any other receptacle provided by or on behalf of Council from time to time for the purpose of council kerbside collection.

Approved form means a form which has been approved by Council for use to make application for any licence, certificate, authority, consent, approval, inspection or other service provided by Council.

Approved taxi organisation shall have the meaning assigned thereto by the ~~Transport Services Licensing Act 1989~~ Land Transport Act 1998.

Authorised officer means any person appointed by Council to act on its behalf and with its authority and includes contractors or any person appointed especially or generally to enforce the provisions of this bylaw.

Backflow means a flow of water or other liquid through any supply pipe in a reverse direction to the normal flow.

Banned materials means materials identified in Schedule One of Chapter 14 that are prohibited from being disposed to landfill.

~~**Barbecue** means any fixed or portable solid fuel equipment or fixed or portable gas equipment for the cooking of food.~~

Beach means any land adjacent to the sea coast of Caroline Bay, of Waimataitai Beach, South Beach or Otipua Beach capable of being used for recreational purposes, which is vested in or under the control of Council.

Beautician means the person for the time being who carries out, or controls or manages, or assists to control or manage, any beauty facility and may include the occupier and the owner of the premises.

Beauty facility means any place, premises or part of a premises used for the purpose of beauty treatment / therapy.

Beauty treatment means any commercial service for the treatment / therapy of skin and body to enhance beauty and includes (but is not limited to) tattooing, permanent make-up, derma rolling / stamping, exfoliation, skin piercing, epilation (including electrolysis and waxing), pedicures, manicures (includes nail bars), paraffin treatment and extractions.

For the purpose of the definition of Beauty treatment, commercial service means a service (whether from permanent premises, temporary premises or mobile premises) provided by one or more persons for another person / persons for monetary payment or any other consideration.

~~Beauty facility means any place, premises or part of a premises used for the purpose of beauty treatment.~~

~~Beauty treatment includes tattooing, permanent make-up, skin piercing, epilation (including electrolysis and waxing), pedicures, manicures, paraffin treatment and comedone extractions (blackhead removal).~~

Boarder means a person for whom any room or part thereof or rooms in a boarding-house is or are provided as a lodging or for his / her use or occupation and to whom whole or partial board is also supplied.

Boarding-House means a residential building in which lodging alone or board and lodging is provided for a single night or longer for six or more lodgers or boarders, with or without the use of furniture, and includes; a guesthouse, rooming house, private hotel, hotel, motel, residential club, hostel and residential institution; and where necessary includes a portion of such a building or combination of two or more such buildings or part thereof but does not include:

- (a) Any healthcare service as defined in Section 4 of the Health and Disability Services (Safety) Act 2001;
- (b) A residence established under section 364 of the Children, Young Persons, and Their Families Act 1989;
- (c) Any early childhood centre required to be licensed by regulations made under the provisions of the Education Act 1989;
- (d) Any camping ground required to be licensed under regulations made under Section 120B of the Health Act 1956.

~~**Brazier** means any fixed or portable solid fuel equipment or appliance used for outdoor heating.~~

Bulky items means large items that because of their size are not considered appropriate to be placed into an approved container for council kerbside collection. This includes but is not necessarily limited to televisions, microwaves, furniture, tree and shrub stumps, wood, rubble, machinery parts, electrical and electronic items.

Business areas include properties identified by the boundaries on Council solid waste collection maps.

Bylaw means the Timaru District Consolidated Bylaw 2013³⁷ for the time being in force, made under the provisions of any Act or authority enabling Council to make bylaws.

~~**Certificate** means a certificate in Food Safety that meets unit standards prescribed by the New Zealand Qualifications Authority or alternatively any certificate that has been approved by Council.~~

Characteristic means any of the physical, biological or chemical constituent parts of a discharge referred to in Schedules 1 and 2 of Chapter 15 of the bylaw.

Collection day is the day allocated to an area designated by Council for the collection of solid waste, reusable, recyclable and compostable material.

Collection service is any service provided for the collection of recyclable material, compostable materials or residual waste from producers of municipal waste.

Commercial collection means recyclable, compostable and / or residual waste services based on private user-pay agreements with commercial operators.

Commercial waste means any scrap or waste materials resulting from the carrying on of any business, manufacture, process, trade, market or other undertaking. Commercial waste does not include household waste, recyclable or compostable waste, hazardous waste, prohibited waste, trade waste or material banned or prohibited under this bylaw.

Contractor container means any container in use by any individual or company provided for the purpose of collection, storage, transport, handling or disposal of waste.

Commercial premises means any lot of land which contains one or more buildings for the carrying out of any business, manufacture process, trade, retail or any other undertaking which is not intended for residential purposes. It does not include a business located in a residential dwelling such as but not limited to a home occupation or professional office where the primary property designation would be residential.

Compostable materials are materials that are organic in origin and appropriate to be used as feedstock for composting. Compostable material may be defined by its material components, e.g. grass, leaves, food, wood, garden trimmings etc.

Condensing water means any water used in any trade premises in such a manner that it does not take up matter into solution or suspension.

Conditional trade waste means trade waste which has conditions placed upon the consent to discharge trade waste imposed by Council.

Consent means a consent in writing given and signed by an authorised officer of Council to discharge to or for a service connection to any of the network infrastructure services.

Consent holder means the person occupying premises who has obtained a consent to discharge or direct the manner of discharge from any premises to the network infrastructure services system, and includes any person who does any act on behalf or with the express or implied consent of the consent holder (whether for reward or not) and any licensee of the consent holder.

Constituent means the sum of individual component parts of any discharge.

Contaminant includes any matter, substance, energy (excluding noise) or heat, that either by itself or in combination with the same, similar or other substances, energy or heat shall:

- (a) When discharged into water, changes or is likely to change the physical, chemical, or biological condition of water; or
- (b) When discharged onto or into land or into air, changes or is likely to change the physical, chemical or biological condition of the land or air onto or into which it is discharged.

~~**Contractor collection** means collection services being provided by licensed solid waste contractors for rubbish, reusable, recyclable and compostable materials.~~

Cooling water means the same as condensing water.

Council means the Timaru District Council.

Council facility includes any library, library / service centre, swimming pool, aquatic centre, recreational, cultural or community centre, museum, art gallery, hall, zoo or golf course or any building under the ownership or control of Council.

Council kerbside collection means the service being provided to properties by Council for the collection of rubbish, recyclable and compostable materials.

~~**Council recovery facility** means a Council owned facility where solid waste materials such as residual waste, construction and demolition waste, recyclable materials, compostable materials and household hazardous wastes are delivered for sorting and consolidation before being taken away for treatment, processing, recycling, or disposal, and which may also include a retail outlet for the re-sale of used goods and materials being deposited at the site.~~

~~**Council transfer station** means a Council owned facility where solid waste materials such as residual waste, construction and demolition waste, recyclable materials, compostable materials and household hazardous wastes are delivered for sorting and consolidation before being taken away for treatment, processing, recycling, or disposal.~~

~~**Council waste collection point** means a facility provided by the Council to which people may bring waste for collection by the Council, including supervised or unsupervised residual or recyclable solid waste drop off points.~~

Council officer means any officer of the ~~Timaru District~~ Council delegated by Council to take action in relation to any particular bylaw, or to undertake the duties of a Council Officer under the bylaw and any person appointed especially or generally by Council to enforce the provisions of this bylaw.

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 Council.

Customer means a person who uses, or has obtained the right to use or direct the manner of use of water supplied by Council to any premises, or a person who either discharges, or has obtained a consent to discharge or direct the manner of discharge of from any premises to the sewer or stormwater network infrastructures.

Disconnection means the physical cutting and / or sealing off of any network infrastructure service for use by any person.

District means the Timaru District as constituted by the Local Government (Canterbury Region) Reorganisation Order 1989.

Diverted material and divertable material means anything no longer required for its original purpose ~~and that~~, but for commercial or other waste minimization activities, would be disposed of or discarded, and includes any materials that are recyclable, compostable, or that can be recovered and / or re-used, as determined by the Council by resolution.

Dog Control Officer means a dog control officer appointed under section 11 of the Dog Control Act 1996.

~~**Dog Ranger** means a dog ranger appointed under section 12 of the Dog Control Act 1996 and includes an honorary dog ranger.~~

Dwelling or dwellinghouse 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.

Domestic sewage means foul water (with or without matter in solution or suspension) discharged from premises used solely for residential purposes, or wastes of the same character discharged from other premises; but does not include any solids, liquids or gases that may not be lawfully discharged into the sewer network infrastructure.

Drain means sewerage drain or stormwater drain, and drainage has a corresponding meaning.

Eligible premises includes occupied and un-occupied residential dwellings, and commercial premises that Council has determined may receive a Council kerbside collection service.

Environmental Health Officer means, a person qualified for appointment as an Environmental Health Officer, pursuant to the Health Act 1956.

Exempted food handler means:

- ~~(i) Any person employed in any food premises who is not involved in the manufacture, preparation or packing of food but does handle pre-packaged foodstuffs at point of sale or in storage;~~
- ~~(ii) Any person who has a trade qualification that includes an approved safety component.~~

Exempted food handlers may include:

- ~~(a) Supermarket checkout operators;~~
- ~~(b) Persons employed exclusively in the handling of packaged goods in storage or the carriage of such goods to and from storage;~~
- ~~(c) Persons employed exclusively in the delivery of packaged goods to and from food premises;~~
- ~~(d) Persons employed predominantly in the wholesale or retail sale of fruit or vegetables;~~
- ~~(e) Any person employed in a food premise where there is an operative food safety programme and to which the Food Hygiene Regulations 1974 do not apply;~~
- ~~(f) Any other person employed in a food premises or who works in connection with any food premises who in the opinion of the Environmental Health Officer is an exempted food handler.~~

Family includes one person living alone; and also includes two or more persons whether related or not, living together but independently of other persons living in the same building.

Fire Brigade means a fire brigade as defined in section 2 of the Fire Service Act 1975.

Fire District means a Fire District declared or constituted under section 26 of the Fire Service Act 1975.

~~**Fire Officer** means any Authorised Officer of Council or the Chief Fire Officer of a District, or the Deputy Chief Fire Officer, or, in the absence of both of them, the person for the time being in charge of the Fire Brigade.~~

~~**Food** shall have the same meaning as it has in section 2 of the Food Act 1981.~~

~~**Food handler** means any person employed in or on any food premises who at any time may be involved in the manufacture, preparation or packing of food.~~

~~**Food premises** shall have the same meaning as in Regulation 2 of the Food Hygiene Regulations 1974 but shall not include occasional food premises as defined in that Regulation.~~

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

Foul water means the discharge from any sanitary fixtures (any fixture which is intended to be used for sanitation - the term used to describe activities of washing and / or excretion carried out in a manner or condition such that the effect on health is minimised, with regard to dirt and infection) or sanitary appliance (an appliance which is intended to be used for sanitation which is not a sanitary fixture - included are machines for washing dishes and clothes).

Goods means any product or service.

Handle in relation to waste includes but is not limited to any collection, sorting, consolidation, storage or processing of waste.

Hazardous waste means those waste materials defined as identified in the First and Second Schedules of this bylaw.

Household waste means solid waste resulting from domestic housekeeping operations. It includes waste that the Council has agreed to take from retail premises, businesses and offices where the Council provides a kerbside collection service. Household waste does not include divertible waste, hazardous waste, commercial waste, prohibited, trade waste or liquid waste of any nature, or any material banned or prohibited under this bylaw.

Hazardous substance means a hazardous substance as defined by the Hazardous Substances and New Organisms Act 1996 and includes dangerous goods as defined in the Land Transport Rule: Dangerous Goods 2005.

~~**Illegal dumping** means litter, as defined in the Litter Act 1979 and solid waste that is disposed of at a public place or onto private property without the owners consent.~~

Independent analyst means an International Accreditation New Zealand (IANZ) accredited test laboratory appointed for the purposes of sampling and testing water, stormwater, sewage or trade wastes.

Individual parking meter means a parking meter designed to control one metered space.

Keeper means the person, whatever may be the nature or extent of his / her interest in the premises, by whom or on whose behalf a boarding-house let in lodgings or for occupation, or by whom or on whose behalf an apartment building

is let in dwelling units, or who for the time being receives or is entitled to receive the proceeds or profits arising from such letting;

Kerbside collection area means the area specified by Council that are eligible to receive the council kerbside collection service.

Kerbside, footpath and roadside means an area on the road reserve outside a property.

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

Liquor control means the acts prohibited by clause 402 of this bylaw.

Licensee means the person or legal entity to whom a Certificate of Registration has been issued to under this bylaw in respect to a Beauty treatment.

Litter includes any residual waste, refuse, rubbish, animal remains, glass, metal, garbage, debris, dirt, filth, rubble, ballast, stones, earth, or waste matter, or any other thing of a like nature (Litter Act 1979) or solid waste that is deposited or disposed of at a public place or onto private property without the owner's consent.

Local Authority means Council, person, or group of persons authorised by any 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.

Lodger means a person to whom any room or part thereof or rooms in a boarding-house is or are let as a lodging for his / her use or occupation and to whom no board is supplied.

Management plan means the plan for the management of operations on the premises from which sewage and trade waste are discharged, and may include, but is not limited to provision for waste minimisation, accidental discharge, spill contingency procedures, and any relevant industry code of practice or spill control plan.

Mass limit means the total mass of any constituent that may be discharged to the sewer network infrastructure over any Council specified period.

Maximum concentration means the instantaneous peak concentration of any constituent.

Memorial park includes areas of cemeteries set aside for interments which shall contain headstones or plaques set on a concrete berm but not contain plots that have a concrete top, fencing, perimeter kerbing, vaults or another monument thereon.

Metered space means a space or section of a road in a zone marked out by painted lines for the accommodation of a vehicle, and, in the case of a space or section of a road controlled by a multi-bay meter, identified by a number painted on the surface of the road or otherwise adjacent to the space.

Metered zone means any road or portion of a road or any other piece of land owned or occupied by Council and declared by Council to be a metered zone which road or portion of a road or other piece of land has been authorised by ordinary resolution of Council to be used as a place where vehicles may park and

at which parking meters, or a pay and display machine may be established and maintained.

Mobility parking space means a parking space reserved for the exclusive parking of vehicles displaying a mobility parking permit.

Model aeroplane means a motorised scale model of an aircraft or a drone, which may or may not be radio controlled.

Motor vehicle shall have the meaning assigned to it by the Land Transport Act 1998.

Multi-bay meter means a parking meter controlling two or more metered spaces.

Municipal waste means any solid waste generated from principally domestic sources and includes non-hazardous waste generated from commercial and industrial sources within the Council's rated kerbside collection areas.

Network infrastructure services means the services provided by the Timaru District Council in the supply of water, sewer, stormwater and trade waste services.

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

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.

Offensive waste means any waste that is aesthetically disturbing (dead animals) or malodorous or otherwise offensive to people.

Officer means any Police Constable, authorised Security or Council Officer or any other person appointed especially or generally by Council to enforce the provisions of this bylaw.

~~**Open air** means in relation to fires otherwise than within:~~

~~(a) Any barbecue or brazier; as defined above; or~~

~~(b) Traditional cooking fire as defined below.~~

~~**Open fire season** means a period of time whether of fixed or indefinite duration during which period the lighting of fires in the open air is neither prohibited nor restricted under this bylaw.~~

Organic waste means compostable materials that are organic in origin and appropriate to be used as feedstock for composting, and includes green waste and food waste.

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.

Owner in relation to Chapter 6 - Control of Dogs means every person who:

- (a) Owns the dog; or
- (b) Has the dog in his or her possession, whether the dog is at large or in confinement, otherwise than for a period not exceeding 72 hours for the purpose of preventing the dog causing injury, damage, or distress, or for the sole purpose of restoring a lost dog to its owner; or
- (c) The parent or guardian of a person under the age of 16 years who:
 - (i) Is the owner of the dog pursuant to paragraph (a) or paragraph (b) of this definition; and
 - (ii) Is a member of the parent or guardian's household living with and dependent on the parent or guardian;

but does not include any person who has seized or taken custody of the dog under the Dog Control ~~1996~~ Act 1996 or the Animal Welfare Act 1999 or the National Parks Act 1980 or the Conservation Act 1987 or any order made under the Dog Control Act 1996 or the Animal Welfare Act 1999.

Owner-occupier flat means a residential flat in respect of which any person has a right of occupation under a lease or licence or other tenure held by him / her by virtue of his / her being a shareholder in a company owning the building of which the flat forms part or by virtue of his / her being the owner of an estate or interest in the land on which that building is erected.

Park ~~for the purposes of Chapter 7 - Parks, Reserves, Beaches and Tracks~~ in relation to a motor vehicle means the standing of a vehicle in any place for a period in excess of five minutes.

Parking means:

- (a) In relation to any portion of a road or other place where parking is for the time being governed by the location of parking meters or pay and display machines placed pursuant to a bylaw of Council, the stopping or standing of a vehicle on that portion of the road for any period exceeding five minutes.
- (b) In relation to any other portion of a road where parking or the stopping or standing of a vehicle on that portion of the road is prohibited for any period in excess of a period fixed by resolution of Council.

Parking meter means an appliance designed for the purpose of automatically measuring and indicating the time within which a vehicle or vehicles may be parked at a metered space or metered spaces and includes but not by way of limitation, an individual parking meter, a multi-bay meter, a pay and display machine and the standard or pedestal on which a parking meter is mounted.

Parking receipt means a receipt produced by a pay and display machine indicating the payment of a fee for parking and the end of the period allowed for parking as fixed by the meter.

Pay and display machine means a parking meter designed for the purpose of issuing a parking receipt indicating that a vehicle may be parked within a metered

zone controlled by that pay and display machine and the pedestal on which the pay and display machine is mounted.

~~**Permit** in relation to the lighting of fires in the open air, means a fire control measure in accordance with which a person may light such fires without committing an offence against Chapter 20 of this bylaw.~~

Permitted trade waste means a trade waste discharge that has been approved by, or is acceptable to, Council and as long as it has the physical and chemical characteristics which comply with the requirements of Council standard as defined in Schedule 1 of Chapter 15 - Water Services.

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

Point of supply is the boundary between the water network infrastructure and a private supply pipe.

Point of discharge is the boundary between the sewer network infrastructure and a private drain.

Pool has the same meaning as that defined by New Zealand Standard 5826:2000 10 Pool Water Quality.

~~**Pool manager** means the person for the time being who controls or manages or assists to control and manage any public swimming pool or spa and includes the occupier and the owner of the premises.~~

~~**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.~~

Potable means water which complies with the health criteria of the Drinking Water Standards for New Zealand.

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.

Prescribed coin means a coin of New Zealand currency prescribed by resolution of Council as the fee payable for parking at a metered space.

~~**Prescribed Process** means any Beauty therapy, tattooing or skin piercing processes carried out as a commercial service.~~

Pre-treatment means processing of trade waste or stormwater by any process, works, structure, equipment or machinery that is intended to vary the characteristics of the trade waste or prior to their discharge into a Council network infrastructure service.

Private drain means that section of drain between the premises and the point of discharge.

Private supply pipe means that section of pipe between the point of supply and the premises.

~~**Prohibited fire season** means a period of time, whether of fixed or indefinite duration, specified pursuant to this bylaw during which period the lighting of fires in the open air is prohibited.~~

Prohibited trade waste means any trade waste that has prohibited characteristics as defined in Schedule 2 of Chapter 15 - Water Services.

Prohibited waste means materials which are unacceptable in containers and which are identified in Schedule Two of Chapter 14 - Solid Waste.

Publicly notified means published in a notice in a newspaper or newspapers circulating to the Timaru District.

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

Public place for the purposes of Chapter 6 - Control of Dogs shall have the same meaning as that provided in section 2 of the Dog Control Act 1996, but does not include any veterinary clinic.

Public place for the purposes of the remainder of this bylaw means:

- (a) any place that is:
 - (i) under the control of Council; and
 - (ii) open to, or being used by, the public, whether or not there is a charge for admission; and
- (b) includes:
 - (i) every road, street, public highway, footpath, footway, court, alley, lane, accessway, and thoroughfare of a public nature or open to or used by the public as of right
- (c) does not include:
 - (i) for the purposes of Chapter 3 - Trading in Public Places any place in any building;
 - (ii) for the purposes of Chapter 3 - Trading in Public Places any place in any park or reserve;
 - (iii) for the purposes of Chapter 4 - Liquor Ban in Public Places any part of a place for which a liquor licence has been issued in accordance with the Sale of Liquor Act 1989; or
 - (iv) for the purposes of Chapter 4 - Liquor Ban in Public Places any place in any building that is owned or occupied by Council;

~~(v) for the purposes of Chapter 6 - Control of Dogs any veterinary clinic.~~

Public Pool has the same meaning as that defined by New Zealand Standard 5826:2000~~10~~¹⁰ Pool Water Quality and includes every portion of any premises used in connection with such purpose, and includes spa pools.

Recyclable materials are materials that can be converted into other products by further processing. This includes but is not limited to the following: paper, cardboard, glass, aluminium cans, steel cans, ferrous and non-ferrous metals, clothing, textiles, wood, or any other material Council may notify as recyclable.

Reserve includes any open space, plantation, park, beach, garden, track or ground set apart for public recreation or enjoyment which is now or hereafter may be under the management or control of Council.

Residential dwelling means a building or a part of a building occupied or intended to be occupied as a sleeping place like a home or a residence by one or more persons. Motels, hotels and multi unit premises used primarily for travellers accommodation are not included. Sleepouts and homestay rooms are considered to be part of the primary residential dwelling.

~~**Residential premises** means premises used exclusively for residential activities.~~

~~**Restricted fire season** means a period of time, whether of fixed or indefinite duration, specified pursuant to this bylaw, during which period permits are required by this bylaw for the lighting of fires in the open air.~~

Restrictor means a device fitted to the flow control device on a restricted flow supply to regulate the flow of water to a property.

Residual waste means any solid waste destined for final disposal after divertible materials have been recovered.

~~**Re-usable materials** means items that have the potential for re-sale or re-use.~~

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.

Reusable materials are materials that can be used in their existing form or if damaged can be repaired to working order. This includes but is not limited to the following: clothing, textiles, furniture, household items, electronic and electrical items, crockery, kitchenware, sporting equipment, building materials.

Road means the same as in Land Transport Rule.

Rural areas include properties outside the urban area boundaries identified on Council solid waste collection maps.

Service connection means that section of pipe between a network infrastructure service and the point of supply or point of discharge. This section of pipe is owned and maintained by Council and may include other fittings and equipment.

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.

Service opening means a manhole or other opening for gaining access for inspection, cleaning or maintenance, of a network infrastructure service.

Sewage means foul water and may include trade wastes.

Sewage sludge means the solid material settled out and removed from sewage during the treatment process.

Sewer means the pipework drainage system that conveys sewage.

Sewer network infrastructure means the systems for the collection, treatment and disposal of sewage and trade wastes, and includes, but is not limited to machinery, pumps, pipes, pipe fittings and appurtenances, and any sewage treatment works, and all associated land, buildings and other plant and equipment used for the reception, treatment and disposal of sewage and trade wastes.

Skateboard means a board mounted on sets of small wheels, for recreational use on and includes any similar recreational device used in a similar way. This definition includes in-line skates and roller skates but does not include any wheelchair, baby carriage or a mobility device for disabled persons. **NB.** A skateboard is defined as a vehicle under the Land Transport Act 1998 (as amended). ~~This definition includes in-line skates and roller skates but does not include any wheelchair, baby carriage or a mobility device for disabled persons.~~

~~**Skin piercing and tattooing** means any process involving piercing, cutting or puncturing the skin of any part of the human body and includes any part of acupuncture, pedicure, epilation, ear piercing, body piercing, hair restoration, acne treatment, red vein treatment, tattooing and any other like practice.~~ means any beauty treatment involving the intentional piercing, cutting, puncturing, or practice of making indelible marks in human skin or tissue for the purpose of inserting jewellery, pigments, ink or dyes into the human skin or other part of the human body. Tattooing and skin piercing includes traditional tool and cultural tattooing and skin piercing procedures.

Solid waste is any material that is primarily not a liquid or gas that is unwanted and / or unvalued and is discarded or discharged by its owner. Solid waste may include material that may potentially be reused, recycled and composted. Solid waste that is to be disposed to the landfill is called rubbish.

Spa pool has the same meaning as that defined by New Zealand Standard 5826:2000~~10~~10 Pool Water Quality.

~~**Special waste** means any solid waste which may require alternative collection, handling, treatment or processing instead of the usual handling methods.~~

Speed limit means the same as in Land Transport Rule: Setting of Speed Limits 2003.

~~**Stock** means horses, pigs, goats, cattle, deer, sheep, alpaca and llama of any age or sex.~~

Stormwater means surface water run-off resulting from precipitation.

Stormwater network infrastructure means the stormwater collection, treatment and disposal systems and includes but is not limited to land, buildings, machinery, pumps, pipes, pipe fittings and appurtenances, and any treatment works for the purpose of collecting, treating, and disposing of stormwater.

~~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.~~

Tankered waste means water or other liquid, including waste matter in solution or suspension, which is conveyed by vehicle for disposal but excludes domestic sewage discharged directly from house buses, caravans, buses and similar type vehicles.

~~Tattooing means the process of marking the skin of any part of the human body with indelible patterns by inserting pigments into punctures of that skin.~~ has the meaning prescribed above under Skin Piercing and Tattooing.

Taxi shall have the meaning assigned thereto by the Transport Services Licensing Act 1989.

Time restricted parking space means a parking space individually marked out or a portion of the area within road markings defining the start and end of a time restricted area and controlled by a parking sign indicating the maximum time in minutes for which parking is permitted.

~~Timaru fire district means the district of Timaru as constituted by the Local Government (Canterbury Region) Reorganisation Order 1989.~~

Tracks means walkways and cycle tracks, individually or combined, which are not located within a road reserve and may include those tracks covered by the ~~Walkways Act 1990~~ Walking Access Act 2008.

Trade premises means:

- (a) Any premises used or intended to be used for any industrial or trade purpose; or
- (b) Any premises used for the storage, transfer, treatment, or disposal of waste materials or for other waste management purposes, or used for composting organic materials; or
- (c) Any other premises from which a contaminant produced in connection with any industrial or trade process is discharged, ~~does~~ but not includeing any production land; or
- (d) Any other premises discharging other than domestic sewage.

Trade process includes every part of a process from the receipt of raw material to the dispatch or use in another process or disposal of any product or waste material, and includes any intervening storage of the raw material, partly processed matter, or product.

Trade waste is any liquid with or without matter in suspension or solution, that is or may be discharged from a trade premises to the sewer network services infrastructure in the course of any trade or industrial process or operation, or in the course of any activity or operation of a like nature; and may include condensing or cooling water; stormwater which cannot be practically separated, or domestic sewage.

~~Traditional cooking fire means any hangi or similar fire in the open air used for the preparation of food using traditional cooking methods.~~

Urban areas include properties identified inside the urban area boundaries on Council solid waste collection maps.

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

~~**Vegetation** includes:~~

- ~~(a) All plants and the produce thereof, live or dead, standing, fallen, windblown, cut, broken, pulverised, sawn, or harvested, natural or disturbed in use or as waste, rubbish, refuse or debris, stump, stubble or otherwise; and~~
- ~~(b) Fossil fuel exposed at or lying within 20 metres of the surface of any land; and~~
- ~~(c) Peat in any form but does not include wood forming part of a structure or otherwise in processed form.~~

Vehicle shall have the same meaning assigned to it by the Land Transport Act 1998 ~~(as amended)~~.

Vehicle crossing means that part of a road from the kerb to the boundary of the land or premises adjoining the road that is used for the purpose of giving entry or access for vehicles of any description, or that part of the road between the formed carriageway and the road boundary.

Waste means any material or substance that is primarily not a liquid or gas that is unwanted and / or unvalued and is discarded or discharged or selected for disposal by its owner and includes:

- (a) Reusable materials or items, recyclable materials, organic matter, cleanfill, residual waste; and
- (b) Abandoned material; and
- (c) Litter.

~~**Waste operation** means any operation which removes, collects, handles, sorts, transports or disposes of waste.~~

Waste operator means the person in control of any operation which removes, collects, handles, sorts, transports or disposes of waste or waste management ~~handling~~ facility.

Waste management facilities means sites, buildings, premises and locations where waste is managed and includes but is not limited to landfill sites, cleanfill sites, transfer stations, composting facilities, recycling sorting and processing facilities, recycling drop-off locations and waste sorting sites.

Wastewater means liquid wastes, or other liquids with or without waste matter in solution or suspension, discharged into the sewer network infrastructure and includes domestic sewage and trade wastes.

Water network infrastructure means the water treatment and conveyance systems including but not limited to land, buildings, machinery, pipes, pipe fittings

and appurtenances, and any treatment work owned, operated or maintained by Council.

Water services means water supply, wastewater and stormwater services provided by the network infrastructure services.

Water storage tank means any tank having a free water surface under atmospheric pressure to which water is supplied across an air gap separation or through an approved backflow prevention device.

Water race shall have the same meaning as that provided in section 5 of the Local Government Act 2002.

Water supply means the provision of drinking water to communities via the water network infrastructure.

Waterworks includes all waterworks as defined in section 5 of the Local Government Act 2002.

~~**Working dog** shall have the same meaning as that provided in section 2 of the Dog Control Act 1996.~~

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

100.2. Words importing the singular number include the plural number, and words importing the plural number include the singular number.

100.3. Words referring to any district, locality, place, person, office, officer, functionary, party, or thing shall be construed distributively as referring to each district, locality, place, person, office, officer, functionary, party, or thing, to whom or to which the provision is applicable.

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

101.5. Every schedule and policy note 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.

101. Officers to continue in office

101.1. All officers appointed by 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.

102. Serving of orders and notices

102.1. 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, to them at their last-known place of abode or business.

- 102.2. 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 sub clause.
- 102.3. 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 resident 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.
- 102.4. Where an order or notice is sent by registered post it shall be sent so as to arrive in the due course of post on or before the latest time on which such order or notice is required to be served.

103. Powers of delegation

- 103.1. 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 any officer of Council authorised by Council for that purpose.
- 103.2. Where pursuant to this bylaw any powers or duties are imposed on a Council Officer that officer may with the consent of Council delegate any of those powers or duties either generally or particularly to any other officer of Council.

~~104. Powers of entry for purposes of this bylaw~~

- ~~104.1. Council shall have for the purpose of doing anything that it is empowered to do under any bylaw unless contrary to some other legislative provision, 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.~~
- ~~104.2. 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.~~
- ~~104.3. In any sudden emergency causing or likely to cause loss of life, injury or damage to the property or any adjoining property, Council may for the purposes of doing anything it is empowered to do under any bylaw, enter, by its officers or agents, any occupied land or building without giving prior notice but shall as soon as practicable thereafter inform the occupier, and where the occupier is not the owner, the owner of the land or building.~~
- ~~104.4. Every person who obstructs or hinders any such Council officer or agent in the exercise of their powers hereunder shall be liable to prosecution for an offence against this bylaw.~~

105. Suspension and revocation of licences

105.1. 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 or touching their character as a licensee, 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 a Council 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 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 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 Council either by a report from a Council officer or otherwise howsoever that any premises licensed under this bylaw or any part of such premises:
 - (i) Have been or are being used for any other purpose than that stated in such licence; or
 - (ii) Have fallen into a state of disrepair or are not being kept and maintained in the condition required by such licence; or
 - (iii) That in any other manner the bylaw in respect to such Premises is not being observed in accordance with its true intent and meaning.

Then and in any such case 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 sub clause (b) hereof and may hear and determine the matter as provided in the said sub clause (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.

106. Offences and breaches

106.1. No person shall do anything or cause any condition to exist for which a licence or approval from Council is required under this bylaw without first obtaining that licence or approval, and the failure to do so shall constitute a breach of this bylaw.

106.2. No application for a licence or authority from 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.

106.3. 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 within the time period prescribed by that notice; or
- (f) Obstructs or hinders any 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.~~

106.4. 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 construct, 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 Council or any officer of Council, carry out the remedial action specified in that notice.

106.5. 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 a Council officer.

106.6. 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.

107. Removal by Council of works executed contrary to the bylaw

107.1. 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 Council.

107.2. 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 Council, in connection with such pulling down, removal or alteration.

- 107.3. 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. Penalties for breach of bylaws

- 108.1. Every person who commits a breach of this bylaw is liable to a fine as specified in Section 242 of the Local Government Act 2002.
- 108.2. Council may, after a conviction for the continuing breach of any chapter of the bylaw, apply to any Court of competent jurisdiction for an injunction to restrain the further continuance of the breach by the person so convicted.
- 108.3. The continued existence of any work or thing in a state contrary to this bylaw shall be deemed a continuing offence within the meaning of this clause and / or the provisions of the Local Government Act 2002.

109. Dispensing power

- 109.1. Where in the opinion of 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, or be attended with loss or inconvenience to, any person without any corresponding benefit to the community, 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. Installation, etc., not otherwise provided for

- 110.1. If, after the coming into force of this bylaw, any person desirous of installing or using in the district any article or thing which had not been introduced into the district prior to the coming into force of this bylaw and which, while not complying entirely with the provisions of this bylaw, may, in the opinion of Council be properly installed, and put into use, Council may either generally or specifically authorise the installation and use of such article or thing, and they may impose such conditions as they deem necessary.

111. Forms

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

112. Fees and charges

- 112.1. Council may at any time by resolution passed after consultation as part of the Long Term ~~Council Community~~ Plan or the Annual Plan prescribe fees that may be charged in respect of any licence, certificate, authority, approval, consent given, inspection made or service given by Council under the provisions of the Local Government Act 2002 or any other enactment where that enactment contains a provision for authorising Council to charge a fee.

- 112.2. Where any inspection or service for which a fee has been paid (under the provisions of clause 113.1 hereof) has not been given or made, Council may refund any such fee or portion thereof as it may determine.

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Chapter 2: Public Places

Scope

This chapter of the bylaw regulates a diverse range of activities. It seeks to maintain standards of public health and safety, protect the public from nuisances, minimise the potential for offensive behaviour and to manage land associated with or under the control of the Council for the well-being and enjoyment of the public in public places.

This chapter of the bylaw document applies to state highways in the following circumstances:

- Where signs are located on state highways within the 70km / hr speed zone; *and*
- On state highways in speed zones greater than 70km / hr in circumstances where specifically stated in the bylaw.

200. Interpretation

200.1. This Chapter to be read in conjunction with Chapter 1 - Interpretation.

201. Obstructing footpaths or cycle tracks

201.1. ~~No person shall~~ A person must not carry or convey any article to the danger or obstruction of persons using any footpath or cycle track, or ride, or drive or lead any stock, or drive any motor vehicle or motor cycle along any such footpath or cycle track.

202. Packing or unpacking articles

202.1. No person shall without the prior consent of Council pack or unpack any articles upon any public place so as to cause an obstruction to the public.

203. Placing of articles on public places

203.1. No person shall (except as provided in this or any other chapter of the bylaw) leave standing or lying upon any public place any structure, appliance, machine, vehicle, or other similar thing, or any packing case, crate, package, accumulation of organic or inorganic material, or any other encumbrance whatsoever so as to constitute an obstruction thereon or danger to any person or traffic.

204. Drippings from eaves

204.1. No person shall allow surplus water to fall from any building upon any public place.

205. Disturbing surface of street

205.1. No person shall open, or disturb or remove, the surface of any public place, or make any opening from or to the surface of any public place without first having obtained the permission of Council. In granting any consent Council may impose conditions including conditions which require the applicant to seek the approval of any supply authority or the appropriate road controlling authority.

205.2. Nothing in this chapter of the bylaw shall prohibit the relevant road controlling authorities from disturbing the street while carrying out their legislative functions.

206. Precautions against injury

- 206.1. No person shall omit when opening up any street to take all such precautions for guarding against injury to the passers along such street as may be necessary or as may be directed by Council.

Any street opening shall be in accordance with the ~~Council's~~ Code of Practice for temporary traffic management.

- 206.2. No person shall cause or allow any building or any fence adjacent to any public place to be or to remain in such condition as to present a danger to the public.

207. Securing foundations

- 207.1. No person shall omit or neglect to secure and maintain the foundations of any building or any wall or fence, or cause or permit any encroachment by any building, wall, or fence abutting on any public place in such a manner that any public place is or may be damaged or obstructed.

This clause shall not apply if a licence to occupy or another Council approval has been obtained.

208. Exposing articles for sale

- 208.1. 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. Refer to First Schedule of this chapter of the bylaw.

209. Leaving dead animals or depositing offensive matter

- 209.1. No person shall:

- (a) Throw or leave any dead animal or part thereof, or animal remains, or offensive matter of any kind, upon any public place, or into any river, creek, stream, or other water, or on the bank thereof; or
- (b) Fail to dispose of in a proper manner the body or part of the body of any animal belonging to him / her, or in their charge or keeping, ~~that~~ which may have been killed or died whilst straying, or while being driven on any public place.

210. ~~Acts or games to annoyance of persons~~ interfering with safety, use and enjoyment of public places

- 210.1. ~~No person shall propel, push, pull or ride any trolley or other similar contrivance, fly a kite, use any projectile, cast, throw or project any stone or other missile, by hand, or play any game on any street, to the damage, annoyance, danger, inconvenience, or obstruction of any person or property.~~ A person must not, in a public place, act in a manner which unreasonably interferes with the safety, use, enjoyment or right of any other person's use of a public place.

211. Buskers, preaching, collections and appeals

- 211.1. No person shall in any street or public place:

Sing or play any musical instrument, preach, read aloud, lecture, exhibit any object or thing, solicit any subscription, collection or donation without the consent of Council, or in accordance with a Council policy, and then only subject to such condition in every respect as Council may impose. Refer to Second Schedule of this chapter of the bylaw.

212. Creation of noise nuisance

212.1. No person shall play or permit the playing of any musical instrument, or operate or permit the operation of any loud speaker, megaphone, radio or television set, bell or other similar device:

(a) In any public place where such playing makes or causes to be made noise which is likely to cause annoyance or nuisance to persons in a public place or residing in the vicinity thereof; or

~~(b) In or upon any land or buildings where such playing or operation makes or causes to be made, noise which is likely to cause annoyance or nuisance to persons in the vicinity of that land or those buildings.~~

213. Placards on buildings, posts and pavements and markings on footpaths

213.1. No person shall:

(a) Place any poster, or other document on, or write, or otherwise disfigure or deface, any building or any wall, fence, statue, lamp post, verandah post, gate, telegraph or telephone post, or electric light or power post, or any waiting-shed, convenience, rubbish receptacle, fireplug notice plate, or urinal, or upon anything whatsoever erected in, ~~or constructed or standing on~~ or abutting any public place, excepting where pillars have been erected specifically for the display of posters or advertising; or

(b) Stamp, stain, paint, write, print, or post any advertisement or notice upon any public place or kerbstone, footpaths or steps, except with the prior written authority of Council and then only in conformity with the terms of any permit or consent that may be granted; or

(c) Upon or over any footpath or any road, private street or public place erect ~~display or carry~~ any placard, board, flag, screen, or frame by way of advertisement, unless permission or consent in writing shall have been obtained from Council. Provided that Council may by resolution from time to time specify conditions with regard to the control of such advertising signs. Refer to Third Schedule of this chapter of the bylaw.

213.2. Where any building, wall, fence, statue, lamp post, verandah post, gate, telegraph or telephone post, or electric light or power post, or any waiting-shed, convenience, rubbish receptacle, fire plug notice plate, or urinal, or anything whatsoever erected in or constructed or standing on or abutting any public place has been defaced by a poster or other document the Council reserves the right to remove or cancel the material and seek recovery of costs associated with that removal.

213.3. Where a sign is in the opinion of Council dangerous or creating hazardous conditions for traffic or pedestrians notice may be given requiring the sign to be removed. If the person on whom such notice has been served fails to comply with the terms of the notice within the time stated therein they will commit an offence under this chapter of the bylaw. Council shall remove any illegal or

dangerous sign. ~~In exercising rights under clause 213 Council shall have rights of entry onto lands or buildings specified in clause 105.3 of this bylaw.~~

214. Blasting without authority

- 214.1. No person shall blast any rock, stone, earth, timber, or other such material in, on or near any public place, without having first obtained permission of Council and to comply with any conditions imposed by Council and any other control authority and then only in accordance with such conditions as may be imposed.

215. Fireworks

- 215.1. No person shall set off any fireworks or explosive material in or on any public place, park or reserve without the permission of Council, or so near to any such public place as to endanger, annoy or frighten passers-by along such public place.

216. Damage to property of local authority

- 216.1. No person shall without the written approval of Council:
- (a) Wilfully damage or destroy, or allow any act tending to damage or destroy any vegetation or structure belonging to Council;
 - (b) Wilfully damage or break any street lamp, or lamp post, remove or interfere with any warning lights, signs, or barricades placed to warn the public of danger.

217. Generally obstructing

- 217.1. No person shall obstruct a public place in any manner not previously described.

218. Congregating so as to cause inconvenience / obstruction

- 218.1. No person shall undertake any activity or conduct any business on any public place or on land adjacent thereto, that causes persons to collect or congregate on any public place so as to impede or cause an obstruction to persons passing.

~~**219. Processions and public meetings**~~

- ~~219.1. No person shall, except with the prior written authority of Council and then only in conformity with the terms of any permit that may be granted:~~

- ~~(a) Organise, hold, or conduct or attempt to hold or conduct any procession, or any public meeting, gathering or demonstration, or make any public address or attempt to collect a crowd in, along or upon any public place or on land adjacent thereto where that crowd may encroach onto any public place; or~~
- ~~(b) Take part in any unauthorised meeting or assembly or congregate or so conduct himself / herself on any public place as to in any way impede traffic or cause an obstruction, inconvenience any person passing thereon, or take part in any unauthorised procession in, along or upon any public place.~~

220. Litter receptacles

- 220.1. No person shall make use of any public litter receptacle for the purpose of depositing therein any offensive ~~matter~~ waste or any household or trade refuse of any description.

221. Awnings and blinds

- 221.1. No person shall erect or maintain, or cause to be erected or maintained, any awning over any public place, or hang any awning or blind on any public place unless the permission of Council has first been obtained and then subject to such conditions as may be imposed. Any such permission may be revoked at any time by Council.

222. Doors, gates, to swing inwards

- 222.1. No person shall hang, permit, or allow to be hung any door or gate abutting any public place so as to render it capable of being swung over or across such public place unless such encroachment has been authorised by Council.

223. Encroachment to be removed upon notice

- 223.1. If any building or other structure or any part thereof has been erected, constructed or placed upon, under, over or across any public place, Council may by notice require the owner of such building or structure to remove the same or such part thereof as has been so erected, constructed or placed.
- 223.2. Any such notice may require such precautions to be taken as Council considers fit for the safety of the public and for the proper securing of such building or structure as is to remain after such removal.

224. Projections on public places not permitted

- 224.1. No person shall put any projecting window, balcony, wall, lamp, door step, cellar door, lamp post, signboard, window shutter, gatepost, or other obstruction or projection of any kind whatsoever in such a position as to interfere with or obstruct in any way the free passage of traffic or pedestrians upon any public place.
- 224.2. If any such projection or obstruction ~~as aforesaid~~ has been placed against or in front of any building before the coming into operation of this bylaw and which is contrary to any bylaw in force Council may give notice to the owner or occupier of such building to remove, or to alter such projection or obstruction, and such owner or occupier shall, within the time stated in such notice, remove, or alter such projection or obstruction.

225. Lighting of obstructions and holes and stacking of materials

- 225.1. If any person places or leaves, on any public place, any building material rubbish or ~~any~~ other ~~thing whatsoever~~ item likely to cause any obstruction or danger to any other person or vehicle ~~upon such in that~~ public place, ~~such that~~ person ~~shall cause to be~~ must ~~fixed~~ and maintained, from sunset ~~in any day~~ to sunrise ~~in the next day in such a position as may be necessary~~, sufficient light ~~ed~~ ing ~~lamps of a type that is~~ in accordance with the relevant Code of Practice for temporary traffic management and approved by Council to adequately indicate the existence of the obstruction.

225.2. If any person makes or digs, in any public place, any hole or excavation, such person shall cause to be fixed from sunset in any day to sunrise in the next day sufficient lighting that is in accordance with the relevant Code of Practice for temporary traffic management to adequately indicate the existence of such hole or excavation.

225.3. No person shall permit any building material or other thing as mentioned in clause 225.1 or any hole or excavation placed, left, made or dug on or in any public place (whether with or without the authority of Council) to remain for a longer period than is reasonably necessary.

226. Restrictions on use of barbed wire and electric fences

226.1. In an urban area, 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. Council may in special circumstances grant a dispensation from this clause where the location, design or construction of the fence is such as to effectively remove any danger to a passing pedestrian.

Provided that this sub clause shall not prohibit the placing of such wire at a height of not less than 2 metres from the level of the ground of any such public place.

226.2. 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.

226.3. Every person who executes any work or thing contrary to any of the foregoing provisions of this clause and who, after service upon them of a notice in writing from Council, fails to pull down and remove or modify within the time stated in such notice, or carry out such work as aforesaid, shall be guilty of an offence against this chapter of the bylaw.

226.4. These sub clauses shall not apply within any area zoned "rural" 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. Refer to the Fourth Schedule of this chapter of the bylaw.

227. Repair of structures adjoining public places

227.1. Where any fence, gate, building or other structure abutting on a public place is so out of repair as to be in the opinion of Council dangerous to persons passing, Council may by notice in writing require the owner or occupier to repair or remove such danger.

227.2. The owner or occupier of any land upon whom such notice is served shall comply with the same within the time stated in such notice.

228. Crossings

228.1. No person shall drive, ride, propel, or wheel any vehicle across any footpath or water channel in any public place otherwise than upon a crossing properly constructed under the provisions of this chapter of the bylaw.

228.2. Except with the permission of Council no person shall after the coming into force of this chapter of the bylaw construct any crossing across any footpath or water

channel or repair, reconstruct, renew, or do any work whatsoever in connection with any existing crossing.

228.3. No person shall construct, repair, reconstruct, renew or extend any such crossing unless they obtain the prior permission in writing of Council. Council may charge an appropriate fee and impose conditions.

228.4. If ~~in the opinion of Council, subject to Council policy~~ any crossing is in a bad or unsafe state of repair, Council may forthwith remove such crossing and may by notice in writing require the owner or occupier of any premises to which such crossing provides access to pay such sum of money as shall be necessary in the opinion of Council to repair, reconstruct, or renew such crossing, and every such owner or occupier who fails to comply with any such notice within the period therein specified shall be guilty of an offence against this chapter of the bylaw.

229. Temporary crossings

229.1. No person shall take or drive or operate a vehicle or permit the same to be taken or driven across any footpath or water channel in the course of construction or other work on the adjoining property or to deliver or collect building or other materials used in connection therewith otherwise than subject to such terms and conditions as Council may impose, including the provision for crossing for temporary purposes over the footpath or water channel.

230. Reinforcing of footpaths

230.1. Where any land or premises is at any time occupied or used that, in the usual course of the business, any materials, goods, merchandise, articles, or things whatsoever are dropped or deposited upon or conveyed across any footpath, water channel or crossing in such a manner as to be likely to damage such footpath, water channel or crossing, Council may, by notice in writing require the owner or occupier of such land or premises to provide adequate reinforcement to such footpath, channel or crossing.

~~230.2. 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 chapter of the bylaw.~~

231. Naming of streets

231.1. No person shall ~~give any name to~~ affix, erect, or paint any name on any street, private street, or public place.

232. Numbering of premises

232.1. The owner or occupier of every building shall mark such building (subject to clause 232.4 hereof) with such numbers, being in no case less than 50 millimetres in height, ~~as Council shall direct or approve~~ and shall renew the numbers of such building ~~as often as they are obliterated or defaced~~ whenever they become illegible.

Kerb numbering in an approved form will be an acceptable alternative.

232.2. If the owner or occupier of any building neglects for one month after notice from Council to mark such building with such number as Council ~~may direct, or approve~~ or to renew the number thereof ~~as aforesaid~~, they shall commit an offence against this chapter of the bylaw.

- 232.3. 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.
- 232.4. Every such number shall be placed upon any building in such a position as to render the same readily visible from any street fronted by such building; or, if no such position is available, shall be placed upon a post, fence, or gate near or adjacent to, and readily visible from, such street.
- 233. Defacing names and numbers**
- 233.1 ~~Every~~ No person shall ~~commit an offence against this chapter of the bylaw~~ wilfully destroy~~s~~, or deface~~s~~ the name of any street, or the number of any building ~~or paints, affixes, or sets up any name of any street, or any number to any building, contrary to the provisions of this chapter of the bylaw.~~
- 234. Animals wandering**
- 234.1. 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.
- 234.2. No person shall allow any animal to loiter in any public place and every person having the control of any animal whilst the same are being driven on any public place shall continuously drive them towards a definite destination without deviation from the most direct route, or the route directed by Council and at reasonable speed.
- 235. Driving stock**
- 235.1. Except as ~~may be pursuant to~~ provided in sub clause 235.2 ~~of this clause~~, no person shall drive any stock not in harness on any public place, except with the prior permission in writing of Council and then only in accordance in all respects with conditions which may be imposed.
- “Driving” for the purposes of this clause of this chapter of the bylaw means moving stock on the hoof.
- 235.2. Notwithstanding the provisions of sub clause 235.1, ~~hereof~~ but subject to clause 236, stock may be driven in rural areas:
- (a) At all times on roads without Council's written permission provided the following conditions are complied with:
- (i) That the driving of stock with only one drover is permissible, as long as the mob does not exceed ~~100~~50 head of cattle and ~~600~~300 head of sheep and provided the drover can see the front of the mob.
- (ii) Where the size of the mob exceeds 50 head of cattle or 300 head of sheep, there shall be a minimum of one drover at the front and one at the rear of the mob.
- (iii) The number of animals in any one mob shall not exceed 600 head of cattle or 3000 head of sheep.
- (iv) The drovers shall keep the animals moving at all times so as to make progress towards the destination at a reasonable rate;

- (v) Devices to give adequate warning of the presence of the Stock to the public are required (signs or flashing lights or combination thereof. **NB:** See also clause 235.4 below);
- (vi) Any person having control of stock on any road shall ensure that the stock are not driven carelessly nor without reasonable consideration for other persons using the road;

provided always that this sub clause shall not authorise any person to drive or take any bull on any public place otherwise than by leading the same by a sufficient rope or other sufficient means of control, unless it is accompanied by cows.

235.3. Council may from time to time publicly notify certain roads to be stock routes and prohibit or restrict the use of any other roads for the driving of stock. Any such declaration, prohibition or restriction may from time to time in like manner be altered or revoked.

235.4. Driving animals at night

No person shall drive any animals on any road during the period between half an hour after sunset and half an hour before sunrise or in cases of poor visibility 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.

236. Dairy cattle on roads

236.1. For the purposes of this clause "Dairy cattle" refers only to those dairy cattle being moved to and from dairy sheds for milking.

236.2. Any person who is responsible for dairy cattle being on district roads shall ensure that routes of travel and points of crossing are registered with the Council.

236.3. Any person may move dairy cattle across or along roads to and from a dairy shed and grazing paddocks subject to the following:

- (a) All road routes of travel and road crossings must be registered with the District Council and have been approved by Council; and
- (b) Any person who owns, uses, or grazes dairy cattle on land shall use that land for movement of dairy cattle and shall not be permitted to use the road separating the land for the movement of dairy cattle except where a direct crossing pursuant to clause 236.5 hereof is to be made;
- (c) Dairy cattle shall, when travelling along a road, be confined to the road verge by use of a designated lane constructed in accordance with clause 236.4 below and not be permitted to use the road carriageway;
- (d) All road use and road crossings shall comply with conditions specified in the Sixth Schedule to this chapter of the bylaw.

236.4. Any road verge approved by Council as a route of travel for dairy cattle shall have a lane designed, constructed and fenced to standards approved by the Council.

- 236.5. Any person responsible for cattle crossing a road shall ensure that those cattle cross the road in the shortest practicable route.
- 236.6. That person granted approval by Council to allow use of a road by dairy cattle shall ensure that the cattle movements are at all times adequately supervised and to ensure that the road is kept clean and tidy through the use of mats or washing of the road after use.
- 236.7. Any person having control of dairy cattle on any road shall ensure that the cattle are not driven carelessly nor without reasonable consideration for other persons using the road.
- 236.8. Where in the opinion of an officer of the Council the movement of dairy cattle across or along any road has resulted in excessive fouling of the road surface Council may require the person responsible for those dairy cows to ~~cause~~ clean the road ~~to be cleaned~~ as far as is practicable.
- 236.9. Provided always that the movement of dairy cattle across any state highway shall not be authorised without the approval of the appropriate road controlling authority.

237. Gin traps

- 237.1. No person shall without the prior permission of Council set, lay or fix any gin trap or spring jawed animal trap in any place except those ~~designated~~ zoned rural in the District Plan.

238. Overhanging vegetation - liable to obstruct

- 238.1. No person shall permit or allow vegetation to encroach on to or over any public place so as to obstruct or interfere with the free movement of persons using that public place. Provided that Council will from time to time prepare a policy as regards allowable overhanging vegetation. Refer to the Fifth Schedule of this chapter of the bylaw.

239. Shingle and debris on footpaths, roads, and public places

- 239.1. No person shall permit, allow or cause any shingle, earth, building rubble, or any other material to spill onto so as to cause a nuisance or danger or remain on any footpath road or other public place.

240. Horses fouling public areas

- 240.1. No person being the owner of or having control of any horse shall, in an urban area permit that horse to foul any public place with droppings. Provided that no offence shall be deemed to have been committed against this chapter of the bylaw where the owner or person having control of the horse removes the droppings as soon as practicable.

241. Miscellaneous offences

- 241.1. Any person shall commit an offence against this part of this chapter of the bylaw who:
- (a) Repairs or dismantles any motor vehicle on any public place, except in case of the occurrence of an accident or breakdown when repair on the spot is necessary;

- (b) Shall, by ~~ill usage or negligence~~ in driving any animal along or over any public place, ~~permit~~ cause any injury or damage to be done by such animal;
- (c) Shall drive, ride, or propel any vehicle or bicycle along any footpath on any public place provided that persons on bicycles taking due care may be permitted to use a footpath for delivery purposes of newspapers, mail or printed material.

NB: This clause shall not apply to those persons using motorised mobility aid devices for bona fide reasons on public footpaths ~~intended for dual use by pedestrians and cyclists~~;

- (d) Being the owner, or the person having the custody of any stock, shall ride, lead, or drive the stock, or permit them to go along any footpath or cycle track on any public place; or
- (e) Shall permit, any vehicle or animal to be led, ridden, or driven upon, across, or along any grass plot or flower bed laid out on any public place under the authority of Council.

DRAFT

CHAPTER 2: Public Places

FIRST SCHEDULE BYLAW POLICY

Articles displayed outside shops

SUBJECT

Clause 208 - Exposing articles for sale

PURPOSE

The reason for this policy is to allow retailers and business premises to display articles without in each individual case having to seek the permission in writing of Council.

The policy also details the manner in which Council staff shall address the problem of articles that are displayed in contravention of the policy.

POLICY

- (a) That general exemption be granted for the displaying of articles up to 600 millimetres from commercial property holders' boundaries;
- (b) That articles may only be displayed outside the premises to which they belong;
- (c) That articles must be removed at the close of each days trading;
- (d) That officers be authorised to give written notice for the removal of articles which do not comply with Council policy and such notice may require the removal of articles within 24 hours or such lesser time as is deemed appropriate, failing which the articles are to be impounded and released on payment of an appropriate fee;
- (e) Should any person repeatedly display articles without Council's consent or in contravention of this policy, that person shall receive only one warning, thereafter it shall not be required that officers serve written notice prior to the articles being impounded;
- (f) Council may dispense with the requirements of this policy where there is no obvious benefit to the community in strict enforcement. A record of dispensations shall be kept at the Council Offices;
- (g) Neither clause 208 of this chapter of the bylaw nor this policy shall apply to suburban shops with the exception of Ashbury Shopping Centre, Evans Street, Timaru. Officers shall in cases where clause 208 does not apply, use the general obstruction provisions of clause 203.

It should be noted that the main shopping areas of Temuka, Geraldine and Pleasant Point are included in this policy.

CHAPTER 2: Public Places

SECOND SCHEDULE BYLAW POLICY

Collectors, buskers, street preachers

SUBJECT

Clause 211 - Buskers

PURPOSE

This policy allows buskers to operate throughout the district without obtaining specific permission provided that certain conditions are observed.

POLICY: Buskers

That general approval be given to allow buskers to operate throughout the District subject to the following conditions:

- (a) The activity is at the pleasure of Council and may be discontinued by Council at any time if justified complaints are received;
- (b) Buskers who are performing as individuals may operate in any area provided that:
 - (i) They do not block off entrances to any premises;
 - (ii) They do not obstruct pedestrians;
- (c) Groups may also operate in any area subject to the above conditions provided that an officer may require groups to operate in more “open” areas;
- (d) Groups or individuals may busk on the reserve at the corner of Strathallan and Stafford Streets and the Piazza only with the approval of the Council ~~Asset Manager~~ and in accordance with any conditions that maybe imposed.

SUBJECT

Clause 211 - Street preachers, street collections and appeals

PURPOSE

This policy is to differentiate the activities of persons carrying out “street preaching and street collections” from the activities of a busker.

POLICY: Street preaching

- (a) Any person who wishes to preach in a public area must make application in writing to the Council;
- (b) Approval may be granted by Council provided that any approval granted may be subject to conditions;
- (c) Any approval granted is at “the pleasure of Council” and may be discontinued by Council at any time if justified complainants are received.

POLICY: Street collections and appeals

- (a) Any person who wishes to collect or solicit donations in a public place must make application in writing to Council;

- (b) Approval may be granted by Council provided that any approval granted may be subject to conditions;
- (c) Any approval granted is at “the pleasure of Council” and may be discontinued by Council at any time if justified complaints are received.

DRAFT

CHAPTER 2: Public Places

THIRD SCHEDULE BYLAW POLICY

Advertising signs

SUBJECT

Clause 213 - Placards on buildings, posts and footpaths

Signs in, on or over a public place must comply with the performance standards of this policy.

This policy is in two parts. Part 1 addresses portable advertising signs outside shops. Part 2 addresses signs which protrude into or hang over a public place / space.

PURPOSE

Part 1 The reason for this policy is to allow retailers and business premises to advertise their business by means of portable display boards without in each individual case having to seek the permission in writing of Council.

The policy also details the manner in which Council staff shall address the problem of signs that are displayed in contravention of the policy.

Part 2 This policy provides information and performance standards for other advertising signs which hang or are located in a position where there is potential for the sign to obstruct, obscure or cause injury to users of the public place.

No sign which by its location or construction presents a danger, or which may cause injury to the public, is authorised or permitted by this chapter of the bylaw or policy.

POLICY

Part 1 Portable advertising signs outside shops or places of businesses in the areas zoned Commercial in the Timaru District Plan

- (a) That general exemption be granted to allow portable display board type signs to be displayed up to 600 millimetres from commercial property holders' boundaries;
- (b) The maximum size of portable display board signs shall be 1000mm x 600mm;
- (c) That signs may only be displayed outside the premises to which they apply during the hours which the premises are open for business;
- (d) That officers be authorised to give written notice for the removal of signs which do not comply with this Council policy. Such notice may require the removal of signs within 24 hours or such lesser time as is deemed appropriate, failing which the signs are to be impounded and released on payment of an appropriate fee;
- (e) That should any person contravene this policy, that person shall receive only one 24 hour warning or such lesser time as is deemed appropriate, thereafter it shall not be required that officers serve written notice prior to the sign being impounded;

- (f) Neither clause 213.1(c) nor this policy shall apply to retailers and business premises outside the areas zoned Commercial in the Timaru District Plan. Officers shall in cases where clause 213.1(c) does not apply, use the general obstruction provisions of clause 203.

Part 2 Signs on or over public place

Interpretation: A sign has the meaning given in the District Plan. Providing that temporary signs covered by Part 1 of this policy are excluded.

General requirements for construction and maintenance of signs

- (a) No sign shall be made, erected, or constructed otherwise than in a safe manner and securely fastened to a permanent structure. Signs on the faces of buildings, sky signs and pole signs shall, if required by Council, be designed by a structural engineer and shall be located in a position approved by Council.
- (b) Every sign shall at all times be maintained in good repair and condition.
- (c) Where a sign is not maintained in good order and condition, or if it at any time becomes unsightly or dangerous, the Council may, by notice in writing require the owner or lessee to repair or secure or otherwise put in order or remove the sign within a period stated in the notice.
- (d) All signs must conform to the following dimensions if they overhang footpaths, span carriageways and / or are connected to verandahs:
 - (i) Minimum height to underside of sign from footpaths 2.4m;
 - (ii) Set back, 600mm from an imaginary vertical line from the kerb;
 - (iii) Verandah fascia sign maximum 450mm in depth;
 - (iv) Minimum height to underside of sign where the sign spans the carriageway shall be 5.5 metres.

Signs affecting traffic

- (a) No person shall display, erect, or maintain any sign on or adjacent to any part of a road, motorway, or to any corner, bend, safety-zone, traffic sign, traffic signal, or intersection that will:
 - (i) Obstruct the line of sight of any corner, bend, intersection or vehicle crossing;
 - (ii) Obstruct, obscure or impair the view of any traffic sign or signal;
 - (iii) Resemble or be likely to be confused with any traffic sign or signal;
 - (iv) Use reflective materials that may interfere with a road users vision;
 - (v) Use intermittent or revolving lights.
- (b) No person shall place or display any sign containing any reflective material which tends to reflect vehicle lights, or contains any material dependent for illumination upon the lights of traffic in such a position as in the opinion of the Council would distract or be likely to distract the attention of the driver of any vehicle.

Signs on parked vehicles

In the event of a complaint being received, and / or if the Council considers a problem is caused by a sign on a parked vehicle then the removal of such a sign shall be required.

Temporary signs

- (a) Temporary signs advertising the sale of land on which the sign is situated shall be restricted to a maximum of 0.7 square metres in any location.
- (b) Temporary signs advertising a forthcoming event shall be restricted to a size of 3.0 square metres in any rural location and Council may detail a lesser size in other locations.
- (c) No temporary signs are permitted on reserves or roadsides with the exception of the Church Street over bridge and then only in accordance with Council policy for that over bridge.
- (d) No temporary signs may be attached in any way to power or telephone poles or to fences on any public property.
- (e) Signs for elections are not permitted on any reserves or roadsides.

Removal of offending signs

- (a) If any sign, whether approved or not, fails to conform to all the provisions of this schedule it shall be the duty of the owner of the sign to take down and remove or to repair the sign or so much thereof as does not conform to the provisions of this schedule.
- (b) The Council may remove any sign that does not comply with this policy or is considered to be hazardous or dangerous and to recover the costs of doing so. In such cases the Council will, where possible, notify the person or persons responsible prior to any removal.

CHAPTER 2: Public Places

FOURTH SCHEDULE BYLAW POLICY

Electric fences on road reserves

SUBJECT

Clause 226.4 - Temporary electric fences

PURPOSE

This policy allows electric fences to be erected on road reserves in rural areas without obtaining the written permission of Council provided that certain specified conditions are observed.

POLICY

Temporary electric fences may only be erected on the road reserves without first obtaining written approval, subject to the following conditions:

- (a) The fence must be supported by white plastic fencing standards or painted light weight standards, not steel waratahs. High visibility tape must be used and the fence must not include barbed wire and must comply with any regulations governing electric fences including the provision of "Electric Fence" signs; and
- (b) The fence is to be erected not less than one metre (1.0m) from the metal edge of any unsealed road or two and a half metres (2.5m) from the seal edge of sealed roads. Such fences shall not be erected adjacent to state highways, or in urban areas.
- (c) Such fences shall not be located within 10 metres (10m) of any road intersection; and
- (d) No fence shall remain for a period of more than twenty (20) days and may enclose stock only during daylight hours. At no time shall bulls be kept in a temporary electric fence enclosure adjacent to any road or road reserve;
- (e) Before placing any fencing standards in the road reserve, utility supply authorities must be contacted to ensure that no damage occurs to underground services;
- (f) No fence shall be erected so as to constitute a traffic hazard nor shall it obstruct traffic visibility;
- (g) Council may require the immediate removal of any unauthorised fence or any fence not complying with the above conditions or if the road reserve is required for other purposes.
- (h) Any type of fence or fence component or structure (permanent or otherwise) other than the above will be a road encroachment and require the submission of an "Application for Services" and a formal written approval prior to the commencement of fence structure construction.

CHAPTER 2: Public Places

FIFTH SCHEDULE BYLAW POLICY

Overhanging vegetation

SUBJECT

Clause 238 Overhanging Vegetation - liable to obstruct

PURPOSE

The policy allows for pedestrians to use district footpaths without being injured or obstructed by overhanging branches or vegetation. The policy accepts that overhanging vegetation adds to the beauty of our urban areas but sets standards that allow free access.

POLICY

- (a) That there be sufficient clearance to give pedestrians free passage with vertical clearance to 2.4 metres;
- (b) That officers are authorised to give written notice to trim or cut back obstructions which do not comply;
- (c) That legal action is authorised by this policy where service of written notice has not resulted in compliance.

CHAPTER 2: Public Places

SIXTH SCHEDULE BYLAW POLICY

Standards for warning notices and crossing guides for dairy cattle road use

SUBJECT

Clause 236.3 Dairy cattle on roads

SCHEDULE OF STANDARDS FOR WARNING NOTICES AND CROSSING GUIDES FOR DAIRY CATTLE ROAD USE

POLICY

- 1 Road crossings used by milking dairy herds shall be provided with advance warning signs, crossing markers, and guides as may from time to time be required by Council.
- 2 Advance warning signs shall:
 - Be hinged folding stock temporary (cattle crossing) warning signs of reflective orange background with black legend and border with a minimum opened size of 750 millimetres by 750 millimetres or as otherwise defined by Council;
 - Be located as determined by Council;
 - Be erected on H4 treated posts painted high gloss vivid white and of dimensions 100 millimetres x 100 millimetres x 3 metres long embedded 600 millimetres (minimum) in the ground or as otherwise specified by Council;
 - All advance warning signs shall be removed, closed or covered within fifteen minutes of stock movement ceasing.
- 3 Crossing markers shall:
 - Be either an approved type of flashing orange light located at the roadway formation edge and at a height not exceeding 1200 millimetres; or
 - A fluorescent road cone (minimum height 900 millimetres) placed at the roadway formation edge; or
 - Other approved sign or marker.
- 4 Crossing and roadside race guide requirements shall be:
 - Posts, standards, fence rails, or other such devices used or placed to guide or restrain the cattle shall be white in colour to aid visibility;
 - Marked with approved reflectors or other means acceptable to Council;
 - Tapes when laid across any roadway shall extend in height above the road not more than 50 millimetres and shall be securely anchored at each end;
 - Tapes shall only be laid down for the duration of any one particular herd crossing time.

Chapter 3: Trading in Public Places

Scope

The general purpose of this chapter of the bylaw is:

- (a) To regulate the conduct of persons selling goods on streets, roads, footpaths, Council property and other public places; and
- (b) To regulate the conduct of persons using vehicles to sell goods and services to the general public.

300. Interpretation

- 300.1. This Chapter to be read in conjunction with Chapter 1 - Interpretation.

301. Licence required

- 301.1. No persons, in any public place, shall engage in the sale of goods of any description whatsoever (except as provided in clause 308, Exemptions), without having first obtained a licence from Council.

302. Application

- 302.1. Every person who wishes to sell goods in a public place shall make written application to obtain a licence to the authorised officer of Council. The information to be supplied by the applicant may include, but shall not be restricted to any of, the following:
 - (a) Name and address of the applicant;
 - (b) Name and address of the person(s) selling the goods;
 - (c) The location / site or place of trading;
 - (d) The contact telephone number of the applicant;
 - (e) The type of goods for sale;
 - (f) The times which it is proposed the goods are to be sold;
 - (g) The type of vehicle(s) and registration numbers if applicable;
 - (h) Evidence of good character.

303. Licence details

- 303.1. The authorised officer in granting any licence may impose conditions. The conditions imposed may include, but shall not be restricted to, any of the following:
 - (a) Time and place

- (b) Duration of the licence
- (c) Location
- (d) Types of goods for sale
- (e) Area available for sale
- (f) Persons entitled to sell
- (g) Safety and hygiene requirements
- (h) Use of signage
- (j) Use of musical chimes or other audible devices for attracting customers
- (k) Litter, cleanliness
- (m) Name and address to be conspicuously displayed
- (n) Site rental.

304. Fees

- 304.1. Council may by resolution, passed after consultation as part of the Long Term ~~Council Community~~ Plan or the Annual Plan, prescribe fees for licences and / or site rentals. Fees may differ for any class of licence as prescribed.

305. Production of licence

- 305.1. 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.
- 305.2. 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.

306. Conditions of licence

- 306.1. Every person commits an offence under this chapter of the bylaw who does not trade in compliance with any of the conditions of a licence issued by Council.

307. Licence not transferable

- 307.1. A licence issued under this chapter of the bylaw shall not be transferable to any other person.

308. Exemptions

- 308.1. The exemptions allowed under this chapter of the bylaw are as follows:

- ~~(a) Selling or disposal by commercial fishermen of limited quantity of fish in the vicinity of a fishing vessel as specified in section 67(2), Part IV of the Fisheries Act 1983;~~
- (b) Service delivery vehicles including milk vendors;

- (c) Any market, stall or stand which has a current approval under any other bylaw, legislation, resource consent or specific resolution of Council.

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Chapter 4: Liquor Ban in Public Places

Scope

The purpose of this chapter of the bylaw is to promote a safer environment in Timaru District by reducing the incidence of property damage through the control of possession and use of liquor within specified areas of Timaru District in accordance with the powers provided in the Local Government Act 2002.

400. Interpretation

400.1. This Chapter to be read in conjunction with Chapter 1 – Interpretation.

401. Liquor control

401.1. The following acts are prohibited in all public places that are subject to an alcohol ban prescribed by this chapter of the bylaw:

- (a) the consumption of liquor in a public place;
- (b) the bringing of liquor into a public place;
- (c) the possession of liquor in a public place;
- (d) in conjunction with the activities prohibited under paragraphs (a) to (c), the presence or use of a vehicle in a public place.

401.2. For the purposes of clarity, this chapter of the bylaw does not prohibit the activities described in section 147(4) of the Local Government Act 2002 (reproduced in the Second Schedule to this chapter of the bylaw) or any activities detailed in any subsequent amendment to that section of the Act.

402. Liquor control area

402.1. The Council may from time to time by resolution of Council declare any specified area to be subject to the provisions of this chapter of the bylaw for such times as are considered appropriate.

402.2. Areas specified as being subject to an alcohol ban under the provisions of clause 402.1 shall be generally detailed in the First Schedule to this chapter of the bylaw. Council may also apply as it sees fit alcohol bans of a temporary nature areas that may not be in the First Schedule.

402.3. This chapter of the bylaw does not prohibit the consumption or possession of liquor in a place for which a liquor licence has been issued under the ~~Sale of Liquor Act 1989~~ Sale and Supply of Alcohol Act 2012.

403. Times of liquor control

403.1. Liquor control shall apply at all times in the liquor control area unless otherwise specified in the First Schedule to this chapter of the bylaw.

404. Breach of bylaw

- 404.1. Any person who acts in breach of this chapter of the bylaw commits an offence and is liable on summary conviction to a fine of up to \$20,000.

405. Enforcement of bylaw

- 405.1. The Police will enforce this chapter of the bylaw by means of the powers of arrest, search and seizure found in sections 169 and 170 of the Local Government Act 2002 (reproduced in the Second Schedule to this chapter of the bylaw).

~~406. Sale and Supply of Alcohol Act 2012~~

- ~~406.1. This chapter of the Consolidated Bylaw may be subject to amendment following the recent enactment of the above Act and the requirements of any subsequent Regulations and Local Alcohol Policy.~~

DRAFT

CHAPTER 4: Liquor Ban in Public Places

FIRST SCHEDULE BYLAW POLICY

Liquor control areas

SUBJECT

Clause 402.1 - Liquor control area (refer also to attached plans)

Timaru

- Arthur Street (East of State Highway 1)
- Bank Street
- Barnard Street (from George Street to North Street)
- Bay Hill (including the Piazza)
- Bayview Place
- Beswick Street
- Butler Street
- Cains Terrace
- Canon Street
- Church Street (from State Highway 1 to Stafford Street)
- Cliff Street
- Elizabeth Place
- Elizabeth Street (from Sarah Street to State Highway 1)
- George Street
- Heritage Place
- Hewlings Street
- King George Place
- Latter Street (from George Street to North Street)
- North Street (from State Highway 1 to the railway line)
- Perth Street
- Royal Arcade
- Sarah Street
- Sefton Street between Sarah Street and Hewlings Street
- Sefton Street East
- Service Lane between George Street and Barnard Street
- Service Lane between George Street and Royal Arcade
- Service Lane off Church Street between Bank Street and Perth Street
- Service Lane off George Street between Stafford Street and Station Street
- Sophia Street
- Stafford Street (from Sefton Street to North Street)
- State Highway One (Theodosia Street from Wai-iti Road to North Street)
- Station Street
- Strathallan Corner
- Strathallan Street
- The Terrace
- The Wreck Memorial (corner of Sophia and Perth Streets)
- Timaru Library and surrounds
- Turnbull Street
- Woollcombe Street

Including any service lanes, footpaths and car parks within or adjoining the above areas.

Timaru - Caroline Bay

31 December (New Years Eve) 7.00pm to 1 January (New Years Day) 7.00am.

Caroline Bay is that area east of the main trunk railway line extending from the Benvenue Cliffs to Marine Parade.

Temuka

- Temuka Town Square
- King Street (from Wood Street to Fraser Street)

Including any service lanes, footpaths and car parks within or adjoining the above areas.

Timaru



Temuka



CHAPTER 4: Liquor Ban in Public Places

SECOND SCHEDULE BYLAW POLICY

Liquor control enforcement of bylaw

SUBJECT

Clause 401.2 and 405.1 - Liquor control and enforcement of bylaw

SECTIONS OF THE LOCAL GOVERNMENT ACT 2002 REFERRED TO IN THIS CHAPTER OF THE BYLAW

“147 Powers to make bylaws for liquor control purposes

(34) A bylaw made under this section does not prohibit, regulate or control, in the case of liquor in an ~~unopened bottle or other~~ unopened container,-

- (a) the transport of the alcohol from licensed premises next to a public place, if—
 - (i) it was lawfully bought on those premises for consumption off those premises; and
 - (ii) it is promptly removed from the public place; or
- (b) the transport of the alcohol from outside a public place for delivery to licensed premises next to the public place; or
- (c) the transport of the alcohol from outside a public place to premises next to a public place by, or for delivery to, a resident of the premises or his or her bona fide visitors; or
- (d) the transport of the alcohol from premises next to a public place to a place outside the public place if—
 - (i) the transport is undertaken by a resident of those premises; and
 - (ii) the alcohol is promptly removed from the public place.”

- ~~(a) the transport of that liquor from premises that adjoin a public place during any period when, under the Sale of Liquor Act 1989, it is lawful to sell liquor on those premises for consumption off those premises, provided the liquor is promptly removed from the public place;~~
- ~~(b) the transport of that liquor from outside a public place for delivery to premises that adjoin the public place, provided the premises are licensed for the sale of liquor under the Sale of Liquor Act 1989;~~
- ~~(c) the transport of that liquor from outside a public place to premises that adjoin a public place:~~
 - ~~(i) by, or for delivery to, a resident of those premises or by his or her bona fide visitors; or~~
 - ~~(ii) from those premises to a place outside the public place by a resident of those premises, provided the liquor is promptly removed from the public place.”~~

“169 Powers of arrest search and seizure in relation to bylaw prohibiting liquor in public place **alcohol bans**

(1) In this section and in [sections 169A and 170](#),—

alcohol has the meaning given by [section 5\(1\)](#) of the Sale and Supply of Alcohol Act 2012

alcohol ban means a bylaw made under [section 147](#)

offence means a breach of an alcohol ban

restricted place means a public place (within the meaning of [section 147\(1\)](#)) in respect of which an alcohol ban is in force.

(2) A constable may, without warrant,—

- (a) for the purpose of ascertaining whether alcohol is present, search—

- (i) a container (for example, a bag, case, package, or parcel) in the possession of a person who is in, or entering, a restricted place; or
- (ii) a vehicle that is in, or is entering, a restricted place;
- (b) seize and remove any alcohol (and its container) that is in a restricted place in breach of an alcohol ban;
- (c) arrest any person whom the constable finds committing an offence;
- (d) arrest any person who has refused to comply with a request by a constable—
 - (i) to leave a restricted place; or
 - (ii) to surrender to a constable any alcohol that, in breach of an alcohol ban is in the person's possession.
- (3) Alcohol or a container seized under subsection (2)(b) is forfeited to the Crown if the person from whom the alcohol or container is seized pays the infringement fee."

~~(1) In this section and in section 170:~~

~~**liquor** has the meaning given to it in the Sale of Liquor Act 1989~~

~~**offence** means an offence under section 239 that is a breach of bylaw prohibiting:~~

- ~~(a) the consumption or possession or both of liquor in, or the bringing of liquor into, a public place; or~~
- ~~(b) in conjunction with a prohibition relating to liquor, the presence or use of a vehicle in a public place.~~

~~**public place** means a public place as defined in section 147(1) in respect of which there is a bylaw prohibiting:~~

- ~~(a) the consumption or possession or both of liquor in, or the bringing of liquor into, that place; or~~
- ~~(b) in conjunction with a prohibition relating to liquor, the presence or use of a vehicle in that place.~~

~~(2) A member of the police may, without a warrant:~~

~~(a) for the purpose of ascertaining whether liquor is present, search:~~

- ~~(i) a container (for example, a parcel, package, bag, or case) in the possession of a person who is in, or entering, a public place;~~
- ~~(ii) a vehicle that is in, or is entering, a public place;~~

~~(b) seize and remove liquor and its container if the liquor is in a public place in breach of a bylaw;~~

~~(c) arrest a person whom the member of the police finds committing an offence;~~

~~(d) arrest a person who has refused to comply with a request by a member of the police:~~

- ~~(i) to leave the public place; or~~
- ~~(ii) to surrender to a member of the police the liquor that, in breach of a bylaw, is in that person's possession.~~

~~(3) Liquor or a container seized under subsection (2)(b) is forfeited to the Crown if the person from whom the liquor or container is seized is convicted of breaching the bylaw."~~

“170 Conditions relating to power of search

(1) Before exercising the power of search under section 169(2)(a) in relation to a container or a vehicle, a ~~member of the Police~~ Constable must-

- (a) inform the person in possession of the container or the vehicle, as the case may be, that he or she has the opportunity of removing the container or the vehicle from the public place; and
- (b) provide the person with a reasonable opportunity to remove the liquor or the vehicle, as the case may be, from the public place.

- (2) However, on specified dates or in relation to specified event, notified in accordance with subsection (3), a ~~member of the police~~ Constable may, immediately and without further notice, exercise the power under section 169(2)(a) to search a container or a vehicle.
- (3) Before a ~~member of the police~~ Constable may exercise the power of search under subsection (2), the territorial authority must-
- (a) specify the public place (within the meaning of section 169(1)) where, and the period when, this power may be exercised by the Police by public notice given 14 days in advance in accordance with this Act; and
 - (b) indicate the location of the public place by ~~4~~ one or more clearly legible notices affixed in ~~4~~ one or more conspicuous places on, or adjacent to, the place to which the place relates, unless it is impractical or unreasonable to do so.
- (4) Subsection (2) only applies if the ~~member of the police~~ Constable is authorised to exercise that power by a bylaw made under section 147.”

DRAFT

Chapter 5: Skateboards

Scope

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

500. Interpretation

500.1. This Chapter to be read in conjunction with Chapter 1 – Interpretation.

501. Control of skateboards

501.1. No person shall ride a skateboard in any area defined in the First Schedule attached to this chapter of the bylaw.

501.2. No person shall ride a skateboard on any footpath, or in any public place, outside areas defined in the First Schedule of this chapter of the bylaw, without taking due care to ensure no damage is caused to any property or without having reasonable consideration for other persons using the footpath.

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

502. Enforcement

502.1. Any Police Constable or authorised Security or Council Officer may enforce the provisions of this chapter of the bylaw.

502.2. Any person in breach of this chapter of the bylaw may have a skateboard impounded and be required to supply details necessary for infringement registration purposes.

503. Penalty

503.1. Any skateboard impounded pursuant to clause 502.2 hereof shall be held by Council and will be returned to an identified owner after a period of three (3) working days upon payment of a \$25.00 fee.

503.2. Every person who commits a breach of this chapter of the bylaw is liable to a fine as prescribed in Section 109 of this bylaw.

CHAPTER 5: Skateboards

FIRST SCHEDULE BYLAW POLICY

Prohibited areas

SUBJECT

Clause 501 - Control of skateboards

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

Timaru Central Business District

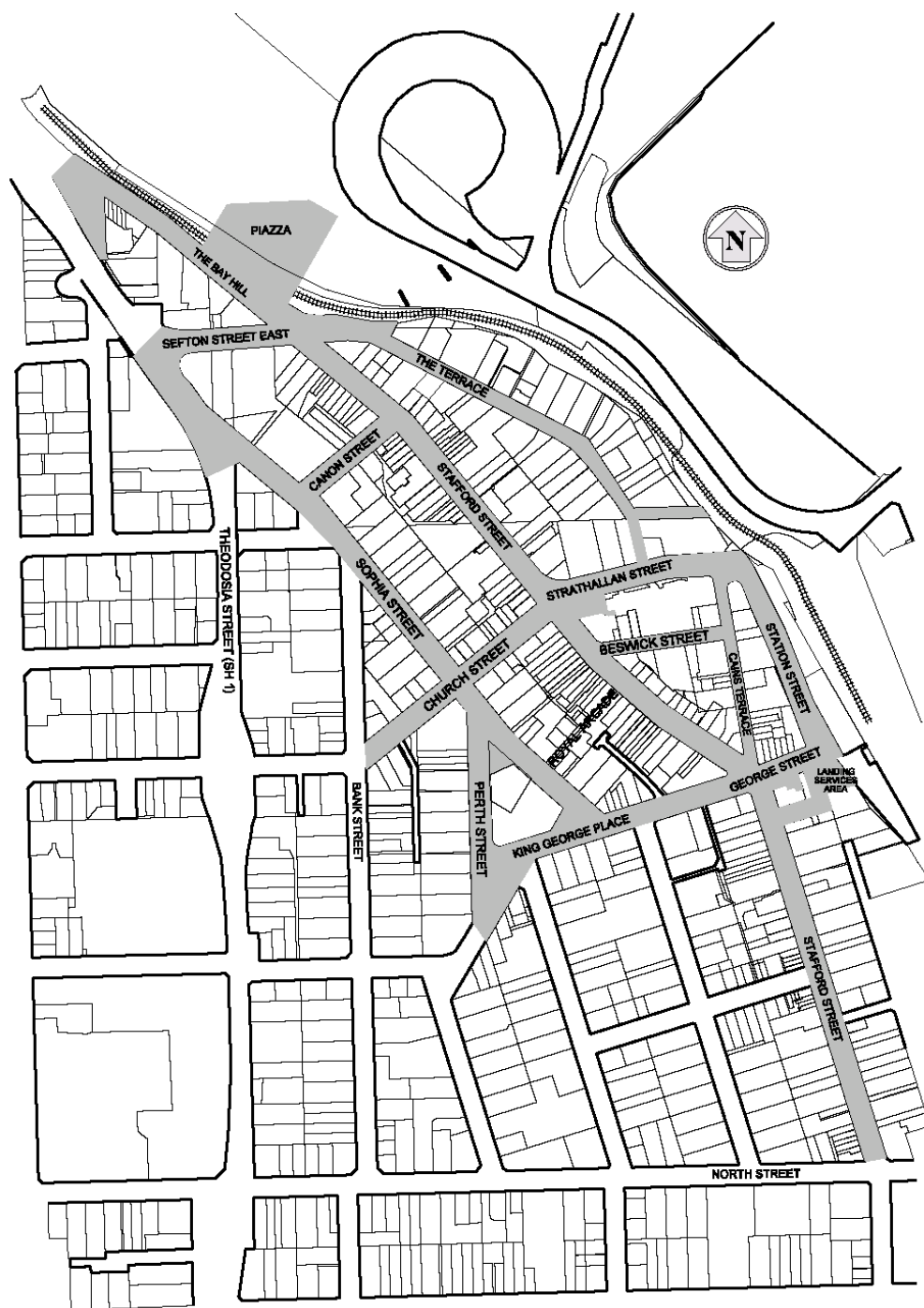
- Stafford Street from Sefton Street to North Street
- Sophia Street from King George Place to Theodosia Street (SH1)
- The Bay Hill
- Canon Street
- The Royal Arcade
- Perth Street
- Church Street from Stafford Street to Bank Street
- King George Place
- The tiled area of the roundabout at the intersection of Latter / Arthur / Perth Streets and King George Place
- George Street
- The Bob Fitzsimmons Monument corner
- The City of Perth / Benvenue Memorial corner
- The Piazza
- Strathallan Street
- Sefton Street between Theodosia Street and Stafford Street
- Theodosia Street between Sefton Street and Sophia Street
- The sealed and tiled area around the Landing Services Building (Heritage Square)
- Station Street
- The Terrace
- Beswick Street
- Cains Terrace.

Temuka

The portion of King Street between Wood Street and Fraser Street, including the Town Square.

Areas where the use of skateboards is prohibited:

Timaru



Temuka



Chapter 6: Control of Dogs

PART 1: INTRODUCTION

Scope

The purpose of this chapter of the bylaw is to give effect to the Timaru District Council Dog Control Policy 2013 by specifying the standards of control which must be observed by dog owners.

The requirements are deemed necessary to ensure compliance with the Dog Control Act 1996 and the Timaru District Dog Control Policy 2013 and to give effect to the objectives of that Act and that Policy.

600. Interpretation

600.1. The following definitions apply to this chapter and should be read in conjunction with the interpretations listed in Chapter 1 of this bylaw:

Act means the Dog Control Act 1996.

Bylaw means the Timaru District Consolidated Bylaw 2017.

Council means the Timaru District Council.

Disability assist dog has the same definition as provided by the Act.

District means the area designated as the Timaru District for which the District Plan applies.

District Plan means the District Plan of the Council which is in force as the operative Timaru District Plan for the purposes of the Resource Management Act 1991.

Dog exercise area means a public place and all its walkways and tracks therein identified in Schedule 3 of this chapter of the bylaw as an area where dogs may be exercised at large without being controlled on a leash.

Dog on leash means that the dog must be continuously controlled on a leash by the owner or person in charge of the dog.

Dog on leash area means the areas identified in Schedule 2 of this chapter of the bylaw where dogs must be controlled on a leash.

Dog Control Officer and Dog Ranger has the same definition as provided by the Act.

Domestic animal has the same definition as provided by the Act.

Leash means a lead which is capable of restraining a dog.

Owner has the same definition as provided by the Act.

Policy means the Timaru District Dog Control Policy 2013.

Poultry has the same definition as provided by the Act.

Prohibited public place means a public place identified in Schedule 1 of this chapter of the bylaw as a place where dogs are prohibited, except as provided for in this chapter or the Act.

Protected wildlife has the same definition as provided by the Act.

Public place has the same definition as provided by the Act.

Registration year has the same definition as provided by the Act.

Rushing dog has the same meaning as that provided by the Act.

Stock has the same definition as provided by the Act.

Under effective control means, when referring to a dog, the dog is not causing a nuisance or danger and that the person in charge of the dog has the dog under continuous surveillance and is able to obtain the desired response from the dog by use of a leash and, when not on a leash, by use of voice commands, hand signals, whistles or other effective means.

Working dog and working farm dog has the same definition as provided by the Act.

PART 2: CONTROL OF DOGS

601. General controls

- 601.1. In any public place not specified in Schedule 1, 2, or 3 of this chapter of the bylaw, the owner of any dog or person being in possession of any dog shall keep that dog under effective control at all times.
- 601.2. Without limiting the generality of Subsection 601.1, a dog shall for the purposes of this chapter of the bylaw be deemed not under control if it is found wandering freely at large in any public place or private way in contravention of this chapter of the bylaw.
- 601.3. Where a dog is not under control in terms of Subsection 601.2 and wandering freely at large, a Dog Control Officer or Dog Ranger may seize the dog and cause it to be returned to its owner, or if this is not practicable, cause it to be impounded.
- 601.4. The impounding provisions of Section 69 and 69A of the Act shall apply to the impounding of any dog.

602. Access through prohibited public places

- 602.1. Where the only pedestrian access to either the owner's residence, or a veterinary surgery, is through a prohibited public place, specified in Schedule 1 of this chapter, then the owner may lead the dog through the prohibited public place provided that:
- (a) the owner and dog take the most direct route across the prohibited public place; and
 - (b) the dog is controlled on a leash;
 - (c) the owner does not stop in the prohibited place.
- 602.2. Where a footpath / walkway passes through a prohibited public place, e.g. external eating area of a food premise and there is no alternative route, owners are allowed to continue through the prohibited place, provided their dog is controlled by a leash and the owner does not stop in the area.

603. Leash control areas and leash control occasions

- 603.1. Every dog shall be kept under continuous leash control while that dog is in a dog on leash area, specified in Schedule 2 of this chapter of the bylaw.

NB: For clarification, the owner of a dog may temporarily leave their dog alone in a dog on leash area, provided they ensure the dog is left securely tethered / tied up and welfare issues such as the provision of water are also addressed.

- 603.2. Every dog shall be kept under continuous leash control on occasions when it is likely to injure, endanger, or cause distress to any stock (includes horses), poultry, domestic animal or protected wildlife.
- 603.3. Dogs that have been classified as dangerous dogs or menacing dogs under the Act must be leashed and also muzzled when in public and the owners of any

such dangerous and menacing dogs must advise anyone to whom they lend the dog of those requirements when in public.

604. Dog exercise areas

- 604.1. Dogs are permitted to be exercised off leash in those dog exercise areas specified in Schedule 3 of this chapter of the bylaw, including on all walkways and tracks within the exercise area, provided that the dog is under effective control at all times.
- 604.2. A dog which is not able to be kept under effective control at all times shall be kept under control by way of a leash.
- 604.3. Dogs classified as dangerous or menacing are permitted to be exercised off leash in exercise areas provided they are muzzled and under effective control at all times.
- 604.4. A full definition of 'under effective control' can be found in clause 600 of this chapter of the bylaw.

605. Working dog exemptions

- 605.1. Nothing in Clauses 601, 602, 603 and 604 of this chapter of the bylaw applies in respect of any working dog which is under the continuous and effective control of its owner while that dog is being worked, or while it is being taken by its owner to or from its work.

606. Disability assist dogs

- 606.1. Notwithstanding anything in this chapter of the bylaw, any disability assist dog accompanying and assisting a person with a disability or any person genuinely engaged in the dog's training may enter and remain:

- (a) In any premises registered under regulations made pursuant to section 120 of the Health Act 1956; or
- (b) In any public place.

subject to compliance with any reasonable condition imposed by the occupier or person having control of the premises or public place, as the case may be.

PART 3: KEEPING OF DOGS

607. Limitation on number of dogs on premises

- 607.1. No owner or occupier of any residentially zoned property within Timaru District shall allow or cause to remain or keep on such premises for any period exceeding fourteen days, three or more dogs (other than working dogs) over the age of three months (whether or not such dogs are registered) unless such owner or occupier shall be the holder of a licence for such purpose from the Council.
- 607.2. Such licence may be issued upon or subject to such items, conditions or restrictions as the Council may consider necessary and any breach of such terms, conditions or restrictions shall be an offence against this clause of this chapter of the bylaw.
- 607.3. Any person desiring to allow or to keep three or more dogs on any premise as provided in this clause of this chapter of the bylaw shall make written application to the Council in such form as may be required by the Council for a licence and shall give to the Council such information in respect of the application as the Council may require.
- 607.4. For every such licence there shall be paid to the Council a fee as the Council may decide from time to time by resolution passed in that respect and such licence shall remain in force until 30 June, following the date of issue of such licence.
- 607.5. The fee for such licence shall be payable in addition to and separate from the dog control fees payable under the Act.

608. Bitch in season to be confined

- 608.1. The owner of any bitch shall keep the dog confined but adequately exercised while such dog is in season.

609. Responsibility to remove faeces

- 609.1. The owner of any dog that defecates in a public place, or on land or premises other than that occupied by the owner, shall immediately remove the faeces and attend to its prompt and appropriate disposal in a way that does not cause a nuisance.

610. Diseased dogs

- 610.1. The owner of any dog suffering from an infectious disease or condition shall not take that dog into any public place or ~~be allowed~~ that dog to wander free.

611. Dogs becoming a nuisance or injurious to health

- 611.1. If ~~in the opinion of any Dog Control Officer or Dog Ranger,~~ the keeping of any dog or dogs on a premises is, or is likely to become, a nuisance or injurious or hazardous to health, property or safety, the Dog Control Officer or Dog Ranger may, by notice in writing, require the owner or occupier of the premises, within the time specified in such notice, not being less than 14 days, to do all or any of the following:

- (a) To reduce the number of dogs kept on the premises;
- (b) To alter, reconstruct or otherwise improve the accommodation for dogs;
- (c) To require such dogs to be tied up or otherwise confined;
- (d) To take other such precautions as may be considered necessary.

612. Dog and owner education

- 612.1. The Council may, from time to time by resolution, approve education programmes for dogs and dog owners.
- 612.2. If a person is classified as a probationary owner in accordance with the Act, the Council will require such a person to undertake a dog owner education programme or a dog obedience course approved by Council, at the owners expense in accordance with the Act.
- 612.3. Any person required to undertake dog owner education will be notified in writing of the obligation.
- 612.4. A probationary owner may apply to the Council for termination of his or her classification as a probationary owner six months after completion of the dog owner education programmes or dog obedience course provided that:
 - (a) The owner supplies satisfactory evidence of completion of the dog owner education programme or dog obedience course;
 - (b) The owner has not committed any further offences or infringements to which section 21 of the Act applies.
- 612.5. The Council will consider an application under clause 612.4 of this chapter of the bylaw and may grant the application after taking into account all reasonable circumstances, including sections 4 and 5 of the Act.

PART 4: OFFENCES AND PENALTIES

613. Enforcement protocol

The Council recognises that the majority of dog owners in the district are responsible and has therefore adopted the following enforcement protocol:

- 613.1. A person shall only be issued with a written warning in the first instance for a breach of any provision of this chapter of the bylaw, providing that the incident does not involve:
- injury or distress to a person or animal
 - a health issue, i.e. non removal of dog faeces
- 613.2. Where records disclose a written warning for the same offence has previously been issued to a dog owner, the offence may be dealt with by way of an infringement notice.
- 613.3. Where legal proceedings are instigated, the person will be liable, on summary conviction, to a fine not exceeding \$20,000 as provided for by the Local Government Act 20402.

CHAPTER 6: Control of Dogs

FIRST SCHEDULE BYLAW POLICY

Prohibited public places

Timaru District Council has identified the following areas where dogs are prohibited:

DISTRICT WIDE

- All children's playgrounds.
- The playing or training surface of any sports ground or sports field owned or controlled by the Council.
- Within 10 metres of any child's play equipment or play area or paddling pool in any park or reserve, or of any aviary in any park or reserve.
- Any swimming pool or other bathing place owned or controlled by the Council, including all areas within the fenced boundary of the swimming pool.
- Public Libraries.
- Premises used for, or in connection with, the manufacture, preparation, packing or storage or sale of food (this includes external eating areas and is a requirement of existing food safety legislation currently under parliamentary review, unless they are included in an approved Food Control Plan).

NB: Therefore compliance shall be in accordance with food safety legislation current at the time.

TEMUKA

- Temuka Domain - the portion of Temuka Domain between the western boundary of the Temuka Golf Course and the eastern boundary of Fergusson Drive.
- Temuka Motor Camp

GERALDINE

- Geraldine Domain - excluding walking track
- Geraldine Motor Camp
- Raukapuka Reserve playing fields

PLEASANT POINT

- Camping Grounds - Labour Weekend until Easter (inclusive)

TIMARU

- Aorangi Park
- Caroline Bay
- Caroline Bay Beach Tidal Area - 1 October to 31 March inclusive each year
- Stafford Street - from Sefton Street to North Street
- The Royal Arcade
- Otipua Wetlands
- Claremont Bush Reserve

NB: Access to the Beach Tidal Area is via Virtue Avenue to northern carpark and from the loop road to Marine Parade to the Marine Parade carpark.

CHAPTER 6: Control of Dogs

SECOND SCHEDULE BYLAW POLICY

Dog on leash areas

The following are public places in which dogs are to be kept on a leash:

- (a) All streets, roads, footpaths and berms within the district except those within prohibited areas or dog exercise areas.
- (b) All parks, reserves and walkways within the district except those within prohibited areas or dog exercise areas.
- (c) The non-playing or non-training surface and associated spectator areas of any sports ground or sports field owned or controlled by the Council.
- (d) All cemeteries.
- (e) All airports and associated buildings.
- (f) **Temuka CBD** area in King Street from Wood Street to Fraser Street and including the Town Square.
- (g) **Geraldine CBD** area.
- (h) **Pleasant Point CBD** area.
- (i) **Picnic areas:** Owners of dogs are permitted to have their dogs with them in picnic areas provided their dog is kept under effective control on a leash and the normal requirements for the immediate removal of dog faeces are observed.

CHAPTER 6: Control of Dogs

THIRD SCHEDULE BYLAW POLICY

Dog exercise areas

Dog exercise area means a public place identified in this bylaw as an area, including all walkways and tracks within the exercise area, where dogs may be exercised without being controlled on a leash, providing the dog is still under effective control, i.e. obedient and responsive to its owner's commands, alternatively the dog must be on a leash.

The following areas have been identified as dog exercise areas:

TIMARU

- Ashbury Park
- Marchwiell Park
- Redruth Park
- Timaru Dog Park (within the fenced area away from the children's play area)
- Scenic Reserve (Centennial Park)
- West End Park
- South Beach
- Waimataitai Beach
- Otipua Beach
- Caroline Bay Beach Tidal Area only - 1 April to 30 September inclusive each year
- Salt Water Creek Walkway

TEMUKA

- River areas (the river bed, i.e. shingle, streams and berm areas)
- Domain Avenue on the tree walkway between Rayner Street and Murray Street
- Temuka Domain (the area between the southern boundary of the Temuka Holiday Park and continuing along the stormwater channel which follows the southern boundary of the Temuka Golf Course and east of the Torepe Fields carpark, sports field and training area).

GERALDINE

- Reserve opposite Fire Station
- River area (the river bed, i.e. shingle, stream and berm areas)
- Todd Park

PLEASANT POINT

- River areas (the river bed, i.e. shingle, stream and berm areas)
- Pleasant Point Domain (Fire Brigade practice Area when not in use by Fire Brigade)

NB:

- 1 Where the walkway in an exercise area borders or passes through a prohibited area, e.g. play area and there is no alternative route, owners are allowed to continue along the walkway, providing their dog is controlled by a leash and the owner does not stop in the area.
- 2 Picnic areas within exercise areas are designated dog on leash areas.

Chapter 7: Parks & Reserves, Beaches & Tracks

Scope

The purpose of this chapter of the bylaw is to allow for the use of parks, reserves, beaches and recreational tracks in a manner that will not impinge upon the enjoyment of others or cause damage to natural areas and improvements.

700. Interpretation

700.1. This Chapter to be read in conjunction with Chapter 1 – Interpretation.

701. Entrances and exits only to be used

701.1. No person shall enter or leave any reserve except through the openings, gateways, entrances, or exits provided for that purpose.

702. Obstruction of entrances, etc

702.1. No person shall obstruct any of the approaches, entrances, exits, thoroughfares, or walks of any reserve, and (where gates are provided) no person shall enter any reserve unless the reserve is open for the admission of the public.

703. Damage and interference

703.1. No person shall interfere with any inscription or any labels attached to or connected with any article, tree, shrub or other plant in any reserve, or any notice used to indicate or exhibit any name, regulation, or bylaw in any reserve.

703.2. No person shall remove, damage, or destroy, or attempt to remove, damage or destroy, any structure or any fitting within any reserve.

703.3. No person shall, without prior permission, in respect of any reserve take, deposit, remove or disturb any soil, shrub, tree or other growth, or take any seed, or cutting or interfere with any flowers, ferns, or greenery.

703.4. No person shall enter any of the enclosures or places set apart for the cultivation of plants in any reserve:

- (a) On any portion of the reserve on which the same is forbidden by notice;
- (b) On any plantation, flowerbed, or garden.

703.5. No person shall deface by writing or otherwise or in any other manner damage any building or structure in any reserve, or therein act or use these buildings or structures in an inappropriate manner.

704. Litter

704.1. No person shall leave any litter, household refuse or garden waste within the limits of any reserve otherwise than in receptacles provided.

705. Pollution

- 705.1. No person shall deposit offensive, or dangerous matter or cause pollution within the limits of any reserve, be it to land, water or air.

706. Dogs

- 706.1. Unless a reserve is specifically identified in Chapter 6 of this bylaw, no person shall take any dog or allow any dog in his / her custody or charge under his / her control to go within the limits of any reserve unless such dog is under effective control at all times. The owner or other person for the time being in charge of any dog that is found in any reserve without being under control as aforesaid shall commit an offence against this chapter of the bylaw.

707. Firearms

- 707.1. No person shall carry any loaded firearm on or across a reserve or use or discharge any such firearm on any part of a reserve unless specifically authorised by Council.

708. Water

- 708.1. No person shall permit or cause wastage of water or permit any water tap to flow for a period longer than may be reasonably required for the filling of utensils for drinking, cooking, or washing purpose; nor shall any person in any manner pollute or otherwise render unfit for use for human consumption or otherwise any water supply in any reserve.

709. Wandering stock

- 709.1. No person shall, without the prior permission of Council, turn in or allow any animal to wander or graze within the limits of any reserve.

710. Riding and driving

- 710.1. No person shall without Council permission park, ride or drive any motor vehicle, or drive, ride, or lead any horse, or other animal on any area of any reserve except on those areas set aside specially for such purpose.

711. Speed

- 711.1. No person shall drive or operate any vehicle in any reserve at a speed in excess of the speeds indicated on the signs displayed in the reserve or as listed in Chapter 11 of this bylaw.

712. Dangerous and inconsiderate driving and riding

- 712.1. No person shall drive or ride any animal or drive or operate any motor vehicle, scooter, bicycle or skateboard in any reserve without due care and attention or without reasonable consideration for other persons using the reserve.
- 712.2. No person shall drive or ride any animal or drive or operate any motor vehicle, scooter, bicycle or skateboard within any reserve in such a manner as to cause damage to the surface or to any part of the reserve.

713. Notices and signs

- 713.1. No person shall post or interfere with any placard, sign, or notice board in, on, or about any reserve without the prior permission of Council, nor without such permission distribute any handbill or notice in a reserve or at any entrance to a reserve.

714. Bathing

- 714.1. No person shall bathe or wade within a reserve in any water where such bathing or wading has been prohibited by Council.

715. Lighting fires

- 715.1. No person shall, without the express permission of Council, light any fire in a reserve except in a place specially provided by Council for that purpose, or set fire to any vegetation in any reserve.
- 715.2. No person shall light any fire or continue burning the same in a reserve after sunset without the consent of Council or the custodian.

716. Erection of tents and booths

- 716.1. Except where provided for by the Freedom Camping Act 2011, and with the exception of temporary shade structures with pegs shorter than 150 mm, no person shall put up or erect any stall, tent or structure of any kind within any park or reserve except by permission of an authorised officer of Council, and only then in compliance with every condition under which such permission may have been granted.

717. Trading and intoxicating liquors

- 717.1. No person shall sell or offer for sale any article of food or merchandise or liquor or drink, or carry on any trade, within any reserve, without permission of Council, and then only in compliance with every condition under which such permission may have been granted.

718. Misbehaviour

- 718.1. Within the limits of any reserve, no person shall obstruct, annoy, or interfere with any other person in the use or enjoyment of any reserve, or use any obscene language, or be intoxicated or under the influence of drugs or in any way behave in an offensive manner.

719. Destruction of fauna

- 719.1. No person shall by any means whatsoever destroy or take any animal, fish, bird, nest, or egg, or attempt so to do, in or from any reserve without the prior consent of Council:

Provided that in the case of any animal or bird protected by the Wild Life Act 1953 no such permission shall be granted unless and until the provisions of that Act have been complied with to Council's satisfaction.

720. Interference with workers

- 720.1. No person shall in any reserve interrupt or interfere with any person working therein.

721. Sports and games

- 721.1. Council may prevent any game being played on any reserve or any part thereof which is liable to damage the said reserve or anything therein, or which could otherwise be detrimental to the reserve, or any part thereof.
- 721.2. Every person who fails upon the request of Council as aforesaid to stop playing or taking part in any such game shall commit an offence against this chapter of the bylaw.
- 721.3. No person shall play any game in any reserve except upon such areas of the reserve set apart for that purpose.
- 721.4. No person shall play at or engage in or practice activities or sports on any playing ground or part thereof on any reserve after being requested by Council to leave, or when any notice is erected at the main entrance to such playing ground or reserve or on the particular part thereof bearing the words GROUND CLOSED TO PLAY whether alone or with any other words.
- 721.5. No person shall play or practise golf on a reserve except on a reserve, or any part thereof, which Council has by resolution set aside for that purpose.
- 721.6. No person shall place any device, stall, fence, barrier, or any other article within a reserve without the permission of Council.

722. Model aeroplanes

- 722.1. No person shall fly any model aeroplane within a park or reserve without due care and attention or without reasonable consideration for other persons using the park or reserve.

723. Landing of aircraft

- 723.1. No person shall make use of any part of any reserve for the purpose of the landing thereon or flying there from of an aircraft or of any kind of flying machine or glider except in case of emergency or in accordance with the prior permission of Council.

724. Council Officers

- 724.1. No act by any officer, employee, or agent of Council when engaged in duties on any reserve shall constitute an offence against this chapter of the bylaw.

725. Times of opening of reserves

- 725.1. Council may from time to time, by public notice, prescribe the period or periods during which any particular reserve, or any part thereof, shall be open to the public.
- 725.2. If Council has prescribed such period or periods in the manner aforesaid, no person shall be in or upon or remain in or enter such reserve, or part thereof, otherwise than during such period or periods.

726. Closing in special circumstances

- 726.1. Council may close any reserve, or parts thereof, as a result of civil disorder, bio-security hazard, natural disaster, safety hazard or such other factor as is deemed necessary.
- 726.2. No person shall enter or remain in such reserve or nominated part thereof during such period of closing without the prior permission of Council.

727. Charges on special occasions

- 727.1. Council may close all or any part of any reserve during such times as it thinks fit, and where charges may lawfully be made, may fix charges within legal limits for the right to use such parts of a reserve as are open to the public.
- 727.2. Council may, ~~adopt regulations~~ by resolution, governing the use of such parts of any reserve, and may fix charges for this purpose. Each area within a reserve shall be used only for the purpose for which it was constructed or set apart, and no person shall enter that part of a reserve unless they shall have first paid the charge fixed for that purpose.
- 727.3. Every person who on any day for which a charge is payable for admission to any reserve, or part thereof, enters any such reserve, or part thereof, without paying the proper charge commits an offence against this chapter of the bylaw.
- 727.4. Every person who on any day for which a charge is payable for admission to any reserve, or part thereof, has, before the hour at which any use for which the charge is made is due to commence, entered such reserve, or part thereof, without paying the prescribed charge for admission, shall before the commencement of the activity for which the admission fee has been charged either pay the proper charge for admission or leave the reserve, or that part subject to the admission charge.

728. Breach of bylaw

- 728.1. Every person committing any breach of the provisions of this chapter of the bylaw shall, upon request by / of Council's officer or agent immediately leave the reserve, park, beach or track and may be prohibited from appearing on the reserve park, beach or track for such times as Council deems fit.
- 728.2. Any person failing with all reasonable speed to comply with such request shall commit a further offence, that after having been warned under the provisions of the Trespass Act 1980 to leave the reserve, park, beach or track, and having failed to comply with that direction, they may be subjected to being trespassed for a period of not more than two years from that park, reserve, beach or track and / or prosecution under the provisions of that Act.

729. Offenders required to give names

- 729.1. Any person who in the opinion of the Council commits a breach of any of the provisions of this chapter of the bylaw shall if so requested by an authorised officer or Council's agent, supply his / her full name and address.

BEACHES

In addition to the above provisions of this chapter of the bylaw, specific provisions for beaches follow:

730. Offences

- 730.1. Except with the prior consent of Council no person shall drive or operate any vehicle on any part of a beach at a speed greater than 20km / h.
- 730.2. Vehicles with the exception of service vehicles are not permitted on the beach at Caroline Bay without permission.
- 730.3. No person shall be or remain upon any part of a beach in view of other persons unless properly and sufficiently clad.
- 730.4. No person shall sell or offer to sell any article upon any part of a beach without the written permission of Council.
- 730.5. No person shall play games in or loiter in any dressing-shed situated on any beach.
- 730.6. No person shall use any dressing shed situated on any beach except for the purposes of dressing or undressing.
- 730.7. No person shall bring or deposit any filth or rubbish in any dressing shed situated on any beach.
- 730.8. No person shall damage, disfigure, or write in or upon any dressing shed or other property situated on any beach.
- 730.9. No person shall bathe from any wharf or pier situated at any beach other than a wharf or pier that is approved for that purpose.
- 730.10. No person shall clean any fish or leave any dead fish or fish offal on any beach, or deposit any dead fish or fish offal in the sea in the vicinity of any beach.
- 730.11. No person shall use, displace or interfere with any appliance or warning device at any beach provided by Council or any life saving club or other agency unless authorised by Council to do so.

731. Conditions

- 731.1. In granting any such permission as is required in clause 730 hereof Council may impose such conditions as to times, speeds, loads, or any other matter whatsoever as it may deem necessary or advisable.
- 731.2. Any person to whom any such permission has been granted and who fails to comply with any condition as aforesaid shall commit an offence against this chapter of the bylaw.

732. Protection of property

- 732.1. Except with the prior consent of Council, which may be granted subject to conditions no person shall:

- (a) Remove from any beach any stone, shingle, sand, boulders, silt, mud, or other material above the mean high water springs:
- (b) Use any part of a beach as a hauling-out site for the wintering of boats.

733. Against males trespassing

- 733.1. No male over the age of five years shall go ~~in upon any part of any beach or~~ any dressing shed ~~or any enclosure~~ set apart by Council for the exclusive use of females, and so indicated by public notice exhibited thereon, except for the purpose of rendering assistance in case of an accident or emergency.

734. Against females trespassing

- 734.1. No female over the age of five shall go ~~in upon any part of any beach or~~ any dressing shed ~~or any enclosure~~ set apart by Council for the exclusive use of males, and so indicated by public notices exhibited thereon, except for the purpose of rendering assistance in case of an accident or emergency.

735. Prohibition of bathing / swimming

- 735.1. Council may prohibit bathing or swimming on any beach or any part thereof , and may erect notice boards defining the limits within which bathing or swimming shall be confined, and any person bathing or swimming anywhere on such beach (or part thereof) and outside such limits commit an offence against this chapter of the bylaw.

~~**736. Obstruction to bathers**~~

- ~~736.1. Except with the permission of Council no person shall on any beach:~~

- ~~(a) Sell or hire, or expose for sale or hire, any buoyant apparatus or appliance for use in the water excepting boats and vessels.~~
- ~~(b) Use any such apparatus or appliance so as to create or be likely to create a danger or an inconvenience to any user of any beach.~~

737. Life saving clubs

- 737.1. Council may at its discretion authorise any life saving club (whether incorporated or not):
- (a) To provide and use life saving equipment to the standards approved by the New Zealand Surf Life Saving Association;
 - (b) To use any such equipment provided by Council; and
 - (c) To erect and, as may from time to time be necessary, remove from any place danger notices above the mean high water springs.

738. Hindering life saving

- 738.1. No person shall obstruct or hinder or interfere with the carrying out of any life saving operations or drill or with any person engaged therein.

739. Charges

- 739.1. Council may fix and / or amend fees for activities occurring on any beach, and for the use of any facilities at any beach, and for the safe custody of valuables.

TRACKS

In addition to the above provisions of this chapter, specific provisions for tracks follow:

740. Defined use

- 740.1. Council may, from time to time, designate certain tracks or walkways for the exclusive use of walkers or cyclists.
- 740.2. Any such designation imposed under clause 740.1 shall not include a walkway in Waitohi Bush or Claremont Bush, which shall remain for the exclusive use of walking.

Chapter 8: Cultural & Recreational Facilities

Scope

The purpose of this chapter 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.

800. Interpretation

800.1. This Chapter to be read in conjunction with Chapter 1 – Interpretation.

801. Council may make rules for council facility

801.1. Council may from time to time make rules for the following areas that shall apply to one or more Council facilities:

- (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 Council facility or part thereof or for setting aside of part or all of that Council facility for the exclusive use of individuals or groups.

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

802. Expulsion of offenders

802.1. Any person responsible for any Council facility may require any person behaving in a disorderly manner in or on a Council facility, or any person who is not using the Council facility for the purpose for which it is intended, to leave the Council facility immediately, and any refusal on the part of the person to do so will constitute an offence against this chapter of the bylaw.

803. Breach

803.1. Where ~~in the opinion of an officer~~ any person has contravened any of the provisions of this chapter of the bylaw or any rules made by Council relating to the use of the Council facility, or has otherwise acted in an unlawful manner in or on the Council facility, the officer may exclude that person from the Council facility, pursuant to the Trespass Act 1980.

Chapter 9: Cemeteries

Scope

The purpose of this chapter of the bylaw is to provide for the purchase of plots, interment, erection of structures and maintenance of cemeteries.

CEMETERIES

900. Interpretation

900.1. This Chapter to be read in conjunction with Chapter 1 – Interpretation.

901. Burials and sale of plots

901.1. Burials may be made in any cemetery for the time being vested in the Council or under its control and not closed in a manner provided by law in that behalf subject to the conditions prescribed in this chapter of the bylaw.

901.2. Burial plots may be sold upon such terms and conditions as shall be decided by Council and the exclusive right of burial may be granted in perpetuity.

902. Burial plots

902.1. Where the exclusive right of burial for such limited period as Council by resolution decides, has not been purchased and the full purchase price thereof paid, and where the human remains to be buried are not that of a poor person as mentioned in clause 923 hereof, such burial shall take place only upon production to the Council of the appropriate certificate.

903. Provisions for all interments

903.1. No burial shall be made in any cemetery without a burial warrant.

903.2. "Out of district fees" shall be payable for the burial of a deceased person who was not residing in the district for the 3 months immediately prior to date of death.

903.3. In all cases of intended burials, the funeral director or person having the management or control of the same shall make application to Council for a warrant for such burial, and shall produce such evidence of death as may be required; Council is authorised to grant the appropriate warrant.

903.4. No burial warrant will be issued until an interment fee has been paid. Provided, however, that in the case of an interment under the management or control of a funeral director, Council may render an account.

903.5. Notification of an intended burial shall be given to Council at least 8 working hours prior to the time fixed for the burial. When a public holiday occurs a lesser time may be agreed.

903.6. Except to comply with the duties of Council under Section 86 of the Health Act 1956 relating to the interment of people who have died from an infectious and / or notifiable disease, interment services shall take place between the hours of 9.00am and 4.00pm on ordinary weekdays. Outside of these times it may be

possible to make special arrangements for a burial upon the payment of a prescribed additional fee.

904. Warrant to be authority

904.1. The burial warrant, when issued by Council, shall be sufficient authority for burial.

905. Authorised persons only to dig grave

905.1. Only persons authorised by Council shall dig any grave in, or open the ground for burial in, any part of any cemetery. The minimum depth of cover for any coffin shall be not less than one metre, except for natural burials which may have minimal cover of 500mm be set for natural burials unless the Medical Officer of Health or his representative requires another depth.

905.2. Natural burials are defined as chemical free interments (without embalming and using rapidly biodegradable caskets) in a separate area which is subsequently planted to form a native bush or forest area and does not have a traditional headstone or memorial on the grave. Burials may be recorded separately in a book, on site signage, or digitally. This approach enables natural processes to take place, returning the body's nutrients to the ecosystem rapidly and without pollution.

906. Burial of ashes

906.1. Upon application to Council and the payment of any prescribed fees a receptacle containing the ashes of any deceased person may be buried in the special portion of the cemetery set aside for that purpose or in any plot subject to an exclusive right of burial.

907. Fees

907.1. All fees shall be as Council decides.

908. Purchase of the exclusive right of burial

908.1. Every application for the purchase of an exclusive right of burial in any part of the cemetery shall be on the appropriate form.

908.2. No burial shall take place in any plot in respect of which an exclusive right of burial has been granted unless the grantee consents to such a burial.

909. Purchaser or owner of private ground may transfer

909.1. The grantee of an exclusive right of burial in any plot in which no burial has taken place may, with the consent of Council, transfer that exclusive right of burial to any other person.

910. Keeping graves in order

910.1. Council may agree to keep any grave in any cemetery in order upon payment of the appropriate fee.

911. Fencing, tombstones, etc

- 911.1. Grantees of an exclusive right of burial in any cemetery other than a Memorial Park cemetery may surround the plots of ground allotted with kerbing or fences in permanent materials that are acceptable to Council.
- 911.2. All foundations for kerbs, fences, tombstones, headstones, monuments, and vaults shall be laid to the satisfaction of Council.

912. Payment for Right of Burial

- 912.1. Any application for the purchase of an exclusive right of burial in any plot or ground not previously used for interment shall be made in full at the time of application.

913. Keeping in order

- 913.1. All kerbs, fences, headstones and other monuments shall be kept in safe and proper repair by the purchaser of the plot in the first instance and if that purchaser shall be deceased then by the immediate family of the deceased person who is buried in the plot. If after reasonable enquiry no such person or persons can be located then Council will undertake the necessary maintenance.

914. Shrubs and trees

- 914.1. Any plants in any portion of any cemetery may at any time be trimmed, removed, or cut down by Council.
- 914.2. No planting shall be undertaken in any cemetery by any person without the consent of Council.

915. What the fees cover

- 915.1. Plot purchase fees do not buy any work required to be done in relation to an interment in that plot.

916. Levelling

- 916.1. Any person who encloses any plot of ground shall do all levelling work to comply with the requirements of Council.
- 916.2. Every such person shall remove all rubbish and earth not required in the filling in of the grave, or in connection with such levelling from the cemetery to a place approved by the Council.

917. Vaults

- 917.1. Any person purchasing an exclusive right of burial in any plot of ground may, by permission of Council, excavate the same up to the boundaries of that plot for the purpose of constructing a vault.
- 917.2. Before any excavation work is commenced in the construction of any vault, the plans and specifications of the work shall be submitted to Council for approval, and no work shall be commenced until such approval has been given in writing.
- 917.3. All vaults shall be lined throughout with either masonry, concrete, or stone set in Portland cement, mortar, or other approved material. The entrance to the vault

shall be of such material as shall be approved by the Council. In all cases entrances shall be securely fastened and lockable, and all work in connection with the vault shall be done to the satisfaction of the Council.

917.4. A duplicate key of each vault shall be deposited with the Council.

917.5. All vaults shall be maintained in a safe and proper order and repair by the owners thereof.

917.6. All excess earth and rubbish from the vault excavation and construction shall be removed without delay to a place approved by the Council.

918. Deposit of materials

918.1. No monumental mason or other person erecting or repairing any headstone, monument, fence, or other work, in any cemetery shall make use of any footpath or other part of a cemetery for a longer time than is reasonably necessary for the purpose of completing such work.

918.2. No person shall make use of any footpath or roadway in the cemetery for the purpose of mixing cement or mortar otherwise than upon a proper mixing board or in some other approved manner.

918.3. Council may construct sheds or other buildings for storage, and may make charges for the use of the same.

919. Vehicles

919.1. No person shall take any vehicle into any cemetery except between the hours Council decides.

919.2. No person shall permit any vehicle to remain in any cemetery without the permission of Council.

919.3. No person in control of any vehicle unless authorised by Council shall drive the vehicle on any part of any cemetery except the roads open for vehicular traffic.

919.4. No person shall drive or operate any vehicle in any cemetery at a speed greater than 20km / h, or greater than that indicated on any sign within any cemetery.

919.5. All vehicles (other than hearses) shall yield an unconditional right of way to any funeral procession in any cemetery.

919.6. Every person driving or operating any vehicle in any cemetery shall stop or move such vehicle as directed by the Council or any other officer of Council.

919.7. Every person shall drive or operate any vehicle in any cemetery in the direction indicated by traffic signs situated in that cemetery.

920. Removal of fences, headstones, plants, etc

920.1. No person shall, without authority, remove from any cemetery or from any grave any kerb, headstone, monument, or tablet.

920.2. No person shall, without authority, remove or take from any cemetery, or from any grave in any cemetery, any vase, wreath, plant, flower, or any other thing,

except that Council may cause to be removed any neglected, inappropriate or broken or unsafe item of this nature.

921. Misconduct

- 921.1. No person shall, in any part of any cemetery, behave in a violent or improper manner, or prevent, interrupt, or delay a funeral service.

922. Soliciting of orders

- 922.1. No person shall, in any cemetery, advertise or solicit any order or custom from any other person for any work whatsoever to be done in or in connection with any burial plot, kerb, headstone, monument or tablet or any interment service.
- 922.2. Except at the specific request of a purchaser of plots or their representatives, no person shall, in any cemetery, accept or take any such order or custom as aforesaid.
- 922.3. No person shall, without the consent of the funeral director, or a special permit in writing for the occasion issued by Council, attend any funeral for the purpose of taking photographs or capturing images for commercial purposes.

923. Interment charges - poor persons

- 923.1. Where an application is made to Council for an interment of any deceased poor person at reduced charges, the applicant shall, on making such application, furnish to Council a certificate duly signed by him / her certifying that the deceased person has not left sufficient means to pay the ordinary charges of interment.

924. Deceased servicemen

- 924.1. Notwithstanding anything to the contrary contained in this chapter of the bylaw, in the case of an application by the War Graves Branch of the Department of Internal Affairs for the disinterment of any deceased serviceman and the subsequent re-interment in the War Graves section of the cemetery, the fees payable shall be as may be agreed upon between Council and the War Graves Branch of the Department of Internal Affairs from time to time.

925. Disinterment

- 925.1. Where an application for a disinterment is received by Council, the disinterment shall be conducted pursuant to Sections 51 and 55 of the Burial and Cremation Act 1964 or the relevant section of any subsequent legislation and shall be subject to the payment of such fees as imposed by Council resolution.

926. Vases or containers

- 926.1. All vases or containers for flowers shall be housed in insets set into the base or kerb behind any mowing strip on which the memorial is placed and shall not be made of glass.

This shall not apply in the RSA section of any cemetery except that no vases shall be located on the mowing strip.

MEMORIAL PARK (BERM OR GARDEN) CEMETERIES

927. Interments

- 927.1. Interments may be made from time to time in ground in the cemetery set apart by Council for the purpose of a Memorial Park and shown on a plan prepared by Council, but no fences or monuments other than headstones shall be erected, or trees, shrubs or flowers planted except as approved by Council, and no kerbings shall be erected anywhere within the precincts of such Memorial Park cemetery.

928. Purchase of allotments

- 928.1. Any person may upon payment of the prescribed fees purchase allotments in any Memorial Park cemetery. The number of plots to be sold at any one time shall be at the discretion of Council.

929. Erection of memorials

- 929.1. No person may construct, create or place any headstone, plaque, fence, kerb or other enclosure on a grave unless it is approved by Council and any prescribed fees have been paid.
- 929.2. Council may construct a continuous concrete platform or berm at ground level or below as required, of a width suitable to maintain stability. The cost of the platform shall be included in the purchase price of the plot.
- 929.3. Concrete based work for all memorials shall not stand higher than 500mm above the highest point of the concrete berm or ground level, whichever is the higher, and shall, where required, allow insets for flower containers.
- 929.4. On surface berms (or platforms) a space of 50mm excluding the mowing strip, clear of such memorial foundation base shall be maintained, both front and back.
- 929.5. No erected memorial shall, at the head of any plot, be higher than 1.50m from the centre point of the berm. Such memorial shall be acceptable to Council and will comply with the appropriate New Zealand Standard.
- 929.6. No erected memorial shall be of any material other than granite or concrete, or a suitable material approved by Council. Concrete shall be finished in grey or white cement only.
- 929.7. In constructing bases and erecting memorials, the adjoining roads, paths or allotments shall not be damaged.
- 929.8. All memorials shall be maintained in good and safe repair by the purchaser of the allotment or their assignee. Subject to the provisions of the Burial and Cremation (Removal of Monuments and Tablets) Regulations 1967, all memorials of any kind which fall into a state of decay or disrepair, may at any time be removed from the cemetery by Council, and in the event of there being no one available to effect repairs or permit removal, a photographic record of the plot shall be taken before removal and filed with cemetery records.

930. Vaults, and bricks or walled-in graves

- 930.1. No vaults or brick or walled-in graves above ground shall be constructed in a Memorial Park cemetery except in such part or parts as may be set aside for such purpose by Council.

931. Floral tributes

- 931.1. Flowers, wreaths and floral tributes may be placed on graves at the time of interment. After the lapse of seven days from the date of the interment Council may remove these tributes and dispose of them.

932. Ornaments

- 932.1. No inappropriate ornaments may be placed in a Memorial Park cemetery.

DRAFT

Chapter 10: Traffic

Scope

The purpose of this chapter of the bylaw is to provide rules and guidelines for the movement of traffic in the Timaru District.

SCHEDULES of this chapter of the bylaw are attached but may be amended from time to time by ordinary resolution of Council. **Up-to-date schedules** are held at Council offices.

1000. Interpretation

1000.1. This Chapter to be read in conjunction with Chapter 1 – Interpretation.

1001. General

1001.1. Subject to the provisions of the Local Government Act 1974, the Local Government Act 2002, the Land Transport Act 1998 and any act passed in amendment or substitution thereof and any other regulation, Council may from time to time impose any traffic prohibition, limitation or restriction controlling the traffic on any road or public place including reserves or places of public recreation under the control or management of Council. Public notification and consultation will be carried out as required.

1001.2. No person being the driver or operator or the person in charge of any vehicle shall drive or operate or in any other way use that vehicle, or stop, stand or park that vehicle in any manner contrary to any prohibition, limitation or restriction imposed from time to time by Council and indicated by the erection of a sign.

1002. Heavy traffic restrictions

1002.1. No person shall drive or operate any heavy vehicle, except an omnibus, on or along those roads or parts of roads named in the First Schedule to this chapter of the bylaw except for the purpose of picking up or delivering goods.

1002.2. No stock shall be transported in heavy vehicles through urban areas except over the routes specified in the Second Schedule to this chapter of the bylaw.

1003. Damage to footpath or berm by vehicle

1003.1. No person shall drive or operate any vehicle over any footpath or berm other than at a specifically designed and constructed vehicle crossing.

1003.2. Damage caused to any footpath or berm shall be a cost recoverable by Council.

1004. Access to private property

1004.1. Any proposed new vehicle access to a private property or any modification to any such existing vehicle access shall require specific approval by Council. Council will impose appropriate design requirements having regard for the proposed use of the vehicle access and Council's published standards. Any proposed new vehicle access to a private property or modification to any such existing vehicle access adjoining a state highway will require the approval of the appropriate road controlling authority.

1005. Cycles

- 1005.1. No person shall ride or operate any cycle on a road or public place as specified in the Third Schedule to this chapter of the bylaw.
- 1005.2. No cyclist shall ride or operate a cycle on any combined cycle / walking facility in a manner that threatens the safety of any pedestrians. Cyclists shall travel at a speed close to walking speed when in the vicinity of pedestrians. A list of combined cycle / walking facilities is contained in the Fourth Schedule to this chapter of the bylaw.
- 1005.3. No person shall place or leave any bicycle or other vehicle on any road or public place where it will be or is likely to be an obstruction, inconvenience, danger or a nuisance to traffic or pedestrians.
- 1005.4. No person shall place, stop, stand or leave or keep any bicycle or other vehicle on any kerb or on any portion of a road or public place set apart by Council as a restricted parking area or an appointed vehicle stand.

1006. Control of horses

- 1006.1. No person, being the owner or person having the custody or control of any horse shall ride, lead or drive a horse along any footpath, or cycle track in any public place.

1007. Licensed animal drawn vehicles

- 1007.1. No person shall keep or operate within any urban area any vehicle drawn or propelled by animal power available for the carriage of goods or persons for hire, reward or otherwise, without first obtaining a permit from Council.
- 1007.2. The holder of such a permit referred to in clause 1007.1 hereof shall comply with all conditions subject to which the permit is issued and failure to observe such conditions or the provisions of this chapter of the bylaw shall be an offence against this chapter of the bylaw and the permit may at the discretion of Council be suspended or revoked.

1008. Vehicle stands

- 1008.1. Council, may from time to time appoint, abolish or vary portions of any roads as stopping places or vehicle stands for licensed goods service vehicles and licensed passenger service vehicles under such conditions as it thinks fit.

1009. Median divided roads

- 1009.1. Those streets named in the Fifth Schedule to this chapter of the bylaw are roads formed with a wide central median. Each carriageway adjacent to the median is a one-way street.
- 1009.2. No person shall drive or operate any vehicle along or over those roads specified in the Fifth Schedule to this chapter of the bylaw except in the direction required to keep the vehicle moving forward with the right hand side of the vehicle nearest to the median strip and, unless specifically provided for by Council, no person shall drive or operate any vehicle or stop, stand or park any vehicle on or adjacent to the medians or on the median strips.

CHAPTER 10: Traffic

FIRST SCHEDULE BYLAW POLICY

Roads prohibited to through heavy motor vehicles

SUBJECT:

Clause 1002.1 Heavy traffic restrictions

- King Street between Dyson Street and the southern intersection to State Highway 1, Temuka
- Commerce Street, Temuka
- Hally Terrace between Wood Street and Domain Avenue, Temuka
- Wilmhurst Road from King Street to Hally Terrace, Temuka
- Stafford Street between Port Loop Road and North Street, Timaru
- The Bay Hill, Timaru
- Sophia Street between George Street and Perth Street, Timaru
- Campbell Street, Timaru.

CHAPTER 10: Traffic

SECOND SCHEDULE BYLAW POLICY

Specified routes for transporting stock through urban areas

SUBJECT:

Clause 1002.2 Heavy traffic restrictions

Timaru

- Racecourse Road (State Highway 8)
- Hilton Highway
- Evans Street
- Theodosia Street
- Craigie Avenue
- Sefton Street between Theodosia Street and Stafford Street
- The Port Loop Road and Marine Parade
- King Street between Craigie Avenue and Main South Road
- The Avenue, Pareora.

Temuka

- King Street from northern urban boundary to Dyson Street
- Dyson Street between King Street and Vine Street
- Vine Street between Dyson Street and Fraser Street
- Fraser Street between Vine Street and King Street
- King Street from Fraser Street to southern urban boundary.

State Highways

- The portions of any state highways that pass through an urban area.

CHAPTER 10: Traffic

THIRD SCHEDULE BYLAW POLICY

Specified roads or public places where cycling is prohibited

SUBJECT:

Clause 1005.1 Cycles

That piece of land between Stafford and Sophia Streets vested in Council by the Timaru Borough Empowering Act 1934 and known as the Royal Arcade.

CHAPTER 10: Traffic

FOURTH SCHEDULE BYLAW POLICY

Combined cycle / walkway facilities

SUBJECT:

Clause 1005.2 Cycles

- Claremont Road south side between points 60 metres and 180 metres west of Gleniti Road / Wai-iti Road
- Pages Road south side between Gleniti Road and a point 160 metres west of Mountain View Road
- Gleniti Road north side between Pages Road and a point 60 metres north of Cedar Place
- Richard Pearce Drive, Temuka south side between Whitcombe Street and Wilkin Street.
- Beaconsfield Road north side between State Highway 1 to 300 metres west of State Highway 1
- Railway overbridge from Station Street / Strathallan Street to Port Loop Road
- State Highway 8 south side from State Highway 1 to Sir Basil Arthur Park
- Old North road east side from Jellicoe Road to 130 metres north of Gould Road
- State Highway 1 west side from Washdyke Flat Road to 130 metres north of Seadown Road
- State Highway 1 east side from Washdyke Flat Road to 90 metres north of Seadown Road
- State Highway 1 west side from Grants Road to Blair Road
- North Street / Wilson Street / Woodlands Road roundabout quadrants.

CHAPTER 10: Traffic

FIFTH SCHEDULE BYLAW POLICY

One way roads adjacent to medians

SUBJECT:

Clause 1009.1 Median divided roads

TIMARU

- Craigie Avenue
- Part June Street
- Miro Street
- Morgans Road
- Part North Street
- Part Port Loop Road
- Part Ritchie Street
- Virtue Avenue
- Part Wilson Street.

Chapter 11: Traffic Speed Limits

Scope

The purpose of this chapter of the bylaw is to set the speed limits on all roads within the Timaru district. The speed limits described in the schedules to this chapter of the bylaw are made pursuant to section 684(1)(13) of the Local Government Act 1974, the Local Government Act 2002 and Land Transport Rule: Setting of Speed Limits 2003.

SCHEDULES of this chapter of the bylaw are attached but may be amended from time to time by ordinary resolution of Council and compliance with requirements of the Land Transport Rule: Setting of Speed Limits 2003. **Up-to-date schedules** are held at Council offices.

1100. Interpretation

1100.1. This Chapter to be read in conjunction with Chapter 1 – Interpretation.

1101. Speed limits

1101.1. The roads or areas described in the schedules specified in clause 1102.1 hereof or as shown on a map referenced in the said schedules are declared to have the speed limits specified in the schedules and maps, which are part of this chapter of the bylaw.

1102. Schedules of speed limits on roads

- | | | |
|---------|--------------|---|
| 1102.1. | Schedule 1: | Roads that have a speed limit of 20 km / h |
| | Schedule 2: | Roads that have a speed limit of 30 km / h |
| | Schedule 3: | Roads that have a speed limit of 40 km / h |
| | Schedule 4: | Roads that have a speed limit of 50 km / h |
| | Schedule 5: | Roads that have a speed limit of 60 km / h |
| | Schedule 6: | Roads that have a speed limit of 70 km / h |
| | Schedule 7: | Roads that have a speed limit of 80 km / h |
| | Schedule 8: | Rural areas - Roads that have a speed limit of 100 km / h |
| | Schedule 9: | Roads that have a holiday speed limit |
| | Schedule 10: | Roads that have a variable speed limit |
| | Schedule 11: | Roads that have a minimum speed limit |

CHAPTER 11: Traffic Speed Limits

FIRST SCHEDULE BYLAW POLICY

Schedule of speed limits on roads

SUBJECT:

Clause 1102.1

Roads that have a speed limit of 20 km / h

Road Name	Speed	Location
AORANGI PARK	20	
CAROLINE BAY	20	
GERALDINE DOMAIN	20	
GERALDINE MOTOR CAMP	20	
KENNEDY PARK	20	
PATATI POINT ACCESS ROAD	20	
PLEASANT POINT DOMAIN	20	
RANGITATA HUTS	20	
SOPHIA STREET	20	between 0m & 140m north of George Street
STRATHEONA HUTS	20	
STRATHEONA ROAD	20	between 350m & 540m north of Halstead Road
TEMUKA DOMAIN	20	
TIMARU CEMETERY	20	
WEST END PARK	20	

CHAPTER 11: Traffic Speed Limits

SECOND SCHEDULE BYLAW POLICY

Schedule of speed limits on roads

SUBJECT:

Clause 1102.1

Roads that have a speed limit of 30 km / h

Road Name	Speed	Location
BANK STREET	30	Between Sophia Street & Arthur Street
BESWICK STREET	30	
BOTANIC GARDENS	30	Timaru
CAIN TERRACE	30	
CANON STREET	30	
CENTENNIAL PARK DRIVE	30	
DAVEY ROAD	30	
GRESHAM STREET	30	between 30m & 358m west of Darby Street
MILFORD LAGOON ROAD	30	between 0m & 235m north of Stopbank Road
QUARRY ROAD	30	between 340m & 802m west of Otipua Road
STAFFORD STREET	30	Port Loop Road to George Street
STOPBANK ROAD	30	
THE BAY HILL	30	
THE TERRACE	30	
WAIPOPO ROAD	30	between 5640m & 5735m north of Seadown Road

CHAPTER 11: Traffic Speed Limits

THIRD SCHEDULE BYLAW POLICY

Schedule of speed limits on roads

SUBJECT:

Clause 1102.1

Roads that have a speed limit of 40 km / h

There are no roads currently listed in this schedule.

CHAPTER 11: Traffic Speed Limits

FOURTH SCHEDULE BYLAW POLICY

Schedule of speed limits on roads

SUBJECT:

Clause 1102.1

Roads that have a speed limit of 50 km / h

Road Name	Speed	Location
ABBOTT STREET	50	
ACACIA DRIVE	50	
ACTON STREET	50	
AFGHAN STREET	50	
AIRPORT	50	
ALBERT STREET	50	
ALBERT TERRACE	50	
ALEXANDRA STREET	50	Timaru
ALEXANDRA STREET	50	Temuka
ALLNATT STREET	50	
ALPINE CLOSE	50	
AMEER STREET	50	
ANDREW STREET	50	Cave
ANDREW STREET	50	Timaru
ANDREWVILLE LANE	50	
ANGLAND AVENUE	50	
ANNE STREET	50	
APSLEY STREET	50	
ARCHER STREET	50	
ARGYLE STREET	50	
ARTHUR STREET	50	
ARTHUR STREET	50	Hilton
ARUN STREET	50	
ASCOT STREET	50	
ASHBURY AVENUE	50	
ATHOL PLACE	50	
AVENEL STREET	50	
AVENUE ROAD	50	
AVIEMORE STREET	50	
AYNSLEY STREET	50	
AYR STREET	50	
BABINGTON STREET	50	
BAKER STREET	50	Timaru
BAKER STREET	50	Winchester
BALMORAL STREET	50	
BANK STREET	50	Between Arthur Street & North Street
BARKER STREET	50	
BARNARD STREET	50	
BARNES STREET	50	
BARRETT ROAD	50	
BATH STREET	50	
BAYVIEW PLACE	50	
BEACONSFIELD FLAT ROAD	50	Between Beaconsfield Road and 70m west of Bath Street

Road Name	Speed	Location
BEAUMONT STREET	50	
BELFIELD STREET	50	
BELL STREET	50	
BENMORE STREET	50	
BENVENUE AVENUE	50	
BEVERLEY HILL	50	
BEVERLEY ROAD	50	
BIDWILL STREET	50	
BIRCH STREET	50	
BIRKETT STREET	50	
BOUVERIE STREET	50	
BOWKER STREET	50	
BRADLEY STREET	50	
BRAEMAR PLACE	50	
BRANSCOMBE STREET	50	
BRENDA STREET	50	
BRIDGE ROAD	50	Timaru
BRIDGE STREET	50	Geraldine
BRIDGE STREET	50	Temuka
BRISTOL STREET	50	
BROADWAY AVENUE	50	
BROWNE STREET	50	
BROWNING STREET	50	
BRUNSWICK STREET	50	
BUCHANAN STREET	50	
BURGESS STREET	50	
BURKE STREET	50	
BURNETT STREET	50	
BUTLER STREET	50	
CAIN STREET	50	
CAMBRIDGE STREET	50	
CAMERON STREET	50	
CAMPBELL STREET	50	Geraldine
CAMPBELL STREET	50	Timaru
CANADA STREET	50	
CARDIFF STREET	50	
CARLISLE PLACE	50	
CASCADE PLACE	50	
CASS STREET	50	
CATHERINE STREET	50	
CEDAR PLACE	50	
CEMETERY HILL	50	
CHALMERS STREET	50	
CHAPEL STREET	50	
CHARLES STREET	50	
CHATEAU CLOSE	50	
CHAUCER STREET	50	
CHURCH STREET	50	Timaru
CLAREMONT ROAD	50	between 0m & 323m west of Gleniti Road
CLIFF STREET	50	
CLIFFORD STREET	50	
CLIFTON TERRACE	50	
CLIMIE TERRACE	50	
CLYDE CARR CRESCENT	50	

Road Name	Speed	Location
CLYDE STREET	50	
COLES STREET	50	
COLLEGE ROAD	50	
COLLINGWOOD STREET	50	
COLLINS STREET	50	
COMMERCE STREET	50	
CONNOLLY STREET	50	
COOK STREET	50	
COONOR ROAD	50	
COOPER STREET	50	
CORNWALL STREET	50	
COULTER PLACE	50	
CRAIGHEAD STREET	50	
CRAIGIE AVENUE	50	Napier Street Accessway
CROSS STREET	50	Timaru
CROSS STREET	50	Geraldine
CROSS STREET	50	Temuka
DAMPIER STREET	50	
DARBY STREET	50	
DAVIDSON STREET	50	
DAVIE STREET	50	Temuka
DAVIES STREET	50	Geraldine
DAWSON STREET	50	
DEAL STREET	50	
DEE STREET	50	
DENMARK STREET	50	
DEVON STREET	50	
DOBSON STREET	50	
DOMAIN AVENUE	50	Temuka
DOMAIN AVENUE	50	Timaru
DONALD STREET	50	
DONCASTER STREET	50	
DOUGLAS STREET	50	
DOWNS ROAD	50	between 0m & 70m west of Hewling Street
DUNKIRK STREET	50	
DUNVEGAN CLOSE	50	
DYSON STREET	50	
EDINBURGH STREET	50	
EDWARD STREET	50	
ELGIN STREET	50	
ELGINSHIRE STREET	50	
ELIZABETH PLACE	50	Timaru
ELIZABETH STREET	50	Timaru
ELIZABETH STREET	50	between 100m & 856m east of Cave Pareora Road, Cave
ELLESMERE PLACE	50	
ELLOUGHTON CRESCENT	50	
ELM STREET	50	
ELMSDALE TERRACE	50	
ELWORTHY STREET	50	
ERSKINE STREET	50	
ESSEX STREET	50	
EVANS STREET	50	Temuka
EVERSLEY STREET	50	

Road Name	Speed	Location
EWEN ROAD	50	
FACTORY ROAD	50	between 0m & 380m north of Richard Pearse Drive
FAIRVIEW ROAD	50	between 0m & 360m southwest of Landsborough Road
FERGUSSON STREET	50	Geraldine
FERRIER ROAD	50	
FLATMAN CRESCENT	50	
FLEMINGTON STREET	50	
FLINDERS STREET	50	
FOREST ROAD	50	
FORTH STREET	50	
FOX STREET	50	
FRASER STREET	50	Temuka
FRASER STREET	50	Timaru
FREDERICK STREET	50	
GALBRAITH PLACE	50	
GAMMACK STREET	50	
GEORGE STREET	50	Timaru
GEORGE STREET	50	Geraldine
GEORGE STREET	50	Pleasant Point
GEORGETOWN ROAD	50	
GIBSON STREET	50	
GLADSTONE ROAD	50	
GLAMIS STREET	50	
GLEN STREET	50	
GLENITI ROAD	50	between 0m & 1135m north of Wai-iti Road
GLENVIEW TERRACE	50	
GLENWOOD AVENUE	50	
GLOUCESTER STREET	50	
GODLEY PLACE	50	
GODLEY STREET	50	
GOULDS ROAD	50	
GRANDI AVENUE	50	
GRANGE CLOSE	50	
GRANGE SETTLEMENT ROAD	50	between 0m & 140m north of Richard Pearse Drive
GRANT STREET	50	
GRANTLEA DRIVE	50	
GRANTS ROAD	50	
GRASMERE STREET	50	
GREIG STREET	50	
GRESHAM STREET	50	between 0m & 30m west of Darby Street
GREY ROAD	50	
GUILD ROAD	50	between 0m & 130m north of Richard Pearse Drive
GUINNESS STREET	50	
GUISE STREET	50	
GUISE STREET NORTH	50	
GUTHRIE STREET	50	
HALL STREET	50	
HALLY TERRACE	50	
HALSTEAD ROAD	50	between 0m & 600m north of SH8
HAMILTON STREET	50	

Road Name	Speed	Location
HANAN PLACE	50	
HARBOROUGH STREET	50	
HARPER STREET	50	
HARRIS PLACE	50	
HARRIS STREET	50	Pleasant Point
HARRIS STREET	50	Geraldine
HART STREET	50	
HARTLEY CRESCENT	50	
HASSALL STREET	50	
HATTON STREET	50	
HAVELOCK STREET	50	
HAWEA STREET	50	
HAWKEY STREET	50	
HAWTHORN PLACE	50	
HAYES STREET	50	
HAYHURST STREET	50	
HAYHURST STREET NORTH	50	
HAYMAN STREET	50	
HEATH STREET	50	
HEATON STREET	50	
HERTFORD STREET	50	
HERTNON STREET	50	
HEWLINGS PLACE	50	
HEWLINGS STREET	50	Geraldine
HEWLINGS STREET	50	Timaru
HIGH STREET	50	Geraldine
HIGH STREET	50	Timaru
HIGH STREET	50	Otipua
HILL STREET	50	
HILL VIEW CRESCENT	50	
HILLSDEN PLACE	50	
HILLVIEW PLACE	50	
HINAU PLACE	50	
HISLOP STREET	50	
HOBBS STREET	50	
HOLLAND STREET	50	
HOLMGLEN STREET	50	
HOPKINS STREET	50	
HORNBROOK STREET	50	
HORNBROOK STREET NORTH	50	
HORTON STREET	50	
HUFFEY STREET	50	
HUGH STREET	50	
HUIRAPA STREET	50	
HUNT STREET	50	
HUNTER HILLS DRIVE	50	
HURDLEY STREET	50	
HUXLEY STREET	50	
IRVINE STREET	50	
JACKSON STREET	50	
JAMES STREET	50	
JELICOE STREET	50	
JOHN STREET	50	
JOHN STREET LANE	50	

Road Name	Speed	Location
JOHN STREET NORTH	50	
JOLLIE STREET	50	
JONAS STREET	50	
JUNE STREET	50	
KABUL STREET	50	
KANDAHAR STREET	50	
KARAKA STREET	50	
KAURI STREET	50	Pleasant Point
KAURI STREET	50	Timaru
KEITH STREET	50	
KELLANDS HILL ROAD	50	between 0m & 60m north of Pages Road
KELVIN STREET	50	
KENNEDY STREET	50	between 0m & 240m west of Talbot Street
KENT STREET	50	
KHAN STREET	50	
KILLICK PLACE	50	
KING GEORGE PLACE	50	
KING STREET	50	Pareora
KING STREET	50	Between Craigie Avenue and High Street
KING STREET (TEMUKA)	50	Between Vine Street and Dyson Street, Temuka
KING STREET SOUTH	50	Temuka
KITCHENER SQUARE	50	
KIWI DRIVE	50	
KONINI STREET	50	
KOROMIKO STREET	50	
KOWHAI STREET	50	
KUMARA TERRACE	50	
KYBER STREET	50	
LACHLAN PLACE	50	
LACHLAN STREET	50	
LAGOON DRIVE	50	
LANCASTER STREET	50	
LANDSBOROUGH ROAD	50	Between points 0m and 120m west of Coonoor Road
LATTER STREET	50	
LAUGHTON STREET	50	
LE CREN STREET	50	
LECKIE STREET	50	
LENNOX STREET	50	
LEVEN STREET	50	
LEVENS LANE	50	
LEWIS STREET	50	
LINCOLN STREET	50	
LINDSAY STREET	50	
LINDUS STREET	50	
LISAVA AVENUE	50	
LIVINGSTONE STREET	50	
LOUGH STREET	50	
LUKEYS LANE	50	
LUXMOORE ROAD	50	
LYALL TERRACE	50	
LYSAGHT STREET	50	
MACAULAY STREET	50	

Road Name	Speed	Location
MACDONALD STREET	50	Geraldine
MACDONALD STREET	50	Timaru
MACDONALD STREET	50	Orari
MCKECHNIE STREET	50	
MCKENZIE STREET	50	Between 100m east of Tancred Street and Waihi Terrace
MCNAIR ROAD	50	Between 0m & 150m north of Richard Pearse Drive
MADDREN STREET	50	
MAHONEY'S HILL ROAD	50	
MAITLAND STREET	50	
MARTIN STREET	50	
MAJORS ROAD	50	
MALING STREET	50	
MALTBY AVENUE	50	
MANSE ROAD	50	between 0m & 110m southwest of SH8
MAPLE CRESCENT	50	
MARCHWIEL STREET	50	
MARINE PARADE	50	
MARKET STREET	50	
MARSTON ROAD	50	
MARTIN STREET	50	
MARYBURN PLACE	50	
MASLIN STREET	50	
MATAI CRESCENT	50	
MATAI STREET	50	
MATILDA STREET	50	
MATIPO STREET	50	
MAUDE STREET	50	
MEADOWSTONE ROAD	50	
MELROSE STREET	50	
MELTON STREET	50	
MEMORIAL AVENUE	50	
MEREMERE STREET	50	
MILFORD CLANDEBOYE ROAD	50	between 0m & 50m east of Murray Street
MILL STREET	50	
MIRO STREET	50	
MONOWAI PLACE	50	
MORRIS LANE	50	
MOORE STREET	50	
MORGANS ROAD	50	
MOUNTAIN VIEW ROAD	50	
MOWBRAY STREET	50	
MUNRO STREET	50	
MURCHISON DRIVE	50	
MURRAY STREET	50	
NAPIER STREET	50	
NEAL STREET	50	
NELSON TERRACE	50	
NEWMAN STREET	50	
NEWTON STREET	50	
NIKAU PLACE	50	
NIKAU STREET	50	
NILE STREET	50	

Road Name	Speed	Location
NORTH STREET	50	Timaru
NORTH STREET	50	Winchester
NORTH TERRACE	50	
NORTH TERRACE ROAD	50	
NORWOOD STREET	50	
O'NEILL PLACE	50	
OAK PLACE	50	
OAK STREET	50	between 950m & 1388m north of Hawke Road
OHAU STREET	50	
OLD NORTH ROAD	50	Between 0m & 400m Southwest of SH1
OLD NORTH ROAD	50	between 1895m & 2626m southwest of SH1
ONslow STREET	50	
ORARI STATION ROAD	50	between 6275m & 6375m west of SH1
ORBELL STREET	50	
ORIELTON PLACE	50	
ORMSBY STREET	50	
ORMSBY STREET NORTH	50	
OTIPUA ROAD	50	
OWEN STREET	50	
OXFORD STREET	50	
PACIFIC STREET	50	
PAGES ROAD	50	between 0m & 1977m west of Selwyn Street
PAIGNTON STREET	50	
PAREORA AVENUE	50	between 20m & 1625m east of SH1
PARK LANE	50	
PARK VIEW TERRACE	50	
PEEL STREET	50	Geraldine
PEEL VIEW PLACE	50	
PERTH STREET	50	
PHILIP STREET	50	
PINE STREET	50	
POPLAR STREET	50	
PORT LOOP ROAD	50	Between Marine Parade and 50m west of Hayes Street
PRESTON STREET	50	
PRINCES STREET	50	Temuka
PRINCES STREET	50	Timaru
PRINGLE STREET	50	
PUKAKI STREET	50	
PUKATEA STREET	50	
PURIRI STREET	50	
PYE ROAD	50	between 0m & 1118m east of Davies Street
QUARRY ROAD	50	between 0m & 340m west of Otipua Road
QUEEN STREET	50	Pareora
QUEEN STREET	50	Timaru
RANDWICK PLACE	50	
RANFURLY STREET	50	
RANUI AVENUE	50	
RATA PLACE	50	
RATA STREET	50	
RATHMORE STREET	50	

Road Name	Speed	Location
RAWHITI STREET	50	
RAYMOND STREET	50	
RAYNER STREET	50	Temuka
RAYNER STREET	50	Pleasant Point
RAYNER STREET NORTH	50	
RAYNER STREET SOUTH	50	
REDRUTH STREET	50	
REDWOOD STREET	50	
REGENT STREET	50	
RHODES STREET	50	Pareora
RHODES STREET	50	Timaru
RICHARD PEARSE DRIVE	50	between 596m west of Murray Street and Railway Line
RICHARD STREET	50	
RICHARDS PLACE	50	
RICHMOND STREET	50	
RIMU STREET	50	Timaru
RIMU STREET	50	Pleasant Point
RISE ROAD	50	between 0m & 245m southeast of SH1
RITCHIE STREET	50	
RIVER STREET	50	
ROLLESTON STREET	50	
RONALD STREET	50	
ROSE STREET	50	
ROSLYN TERRACE	50	
ROTHWELL STREET	50	
ROWAN PLACE	50	
ROXBURGH STREET	50	
ROYAL STREET	50	
RUGBY STREET	50	
RUNA TERRACE	50	
RUSSELL SQUARE	50	
RUSSELL STREET	50	
SARAH STREET	50	
SAWDON PLACE	50	
SCOTT TERRACE	50	
SEALY STREET	50	Temuka
SEALY STREET	50	Timaru
SEAVIEW TERRACE	50	
SEDDON STREET	50	Temuka
SEDDON STREET	50	Timaru
SEFTON STREET EAST	50	
SELWYN STREET	50	
SHAW STREET	50	Timaru
SHAW STREET	50	Geraldine
SHAW STREET	50	Temuka
SHEFFIELD STREET	50	
SHERE STREET	50	
SHERRATT STREET	50	
SHORT STREET	50	
SIMMONS STREET	50	
SNOWDON ROAD	50	
SOMERSET STREET	50	
SOPHIA STREET	50	between 140m & 550m north of George

Road Name	Speed	Location
		Street
SOUTH STREET	50	
SOUTH TERRACE ROAD	50	
SPRING ROAD	50	
ST ANDREW STREET	50	
ST GEORGE STREET	50	
ST JOHNS AVENUE	50	
ST LEONARDS ROAD	50	
STAFFORD STREET	50	Between George Street and King Street
STATION STREET	50	
STIRLING PLACE	50	
STRATHALLAN STREET	50	
STRATHEONA ROAD	50	between 0m & 350m north of Halstead Road
STUART STREET	50	
STUDHOLME STREET	50	
SUTTER STREET	50	
TALBOT STREET	50	Between Cox Street and 320m south of Cole Street
TALBOT STREET	50	Timaru
TANCRED STREET	50	
TASMAN STREET	50	
TAWA STREET	50	
TAY STREET	50	
TAYLOR STREET	50	Timaru
TAYLOR STREET	50	Geraldine
TE WEKA STREET	50	
TEKAPO STREET	50	
TEMPLE CRESCENT	50	
TEMPLER STREET	50	Between 0m and 220m east of SH79
TENGAWAI ROAD	50	between 0m & 765m north of SH8
THOMAS STREET	50	Temuka
THOMAS STREET	50	Timaru
TOTARA PLACE	50	
TOTARA STREET	50	Geraldine
TOTARA STREET	50	Pleasant Point
TRAFALGAR STREET	50	
TRENEGLOS STREET	50	
TRIPP STREET	50	Geraldine
TURNBULL STREET	50	Pareora
TURNBULL STREET	50	Timaru
TWEEDY STREET	50	
TYNE STREET	50	
UNWIN STREET	50	
USK STREET	50	
VERNON STREET	50	
VICTORIA STREET	50	
VINNELL STREET	50	
VIRTUE AVENUE	50	
WAIHI PLACE	50	
WAI-ITI ROAD	50	
WAIMATAITAI STREET	50	
WAIPOPO ROAD	50	between 4410m and 5460m north east of Seadown Road

Road Name	Speed	Location
WAIPORI PLACE	50	
WAITAKI STREET	50	
WAITOHI TEMUKA ROAD	50	between 0m & 200m west of SH1
WAITUI DRIVE	50	
WALLACE STREET	50	
WALLINGFORD ROAD	50	
WASHDYKE FLAT ROAD	50	Between 0m & 540m West of SH1
WATLINGTON PLACE	50	
WELLINGTON STREET	50	
WESTCOTT STREET	50	
WHITCOMBE STREET	50	
WHITE STREET	50	
WILKIN STREET	50	
WILLIAM STREET	50	Normanby
WILLIAM STREET	50	Timaru
WILLIAM STREET EAST	50	Timaru
WILLIAMSON PLACE	50	
WILLOW PLACE	50	
WILMSHURST ROAD	50	
WILSON STREET	50	Geraldine
WILSON STREET	50	Timaru
WINCHESTER-GERALDINE ROAD	50	between 0m & 360m north of SH1
WINDSOR STREET	50	
WOOD STREET	50	
WOODLANDS ROAD	50	
WOOLLCOMBE STREET	50	
WRIGHT STREET	50	
WRIGHTS AVENUE	50	
YORK STREET	50	

CHAPTER 11: Traffic Speed Limits

FIFTH SCHEDULE BYLAW POLICY

Schedule of speed limits on roads

SUBJECT:

Clause 1102.1

Roads that have a speed limit of 60 km / h

Road Name	Speed	Location
BLAIR STREET	60	
MEADOWS ROAD	60	between 0m & 1241m north of SH1
SEADOWN ROAD	60	between 20m & 455m north of SH1

CHAPTER 11: Traffic Speed Limits

SIXTH SCHEDULE BYLAW POLICY

Schedule of speed limits on roads

SUBJECT:

Clause 1102.1

Roads that have a speed limit of 70 km / h

Road Name	Speed	Location
BURDON ROAD	70	between 0m & 285m Northeast of Woodbury Road
CANAL ROAD	70	between 0m & 260m west of Rolleston Road
CHURCH STREET	70	Woodbury
DENNISTOUN ROAD	70	between 0m & 660m west of east end
DOWNS ROAD	70	between 70m & 2916m west of Hewling Street
GLADSTONE STREET NORTH	70	between 0m & 20m south of Orari Station Road
HIGH STREET	70	Woodbury
KENNEDY STREET	70	between 240m & 660m east of Talbot Street
KING STREET	70	between 2252m & 2721m north of SH1(south)
KOTUKU PLACE	70	
MCKEOWN ROAD	70	between 0m & 150m Southwest of Woodbury Road
MILFORD CLANDEBOYE ROAD	70	between 10424m & 10764m east of Murray Street
NORTH TOWN BELT	70	between 0m & 50m east of Murray Street
ORARI STATION ROAD	70	between 0m & 660m west of SH1
PEEL FOREST ROAD	70	between 11283m north of Geraldine Arundel Road to Blandswood Road
PYE ROAD	70	between 1118m & 1168m east of Davies Street
RANGITATA GORGE ROAD	70	between 0m & 1750m north of Blandswood Road
RICHARD PEARSE DRIVE	70	between 596m & 1882m west of Murray Street
ROLLESTON ROAD	70	between 0m & 380m north of Canal Road
SEADOWN ROAD	70	between 0m & 20m north of SH1
WAIPOPO ROAD	70	between 4410m & 5640m north of Seadown Road
WOODBURY ROAD	70	between 5539m and 6169m Southwest of SH79

CHAPTER 11: Traffic Speed Limits

SEVENTH SCHEDULE BYLAW POLICY

Schedule of speed limits on roads

SUBJECT:

Clause 1102.1

Roads that have a speed limit of 80 km / h

Road Name	Speed	Location
BARTON ROAD	80	
BEACONSFIELD ROAD	80	between SH1 and Salisbury Road
BEACONSFIELD ROAD	80	between 160m east of Clay Road and 260m west of Brassell Road
BENNETT ROAD	80	between 0m & 200m east of SH79
BLANDSWOOD ROAD	80	Between Lookout Road and 40m west of Brake Road
BRASELL ROAD	80	between 0m and 60m south of Beaconsfield Road
BRISTOL ROAD	80	between 0m and 60m east of Beaconsfield Road
BROOKFIELD ROAD	80	
CLAREMONT ROAD	80	between 323m & 1543m west of Gleniti Road
CLAY ROAD	80	between 0m and 40m south of Beaconsfield Road
FAIRVIEW ROAD	80	between 360m & 4812m southwest of Landsborough Road
GLENITI ROAD	80	between 1135m & 3678m north of Wai-iti Road
GREENVALE ROAD	80	
GUSCOTT ROAD	80	Between Beaconsfield Flat Road and Beaconsfield Road
HOPKINSON ROAD	80	
KELLANDS HILL ROAD	80	between 60m & 1080m north of Pages Road
LANDSBOROUGH ROAD	80	Between points 120m west of Coonoor Road and 60m west of Barton Road
MANSE ROAD	80	Between the woolshed at the crest of the hill and the entrance to 14 Manse Road
MEADOWS ROAD	80	Between 1241m North of SH1 & Aorangi Road
OAKWOOD ROAD	80	
OLD NORTH ROAD	80	between 400m & 1895m southwest of SH1
PAGES ROAD	80	between 1977m & 4314m west of Selwyn Street
ROCKDALE ROAD	80	
WOODBURY ROAD	80	between 0m & 200m west of SH79

CHAPTER 11: Traffic Speed Limits

EIGHTH SCHEDULE BYLAW POLICY

Schedule of speed limits on roads

SUBJECT:

Clause 1102.1

Roads that have a speed limit of 100 km / h

Road Name	Speed	Location
ACKROYD ROAD	100	
ACLAND STREET	100	
ADAIR ROAD	100	
ADAIR SETTLEMENT ROAD	100	
AGNEW ROAD	100	
AIREY ROAD	100	
AKER ROAD	100	
AMBLER ROAD	100	
AORANGI ROAD	100	
ARMSTRONGS ZIG ZAG ROAD	100	
AROWHENUA ROAD	100	
AROWHENUA STATION ROAD	100	
AROWHENUA STREET	100	
ARUNDEL BELFIELD ROAD	100	
ARUNDEL RANGITATA ROAD	100	
BADHAM ROAD	100	
BAIN ROAD	100	
BALFOUR ROAD	100	
BARKER ROAD	100	
BASSETT ROAD	100	
BATES STREET	100	
BATH STREET	100	
BEACH ROAD	100	
BEACONSFIELD ROAD	100	between Salisbury Road & 160m east of Clay Road
BEACONSFIELD ROAD	100	between 260m and 6317m west of Brasell Road
BEACONSFIELD FLAT ROAD	100	between 70m west of Bath Street and Holme Station road
BECK ROAD	100	
BEEBY ROAD	100	
BEEHIVE ROAD	100	
BENNETT ROAD	100	between 200m & 3005m east of SH79
BISHOP ROAD	100	
BLACKLER ROAD	100	
BLAIR ROAD	100	
BLAKISTON ROAD	100	
BLANDSWOOD ROAD	100	
BOILING DOWN ROAD	100	
BORRELL ROAD	100	
BOYD ROAD	100	
BRAKE ROAD	100	
BRASELL ROAD	100	between 60m and 2400m south of Beaconsfield Road

Road Name	Speed	Location
BREEN ROAD	100	
BRENTON ROAD	100	
BRIDGE STREET	100	Arundel
BRIDGE ROAD	100	
BRIEN ROAD	100	
BRISTOL ROAD	100	Between SH1 and 60m east of Beaconsfield Road
BROCKLEY ROAD	100	
BRODIE ROAD	100	
BROPHY ROAD	100	
BROSNAN ROAD	100	
BROTHERS ROAD	100	
BROWN ROAD	100	
BUDD ROAD	100	
BURDON ROAD	100	between 285m & 5172m northeast of Woodbury Road
BURKE ROAD	100	
BURMA ROAD	100	
BURNHAM ROAD	100	
BUSH ROAD	100	
BUSHMAN ROAD	100	
BUTLERS ROAD	100	
CADWALLADER ROAD	100	
CAMPBELL ROAD	100	
CANAL ROAD	100	between 260m west of Rolleston Road to Farm Road
CARRIG ROAD	100	
CARTWRIGHTS ROAD	100	
CASEY ROAD	100	
CHALMERS ROAD	100	
CHAPEL ROAD	100	
CHAPMAN ROAD	100	
CHISHOLM ROAD	100	
CHRISTMAS ROAD	100	
CLANDEBOYE SETTLEMENT ROAD	100	
CLAREMONT BUSH ROAD	100	
CLAREMONT ROAD	100	between 1543m & 7437m west of Gleniti Road
CLARK ROAD	100	
CLARKSON ROAD	100	
CLAY ROAD	100	between 40m south of Beaconsfield Road and Bristol Road
CLELAND ROAD	100	
CLIFFS ROAD	100	
CLOGSTOUN STREET	100	
CLYNE ROAD	100	
COACH ROAD	100	
COKER ROAD	100	
COLES ROAD	100	
COLLETT ROAD	100	
CONDON ROAD	100	
CONE ROAD	100	
CONNELLS ROAD	100	
CONNELLY ROAD	100	

Road Name	Speed	Location
CRAIG ROAD	100	
CRAIGIE ROAD	100	
CRIPPS ROAD	100	
CROMBIE ROAD	100	
CROSS ROAD	100	
DANIELS ROAD	100	
DAVISON ROAD	100	
DENNISTOUN ROAD	100	between 660m & 1045m west of east end
DINDA ROAD	100	
DIP ROAD	100	
DIVAN ROAD	100	
DOAKE ROAD	100	
DOMAIN ROAD	100	
DOMINION ROAD	100	
DOMINION ROAD EAST	100	
DONALD FRASER ROAD	100	
DONEHUE ROAD	100	
DONKIN ROAD	100	
DOWNS ROAD	100	between 2916m & 4511m west of Hewling Street
DOYLE ROAD	100	
DRAFFIN ROAD	100	
DRISCOLL ROAD	100	
EARL ROAD	100	
EDGAR ROAD	100	
ELIZABETH STREET	100	between 0m & 100m east of Cave Pareora Road, Cave
ELLERY ROAD	100	
ELLIS ROAD	100	
ELMSLIE ROAD	100	
EPWORTH ROAD	100	
ESLER ROAD	100	
FACTORY ROAD	100	between 380m & 7964m north of Richard Pearse Drive
FAIRFIELD ROAD	100	
FAIRVIEW ROAD	100	between 4812m & 11685m southwest of Landsborough Road
FALVEY ROAD	100	
FARM ROAD	100	
FERRY ROAD	100	
FITZGERALD ROAD	100	
FLATMAN ROAD	100	
FLAXBURN ROAD	100	
FLETCHER ROAD	100	
FOLEY ROAD	100	
FOUR PEAKS ROAD	100	
FRASER ROAD	100	
GALBRAITH ROAD	100	
GALE CUTTING ROAD	100	
GARDINER ROAD	100	
GAYS PASS ROAD	100	
GEORGE ROAD	100	
GEORGE WARD ROAD	100	
GERALDINE FLAT ROAD	100	

Road Name	Speed	Location
GERALDINE-ARUNDEL ROAD	100	
GLADSTONE STREET NORTH	100	between 20m & 242m south of Orari Station Road
GLADSTONE STREET SOUTH	100	
GOODWIN ROAD	100	
GOULD ROAD	100	
GRAHAM ROAD	100	
GRANGE SETTLEMENT ROAD	100	between 140m & 625m north of Richard Pearse Drive
GRAY ROAD	100	
GRESHAM ROAD	100	
GRIFFIN LANE	100	
GUALTER ROAD	100	
GUILD ROAD	100	between 130m & 6030m north of Richard Pearse Drive
GUILFORD ROAD	100	
GULLY BUSH ROAD	100	
GUSCOTT ROAD	100	
GUTHRIE ROAD	100	
HADLOW ROAD	100	
HALF CHAIN ROAD	100	
HALL ROAD	100	
HALSTEAD ROAD	100	between 600m & 941m north of SH9
HAMMOND ROAD	100	
HARNEY ROAD	100	
HARRISON ROAD	100	
HAWKE ROAD	100	
HAYS ROAD	100	
HAZELBURN ROAD	100	
HEDLEY ROAD	100	
HENRIKSEN ROAD	100	
HIDES ROAD	100	
HOLME STATION ROAD	100	
HORNSEY ROAD	100	
HORSFALL ROAD	100	
HOUSTOUN ROAD	100	
HOWE ROAD	100	
HOWELL ROAD	100	
HYNDMAN ROAD	100	
INGLIS ROAD	100	
IVERACH ROAD	100	
JOHN TALBOT ROAD	100	
JULLOCH ROAD	100	
KAHU STREET	100	
KAKAHU STREET	100	
KALAUGHER ROAD	100	
KEANE ROAD	100	
KEEN ROAD	100	
KELLANDS HILL ROAD	100	between 1080m & 1920m north of Pages Road
KENNEDY STREET	100	between 660m & 770m east of Talbot Street
KENNELS ROAD	100	
KERETA ROAD	100	
KERR ROAD	100	
KERRYTOWN ROAD	100	

Road Name	Speed	Location
KING ROAD	100	
KIRK ROAD	100	
LAMONT ROAD	100	
LANDSBOROUGH ROAD	100	From Claremont Road to a point 60m west of Barton Road
LANGLEY DOWNS ROAD	100	
LANGRIDGE ROAD	100	
LAPTHORN ROAD	100	
LEISHMAN ROAD	100	
LEISHMAN STREET	100	
LEVELS PLAIN ROAD	100	
LEVELS STORE ROAD	100	
LEVELS VALLEY ROAD	100	
LEWIS ROAD	100	
LEY ROAD	100	
LEYS ESTATE ROAD	100	
LIMESTONE ROAD	100	
LIMESTONE VALLEY ROAD	100	
LITTLE ROAD	100	
LLOYD ROAD	100	
LOGAN ROAD	100	
LONGVIEW ROAD	100	
LOOKER ROAD	100	
LOOKOUT ROAD	100	
LOVE ROAD	100	
LUNDIE ROAD	100	
LUSHMAN ROAD	100	
LYNCH ROAD	100	
LYNN ROAD	100	
LYON ROAD	100	
LYSAGHT ROAD	100	
MABERLEY STREET	100	
MACAULAY ROAD	100	
MCCLELLAND ROAD	100	
MCCULLY ROAD	100	
MCINTOSH ROAD	100	
MCKENZIE ROAD	100	
MCKEOWN ROAD	100	between 150m & 4745m southwest of Woodbury Road
MCKINNON ROAD	100	
MCLEOD ROAD	100	
MCMASTER ROAD	100	
MCNAIR ROAD	100	between 150m & 5584m north of Richard Pearse Drive
MCPHERSONS ROAD	100	
MACKLE ROAD	100	
MAHAN ROAD	100	
MAIN WAITOHI ROAD	100	
MANSE ROAD	100	between 110m & 2223m southwest of SH8
MAORI GULLY ROAD	100	
MAORI RESERVE ROAD	100	
MARGARET STREET	100	
MARSHALL ROAD	100	
MASLIN ROAD	100	

Road Name	Speed	Location
MATTHEW ROAD	100	
MAZE ROAD	100	
MEADOWS ROAD	100	between Aorangi Road & Seadown Road
MEES ROAD	100	
MELLISH STREET	100	
MEREDITH ROAD	100	
METHERELL ROAD	100	
MIDDLE ROAD	100	
MIDDLEMISS ROAD	100	
MIDDLESWAMP ROAD	100	
MILFORD CLANDEBOYE ROAD	100	between 50m & 10424m east of Murray Street
MILFORD LAGOON ROAD	100	between 235m & 3041m north of Stopbank Road
MILL ROAD	100	
MILTON ROAD	100	
MIRO STREET	100	
MOA PASS ROAD	100	
MONUMENT ROAD	100	
MOORE ROAD	100	
MOUNT GAY ROAD	100	
MOWAT ROAD	100	
MT HORRIBLE ROAD	100	
MUFF ROAD	100	
MULLVIHILL ROAD	100	
MUNRO ROAD	100	
NAUGHTON ROAD	100	
NEWLAND ROAD	100	
NEWTON ROAD	100	
NORTH BOUNDARY ROAD	100	
NORTH TOWN BELT	100	between 200m & 1054m east of Murray Street
OAK STREET	100	between 0m & 950m north of Hawke Road
OHAPI SETTLEMENT ROAD	100	
OLD MAIN SOUTH ROAD	100	
OLIVER ROAD	100	
OMARA ROAD	100	
OMELVENA ROAD	100	
OPIHI ROAD	100	
OPIHI SCHOOL ROAD	100	
OPIHI TERRACE ROAD	100	
OPUHA STREET	100	
OPUHA STREET EAST	100	
ORAKIPAOA ISLAND ROAD	100	
ORARI BACK ROAD	100	
ORARI RIVER ROAD	100	
ORARI STATION ROAD	100	between 660m & 6275m west of SH1
ORARI STREET	100	
ORTON RANGITATA MOUTH ROAD	100	
OXFORD CROSSING ROAD	100	
PAINTON ROAD	100	
PALK ROAD	100	
PALMER ROAD	100	
PANAMA ROAD	100	
PARADE	100	

Road Name	Speed	Location
PAREORA AVENUE	100	between 0m & 20m east of SH1
PAREORA FORD ROAD	100	
PARISH ROAD	100	
PARKE ROAD	100	
PARR ROAD	100	
PATRICK ROAD	100	
PAYNE ROAD	100	
PEARSE ROAD	100	
PEEL FOREST ROAD	100	between 0m & 11283m north of Geraldine Arundel Road
PEEL STREET	100	Arundel
PENNEY ROAD	100	
PHAR LAP ROAD	100	
PIT ROAD EAST	100	
PIT ROAD WEST	100	
PITHIE ROAD	100	
PLEASANT VALLEY ROAD	100	
POOKE ROAD	100	
POOLE ROAD	100	
PRATT ROAD	100	
PRATTLEY ROAD	100	
PUDJECK ROAD	100	
PURVES ROAD	100	
QUANTOCK ROAD	100	
RACECOURSE ROAD	100	Orari
RAE ROAD	100	
RANGATIRA VALLEY ROAD	100	
RANGITATA GORGE ROAD	100	between 1750m & 48860m north of Blandswood Road
RANGITATA HUTS ROAD	100	
RANGITATA ISLAND ROAD	100	
RAINCLIFF ROAD	100	
RAPUWAI ROAD	100	
REILLY ROAD	100	
RIBBONWOOD ROAD	100	
RICE ROAD	100	
RISE ROAD	100	between 245m & 7778m southeast of SH1
RITCHIE ROAD	100	
RIVER ROAD	100	Waitohi
ROARING CAMP ROAD	100	
ROBINSON ROAD	100	
ROCKWOOD ROAD	100	
ROCKY HUNDREDS ROAD	100	
ROLLESTON ROAD	100	between 380m & 7197m north of Canal Road
ROLLING RIDGES ROAD	100	
ROSEBROOK ROAD	100	
ROSEWILL VALLEY ROAD	100	
ROXBURGH ROAD	100	
RUDDENKLAU ROAD	100	
RYAN ROAD	100	
RYANS CROSSING ROAD	100	
SADDLE ROAD	100	
SALISBURY ROAD	100	
SANDS ROAD	100	

Road Name	Speed	Location
SCARBOROUGH ROAD	100	
SCHOOL ROAD	100	
SCOTSBURN ROAD	100	
SCOTT ROAD	100	
SEADOWN ROAD	100	between 455m & 10739m north of SH1
SEAFORTH SETTLEMENT ROAD	100	
SEATON ROAD	100	
SEAWARD ROAD	100	
SERCOMBE ROAD	100	
SEVEN SISTERS ROAD	100	
SHAW ROAD	100	
SHEEP DIP ROAD	100	
SHERRATT ROAD	100	
SHERRIS ROAD	100	
SILVERTON ROAD	100	
SIMPSON ROAD	100	
SKINNER ROAD	100	
SLACKS VALLEY ROAD	100	
SLAUGHTERHOUSE ROAD	100	
SLIP PANEL ROAD	100	
SMART MUNRO ROAD	100	
SOUTH BOUNDARY ROAD	100	
SOWERBY ROAD	100	
SPRINGFIELD ROAD	100	
SPUR HUT ROAD	100	
SPUR ROAD	100	
STALKER ROAD	100	
STATION ROAD	100	
STERNDALE VALLEY ROAD	100	
STEWART ROAD	100	
SULLIVAN ROAD	100	
SUMMERLEAZE ROAD	100	
SUMMIT ROAD	100	
SUTHERLANDS ROAD	100	
SUTTON ROAD	100	
TAIKO HALL ROAD	100	
TAIKO ROAD	100	
TAIT ROAD	100	
TALBOTS ROAD	100	
TALBOT STREET	100	between 320m and 500m south of Coles Street
TAYLOR ROAD	100	
TAYLOR STREET NORTH	100	Rangitata
TE AWA ROAD	100	
TE MOANA ROAD	100	
TEMPLER STREET	100	between 220m & 1534m east of SH79
TENGAWAI FLAT ROAD	100	
TENGAWAI ROAD	100	between 765m & 2532m north of SH8
THATCHER ROAD	100	
THEW ROAD	100	
THOMPSON ROAD	100	
THREE MILE BUSH ROAD	100	
TIMEWELL ROAD	100	
TIPLADY ROAD	100	
TONER ROAD	100	

Road Name	Speed	Location
TOTARA VALLEY ROAD	100	
TOWNSEND ROAD	100	
TRIPP SETTLEMENT ROAD	100	
TRIPP STREET	100	Arundel
UNWIN LANE	100	
UPRICHARD ROAD	100	Arundel
VANCE ROAD	100	
WAIAPI ROAD	100	
WAIHI GORGE ROAD	100	
WAIKARI ROAD	100	
WAIMARIE ROAD	100	
WAIPOPO ROAD	100	between 0m & 4410m north of Seadown Road
WAITOHI PLEASANT POINT ROAD	100	
WAITOHI TEMUKA ROAD	100	between 200m & 8004m west of SH1
WALKER ROAD	100	
WALLACE ROAD	100	
WARD ROAD	100	
WAREING ROAD	100	
WASHDYKE FLAT ROAD	100	between 540m & 2534m west of SH1
WELLS ROAD	100	
WHITE ROAD	100	
WIGLEY ROAD	100	
WILKS ROAD	100	
WILLIAMS ROAD	100	
WILSON ROAD	100	
WINCHESTER HANGING ROCK ROAD	100	
WINCHESTER-GERALDINE ROAD	100	between 360m & 8829m north of SH1
WISELY ROAD	100	
WOODBURY ROAD	100	between 200m & 5539m west of SH79
WOODBURY ROAD	100	between 6169m & 10157m west of SH79
WOODHEAD ROAD	100	
WOODING ROAD	100	
WOODSIDE ROAD	100	
YATES ROAD	100	
YOUNG ROAD	100	

CHAPTER 11: Traffic Speed Limits

NINTH SCHEDULE BYLAW POLICY

Schedule of speed limits on roads

SUBJECT:

Clause 1102.1

Roads that have a holiday speed limit

There are no roads currently listed in this schedule.

CHAPTER 11: Traffic Speed Limits

TENTH SCHEDULE BYLAW POLICY

Schedule of speed limits on roads

SUBJECT:

Clause 1102.1

Roads that have a variable speed limit

There are no roads currently listed in this schedule.

CHAPTER 11: Traffic Speed Limits

ELEVENTH SCHEDULE BYLAW POLICY

Schedule of speed limits on roads

SUBJECT:

Clause 1102.1

Roads that have a minimum speed limit

There are no roads currently listed in this schedule.

Chapter 12: Licences for Vehicle Stands on Streets

Scope

The purpose of this chapter of the bylaw is to enable control of those areas that are permitted to be used as vehicle stands and to outline conditions that can be imposed on such areas.

1200. Interpretation

1200.1. This Chapter to be read in conjunction with Chapter 1 – Interpretation.

1201. 1201 Fees

1201.1. Every applicant for a licence under this chapter of the bylaw shall, when lodging an application, pay Council the appropriate fee as from time to time shall be resolved by Council.

1201.2. In any case in which no licence is issued pursuant to an application so made the amount of the fee accompanying the application shall be refunded to the applicant.

1202. Stands for taxis

1202.1. Portions of streets may from time to time by resolution of Council be constituted stands for taxis.

1202.2. The portions of streets specified in the First Schedule of this chapter of the bylaw are hereby constituted stands for taxis.

1203. Application for stand licence

1203.1. Every application for a stand licence shall be in the form from time to time prescribed by Council and shall be signed by the registered owner of the taxi company being the subject of the stand licence or the owner of the vehicle, provided that the application may be made and signed on behalf of an approved taxi organisation.

1203.2. The registered company which is the subject of the stand licence applied for in 1203.1 above shall have exclusive rights to that stand for their company vehicles only.

1203.3. Where any application sets out, contains, or discloses any false or inaccurate statement, fact, or circumstances, the person signing such application shall commit an offence against this chapter of the bylaw.

1204. Issue of stand licence authority

1204.1. Upon receipt of such application accompanied by the fee prescribed, Council may issue to the applicant a licence.

1204.2. The prescribed fee shall be applicable to each vehicle used or proposed to be used by the applicant.

- 1204.3. The fee for each vehicle shall be as decided by Council resolution.
- 1204.4. Subject to the provisions of clause 1207.1 hereof every such licence shall remain in force until the 30th day of June next following the date of issue thereof.

1205. Conditions upon stand

- 1205.1. It shall be an offence against this chapter of the bylaw for any person to cause, permit, suffer, or allow any vehicle to occupy a position upon or to be or remain upon any stand unless such vehicle shall be authorised to occupy that particular stand.

1206. Alterations or variations

- 1206.1. Council may at any time and from time to time by resolution in that behalf publicly notify, alter, add to, vary, or reduce in any manner the lists of streets or portions of streets set out in the First Schedule of this chapter of the bylaw, or alter the conditions fixed in respect thereof or fix conditions in respect thereof.

1207. Cancellation or suspension of stand licence

- 1207.1. If at any time the holder of a licence issued under clause 1204 hereof shall be convicted of any offence against this chapter of the bylaw, or against any Act or regulation associated with the use of any stand or of any motor vehicle used in respect of such stand, or if such holder shall in the opinion of a police officer be considered to be unfit to hold such licence, Council may give notice in writing to such holder requiring him / her to appear before Council at a time and place to be fixed in such notice to show cause why such licence should not be cancelled or suspended.
- 1207.2. No person shall be required to appear in relation to clause 1207.1 hereof less than seven days after the service of such notice.
- 1207.3. Council may, at such time and place after hearing such holder or his / her representative, or in default of his / her appearance, cancel such licence or suspend the same for such time as it considers necessary.

CHAPTER 12: Licences for Vehicle Stands on Streets

FIRST SCHEDULE BYLAW POLICY

Vehicle Stands on Streets

SUBJECT:

Clause 1202 - Stands for taxis

The following sites are designated as stands for taxis:

TIMARU

- Church Street - adjacent to the Library
- Station Street - adjacent to the Railway Station
- Church Street - adjacent to the Old Bank Tavern
- Queen Street - adjacent to Timaru Hospital
- Strathallan Street - adjacent to public toilets.

Chapter 13: Parking

Scope

The purpose of this chapter of the bylaw is to allow for areas where public parking is available and to provide the rules and guidelines for such areas.

1300. Interpretation

1300.1. This Chapter to be read in conjunction with Chapter 1 – Interpretation.

1301. Offences

1301.1. No person shall use any road or Council controlled parking place ~~public place~~ for the keeping or placing of vehicles for sale, exhibition or demonstration or otherwise in connection with the trade or business of such person, provided, however nothing in this clause shall prevent any person from driving or operating a vehicle along any road for demonstration purposes.

1301.2. No person shall park any vehicle on or adjacent to the median strips of those one way roads named in the Fifth Schedule of Chapter 10 of the bylaw.

1301.3. No person shall, stop, stand or park a vehicle on a road or ~~other public place~~ any Council controlled parking place for the prime purpose of sale or advertising it for sale.

1301.4. No person shall stop, stand or park a vehicle on a road or footpath for the purpose of repair.

1302. Stopping prohibited

1302.1. No person or driver shall stop, stand or park any vehicle in any manner contrary to any prohibition limitation or restriction imposed from time to time by resolution of Council and indicated by the erection of a sign prescribed by the Land Transport Act 1998 or any rules or regulations made there under or as indicated in any other clear manner.

1303. Parking places and time limits

1303.1. Council may from time to time by ordinary resolution:

- (a) Declare any piece of land or any road or any part of a road or any building or part of a building owned or occupied by Council to be a parking place.
- (b) Direct the times, manner and conditions for parking of vehicles in any such parking places.
- (c) Direct the classes of vehicles that shall be permitted to be parked in any such parking places.
- (d) Make other provision for the efficient management and control of any such parking places.
- (e) Delegate authority to alter the management of any parking space or spaces, set time limits and fix the fees payable for any such parking places.

- (f) Declare any parking space in a parking place to be reserved for the exclusive parking of vehicles displaying a mobility parking permit.
- 1303.2. No driver or person in charge of any vehicle shall permit such vehicle to be parked in any such parking place except as permitted by any such resolution.
- 1303.3. Any such resolution may from time to time be amended or rescinded by a further ordinary resolution of Council.
- 1304. Payment of fees**
- 1304.1. Where a fee has been prescribed for parking pursuant to clause 1303.1(d) hereof payment of the fee shall be by the method prescribed for that area or, where more than one method of payment has been prescribed, by one of those methods.
- 1305. Weight limit in Stafford Street**
- 1305.1. No person shall stop, stand or park any vehicle of the weight of 3.5 tonnes or more other than a passenger service vehicle, in Stafford Street, except for the purposes of loading or unloading goods.
- 1306. Parallel parking**
- 1306.1. Unless marked for angle parking, all legal parking spaces are to be used by vehicles parking parallel to the kerb line in the same direction as the vehicle would move on that road.
- 1307. Angle parking**
- 1307.1. Council may from time to time determine and appoint any place or places where vehicles may be parked only at an angle to the direction of the road, parallel to white painted lines indicating individually marked spaces, and so the front of the vehicle is facing inwards toward the kerb or footpath or centre island.
- 1308. Parking correctly in individually marked space**
- 1308.1. In any parking area where individual spaces are indicated by lines painted or otherwise marked, no driver or person in charge of a vehicle shall park such vehicle in a parking space across any line marking the parking space, or in such a position that the said vehicle shall not be entirely within the area designated as a parking space.
- 1308.2. In any parking area where individual parks are indicated by lines painted or otherwise marked, no driver or person in charge of a vehicle shall park such vehicle in a parking space which is already occupied by another vehicle. However it shall be lawful for a maximum of 3 motorcycles (including motorcycles with sidecars attached thereto), to occupy any parking space at the same time.
- 1309. Metered zones and parking meters, and pay and display machines and multi-bay meters**
- 1309.1. Council may from time to time by ordinary resolution:
- (a) Declare any road or part of a road to be a metered zone.

- (b) Declare any piece of land owned or occupied by Council and not being a road or part of a road to be a metered zone.
 - (c) Declare the time allowed for parking in metered spaces beyond which it shall be unlawful to remain parked.
 - (d) Fix the fees payable for the parking of vehicles within the metered zone.
 - (e) Delegate authority to alter a metered zone, time allowed for metered spaces and fix fees payable within a metered zone.
- 1309.2. Any such resolution may from time to time be amended or rescinded by a further ordinary resolution of Council.
- 1309.3. In accordance with the provisions of any such resolution Council shall establish and mark out or cause to be established and marked out metered spaces in all metered zones, and where marked spaces are controlled by a multi-bay meter each space shall be marked with an identifying number.
- 1309.4. Individual parking meters shall be placed upon and firmly fixed to the kerb or footpath or area adjoining each metered space and each such meter shall clearly indicate the time allowed for parking in such metered space, the prescribed coin and where a maximum time is permitted under clause 1309.1(d) hereof.
- 1309.5. Multi-bay meters shall be located within the metered zones they are intended to control and such machines shall clearly indicate the prescribed coin and the maximum time permitted under clause 1309.1(d) hereof. Upon the insertion of the prescribed coin such machine shall clearly indicate the time allowed for parking in the specified space.
- 1309.6. Pay and display machines shall be located within the metered zone which they are to control. Any such pay and display machine shall, on insertion of the prescribed coin and in accordance with the instructions on the pay and display machine issue a parking receipt.
- 1309.7. The extremities of each metered space or carpark shall be clearly indicated by white lines painted on the road.
- 1310. Parking fee to be paid**
- 1310.1. When any vehicle is parked in a metered space the driver or person in charge of such vehicle shall prior to leaving the vehicle but no later than five minutes after parking the vehicle deposit or cause to be deposited in the controlling parking meter or by a cell phone based payment application the prescribed ~~coin~~ value as indicated on the parking meter or pay and display machine, as a parking fee and shall forthwith activate the mechanism in accordance with the instructions on the parking meter. Thereupon the metered space may be lawfully occupied by the vehicle during the period indicated on the parking meter or parking receipt, but no longer, provided that the driver or person in charge of such vehicle may without any payment park the same during such time (if any) as may be indicated on the parking meter as being unexpired from its previous use.
- 1310.2. It shall be lawful for the driver or person in charge of a vehicle immediately upon the expiration of any authorised period of parking again to deposit or cause to be deposited the prescribed coin in the parking meter and thereafter the said vehicle may lawfully occupy the metered space for the further period indicated on the

parking meter or parking receipt provided that the maximum period for parking in clause 1309.1(d) hereof is not exceeded in total.

- 1310.3. No driver or person in charge of any vehicle is permitted to remain parked in a metered space while ~~the parking meter controlling such metered space is out of order or while the parking meter or parking receipt shows that the time has expired or that~~ the meter has not been properly operated in accordance with the instructions on the meter.
- 1310.4. Where more than one motorcycle occupies a metered space it shall not be necessary for the payment of more than one parking fee but no such vehicle shall remain parked in the metered space while the parking meter controlling the metered space or the parking receipt displayed shows that the time has expired and each motorcycle so parking is in breach of this chapter of the bylaw.
- 1310.5. Where a vehicle is parked on a metered space controlled by a pay and display machine, a valid parking receipt issued by the pay and display machine shall be placed on the dashboard at the front of the vehicle in a manner which will allow the expiry time to be seen by Council officer from outside the vehicle or if the vehicle is not fitted with a dashboard the parking receipt shall be displayed on the vehicle in a clear manner.
- 1310.6. No person shall display a parking receipt in a manner that is likely to deceive or confuse, or display a copy of a parking receipt or an altered or false parking receipt.

1311. Reserved or discontinued parking space

- 1311.1. Where Council is of opinion that any metered space or spaces or time restricted parking space or spaces should be temporarily discontinued as a parking space or spaces, Council may place or erect, or cause to be placed or erected a sign or signs or a road cone or road cones indicating "No Stopping" at such space or spaces, and it shall be unlawful for any person to park a vehicle at such space or spaces while such an indication is so placed or erected.
- 1311.2. Council may, subject to such conditions as are appropriate in the circumstance and upon payment of the prescribed fee, if any, authorise the stopping, standing or parking of a specified vehicle or vehicles, notwithstanding the provisions of clause 1311.1 hereof. In any case where an authorisation has been granted there shall be displayed on the vehicle a document issued by Council authorising the occupation of the space and setting out the days and times and location applying to the authorisation.
- 1311.3. Council may designate parking spaces in any off street car park to be reserved spaces available for lease to individuals or companies and may set the conditions and fees applying to the sole right to use such spaces.
- 1311.4. No driver or person in charge of any vehicle shall permit such vehicle to be parked in any reserved parking space except as permitted by the conditions set by Council pursuant to clause 1311.3 hereof.

1312. Interference with parking meters

- 1312.1. Every person who misuses any parking meter, or who interferes, tampers, or attempts to tamper with the working or operation of any parking meter or who without due authority affixes or attempts to affix any placard, advertisement,

notice list, document board or thing, or to paint, write upon or disfigure any parking meter commits an offence against this chapter of the bylaw.

1313. Prescribed coins only

- 1313.1. No person shall deposit or cause to be deposited in any parking meter anything whatever other than the prescribed coin or coins.

1314. Unlawful parking

- 1314.1. It shall be unlawful for any person to park any vehicle in a metered space except as permitted by the provisions of this chapter of the bylaw.

1315. Operation of parking meters

- 1315.1. No person shall operate or attempt to operate any parking meter by any means other than as prescribed by this chapter of the bylaw.

1316. Exemption from payment and defences available

- 1316.1. The driver or person in charge of any of the following vehicles shall be exempt from the provisions of this chapter of the bylaw:

- (a) A vehicle used as an ambulance and being at the time used for an urgent ambulance service.
- (b) A vehicle used by a fire brigade for attendance at emergencies and at the time used for an urgent emergency service.
- (c) A vehicle being used at the time for a police service.
- (d) A vehicle marked with Council logo on duty signage
- (e) Such driver or person entitled to be in possession of "Over 80" parking exemption signage which is properly on display.

- 1316.2. It shall be a defence to any person who is the driver or is in charge of any goods-service vehicle and who is charged with a breach of this chapter of the bylaw if such person proves that the act complained of was done during the loading or unloading of the vehicle in the course of trade and that the vehicle was being used on the road with due consideration to the safety and convenience of other road users.

- 1316.3. It shall also be a defence to any charge of a breach against this chapter of the bylaw if the act complained of was done in compliance with the directions of a police officer, Council officer, traffic control sign or traffic sign or that the vehicle was engaged on a public work and was being used on the road with due consideration to other road users.

1317. Hours applicable to parking meters

- 1317.1. The hours for parking meter restrictions shall be in accordance with the First Schedule of this chapter of the bylaw and may be altered from time to time by ordinary Council resolution.

1318. Mobility parking spaces

- 1318.1. The extremities of each mobility parking space shall be indicated by yellow lines clearly painted on the road. A yellow wheelchair emblem shall be painted within the space, and the appropriate sign shall be erected.
- 1318.2. No person shall park a vehicle on a mobility parking space except for the needs of the holder of a mobility parking permit who is travelling in the vehicle and such permit being prominently displayed within the vehicle.

CHAPTER 13: Parking

FIRST SCHEDULE BYLAW POLICY

Parking meters

SUBJECT:

Clause 1317.1 - Hours applicable to metered parking zones

The hours during which payment of the fee for metered parking is required are as follows:

- 9.00am to 5.30pm, Monday to Friday excluding Public Holidays
- 9:00am to 1:00pm, Saturdays, excluding Public Holidays.

DRAFT

Chapter 14: ~~Solid~~ Waste Minimisation

Scope

The **purpose** of this chapter of the bylaw is to:

- (1) Protect the health and safety of the public and the Council's employees and contractors;
- (2) Prevent contamination of recoverable materials and maximize the recovery of recyclable, compostable and re-usable resources;
- (3) Avoid nuisance relating to the collection and disposal of waste and diverted materials;
- (4) Regulate and monitor waste operators and waste handling facilities within the district.

The **objectives** of this chapter of the bylaw are to:

- (1) Assist with the implementation of the Waste Minimisation Act 2008, the New Zealand Waste Strategy and Council's Waste Management and Minimisation Plan;
- (2) Ensure safe, effective and efficient waste management in the district, and, where appropriate, beyond the district;
- (3) Impose specific performance standards and requirements for waste collection, transportation, disposal and treatment services for the benefit of the public.

1400. Interpretation

- 1400.1. This Chapter to be read in conjunction with Chapter 1 – Interpretation.

1401. Council kerbside collection

- 1401.1. Council may from time to time make and amend and publicly notify policy which may include but is not necessarily limited to the following.
- (a) To determine areas within the Timaru district eligible for solid waste collection.
 - (b) To designate the days and time of solid waste collection including alternative days for public holidays.
 - (c) To contract any solid waste collection contractor to carry out collection of solid waste for Council.
 - (d) To determine the area and type of properties that Council will provide a kerbside collection service to.
 - (e) To assign approved containers to eligible premises;
 - (f) To determine the frequency of collection of solid waste in each designated collection area of the district.
 - (g) To designate the conditions and guidelines relating to the acceptance of solid waste materials for collection as part of a council kerbside collection and at waste management facilities.

~~(h) To limit the number of bins provided to two (2) sets per rateable property or per business unit.~~

1402. Owner and occupier responsibilities for kerbside collection

1402.1. Every owner or occupier of an eligible premise shall:

- (a) Ensure that approved containers are not intentionally damaged.
- (b) Utilise approved containers for the storing and collection of rubbish, recyclable materials and compostable materials.
- (c) Separate and prepare all solid waste generated from within eligible properties so as to comply with the acceptance criteria for solid waste.
- (d) Maintain approved containers in a sanitary manner so as not to cause offence or nuisance.
- (e) Place approved containers out for emptying in accordance with Council instructions for placement.
- (f) Ensure the lid of an approved container is closed shut when the container is placed out for emptying so that no material is sticking out of the approved container.
- (g) Remove any approved containers from the kerbside or roadside not later than 24 hours after the day of collection.
- (h) Notify Council immediately of any damage to any approved container.

1402.2. Landlords shall ensure that tenants of eligible premises which are residential dwellings receive the appropriate allocation of approved containers and shall provide adequate space for storage of the approved containers. ~~Each bin will require 450cm².~~

1402.3. When an approved container has been placed outside a premise for collection, no person other than the owner or occupier of that property, or any Council staff, agent or contractor shall interfere with, add to or remove any of the contents of the approved container.

1402.4. No person shall dispose of any solid waste from eligible premises or any commercial premises into a street litter bin.

1402.5. No person other than the occupier / owner of the eligible premises to which the approved container has been allocated, Council staff, agent or contractor shall remove an approved container from its placement on the kerb.

1402.6. Approved containers allocated to an eligible premises shall remain at the eligible premises the approved containers were originally assigned to. The approved containers shall not be removed and used at another premises.

1402.7. Where an approved container has been damaged through negligence, misuse, abuse or alterations the repair of damage or replacement shall be a cost recoverable from the owner or occupier of the eligible premises to which the approved container was assigned.

The owner or occupier of eligible premises shall not be liable for theft, vandalism or damage caused inadvertently by others.

1402.8. The owner or occupier of an eligible premises shall make the approved containers assigned to the eligible premises available to Council, or its contractors or agents for inspection purposes or repair within 24 hours of that request.

1402.9. The owner or occupier of an eligible premises shall ensure that approved containers shall be placed in an area that would not allow a fire to spread to the rest of the building or to any road or other public place

1403. Approved containers for kerbside collection

1403.1. Council shall determine the type of approved containers to be supplied to eligible premises.

1403.2. Approved containers will be identified by the Council name.

1403.3. Coloured lids will be used to identify wheeled bins as follows:

Green Lid	-	Compost
Yellow Lid	-	Recycle
Red Lid	-	Rubbish

1403.4. Containers that are not approved containers will not be emptied or removed.

1403.5. Approved containers may only be emptied by the Council's nominated kerbside collection contractor.

1404. Disposal of solid waste via kerbside collection

1404.1. No person shall, in an approved container or otherwise, present for disposal to landfill, a banned material or prohibited waste as specified within the First and Second Schedules of this chapter to the bylaw.

1404.2. Council may conduct audits to determine if materials placed in an approved container are compliant. Notices may be issued for non-compliance.

1405. Preparation of solid waste material for kerbside collection

1405.1. Every occupier or owner of eligible premises shall ensure that their solid waste is sorted and separated into the corresponding approved containers for recycling, composting and rubbish to landfill.

1405.2. Solid waste materials shall be prepared in accordance with instructions provided by Council.

1405.3. Solid waste shall not be packed tightly into approved containers, but shall be stored in a manner that enables the contents to tip out freely.

1405.4. Council may from time to time amend its instructions regarding the collection and disposal of solid waste. This may include but is not limited to instruction on maximum weight for approved containers (80 kgs maximum), the type of solid waste materials to be placed into approved containers and any other such matters Council considers relevant.

1406. Placement of approved containers for kerbside collection

- 1406.1. Approved containers shall where possible be placed for collection free of obstruction in the horizontal and vertical plane for emptying. Approved containers shall be spaced at least 0.5 metres apart. Red-lidded containers shall be placed first from the driver's direction of travel.
- 1406.2. Occupiers or owners of eligible premises shall place their approved containers at the kerbside or roadside for emptying in accordance with instructions provided by Council or its contractor, no earlier than 6:00pm on the day prior to collection.
- 1406.3. Approved containers placed out on the wrong collection day will not be emptied and the owner or occupier of the eligible premises shall be responsible for removing the container.
- 1406.4. An approved container will only be emptied once on each collection day unless approval is given by Council for any further emptying of an approved container.
- 1406.5. Council's collection contractor is not required to return to empty approved containers that have not been placed out in time for emptying. In such circumstances, the owner or occupier of the eligible premises shall be responsible for emptying the approved container. The contractor, where possible, may return to empty an approved container.

1407. ~~Council kerbside collection shall not commence before 6.00am~~ Collection times

- 1407.1. Council kerbside collection shall not commence before 6.00am.

1408. Improperly prepared materials and contamination of approved containers for kerbside collection

- 1408.1. Council's collection contractor shall not collect improperly prepared materials or empty contaminated approved containers.
- 1408.2. Where an approved container is declined for collection, the owner or occupier of the eligible premises shall be notified of the problem by Council as soon as is practicable in the circumstances.
- 1408.3. When notified of improperly prepared materials or contamination of approved containers the owner or occupier of the eligible premises shall be responsible for remedying or mitigating the contamination or improperly prepared materials.
- 1408.4. An approved container so notified as being contaminated or improperly prepared will not be emptied until the next designated collection day.
- 1408.5. Council may advise the owner or occupier informing them of the acceptance criteria for preparation of and collection of materials.
- 1408.6. Where the owner or occupier of an eligible premises of an approved container fails to adhere to Council advice then Council may stop the Council kerbside collection for that eligible premises.

1409. Commercial premises

- 1409.1. The disposal of solid waste not eligible for collection by Council is the responsibility of the generator of that solid waste.

1409.2. The owner of commercial premises shall ensure sufficient space is provided to accommodate containers for solid waste, including separate containers for ~~reusable~~ residual waste, recyclable, and compostable waste material.

1409.3. The owner or occupier of commercial premises shall sort and separate all solid waste generated at the premises so as to facilitate the collection of materials for recycling and composting and to comply with Council's waste acceptance criteria.

This waste may be placed in approved containers or contractor containers.

1410. Accumulation of waste on commercial premises

1410.1. The occupier or owner of any premises shall not permit or allow any accumulation of solid waste, reusable, recyclable and or compostable materials in, on, or about that premises to be or become unsightly or offensive so as to be a nuisance or likely to be injurious to health.

1410.2. Where approved containers or contractor containers are provided solid waste shall be placed in the respective containers. Home composting systems are permitted to dispose of compostable materials, as long as there is no breach of clause 1410.1 hereof.

1411. Commercial solid waste collectors and operators to be licensed

1411.1. Any person who, as part of a commercial operation, collects solid waste from residential dwellings or commercial premises or who sorts and processes solid waste as part of a solid waste collection business shall be licensed by Council to do so.

1411.2. The purpose of such a licence is to ensure that the objectives of Council's Waste Management and Minimisation Plan are achieved with regard to the separation of reusable, recyclable, compostable and waste materials presented to Council for disposal.

1411.3. Every application for a licence shall be made on the prescribed form, and shall include a description of the activities undertaken and shall be accompanied by a fee as set by Council from time to time.

1411.4. Licences may be granted at the discretion of Council, and may be subject to such terms and conditions as Council determines.

1411.5. A licence shall be personal to the holder and is not transferable.

1412. Matters to be considered for issue of licences for commercial operators

1412.1. When exercising its discretion in granting a licence and the conditions to be imposed, Council may take into account such matters including but not limited to the following:

(a) The suitability of the applicant to hold a licence.

(b) The extent to which the licensed activities will promote public health and safety and achievement of Council's Waste Management and Minimisation Plan and waste reduction initiatives.

(c) The type of solid waste to be removed, collected or transported.

- (d) The manner of treatment (if any) and disposal of the solid waste type, and the location of the waste management facility at which it is proposed that processing or disposal will occur.
- (e) The frequency and location of the solid waste collection, removal, transportation or disposal services offered.
- (f) The specifications of the vehicles, equipment and containers to be used for the collection, removal, transportation, processing or disposal of solid waste.
- (g) The applicant's experience, reputation and track record in the solid waste industry, including any past operational issues which may affect the applicant's performance.
- (h) The applicant's financial ability to carry out the proposed business.
- (i) The terms and conditions under which such disposal of solid waste is permitted and the existence of or need for any statutory approvals, authorisations or consents required to be held or complied with in respect of such disposal.

1413. Licence conditions for commercial operators

- 1413.1. The terms and conditions upon which a licence may be granted include, but are not limited to the following:
- (a) A licence may be granted for a term of not more than 5 years, and may be renewable.
 - (b) The licensee shall pay an annual licence fee as determined by Council from time to time.
 - (c) The licensee shall comply with Council's standards and policies for the collection, removal, transportation processing or disposal of solid waste.

1414. Hours for commercial operators

- 1414.1. Commercial solid waste collection operators shall operate only between the hours of 6.00am and 10.00pm. Collection outside these hours may only be undertaken with approval from Council as a variation to a licence.

1415. Placement of containers by commercial operators

- 1415.1. Large contractor containers and skips for the collection of solid waste shall not be placed on a kerbside, footpath or road reserve so as to obstruct any vehicle or pedestrian.
- 1415.2. Contractor containers shall not be placed in situations that cause a hazard or block the passage of vehicles or pedestrians to or from any premises.

1416. Commercial operator's containers

- 1416.1. Containers supplied by a licensee for solid waste collection shall comply with any health and safety requirements. It is the responsibility of the licensee to ensure the safety and structural worthiness of containers.

- 1416.2. Licensee's containers shall be capable of containing the material deposited within.
- 1416.3. Licensee's containers shall be clearly labelled to indicate the material which can be placed into the container.
- 1416.4. The licensee's name and contact telephone number shall be posted on the side of the container and maintained so that it is clearly and easily able to be read at all times.
- 1416.5. Each licensee container shall be given a unique identifier number.

1417. Waste acceptance criteria for commercial operators

- 1417.1. The licensee shall ensure that all solid waste taken to Council's waste management facilities complies with the waste acceptance criteria for the respective waste management facility.
- 1417.2. The licensee shall be liable for any extra costs for processing contaminated loads or loads that do not comply with the waste acceptance criteria for the waste management facility.

1418. Improperly prepared materials and contamination in commercial containers

- 1418.1. It is the responsibility of the licensee to ensure that customers properly prepare solid waste materials for collection.
- 1418.2. Council may help by providing information and advice to assist with the proper preparation and separation of solid waste materials.
- 1418.3. The licensee's container shall be cleaned out regularly and as necessary to avoid any odours which may cause offence or nuisance.
- 1418.4. The licensee's container shall be emptied to avoid overflowing solid waste.

1419. Disposal of recyclable and compostable material by commercial operators

- 1419.1. Licensees shall ensure recyclable and compostable material is taken to the appropriate waste management facility for processing. Recyclable and compostable material shall not be disposed of as rubbish into Council's landfill.

1420. Illegal dumping into commercial containers

- 1420.1. No person other than the hirer of a solid waste collection contractor or other authorised person shall place solid waste into a container of the collector.

OTHER MATTERS:

1421. Waste importing

- 1421.1. No person shall import from outside the Timaru District commercial solid waste for disposal to Council's landfill unless such importing and disposal is approved by Council.

1422. Council waste management facilities

- 1422.1. All persons entering a council waste management facility shall:

- Observe and comply with all erected signs, notices and instructions;
- Comply with all waste acceptance criteria;
- Pay the appropriate fees;
- Not damage any plant, equipment or premise at the facility;
- Separate reusable, recyclable and compostable materials as instructed by on site staff;
- Leave the site as instructed prior to closing time.

1423. Access

- 1423.1. Access to a council waste management facility outside normal opening hours is determined by Council or its contractor or agent.

1424. Removal of material from facilities

- 1424.1. ~~It shall be an offence against this chapter of the bylaw for any~~ No unauthorised person ~~to~~ shall enter, loiter, cause a disturbance or deposit any solid waste material at or to remove any solid waste or article of any kind from a council waste management facility.

1425. Banned and prohibited materials

- 1425.1. Materials identified in Schedule One to this chapter of the bylaw are prohibited from being disposed of to a landfill in the Timaru District. These materials must be taken to an appropriate recycling or composting facility.
- 1425.2. Materials identified in Schedule Two of this chapter of the bylaw are prohibited from being disposed of to the Redruth landfill, either via Council or contractor container, or by any other means including private or commercial vehicle.

CHAPTER 14: ~~Solid~~ Waste Minimisation

FIRST SCHEDULE BYLAW POLICY

Banned materials

SUBJECT:

Clause 1425.1 - Banned materials

The following items shall not be disposed of as rubbish into a Council landfill, but shall be disposed of as reusable, recyclable or compostable material at appropriate processing facilities:

1. Petroleum oil
2. Lead acid batteries
3. Newspaper and recyclable paper as notified by Council
4. Cardboard
5. Glass bottles and jars
6. Aluminium cans
7. Rigid plastic containers as notified by Council
8. Compostable garden and food waste as notified by Council
9. Steel cans
10. Ferrous and non ferrous metals as notified by Council
11. E scrap
12. Clean packaging polystyrene
13. Clean shrinkwrap
14. Other clean flexible plastics
15. Tyres
16. Materials as shall from time to time be notified by Council.

CHAPTER 14: Solid Waste Minimisation

SECOND SCHEDULE BYLAW POLICY

Banned materials

SUBJECT:

Clause 1425.2 - Prohibited waste

The following items shall not be disposed of into an approved container destined for a Council waste management facility:

1. Unless any such waste is properly and sufficiently contained so as to prevent injury, damage or loss, any broken glass, broken china, broken plastic, hacksaw blade, razor blade, skewer, knife or any other object or material capable by reason of its shape or sharpness of causing injury;
2. Unless such waste is properly and sufficiently wrapped or contained so as to prevent injury, damage or loss, any sharp object or material capable of puncturing the approved container or capable by reason of its brittleness of shattering in the course of collection;
3. Any explosive, hot ashes, flammable material, infectious material, or any other matter, thing or waste of any kind whatsoever that may endanger any person, animal or vehicle which may come in to contact with the material at any time prior to, during or following collection and disposal;
4. Any liquid or viscous fluid;
5. Any radioactive wastes, but excluding domestic smoke detectors;
[Advice Note: Domestic smoke detectors may be disposed of as household waste.]
6. Any waste oil, lead-acid batteries, refrigerators and / or freezers that have not been de-gassed;
7. Any hazardous substance;
8. Any solid waste that is not compostable material that is placed into an approved container or contractor container designated for compostable material;
9. Any non-approved biodegradable container that is placed into an approved container or contractor container designated for compostable material;

Any solid waste that is not recyclable material that is placed into an approved container or contractor container designated for recyclable material;
10. Compressed gas cylinders.
11. Materials as shall from time to time be notified by Council.

CHAPTER 14: ~~Solid~~ Waste Minimisation

THIRD SCHEDULE BYLAW POLICY

Acceptance criteria for solid waste in approved containers for kerbside collection

Maximum weight of each bin: 80 kg

Compostable materials in green lidded bin:

All food waste
All garden waste **EXCEPT** flax, bamboo and Cabbage Tree leaves
All dirty paper and cardboard
All food-soiled paper
All paper tissues and handtowels
All animal droppings – loose, ~~or~~ in paper or in Council approved bags
All shredded paper

Recyclable materials in yellow lidded bin:

All clean paper and cardboard
All clean glass bottles and jars
All clean aluminium cans and foil
All clean steel and tin cans
All clean rigid plastic containers

Waste to landfill materials in red lidded bin:

All flexible plastics
Window glass, mirrors, windscreens, plate glass and non compact lightbulbs
All treated timber
Sanitary and medical items
Nappies
Polystyrene meat trays
Other items not suitable for reuse, recycling or composting

All transfer stations in the district accept most or all of the following:

Batteries
Clothing
E Scrap
Fluorecent lights
Paint
Re-usable items
Scrap metal
Standard household recyclables as above
Waste oil
Whiteware

This schedule may be changed from time to time as notified by Council

Chapter 15: Water Services

Scope

The purpose of this chapter of the bylaw is to enable Council to meet its statutory duties and obligations and to set standards of supply, installation, and control of water and waste waters to ensure the maintenance of a healthy community. There are six parts to this chapter of the bylaw:

Part 1	General Conditions, applicable to all Network Infrastructure Services
Part 2	Urban Water Supply
Part 3	Rural Water Supply
Part 4	Stormwater Drainage
Part 5	Sewerage
Part 6	Trade Waste

This chapter of the bylaw provides for the:

- (a) Setting of requirements and procedures for applications, continuances and disconnections for water services within the Timaru District;
- (b) Conditions and circumstances of supply of public water.
- (c) Regulation and control of discharges of wastewater and stormwater.
- (d) Specification and determination of discharges of trade waste.
- (e) Recovery of costs incurred by Council in monitoring, auditing, treatment and disposal of discharges;
- (f) Licensing and regulation of the collection, transportation and disposal of tankered wastes;
- (g) Sampling and analysis of trade waste discharges;
- (h) Administrative mechanisms for the operation and enforcement of this chapter of the bylaw.

1500. Interpretation

1500.1. This Chapter to be read in conjunction with Chapter 1 – Interpretation.

CHAPTER 15: Water Services

PART 1: GENERAL CONDITIONS

1501. Application

- 1501.1. This chapter of the bylaw applies to areas serviced by network infrastructure services throughout the district.

1502. Application for supply of service

- 1502.1. Every person who proposes to:

- (a) Draw water from the Water Network Infrastructure; *or*
- (b) Discharge sewage to the Sewer Network Infrastructure; *or*
- (c) Discharge Stormwater to the Stormwater Network Infrastructure; *or*
- (d) Discharge to the sewer network infrastructure any trade waste (either continuously, intermittently or temporarily); *or*
- (e) Vary the characteristics of a consent or approval to discharge that has previously been granted; *or*
- (f) Vary the conditions of consent or approval that has previously been granted; *or*
- (g) Vary the location of the point of supply or discharge that has previously been granted; *or*
- (h) Significantly change the method or means of pre-treatment for discharge under an existing consent; *or*
- (i) Disconnect from any network infrastructure service.

shall complete an application on an approved form for the supply of such service, together with payment of any prescribed charges. The applicant shall provide all of the details required by Council.

- 1502.2. Council may approve or decline any application.

1503. Continuity of supply of service

- 1503.1. Council does not guarantee an uninterrupted or constant level of service (flow, pressure, quantity or quality), or that an existing service which is in excess of minimum operating parameters is not altered.

1504. Liability

- 1504.1. Council will endeavour to provide network infrastructure services in accordance with minimum operating parameters, but shall not be liable for any loss, damage or inconvenience which any person may sustain as a result of deficiencies in, or interruptions to any network infrastructure service.

1505. Transfer of rights and responsibilities

- 1505.1. No person may transfer to any other person the rights and responsibilities provided under this chapter of the bylaw.
- 1505.2. No person shall extend any network infrastructure service by hose, pipe, or any other means beyond the customers property.
- 1505.3. No person shall provide any network infrastructure service to any other party without approval from Council.

1506. Demand management

- 1506.1. All persons shall comply with any supply and usage restrictions and prohibitions which may be imposed from time to time by Council in order to manage supply or demand issues. Such restrictions may be publicly notified.
- 1506.2. No person shall in case of any such restriction or prohibition be entitled to any payment or compensation.

1507. Wastage of water

- 1507.1. A person who is supplied with water by, or on behalf of, Council shall not waste the water or allow it to be wasted.

1508. Flow metering

- 1508.1. Council reserves the right to require a water meter to be installed and may set water supply and wastewater discharge fees and charges accordingly, where it considers that water use or wastewater disposal is or is likely to be excessive. A water supply deemed to be an extraordinary supply shall normally be metered and charged for.
- 1508.2. Water meters shall be supplied, installed and maintained by Council at the Customers expense. Ownership of the meter is retained by Council.

Installation of the meters shall be in accordance with Councils requirements.

1509. Interceptor traps

- 1509.1. Council reserves the right to require that an interceptor trap be installed at any property where Council considers that a contaminant is likely to enter any drain or sewer which is likely to be deleterious to the sewer or stormwater network infrastructure or the health and safety of Council staff and / or the public.

1510. Disconnection of service

- 1510.1. A customer who proposes to disconnect from any network infrastructure service shall complete an application on an approved form for such disconnection, including an intention to demolish or remove a building. The demolition or removal shall not commence until the property has been disconnected to the approval of Council.
- 1510.2. The owner of any premises within which there is a disused private drain shall arrange for it to be disconnected and sealed in an approved manner.

1511. Approval to connect, disconnect or interfere

- 1511.1. No person other than an authorised agent of Council, shall without approval make any connection or disconnection to or otherwise repair, alter, modify, tamper or interfere with any part of any network infrastructure service.
- 1511.2. Without prejudice to its other rights and remedies, Council shall be entitled to estimate and charge for any additional network infrastructure service allowed to pass or not recorded where a meter or flow control device has been tampered with, and may recover from the customer any costs incurred by Council.

1512. Power of entry and removal of works

- 1512.1. Any appropriately warranted officer or person contracted to supply services to Council, may enter onto any land and enter into any building (not being a dwelling house) for the purpose of inspecting all or any of the fittings, pipes, and other apparatus connected directly or indirectly with the network infrastructure services.
- 1512.2. If any such Council officer or contracted person is refused entry or obstructed by any person in the course of undertaking such an inspection; that person commits an offence under this chapter of the bylaw.
- 1512.3. Without prejudice to Council's ability to prosecute any person for refusing entry to or obstructing an appropriately warranted officer or contracted party, Council may also restrict the water supply to the property for which inspection has been denied.
- 1512.4. If any inspection conducted in accordance with sub clause 1512.1 discloses any fitting or works that contravene the provisions of this chapter of the bylaw, then the said fitting or works may be altered or removed by the Council officer or contracted party in order to achieve compliance with this chapter of the bylaw. Notice of such alteration or removal shall be given to the owner or occupier of the property as soon as is reasonably practicable.

1513. Breaches

- 1513.1. Where Council considers a breach of this chapter of the bylaw, or statutory or any other legal requirements is such that it is necessary to alter, disconnect, reduce or limit the network infrastructure service for environmental or health or safety considerations or where there is unacceptable risk of consequential damage to Council assets, Council may take immediate action necessary in order to make good the breach, and recover all reasonable costs.

1514. Vegetation

- 1514.1. In the event of any vegetation causing or being likely to cause interference to the flow of water within, or block or damage to a network infrastructure service, Council may require the customer to remove the vegetation at the customer's expense with no compensation payable by Council.

1515. Protection of network infrastructure services

- 1515.1. Building over or adjacent to network infrastructure services:
- (a) No structure shall be located over a network infrastructure service, whether on public or private land.

- (b) The minimum horizontal separation distance between the structure and the service shall be 1 metre from the nearest face of the service.
- (c) Subject to approval, a building developer may meet the cost of diverting the network infrastructure service in accordance with Council standards.
- (d) Where compliance with (a), (b) and (c) above is found to be impracticable and the structure cannot be sited elsewhere on the property or modified to conform with the above conditions, and it is essential for the proposed structure to be built on that part of the property, approval may be granted subject to the building developer meeting the cost of any specific requirements. These requirements may include the provision of access manholes, pipe strengthening, ducting, additional support of the structure's foundations and relocatable construction. The network infrastructure service shall be registered by the property owner by a Memorandum of Encumbrance and Deed of Covenant against the Certificate of Title of the property.

1515.2. Loading or material over a network infrastructure service

- (a) No person shall cause the crushing load imposed on a network infrastructure service to exceed that which causes damage to the service.
- (b) No person shall without approval place any additional material over or near to a network infrastructure service so that the network infrastructure service is further buried.
- (c) A point of supply and service openings to a network infrastructure service shall be maintained free of soil, growth, or other matter or obstruction which prevents, or is likely to prevent convenient access by Council or its appointed contractor or agent. Removal of any covering material or adjustment of the opening shall be at the property owner's expense.

1515.3. Excavation near network infrastructure services

- (a) No person or owner or occupier shall without approval from Council allow or carry out excavation, or use of trenchless technology, or carry out piling or similar type work closer than 2 metres from the nearest face of any network infrastructure service. In granting any approval, Council may impose conditions on the carrying out of any such work. Damage occurring to a network infrastructure service as a result of any such works shall be reported to Council immediately by the person undertaking and / or in charge of such work. Council shall be entitled to recover any costs incurred as a result of such damage.

1515.4. Excavation in a road reserve or public place

No person shall carry out excavation work in a road reserve or public place without approval from Council.

1515.5. Protection of sewer and stormwater network infrastructure

Unless authorised by Council, no person shall:

- (a) Cause, permit or allow the entry into any drain or fitting any earth, stones, sand, silt, refuse, night soil, or material except such matter as is normally discharged through a house drain;
- (b) Enter any Council drain, pumping station building or appurtenance, or any sewage or stormwater treatment area;
- (c) Operate, remove or interfere with any cover of any manhole, inlet or other appurtenance of any drain;
- (d) Damage, interfere with or cause to be inoperative any machinery or plant in any pumping station or treatment works or any appurtenance of any pumping station or treatment works;
- (e) Obstruct, impede, or cause to be impeded the flow in any drain nor interfere with the free discharge of ventilation thereof nor clog up any appurtenance thereof;
- (f) Cover, or allow to remain covered, any manhole, master trap, silt trap, grease trap, or similar structure. If the level of the ground adjacent to a manhole is raised above the manhole top and in the opinion of Council access to or use of the manhole is impeded thereby, then the property owner shall either raise the manhole top to the new ground level or make other approved provision to provide for the removal of the lid and use of the manhole;
- (g) Break, injure, damage or interfere with any drain whether by excavating or otherwise, such that pipes are broken or loosened, foundations are disturbed, sand, earth, or water are admitted, or take any other action prejudicial to the proper and efficient functioning of the drain;

1516. Discharge or storage of hazardous substances

- 1516.1. No person shall allow or cause to be allowed inadvertently or otherwise the discharge of hazardous substances to a network infrastructure service unless permitted by a consent.
- 1516.2. No person shall store raw material, products or wastes containing corrosive, toxic, biocidal, radioactive, flammable, or explosive material, or any material in a manner which in the opinion of Council when mixed with a network infrastructure service stream, is likely to generate toxic, flammable, explosive or corrosive materials in quantities likely to be hazardous, or any other material likely to be deleterious to Council's network infrastructure service or the health and safety of Council staff and the public, without taking all practicable steps to prevent such entry into the network infrastructure service.
- 1516.3. Council may require any person to protect the network infrastructure service by such methods and / or systems Council considers necessary to prevent an unapproved and prohibited discharge.
- 1516.4. Council shall be immediately notified of the details of a discharge of hazardous or prohibited substances.

1517. Fees and charges

- 1517.1. Council may from time to time set fees or charges for the supply and services of network infrastructure services.

- 1517.2. Council may, under the provisions of Section 175 and Section 176 of the Local Government Act 2002, recover any cost incurred by Council in remedying any damage arising from a wilful or negligent breach of this chapter of the bylaw.

CHAPTER 15: Water Services

PART 2: URBAN WATER SUPPLY

1518. Types of supply

1518.1. On-demand supply

An on demand supply is a supply that is available on demand directly from the point of supply.

1518.2. Urban tank supply

An urban tank supply is defined as one where a flow is supplied across an air gap separation into an on-site water storage tank from which the supply of water is drawn. Sufficient storage shall be provided by the Customer to meet demand fluctuations. Urban tank supplies may be required for properties within designated areas, or under such conditions as are set by Council from time to time.

1518.3. Categories of supply

The two categories of urban water supply are defined as:

(a) *Ordinary supply*

The supply of water to a customer which is used solely for domestic purposes in a dwelling unit. Such purposes shall include the use of a hose (subject to the provisions of this chapter of the bylaw) for:

- (i) Washing down
- (ii) Garden watering by hand.
- (iii) Garden watering by a portable sprinkler
- (iv) Garden watering by a micro-jet system

(b) *Extraordinary supply*

All other purposes for which water is supplied other than ordinary supply shall be deemed to be an extraordinary supply and may be subject to conditions and limitations. Such purposes shall include:

- (i) Domestic - spa or swimming pool in excess of 10m³ capacity, or fixed irrigation systems
- (ii) Commercial business - including farming purposes
- (iii) Trade and Industrial
- (iv) Fire protection systems - including sprinkler systems, fire hose reels and hydrants
- (v) Out of district use
- (vi) Temporary supply
- (vii) Non-residential zones supply.

1518.4. Change of use

Where the supply category changes from an ordinary to an extraordinary type or vice versa or where a change in the use of water supplied is proposed, a new application for supply of service is required.

1518.5. Fire protection

Any proposed connection for fire protection shall be the subject of a separate application for supply on the approved form.

Where a connection has been provided to supply water to a fire protection system (including hydrants), it shall be used for no other purpose other than fire fighting and testing the fire protection system.

1519. Backflow prevention

1519.1. Council reserves the right to require an assessment of the risk of backflow from any property and to require an appropriate backflow prevention device or system to be installed at the customer's expense at the point of supply.

1520. Fire hydrants

1520.1. The right to gain access to, and draw water from, fire hydrants shall be restricted to:

- (a) Council or its authorised agents;
- (b) New Zealand Fire Service;
- (c) Fire hydrant permit holders, during the period for which a permit has been issued and then only in accordance with any conditions imposed.

1520.2. Without prejudice to other remedies available, Council may remove and hold any equipment used to gain unauthorised access to, or draw water from, a fire hydrant.

CHAPTER 15: Water Services

PART 3: RURAL WATER SUPPLY

1521. Types of supply

1521.1. Rural tank or trough supply

A rural tank or trough supply is defined as one where a flow is supplied across an air gap separation into an approved on-site water storage tank or approved trough from which the supply of water is drawn. Sufficient storage shall be provided by the customer to meet demand fluctuations.

Rural tank or trough supplies may be required for properties within designated areas, or under special conditions, set by Council from time to time.

1521.2. Restricted flow supply

A restricted flow supply is defined as a water flow which is supplied through a flow control device, and where storage is provided by the customer to cater for demand fluctuations. The supply shall be provided on the basis of the number of units of water allocated to the connection, supplied at a relatively uniform flow rate.

Restricted flow supplies may be required for properties within designated areas, or under special conditions, set by Council from time to time.

1521.3. Categories of supply

The two categories of rural water supply are defined as:

(a) Ordinary supply

- i) Stock - Stock water supplied on a calculated entitlement as set by Council from time to time.
- ii) Domestic - Water supplied which is used exclusively for domestic and household requirements (subject to the provisions of this chapter of the bylaw), and approved at the sole discretion of Council, at an allocation as set by Council from time to time.

(b) Extraordinary supply

All other purposes for which water is supplied other than ordinary supply shall be deemed to be an extraordinary supply and may be subject to conditions and limitations.

1521.4. Change of use

Where the supply category changes from an ordinary to an extraordinary type or vice versa and / or where a change in the use of water supplied is proposed, a new application for supply of service is required.

1522. Flow control device

1522.1. Flow control devices for restricted flow supplies shall be supplied and installed at the customers cost. Maintenance of the filter and frost plugs shall be the

responsibility of the customer. These devices shall remain the property of Council.

1523. Modification, tampering or interference

1523.1. Any owner or occupier of a property serviced by a flow control device that is found to be modified, tampered or interfered with, without the authority of Council or its authorised agent, commits an offence under this chapter of the bylaw.

1523.2. It is a defence to any charge prosecuted by Council in relation to clause 1523.1 hereof if the defendant establishes, on the balance of probabilities:

- (a) The modification, tampering or interference to the flow control device was necessary for fire fighting purposes and was reasonable in the circumstances; or
- (b) That the modification, tampering or interference to the flow control device was due to an event beyond the control of the defendant, including mechanical failure or sabotage, and in each case the intervening event could not have been reasonably foreseen or been prevented by the defendant.

1524. Backflow prevention

1524.1. All supply connections shall be fitted with an approved backflow prevention system.

1524.2. Every tank used for the storage of water for any purpose other than flushing a water closet shall be provided with an overflow warning pipe of not less than 12mm internal diameter which shall be designed and installed so that the overflow is easily able to be seen and so that the discharge is not into any gutter, down-pipe or drainpipe or inside any building.

1525. Frost protection

1525.1. No person shall reduce the cover over any water network infrastructure so as to make it more susceptible to frost damage.

1526. Water storage

1526.1. The customer shall be responsible for maintaining water storage in an efficient, watertight and potable condition.

1527. Fire fighting

1527.1. Where it is necessary to obtain water for fire fighting purposes it shall be allowable for the restrictor to be removed from the flow control device. The customer shall notify Council within 24 hours of such action being taken.

CHAPTER 15: Water Services

PART 4: STORMWATER DRAINAGE

1528. Acceptance of stormwater connections and discharges

1528.1. A premises or property may be entitled to have its stormwater accepted for discharge into Council's stormwater network infrastructure provided that:

- (a) The premises or property is within an area serviced by a stormwater network infrastructure; and
- (b) Payment is made in full of the appropriate rates and charges levied in respect of that premises or property for general and stormwater services; and
- (c) There is compliance with the requirements of this chapter of the bylaw; and
- (d) Any connection to the stormwater network infrastructure service shall be only upon application and Council approval to discharge stormwater which may include specific requirements; and
- (e) Council may require the provision and maintenance of any pre-treatment works as necessary to regulate the quality, quantity and rate of stormwater discharge, or other constituents or characteristics of the stormwater discharges, prior to the point of discharge. The provision and maintenance of such pre-treatment works shall be at the customers expense.

1529. Prohibited stormwater characteristics

1529.1. No person shall allow, cause or permit the discharge either directly or indirectly into any part of the stormwater network infrastructure:

- (a) Contaminants, sewage or trade wastes in breach or contravention of an approval to discharge stormwater; or
- (b) Any contaminants which in the opinion of Council have the potential to cause a breach of Council general authorisations or discharge consents; or
- (c) Prohibited characteristics, given in Schedule 2 of this chapter of the bylaw, or as determined from time to time by Council.

1530. Cancellation of approval to discharge

1530.1. Council may at any time cancel any approval to discharge to the stormwater network infrastructure by giving the customer written notice of that cancellation and disconnection where:

- (a) The customer discharges to any stormwater network infrastructure in breach of this chapter of the bylaw, or, in the opinion of Council, causes damage to any part of the stormwater network infrastructure or endangers the health and safety of any person as a result of such a discharge; or
- (b) The customer discharges any prohibited substance into the stormwater network infrastructure; or

- (c) The customer fails to comply with any condition of any approval to discharge to the stormwater network infrastructure which in the opinion of Council may cause Council to be in breach of any general authorisation or discharge consent; or
- (d) The existence of any other circumstance which, in the opinion of Council renders the cancellation of any approval necessary in the public interest.

CHAPTER 15: Water Services

PART 5: SEWERAGE

1531. Acceptance of discharge

- 1531.1. Every domestic premises shall be entitled to have its domestic sewage discharged to the sewer network infrastructure provided that:
- (a) The premises is within an area which is served by a Council sewer network infrastructure; and
 - (b) Payment is made in full of the appropriate rates and charges levied in respect of that property for general and sewage services; and
 - (c) There is compliance with the requirements of this chapter of the bylaw; and
 - (d) There is compliance with Council requirements for connection and discharge to sewer network infrastructure.
- 1531.2. Unless authorised by Council no person shall allow, cause or permit any contaminant to be discharged to the sewer network infrastructure with a characteristic (excluding flow) in excess of the allowable discharge characteristics stipulated in Schedule 1 of this chapter of the bylaw.
- 1531.3. Unless authorised by Council no person shall allow, cause or permit any water from a water pipe, artesian well or other hydraulic appliance to enter the sewer network infrastructure.

1532. Flow rate

- 1532.1. The maximum instantaneous flow rate discharged from a domestic premises, including from swimming or spa pools, shall not exceed 2.0 litres / second without prior approval from Council.

1533. Prohibited characteristics

- 1533.1. No person shall allow, cause or permit wastewater with prohibited characteristics as given in Schedule 2 in this chapter of the bylaw to be discharged into sewer network infrastructure.

1534. Prevention of inflow and infiltration

- 1534.1. The customer shall not permit stormwater or groundwater to enter the sewer network infrastructure. This includes stormwater from roof down pipes, surface water runoff, overland flow, and sub-surface drainage.

CHAPTER 15: Water Services

PART 6: TRADE WASTES

1535. Control of trade waste discharges

1535.1. No person shall:

- (a) Discharge or cause or allow to be discharged any trade waste to the sewer network infrastructure except in accordance with the provisions of this chapter of the bylaw; or
- (b) Discharge or allow to be discharged, a prohibited trade waste into the sewer network infrastructure.

1536. Classification of trade waste discharges

1536.1. Trade waste discharges shall be classified as one of the following types:

- (a) Permitted (where consent is required if so decided by Council);
- (b) Conditional (where consent is required and the trade waste may require pre-treatment or conditioning to ensure discharge complies with Council requirements); or
- (c) Prohibited (consent shall not be issued).

1537. Application for trade waste discharge consent

1537.1. Every person who does, proposes to, or is likely to discharge trade waste shall complete an application on the approved form for the consent of Council to the discharge of that trade waste.

1537.2. Council is not obligated to accept any trade waste. No application for a trade waste consent shall be approved where the trade waste will contain, or is likely to contain, characteristics which constitute prohibited trade waste.

1538. Conditions of trade waste consent

1538.1. Any trade waste consent to discharge may be granted subject to such conditions Council may impose, including but not limited to:

- (a) The particular sewer network infrastructure system to which the trade waste discharge can be made;
- (b) The maximum daily volume of the discharge and the maximum rate of discharge, and the duration of maximum discharge;
- (c) The maximum limit or permissible range of any specified constituent or characteristics of the discharge, including mass limits and maximum concentrations;
- (d) The period or periods of the day during which the discharge or a particular concentration or volume of discharge may be made;
- (e) The degree of acidity or alkalinity of any discharge;

- (f) The temperature of the trade waste at the time of discharge;
- (g) The provision, operation and maintenance of pre-treatment, apparatus, devices and services for any trade waste that is required, at the customers expense;
- (h) The duration of any consent given;
- (i) The provision and maintenance of a sampling, analysis, testing and flow measurement programme, at the customers expense;
- (j) The production, implementation, and maintenance of a management plan including spill control plans, cleaner production and waste minimisation strategies; and
- (k) A requirement to provide a bond or insurance in favour of Council where failure to comply with the consent could result in damage to the sewer network infrastructure, or could result in Council being in breach of any statutory obligation.

1538.2. Customers with pre-treatment devices installed in any trade premises shall maintain at all times a current service and maintenance contract and records for those pre-treatment devices. Copies of the service and maintenance contracts and records shall be held at the premises and be readily available for inspection by an authorised officer of Council. Failure to comply with this clause is a breach of this chapter of the bylaw.

1538.3. No customer discharging to the sewer network infrastructure shall, unless approved in writing by Council, add or permit the addition of any potable, condensing water, cooling water, or stormwater to any trade waste stream in order to vary the level of any of the characteristics of the trade waste stream.

1538.4. The customer shall ensure that at all times the characteristics of their trade wastes remain within the specifications provided for in their trade waste consent.

1539. Mass limits

1539.1. A conditional trade waste consent may impose controls for a trade waste discharge by specifying mass limits for any constituent or characteristic.

1539.2. Any constituent or characteristic permitted by mass limit may also have its maximum concentration limited.

1540. Tankered wastes

1540.1. Approval to discharge

Any person who wishes to collect, transport and discharge liquid wastes to the sewer network infrastructure shall apply to Council for, and shall hold a consent to discharge issued by Council.

1540.2. Tankered waste discharge conditions

Council may accept tankered wastes for discharge at an approved location.

Tankered waste shall be:

- (a) Transported by an approved and licensed contractor; and
- (b) Accompanied by product safety data sheets detailing the contents of the waste; and
- (c) Tested, certified and accompanied by a discharge declaration on the approved form. The discharge declaration shall be submitted to Council as and when requested. Specialist advice on pre-treatment or acceptance may be required. Analysis and reports shall be at a cost to the consent holder; and
- (d) Loaded and transported to the disposal site only after disposal and other necessary arrangements have been determined by Council. 24 hours notice shall be given to Council for the disposal of wastes other than those sourced from domestic septic tanks.

1540.3. Illegal disposal of tankered waste

It shall be a breach of this chapter of the bylaw for any person to dispose of, or cause to be disposed any tankered waste which is incorrectly declared as to its contents (characteristics and / or amount) or discharged into the sewer network infrastructure other than in accordance with any consent issued by Council.

1541. Technical review and variation of consent

- 1541.1. Council may at any time require a person undertaking a permitted discharge activity to apply for a trade waste consent.
- 1541.2. Council may at any time during the term of a trade waste consent, by written notice to the consent holder, vary any condition to such extent as Council considers necessary following a review of technical issues, due to new information, or imposition of a new discharge resource consent or other legal requirements.
- 1541.3. A consent holder may at any time during the term of a consent, by written application to Council, seek to vary any conditions of consent.

1542. Suspension or cancellation of consent to discharge

- 1542.1. Council may suspend or cancel any consent or right to discharge at any time following 20 working days notice to the consent holder or person discharging any trade waste on the event of one or more of the following:
 - (a) The failure to comply with any condition of the consent;
 - (b) The failure to maintain effective control over the discharge;
 - (c) The failure to limit in accordance with the requirements of a consent the volume, nature, or composition of trade waste being discharged;
 - (d) The event of any negligence which, in the opinion of Council, threatens to cause damage to any part of the sewer network infrastructure or threatens the health or safety of any person;

- (e) Any occurrence happens that, in the opinion of Council poses a serious threat to the environment;
- (f) The event of any breach of a resource consent held by Council;
- (g) The failure to provide and when appropriate update a management plan as required for a conditional consent;
- (h) The failure to follow the management plan provisions at the time of an unexpected, unscheduled or accidental occurrence;
- (i) The failure to pay any charges under this chapter of the bylaw; or
- (j) Any other circumstances which arise that, in the opinion of Council, render it necessary in the public interest to cancel the right to discharge.

1542.2. If any process changes require more than 20 working days, reasonable time may be given to comply with the consent conditions.

1543. Summary cancellation of consent to discharge

1543.1. Any consent to discharge may at any time be summarily cancelled by Council on giving to the consent holder or person discharging written notice of summary cancellation where:

- (a) A prohibited substance is discharged;
- (b) Council is lawfully directed to withdraw or otherwise terminate the consent summarily;
- (c) Trade waste is unlawfully discharged;
- (d) The continuance of discharge is, in the opinion of Council, a threat to the environment or public health;
- (e) The continuance of discharge may, in the opinion of Council, result in a breach of a resource consent held by Council.

1544. Sampling, testing and monitoring

1544.1. Wastewater flow metering

Wastewater flow metering may be required by Council where:

- (a) A consistent relationship between water used and Trade Waste discharges does not exist; or
- (b) There is no suitable method of flow estimation; or
- (c) In the opinion of Council the discharge represents a significant proportion of the total flow / load received by Council.

1544.2. Responsibility for the wastewater flow meter

The consent holder shall be responsible for the supply and installation of any meter required by Council, along with any costs associated with the reading and maintenance of the meter. Installed devices shall remain the property of the consent holder.

1544.3. Wastewater flow meter location

Meters shall be located in a position approved by Council.

1544.4. Wastewater flow meter calibration

The consent holder shall arrange for the calibration of flow metering equipment and instrumentation upon installation and at any other time specified by Council.

1544.5. Estimating discharge

Where a wastewater flow meter or similar apparatus is not required, Council may require that a percentage of the water supplied to the Premises be used for estimating the rate of quantity of flow for the purpose of charging.

Where a meter is out of repair or ceases to register or is removed, Council may estimate the discharge for the period and charge according to such estimate.

Where in the opinion of Council a meter has been tampered with, Council, without prejudice to the other remedies available, may declare the reading void and estimate discharge.

Where the accuracy of any flow meter following calibration is found to be unacceptable, Council may at its discretion make an adjustment back-dated for a period not exceeding 12 months, and the consent holder shall pay or be credited a greater or lesser amount according to such adjustment.

1544.6. Compliance monitoring and analysis

- (a) Council may require the consent holder to monitor any discharges of trade waste under the terms of its consent.
- (b) Council may monitor and audit the compliance of the consent holder within the terms and conditions of their consent.
- (c) Compliance monitoring shall be undertaken in accordance with approved procedures and analytical methods and using an approved independent analyst.

1545. Accidents and incidents

- 1545.1. The consent holder shall inform Council as soon as practicable on discovery of any accident or incident involving spillage or process mishaps, which could have an adverse effect on a discharge.

1546. Transfer of rights and responsibilities

- 1546.1. A trade waste consent shall not be transferred from the consent holder to any other person without written approval from Council.

1546.2. Transfer of a trade waste consent on change of ownership of a premises may be granted where the characteristics of the discharge remain unchanged.

1547. Transitional provisions

1547.1. Every existing trade waste consent shall continue in force as if it were a consent under this chapter of the bylaw until it reaches its expiry date provided that no consent shall run for a period greater than 36 months from the date of this chapter of the bylaw coming into effect.

CHAPTER 15: Water Services

FIRST SCHEDULE BYLAW POLICY

Acceptance of discharge

SUBJECT:

Clause 1531.1 - Allowable discharge characteristics

Physical characteristics

1. Flow

- (i) The 24-hour flow volume shall be not more than 5m³.
- (ii) The maximum instantaneous flow rate shall be not more than 2.0 L / sec.

2. Temperature

- (i) The temperature shall not exceed 40oC.

3. Solids

- (i) Non-faecal gross solids shall have a maximum dimension not exceeding 15mm.
- (ii) The suspended solids content of any trade wastes shall have a maximum concentration not exceeding 600g / m3.
- (iii) The settleable solids content of any wastewater shall not exceed 50mL / L.
- (iv) The total dissolved solids concentration in any trade waste shall be subject to the approval of Council having regard to the volume of the waste to be discharged, and the suitability of the sewer network infrastructure to accept such trade wastes.

4. Oils and grease

- (i) There shall be no free or floating layer of oil, fat or grease.
- (ii) A trade waste with mineral oil, fat or grease unavoidably emulsified, which in the opinion of Council is not biodegradable shall not exceed 100g / m3 when the emulsion is stable at a stable temperature of 15°C as a petroleum ether extractable matter when the emulsion is in contact with, and diluted to a factor of 10 by raw sewage throughout the range pH 6.0 to 10.0.
- (iii) A trade waste with oil, fat or grease unavoidably emulsified, which in the opinion of Council is biodegradable shall not exceed 500g / m3 when the emulsion is stable at a temperature of 15oC and when the emulsion is in contact with and diluted to a factor of 10 by raw sewage throughout the range of pH 4.5 to 10.0.
- (iv) Emulsified oil, fat or grease shall not exceed 100g / m3 as a petroleum ether extractable matter when the emulsion is unstable at a temperature of 15oC and when the emulsion is in contact with, and diluted to a factor of 10 by raw sewage throughout a range pH 4.5 to 10.0.

5. Solvents and other organic liquids

- (i) There shall be no free layer (whether floating or settled) of solvents or organic liquids.

6. Emulsions of paint, adhesive, rubber or plastic

- (i) Where such emulsions are not treatable they may be discharged into the sewer provided the total suspended solids do not exceeding 1000g / m³.
- (ii) Pre-treatment of emulsions will be required where the emulsion wastewater interferes with the operation of the sewer network infrastructure.
- (iii) Emulsions, of both treatable and non-treatable types, may be discharged to the sewer only at a concentration and pH range that prevents coagulation and blockage at the mixing zone in the public sewer.

7. Radioactivity

- (i) Radioactivity levels shall not exceed the National Radiation Laboratory Guidelines. Refer National Radiation Laboratory *Code of safe practice for the use of unsealed radioactive materials* NRL.C1

8. Colour

- (i) Trade waste shall not have colour or colouring substances that cause the discharge to be coloured to the extent that it impairs the sewerage process or compromises the final effluent discharge consent.

Chemical characteristics

1. pH Value

- (i) The pH shall be between pH 6.0 and 10.0 at all times.

2. Organic strength

- (i) Where there is no treatment system for organic removal the BOD₅ shall not exceed 1000g / m³. For significant industry this limit may be reduced to 600g / m³.

3. Maximum concentrations

The maximum concentrations permissible for the chemical characteristics of an acceptable discharge are set out in the following tables:

Table 1 - Allowable Discharge Characteristics for: General Chemicals	
Characteristic	Maximum Concentration (g / m³)
MBAS (Methylene Blue Active Substances)	500
Ammonia (as N)	
- Free ammonia	50
- Ammonium salts	200
Kjeldahl nitrogen	150
Total phosphorus (as P)	50
Sulphate (as SO ₄)	500
(with good mixing)	1500
Sulphite (as SO ₂)	15
Sulphide - as H ₂ S on acidification	5
Chlorine (as Cl ₂)	
- Free chlorine	3
- Hypochlorite	30
Dissolved aluminium	100
Dissolved iron	100
Boron (as B)	25
Bromine (as Br ₂)	5
Fluoride (as F)	30
Cyanide - weak acid dissociable (as CN)	5

Table 2 - Allowable Discharge Characteristics for: Heavy Metals	
Metal	Maximum Concentration (g / m³)
Antimony	10
Arsenic	5
Barium	10
Beryllium	0.005
Cadmium	0.5
Chromium ¹	5
Cobalt	10
Copper	10
Lead	10
Manganese	20
Mercury	0.05
Molybdenum	10
Nickel	10
Selenium	10
Silver	2
Thallium	10
Tin	20
Zinc	10

¹ The concentration from chromium includes all valent forms of the element. Chromium (VI) is considered to be more toxic than Chromium (III), and for a discharge where Chromium (III) makes up the large proportion of the characteristic, higher concentration limits may be acceptable. Specialist advice will be required.

Table 3 - Allowable Discharge Characteristics for: Organic Compounds and Pesticides	
Compound	Maximum Concentration (g / m³)
Formaldehyde (as HCHO)	50
Phenolic compounds (as phenols) - excluding chlorinated phenols	50
Chlorinated phenols	0.02
Petroleum Hydrocarbons	30
Halogenated aliphatic compounds	1
Monocyclic aromatic hydrocarbons	5
Polycyclic (or polynuclear) aromatic hydrocarbons (PAHs)	0.05
Halogenated aromatic hydrocarbons (HAHs) Polychlorinated biphenyls (PCBs) Polybrominated biphenyls (PBBs)	0.002 each
Pesticides (general)+ (includes insecticides, herbicides, fungicides and excludes organophosphates and organochlorine)	0.02 in total
Organophosphate pesticides+	0.1

+ These compounds may be accepted up to the given maximum concentration only when specifically Approved.

CHAPTER 15: Water Services

SECOND SCHEDULE BYLAW POLICY

Prohibited characteristics

SUBJECT:

Clauses 1529 and 1533.1 - Prohibited characteristics

1. Any discharge where any component solid, liquid, or gaseous matters or any combination or mixture of such matters which by themselves or in combination with any other matters will immediately or in the course of time:
 - (a) Interfere with the free flow of sewage in the sewer network infrastructure;
 - (b) Damage any part of the sewer network infrastructure.
 - (c) Either directly or indirectly cause the quality of the treated sewage or residual biosolids and other solids from any sewage treatment plant in the catchment to which the waste is discharged to breach the conditions of any consent, water right, permit or other compliance requirement;
 - (d) Prejudice the health and safety of Council employees or its contractors.
 - (e) After treatment be toxic to fish, animals or plant life in the receiving waters;
 - (f) Cause malodorous gases or substances to form which are of a nature or sufficient quantity to create a public nuisance; or
 - (g) Have a colour or colouring substance that causes the discharge from any sewage treatment plant to receiving waters to be coloured.
- 2 A discharge having any characteristics which exceed the concentration or other limits specified in Schedule 1 unless specifically approved.
- 3 A discharge has a prohibited characteristic if it has any amount of:
 - (i) Harmful solids, including dry waste solids and materials which combine with water to form a cemented mass.
 - (ii) Liquid, solid or gas which is flammable or explosive in the wastes, including oil, fuel, solvents (except as allowed for in Schedule 1), calcium carbide, and any other material which is capable of giving rise to fire or explosion either spontaneously or in combination with sewage;
 - (iii) Asbestos;
 - (iv) The following organometallic compounds:
 - Tin (as tributyl and other organotin compounds)
 - Mercury (as organic compounds)
 - Cadmium (as organic compounds)
 - Chromium (as organic compounds)
 - Halogenated organometallic compounds
 - Metallic alkyls.

- (v) Any organochlorine pesticides;
- (vi) Genetically modified wastes, being any wastes that contain or are likely to contain material from genetically modified organisms.
- (vii) Any healthcare or medical waste as defined in NZS4304:2000 Management of Healthcare Waste as being prohibited for discharge; or
- (viii) Radioactive wastes in excess of the National Radiation Laboratory Standards;
- (ix) Fibrous, woven, or sheet film or any other materials which may adversely affect the free flow of sewage into the sewer network infrastructure.

Chapter 16: Water Races

Scope

The purpose of this chapter of the bylaw is to:

- (a) Define Council's requirements for water races and to provide for the protection of water races.
- (b) Prescribe the conditions that shall apply to water races.
- (c) Empower Council to carry out remedial works in cases where the owner or occupier of land defaults in his / her obligations to water races, and to recover the cost from any owner or occupier as a debt.

1600. Interpretation

- 1600.1. This Chapter to be read in conjunction with Chapter 1 – Interpretation.

1601. Application for water supply

- 1601.1. Every person who proposes to:

- (a) draw water from a water race supply; or
- (b) vary the conditions of an approval that has previously been granted; or
- (c) vary the location of the point of supply that has previously been granted; or
- (d) install any piped services or extensions from a water race supply; or
- (e) disconnect from any water race supply.

shall complete an application on an approved form for the supply of such service (or the disconnection from any such service), together with payment of any prescribed charges, and the provision of all other information required by Council.

1602. Water race application approvals

- 1602.1. If Council approves an application in relation to a water race, it may impose any terms or conditions considered appropriate to the application.

- 1602.2. Terms and conditions may include, but shall not be limited to:

- (a) The applicant shall be responsible for the payment of all costs associated with the application, construction, alteration and extension of the water race supply.
- (b) Council may determine the quantity of water to be supplied to the applicant, the point at which the water shall enter the applicant's land, the direction it shall take through such land and the use of any water supplied.
- (c) Council may charge the applicant a special charge for the water supplied;

- 1602.3. The following conditions shall be imposed in respect of every application in relation to a water race:
- (a) The applicant shall grant to Council a perpetual right-of-way, at least 10 metres wide (i.e. 8 metres on one side and 2 metres on the opposite side, measured from the centre of the water race) over their lands for all purposes connected with the construction, maintenance, repair, and inspection of the proposed water race, with a right of entry over all other parts of the said property for the same purposes;
 - (b) The water race and all associated works shall be constructed to Council's standards and as required by, or under the direction and supervision of Council.
 - (c) The supply of water to any piped service may be terminated in writing by Council at any time.

1603. Water use

- 1603.1. The principle use of water from a water race is stock drinking water.
- 1603.2. Water may be used for commercial irrigation from water races (existing or future) that have been specifically designated as irrigation races or combined stock water and irrigation races.
- 1603.3. Council may at its discretion grant an extra supply of water from the water races for special purposes, the cost to be agreed upon between Council and the person applying for the same.

1604. Gateway access

- 1604.1. At all fences on any property intersected by a water race, the owner or occupier of property through, over, under, upon or along which a water race has been constructed, shall or otherwise, within 28 days of being served a notice in writing by Council to do so, erect on the water race a gateway not less than 3.6m width or put into good order or repair any such gateway. Council may, upon application by the owner or occupier in writing, within ten days of being served such a notice, permit the gateway to be erected within 20 metres of the centre of the water race.
- 1604.2. Electric fences shall not be erected over water races unless they can be switched off at the water race and opened as a gateway.
- 1604.3. The owner or occupier shall permit such gateway to be used by Council at all times and for all purposes connected with the water race. Gates shall not be locked unless a Council padlock is purchased and installed.

1605. Passage of water

- 1605.1. In all cases, each owner or occupier shall permit the water that shall flow into their land (over and above the portion that they shall be entitled to consume) to flow through their land, and into the adjoining land. Owner or occupier of adjoining land is entitled to receive the same, without obstruction, diminution (except such as shall occur through ordinary use) and without pollution. Council shall not be responsible to any owner or occupier for any loss, diminution, or pollution of water from any cause whatever.

- 1605.2. The owner or occupier of any property through which a water race is constructed shall ensure that any part of the water race damaged is promptly and properly repaired and all material obstructing or polluting the flow of water is removed from the water race and disposed of in such a way as not to cause further pollution or obstruction.

1606. Water race crossings

- 1606.1. Every owner or occupier of land through which a water race shall pass, or adjacent to any water race upon any road or reserve, shall construct and maintain proper and substantial water race crossings in such places as may be required by Council. All water race crossings shall be constructed and maintained in accordance with Council requirements.

1607. Right of entry on land

- 1607.1. Council or its agent shall have and shall exercise the power to enter upon any lands through or on which any water race or reservoir for water is constructed to inspect, cleanse, repair and maintain such water races and reservoirs and any other associated works.

1608. Charge for use of water

- 1608.1. Council may from time to time by resolution fix an annual charge to be paid by every owner or occupier of land within the water race area through, along, abutting upon, or adjacent to which any water race shall pass, and the water of which they shall be at liberty to use. The occupier of any such land shall be liable for the payments of the annual charge, but if there is no occupier, then the owner of the land shall be liable.
- 1608.2. Any person who, by agreement with Council, has withdrawn their right to access any water race, shall still be liable to the annual water charge described in clause 1608.1 hereof.
- 1608.3. If the occupier of any land fails to pay any such charge or any instalment thereof within one calendar month after the due date for payment, Council may recover such charge from the owner of the land but its right to recover from the owner shall not release the occupier from his liability to pay the charge.
- 1608.4. A minimum of 21 days notice shall be given in writing before legal proceedings are taken against the owner of any land, to recover any outstanding charge or instalment.
- 1608.5. All moneys received by Council from charges, shall be expended in connection with the waterworks as Council may determine, provided always that this does not prejudice or affect any covenant or agreement made between Council and the owner or occupier of any land relating to the maintenance and repair of waterworks.

1609. Rights of Council representatives

- 1609.1. It shall be lawful for Council, or its agents, to inspect, construct, maintain and repair the water race, and for these purposes any vehicles, machines and all such things may enter upon, pass and repass, over any private lands in execution of Council's duties, and to remain there for such time as the performance of Council's duties shall require.

1610. Council's right of management

- 1610.1. Nothing contained in this chapter of the bylaw shall restrict or interfere with the power and control of Council over water races, formed or made with its consent, or under its authority. Council shall at all times have and retain full and complete control over such water races and the water therein, and over all works connected with those water races. Council may from time to time, whenever it shall think fit, stop the flow of water in any water race for any purpose whatsoever, and no owner or occupier shall be entitled to compensation for the resulting loss or deprivation of water or otherwise. In every case where any person commits a frequent or persistent breach of this chapter of the bylaw, or the regulations, agreements or conditions of Council affecting water races, Council may stop the supply of water to the land of that owner or occupier either permanently, or for such period as Council shall think fit.
- 1610.2. Upon the default of any person to comply with this chapter of the bylaw Council shall have the power to do the work and recover all associated costs from such person as a debt due to Council.

1611. Council does not guarantee water supply

- 1611.1. Nothing contained in this chapter of the bylaw shall be construed to be an undertaking or a guarantee by or on the part of Council, or to bind or oblige Council to provide or supply water in any water race to any definite or specific quantity, or to render Council responsible to any person for the total or partial failure of any water supply from whatever cause that may arise. Council may also permanently close any water race or other waterworks subject to the provisions of the Local Government Act 2002 without being responsible for any loss or damage that may be sustained by, or occasioned to, any person.

1612. Interference, obstructions and injuries

- 1612.1. The following offences with respect to water races include and extend those described in Section 228 of the Local Government Act 2002.
- 1612.2. No person shall do, permit or suffer to be done any of the following:
- (a) Allow water to be wasted or run to waste without written permission from Council;
 - (b) Do anything that will increase or decrease the flow of the water in the water race without the consent of Council.
 - (c) Where Council permits lands adjacent to water races or other waterworks, to be used or occupied, no person shall damage the water race or water race banks or shall plant or sow any tree, gorse, broom, thorn or shrub or plant within the space of 3 metres from the edge or bank of any water race or waterworks, or in any case within the perpetual right-of-way granted pursuant to clause 1602.3(a) hereof.
 - (d) Pitch or erect, or cause to be pitched or erected, any tent, building or other structure, whether of a permanent or temporary nature, or shall tether or fasten any animal, or shall drive or fix any post, stake, hurdle or other thing, within the limits of a water race;
 - (e) Obstruct or impede by any means the free flow of water in or through any water race, or place any timber, stones, earth, other material or anything

whatsoever in, upon, or across any water race. The free passage of water within, and any machinery and apparatus used in respect of any water race, shall be maintained in condition satisfactory to Council;

- (f) Take or convey any animal, vehicle, or anything whatsoever through, or across any water race, except at the crossing places appointed by Council;
- (g) Damage or destroy any fence, gate, tree, bush or shrub erected, made, planted or kept for the protection of, or otherwise, in conjunction with the management of any water race;
- (h) Allow any animal to trespass, stray or be in or upon any water race;
- (i) Allow any animal to damage, destroy or pollute any water race, or to damage or trespass upon any works in connection with the management of the water race. Council shall have the right to enforce any person not complying with this clause to fence the water race to Council's satisfaction;
- (j) Obstruct, resist or interfere with any person whomsoever employed by Council, in connection with any water race while such person is in the execution of their duty;
- (k) Be in or upon any water race without lawful excuse;
- (l) Cause, permit, allow to run, or be brought in, the water of any noxious drainage whatsoever, whereby any water race or water therein shall be fouled, polluted or damaged;
- (m) Place any boat, or other craft, in the water of any water race;

1613. Enforcement

- 1613.1. In addition to any penalties imposed by this chapter of the bylaw or the Courts for any breach of this chapter of the bylaw, Council may sue for and recover from any person the amount of damage done or caused to any works constructed by Council for the purpose of water supply, or in respect of water unlawfully taken or diverted from such works.

Chapter 17: Demolition, Construction & Maintenance Of Buildings & Site Works

Scope

The purpose of this chapter of the bylaw is to provide rules for the protection of the public and the environment, by ensuring that adequate protection provisions are made during demolition, construction, renovation and maintenance of buildings and site works.

This chapter of the bylaw is to be read in conjunction with the requirements of the Building Act 2004, Resource Management Act 1991 and Health and Safety In Employment Act 1992. Where any conflict occurs, those Acts take precedence.

1700. Interpretation

1700.1. Words and expressions used in this chapter of the bylaw unless inconsistent with the context have the meanings as defined in the Building Act 2004, Health and Safety at Work Act 2015 in Employment Act 1992 and Resource Management Act 1991.

1701. Construction sites

1701.1. Every person undertaking building work or site works shall provide sufficient readily accessible sanitary conveniences for all persons engaged on that work.

1701.2. The requirements of clause 1702.1 may be waived when Council is satisfied that appropriate alternative arrangements have been provided.

1701.3. Every sanitary convenience provided in accordance with clause 1702.1 shall be sited in such a position so as not to create a nuisance or cause offence to persons either in a public place or to persons residing or working in any premises adjacent to the site where building or site works are being undertaken.

1701.4. Every sanitary convenience provided in accordance with clause 1702.1 shall be maintained in a clean condition at all times.

1701.5. Every person undertaking building or site works shall, at all times from the commencement of those building or site works until those building or site works are completed, ensure that adequate provision to the satisfaction of Council is made for the protection of other land (including streams, footpaths, and drains) from surface run-off.

1701.6. There there is likelihood of debris or other matter falling or otherwise being deposited in any public place from vehicles leaving a construction or demolition site, Council may require an approved means of preventing that debris or material from falling from vehicles in or onto the public place.

1702. Public safety

- ~~1702.1. No person shall, for the purpose of carrying out any excavations, demolition, construction, building or building maintenance work, obstruct, operate on, over, or under, or deposit material on any footpath, carriageway or other public place without first obtaining Council approval.~~
- ~~1702.2. Any approval issued in accordance with clause 1703.1 including any approval for a safety fence, hoarding, gantry, scaffolding or other safety issues may be issued subject to such conditions, restrictions and limitations as Council considers necessary or desirable to ensure the safety and convenience of the public and the protection of any public place.~~
- ~~1702.3. Where a roof is not required over the footpath, the lower stage of the scaffold shall be covered to extend to a line with the outside edge of the kerb.~~
- ~~1702.4. All footpaths under any scaffold shall be maintained clean and clear at all times.~~
- ~~1702.5. Where required by the Council a boarded platform not less than 1 metre wide shall be constructed for use as a footpath outside the scaffold.~~
- ~~1702.6. In all cases where street channels are covered over, the person to whom permission has been given shall prevent the obstruction of such channels during the currency of the permit.~~
- ~~1702.7. All scaffolds and hoardings and public walkways underneath shall be well and sufficiently lighted to the satisfaction of the Council.~~
- ~~1702.8. Any hoarding or gantry erected shall be erected so as to meet the provisions and requirements of clause F5 of the New Zealand Building Code.~~

~~1703. Demolition~~

- ~~1703.1. Every person carrying out the demolition or removal of a building or part thereof above a plane of 45 degrees from the boundary of a public place shall comply with the following requirements:~~
- ~~(a) One storey only at a time shall be demolished or removed commencing from the uppermost level;~~
 - ~~(b) No material shall be stored or stacked upon any floor of the building;~~
 - ~~(c) All material shall be lowered to the ground immediately it has been displaced;~~
 - ~~(d) No external wall or part thereof abutting on any street or public place shall be demolished or removed except at such time and under such conditions as Council may approve;~~
 - ~~(e) No material shall be discharged onto any street or public place;~~
 - ~~(f) Water shall be sprayed upon all displaced materials for the purpose of preventing or lessening the diffusion of dust arising from any demolition activity;~~
 - ~~(g) A ball and crane or other mechanically assisted demolition methods shall not be used on any building closer than the height of the building from the street frontage or within 12 metres of the street boundary (whichever is the greater) unless approval has been obtained from Council for the closing of~~

~~the public place adjacent to the work. Council may specify the amount of public place to be closed off to allow the work to be carried out without endangering public safety. Where Council so approves the contractor shall pay supervisory costs incurred by Council in maintaining public safety;~~

- ~~(h) No portion of a building closer than its height from the public place shall be left standing when it is no longer stable unless arrangements have been made to the satisfaction of Council for the protection of the public;~~
- ~~(i) Where required by Council, demolition work shall be carried out under the supervision and control of an appropriately experienced registered engineer and confirmation of an engineer's appointment shall be submitted by the applicant prior to the issue of a demolition permit;~~
- ~~(j) All measures described elsewhere in this or any other part of the bylaw for the protection of footpaths shall be observed;~~
- ~~(k) Any hoarding or gantry shall be erected to the requirements of clause F5 of the New Zealand Building Code where in the opinion of Council there is a need to safeguard people or other property from demolition activities occurring on any land.~~

~~1703.2. Council may in appropriate cases dispense with strict compliance with any of the requirements of clause 1704.1.~~

~~1704. Protection of public during building work or building maintenance~~

~~1704.1. No person shall commence any building work, demolition, renovation or maintenance on any part of a premises adjacent to any public place until there has been erected a fence, hoarding, gantry or barrier so as to close off and render safe the pedestrian and vehicular traffic using or which may use the adjacent parts of the public place. No such fence, hoarding, gantry or barrier shall be erected without first having obtained a consent from Council.~~

~~1704.2. Where a site fence, hoarding or gantry is in the opinion of Council necessary any such fence, hoarding or gantry shall comply with the requirements of clause F5 of the New Zealand Building Code.~~

~~1704.3. Where permission has been given for construction or maintenance of a verandah or other structure over a public place the necessary work shall be carried out at such times and in such a manner as Council may approve having regard to pedestrian and vehicular traffic. Where Council does not authorise the complete closure of the footpath affected, then operations shall proceed over half of the footpath width at a time, with the remainder of the footpath being maintained clear and protected to Council's satisfaction.~~

~~1704.4. Every person erecting, adding to, altering, repairing, plastering, painting, cleaning, or demolishing any building shall, during the operations or works take all precautions for guarding against injury to persons or damage to property using or passing along any street or public place.~~

~~1705. Lifting material and equipment over public places~~

~~1705.1. The design of new buildings and their method of construction shall be arranged so far as is practicable to provide for the unloading and hoisting of materials and equipment on and over the building site itself and clear of any public place.~~

~~1705.2. No person shall undertake the mechanical hoisting of building materials or equipment from or over any public place where those building materials and equipment can be unloaded from vehicles driven onto the building site and be clear of the street.~~

~~1705.3. Where such unloading and hoisting of materials on or over a building site is not otherwise practicable the unloading and hoisting in a public place shall be in accordance with the following conditions:~~

~~(a) Areas over or from which hoisting is being carried out must be coned, roped, fenced or barricaded off.~~

~~(b) A clearly defined substantially constructed and fully protected gantry type throughway or bypass, must be provided for pedestrian use over any footpath alongside any public place from which materials and equipment are to be hoisted. This protected throughway shall extend along the full length of the frontage of the site and where required by Council shall extend beyond the frontage of the building to provide radial protection to passers by;~~

~~(c) Crane jibs may swing over unprotected public footpathways and footpaths but not the loads hanging therefrom. The load must be luffed back over footpath gantries as soon as practicable and before slewing the jib so that loads are not at any time suspended over unprotected areas. No vehicle unloaded from a coned off area shall move away until its last load has been hoisted clear of the footpathway;~~

~~(d) The lifting or lowering of materials or equipment on trays without sides is prohibited. The tray must be enclosed on all sides to a height not less than the height of the load.~~

~~(e) Proof of a public liability insurance cover indemnifying the Council for a minimum amount of \$1,000,000 or as determined by Council, in respect of any claims for injury or damage to persons or property, shall be provided. Council may reduce or waive this requirement in the case of minor works.~~

~~1706. Fire hydrants~~

~~1706.1. All fire hydrants shall be left unenclosed in such manner as will enable the hydrant to be easily accessed.~~

~~1706.2. Access shall be provided to all underground services within the enclosed street area at all times.~~

~~1707. Responsibility for accidents not affected~~

~~1707.1. The granting of any approval, consent or permission as prescribed in this chapter of the bylaw shall not relieve the grantee from any liability or responsibility to any affected persons or property.~~

~~1708. Disposal of waste~~

~~1708.1. Any persons engaged in demolition or site works shall ensure that any waste to be disposed of shall be in accordance with the Council bylaw and / or any Regional Council bylaw and / or rules.~~

~~1708.2. The burning of waste as a means of disposal is not permitted.~~

~~**1709. Standing on verandahs**~~

~~1709.1. No person shall stand on any verandah erected over a public place except for the purpose of inspection, maintenance or egress in the case of fire.~~

~~**1710. Offences**~~

~~1710.1. Any person who commences any site works, demolition, renovation, maintenance or construction without having first obtained Council permission or, having obtained permission fails to comply in all respects with the conditions of that permission or this chapter of the bylaw or who on the expiry of the time specified in such permit or any renewal thereof fails to leave such public place or any part thereof in its previous condition shall commit an offence against this chapter of the bylaw.~~

~~**1711. Enforcement**~~

~~1711.1. Where any person carrying out site works, demolition, renovation or maintenance causes damage to footpaths, footpathways and the like or creates conditions which in the opinion of Council are likely to be dangerous to vehicles or pedestrians, or causes undue hardship for neighbours or the public, Council may by notice take such action as is considered necessary, or in any particular case, to mitigate such conditions or damage and to clean up or otherwise stop such work until the matter is resolved.~~

~~1711.2. All costs incurred by any such action as referred to in clause 1712.1 shall be a direct charge against the owners of the land where the nuisance or danger is being created.~~

Chapter 18: Apartment Buildings & Boarding Houses

Scope

The purpose of this chapter of the bylaw is to enable Council to meet its statutory duties and responsibilities and to monitor accommodation buildings to ensure that conditions do not arise that may compromise the health and safety of tenants, neighbours or the community at large.

1800. Interpretation

1800.1. This Chapter to be read in conjunction with Chapter 1 Interpretation.

1801. Compliance

1801.1. No person shall permit the use of any building within the district as an apartment building or boarding house which does not comply with this chapter of the bylaw.

1802. Compliance with statutory requirements

1802.1. Nothing in this chapter of the bylaw shall dispense with or supersede any requirements in any statutory provisions, regulating existing buildings, the erection of new buildings, or the alteration of or addition to existing buildings.

1803. Keeper to provide facilities for inspection

1803.1. Every keeper shall at all reasonable times afford free access to every part of his / her boarding house or apartment building, as the case may be, to any authorised Environmental Health Officer or other suitably qualified and authorised Council officer and every person other than the keeper residing in such boarding house or apartment building shall at all such times afford free access to every part of such boarding house or apartment building occupied by him / her to any such Council officer, and shall not wilfully obstruct or hinder that officer.

1803.2. Such Council officers shall take into account the right of privacy afforded to persons residing in such boarding houses or apartment buildings and shall not enter a habitable room without having reasonable cause to do so.

1804. Inspecting Officer not to be obstructed

1804.1. No person shall wilfully hinder, delay, or obstruct any authorised Council officer who has lawfully entered any boarding house or apartment building for the purpose of inspecting the premises

1805. Overcrowding

1805.1. No person shall cause or permit any room in a boarding house or apartment building used wholly or partly as a sleeping room to become overcrowded. Such rooms shall be confirmed on inspection by an authorised Council officer as being reasonably capable of performing the role assigned to it for the persons who need to use it, when compared with the requirements for area specified in the

~~first column of the Second Schedule to the Housing Improvement Regulations 1947.~~

~~1806. Cleansing and maintenance of boarding-house and apartment buildings~~

~~1806.1. The keeper of every boarding-house shall:~~

- ~~(a) Maintain all walls, floors, ceilings, and yards of the premises in a clean and sanitary condition at all times and the building generally in a good state of repair;~~
- ~~(b) Maintain all utensils, fixtures, fittings, furniture, bedding, and receptacles they provide in a clean and sanitary condition at all times;~~
- ~~(c) At least once in each year cause to be removed from every chimney all accumulations of soot;~~
- ~~(d) Clearly identify the rooms that are to be separately occupied by affixing a number to the outer side of the doors;~~
- ~~(e) Cause all floors and yards to be thoroughly swept each day and washed or otherwise thoroughly cleansed once in each week;~~
- ~~(f) Cause all refuse to be removed from all rooms daily and cause all receptacles for such refuse to be cleansed at least once daily;~~
- ~~(g) Provide sanitary facilities in accordance with relevant legislation.~~
- ~~(h) Provide sufficient laundry facilities to the satisfaction of Council for the use of all boarders or lodgers; and~~
- ~~(i) Where any meals are served or prepared, set aside a room as a kitchen to be used solely for the preparation and storage of food. The use of such kitchens shall comply with the provisions of the Food Act 20141981, or the following provisions:~~
- ~~(j) All floors, walls and ceilings in the kitchen shall be properly constructed, kept in good repair, and finished to provide smooth, impervious, easily cleanable surfaces. All walls and ceilings shall be finished in a light colour to facilitate cleaning and inspection;~~
- ~~(k) All parts of the kitchen and dining room shall be adequately lighted by daylight and artificial lighting as the circumstances require, to facilitate cleaning and inspection;~~
- ~~(l) All parts of the kitchen and dining room shall be adequately ventilated. Where mechanical ventilation is provided this shall be regularly cleaned by an approved contractor;~~
- ~~(m) All parts of the kitchen and dining room shall be maintained in a clean, hygienic and tidy condition, free from foul odours and vermin;~~
- ~~(n) The kitchen shall be provided with a sufficient number of sinks and other sanitary fittings reasonably necessary for the cleansing of crockery, utensils and appliances used in the preparation, service and consumption of food. Every such sink shall be supplied with a piped supply of hot and cold water;~~

- ~~(o) A wash-hand basin supplied with piped hot and cold water, or tempered water at a temperature which complies with current Building Codes, shall be located within the kitchen or within close proximity to the kitchen;~~
- ~~(p) All benches, shelves, tables, cupboards, appliances and equipment shall be constructed and finished so that they are capable of being easily cleaned;~~
- ~~(q) Adequate means of preparing food and of cooking food, both by boiling and by baking, sufficient for the numbers of guests, shall be provided in the kitchen;~~
- ~~(r) Adequate refrigerated and frozen storage shall be provided sufficient for the numbers of guests, for the storage of perishable and readily perishable foods. All refrigerated storage shall operate at 4°C or below and frozen storage at minus 18°C or below;~~
- ~~(s) Adequate space for the storage of food shall be provided, so placed, fitted and ventilated as to protect the food from flies, dust, and other contamination and from the direct rays of the sun;~~

~~1807. Lighting of common passages, etc~~

- ~~1807.1. The keeper of every apartment building and boarding-house shall maintain adequate artificial lighting for use whenever natural lighting is not sufficient in all common hallways, stairways, passages, lifts, and all rooms used in common.~~

~~1808. Ventilation~~

- ~~1808.1. The keeper of every boarding-house or apartment building shall cause all such means of ventilation as are provided for any room, vestibule, lobby, passage, hallway, or staircase in his / her boarding-house or apartment building, or for any water closet or urinal compartment belonging to such premises, to be maintained at all times in good order.~~

~~1809. Furniture~~

- ~~1809.1. Every bedroom in a boarding-house shall be provided with beds, wardrobe, and clothes storage space which shall be adequate for the requirements of the number of persons authorised to be accommodated in such room.~~
- ~~1809.2. Every dining-room shall be provided with adequate seating and tables to allow all guests to take their meals without undue delay within the times such meals are offered.~~

~~1810. Beds and bedclothes to be aired~~

- ~~1810.1. The keeper of every boarding-house shall cause all beds, bedclothes, and bedding to be kept clean and wholesome, and clean bed linen and towels to be furnished to each boarder or lodger of a boarding-house at least once in each week and to every newly arrived boarder and lodger. They shall cause the bedclothes of every bed in such boarding house to be removed from such bed as soon as convenient after every bed shall have been vacated and shall cause all such bedclothes and the bed from which such bedclothes have been removed to be fully cleaned.~~

~~1810.2. The keeper shall make regular checks of all bedclothes, bed linen and bedding for any signs of pests i.e. Cimex lectularius (Bedbugs) and if found make suitable arrangements for eradication by a specialised contractor.~~

~~**1811. Repair notices**~~

~~1811.1. Where an authorised Council officer is of the opinion that the boarding house or apartment building does not meet any of the clauses of this chapter of the bylaw they shall serve the keeper of the premises with an appropriate repair notice or notice to fix.~~

~~**1812. Right of appeal**~~

~~1812.1. Any keeper of a boarding house or apartment building who considers him / her self aggrieved by any decision, order or direction given by any authorised officer of Council in the exercise of any discretionary authority vested in that officer by any provision of this chapter of the bylaw shall have the right of appeal to Council and to a hearing before the Hearings Committee which may reverse, confirm, or modify any such decision, order, or direction.~~

~~Chapter 19: Nuisance from Burning~~

~~This Chapter is revoked.~~

DRAFT

Chapter 20: Fire Prevention Involving Vegetation

Scope

This chapter of the bylaw relates to the prevention of the spreading of fires involving Vegetation inside an urban fire district.

2000. Interpretation

2000.1. This Chapter to be read in conjunction with Chapter 1 Interpretation.

2001. Fires in open air

2001.1. No person shall make or light or allow to remain alight any fire in the open air within any urban area of the district.

2002. Conditions for lighting barbecues, braziers and traditional cooking fires

2002.1. No person shall use any barbecue or brazier, or make any traditional cooking fire and no person being the occupier of any premises shall allow the use of any barbecue or brazier or the making of any traditional cooking fire:

- (a) Which by location, risk of spread, inadequate containment or prevailing circumstances of wind or otherwise constitutes or is likely to constitute a danger to any person or property; and
- (b) Without maintaining adequate supervision;
- (c) Without having readily available suitable first aid and fire fighting equipment.

2003. Prohibition of fires during periods of extreme fire hazard

2003.1. Council may at any time where in its opinion special reasons exist or may exist to prevent the outbreak or spread of fire, specify any restricted or prohibited fire season or seasons in the district or in any specified part or parts of the district and may at any time and from time to time cancel or vary any such season or seasons.

2003.2. Council shall give public notice of any restricted or prohibited fire season made under clause 2003.1 by:

- (a) Radio broadcast or other effective means within the district;
- (b) Notice in a daily newspaper circulating throughout the district.

2003.3. No person shall light any fire and no person being the occupier of any premises shall allow any such fires to be lit or to continue to burn in contravention of any prohibition made under clause 2003.1.

2004. Live ashes

~~2004.1. No occupier shall place or allow to be placed any live cinders or ashes in or upon any premises other than:~~

~~(c) In a container made and constructed of steel or other similarly fire resistant material so as to prevent the transmission of heat to any flammable or combustible material; or~~

~~(d) 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.~~

~~**2005. Breach of bylaw**~~

~~2005.1. Any person who contributes to anything in contravention of this chapter of the bylaw shall be deemed to have committed a breach thereof and shall be liable to a fine in accordance with Chapter 1 of this bylaw.~~

DRAFT

Chapter 21: The Keeping of Animals, Poultry & Bees

Scope

The purpose of this chapter of the bylaw is to set out the requirements for the keeping of animals, poultry and bees in urban zoned areas.

These requirements do not apply other than in urban zoned areas excepting that any animals or poultry kept on any site throughout the district are expected to be contained within the property of the owner. In some instances distance and the area of the property involved will provide adequate containment.

These requirements are deemed necessary for the protection of the local amenities and for public health and safety.

2100. Interpretation

2100.1. This Chapter to be read in conjunction with Chapter 1 – Interpretation.

2101. Containment of animals and poultry

2101.1. Any animal and any poultry kept on any property within the district shall be effectively contained or restrained within the property of the owner by fence, tether, pen, run or cage so as to prevent such animal or poultry straying onto any neighbouring property or onto any road or public place.

2102. Pig keeping

2102.1. Except in accordance with the District Plan and / or a resource consent under the Resource Management Act 1991 no person shall keep or allow to be kept any pig in the Timaru District. A pig or pigs shall not be kept in any urban zoned area.

2103. Stock in urban areas

2103.1. Any person keeping stock in an urban area of Timaru district shall ensure that premises where stock are kept meet the provisions of the First Schedule of this chapter of the bylaw.

2104. Poultry keeping

2104.1. In urban zoned areas, no poultry caged or otherwise shall be kept except in a properly constructed poultry house. This shall be covered with a rainproof roof and provided with a floor of concrete or other approved material with a surrounding nib wall, to which may be attached a poultry run.

2104.2. Every poultry house shall be constructed in the manner required by this chapter of the bylaw and as required by the provisions of the Building Act 2004.

2104.3. No poultry house or poultry run shall be erected or maintained any part of which is within 10 metres from any dwelling, factory, or any other building, whether wholly or partially occupied, or within 5 metres of the boundary of adjoining

premises, or such greater distance as may be required under the provisions of the District Plan.

- 2104.4. Every poultry run of whatever size shall be so enclosed as to confine the poultry within such poultry run, which may be mobile.
- 2104.5. No more than 12 head of poultry shall be kept on an urban zoned property and no roosters are to be kept on an urban zoned property and no roosters are to be kept on an urban zoned property.

2105. Noise or other nuisance from animal, bird, or poultry

- 2105.1. 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:

Provided that no proceedings shall be taken against any person for an offence under this chapter of the bylaw until after the expiration of 14 days from the date of the service on such person of a notice alleging a noise nuisance given by Council after receipt by it of a complaint, signed by not less than three householders residing within hearing of the animal, bird or poultry causing the alleged nuisance.

- 2105.2. Animals, birds or poultry shall be kept only in conditions and such manner or numbers which do not cause or have the potential to cause nuisance.

Where Council considers the keeping of animals, birds or poultry is in such numbers or conditions to be a nuisance, or have the potential to cause nuisance, it may restrict the numbers or require complete removal of any animals, birds or poultry.

2106. Beekeeping

- 2106.1. In areas, other than those zoned rural, persons keeping bees must ensure no nuisance is caused to neighbours by those bees.
- 2106.2. Where Council considers bees to be dangerous, offensive or likely to be injurious to any person it may require the removal of the offending bees.
- 2106.3. Beekeepers shall have regard to associated Biosecurity legislation current at the time.

CHAPTER 21: The Keeping of Animals, Poultry & Bees

FIRST SCHEDULE BYLAW POLICY

Conditions relating to animals kept on urban properties

SUBJECT:

Clause 2103.1 - Stock in urban areas

1. Fences must ~~in the opinion of Council~~ be adequate to prevent animals from wandering and all road gates to paddocks must be able to be securely fastened. In addition a restraining wire shall be placed 1 metre from any neighbouring residential property.
2. Animals shall not be kept in such number, manner, or of such size that ~~in the opinion of Council~~ would cause a nuisance.
3. 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.
4. An adequate water supply must be provided in an appropriate position on any area used to keep animals, poultry or bees.
5. Where natural feed on the section becomes insufficient, the stock (except horses) are to be removed. Feeding in for horses is permitted, provided no nuisance arises.
6. In the case of horses, manure is to be removed daily.
7. The minimum area for the keeping of horses shall be not less than 2023 square metres for each horse (1 / 2 acre).
8. The owner of any property, of area greater than 2000 square metres and which is rezoned residential, may seek exemption from these requirements of this schedule provided that non-compliance does not create a nuisance for any adjoining property owner.

Chapter 22: Food Safety

Scope

The aim of this chapter of the bylaw is to ensure that adequately trained operators work in all food premises throughout the district.

The purpose of this chapter is to establish requirements that all premises preparing food for sale shall have on the staff persons who are adequately trained in food hygiene and to ensure that registered operators maintain their premises in such a way that food safety is not compromised.

2200. Interpretation

2200.1. This Chapter to be read in conjunction with Chapter 1 Interpretation

2201. Compulsory training for food handlers

2201.1. All food premises are required to have a complement of food handler staff trained to the appropriate certificate levels as set out under the First Schedule to this chapter of the bylaw. Any person purchasing or establishing any food premises, who has not had appropriate training, shall undergo training within three months of the purchase of or the establishment of the business.

2201.2. It shall be the duty of the occupier of every food premises to ensure that new, temporary, or replacement staff are already trained to the appropriate level required by the First Schedule of this chapter of the bylaw or that such staff will gain the required level within three months of employment.

2201.3. Every food premises shall have at least one person employed in a supervisory and staff training capacity who is trained to the level required under the First Schedule to this chapter of the bylaw.

2201.4. In the case of food premises which consist of separate departments or sections, each of which functions more or less in isolation from the others at least one person shall be appointed to act in a supervisory position within each separate department or section.

2201.5. The occupier of every food premises shall ensure that adequate records are kept relating to staff training required under the First Schedule to this chapter of the bylaw and that copies of all certificates gained by staff are kept on the premises for perusal by any Environmental Health Officer upon request.

2202. Current certificate of registration

2202.1. All food premises must have a current Certificate of Registration as required by the Health (Registration of Premises) Regulations 1966 and the Food Hygiene Regulations 1974.

2203. Cleansing and repair

2203.1. Where any premises, equipment or procedure used is, of a standard or condition whereby staff and / or customers may be exposed to contamination or communicable disease, the licensee shall, on receipt of a notice signed by an

~~Authorised Environmental Health Officer or similar qualified and authorised officer, alter, cleanse, reconstruct or repair the premises, equipment or procedures as directed within the time specified in the notice or cease using the premises until such time as agreed by such authorised officer~~

~~2204. Exemptions from this chapter~~

~~2204.1. An authorised officer may grant an exemption or partial exemption from a requirement of this chapter of the bylaw where full compliance may be considered unreasonable having regard to the site and nature of the business.~~

~~2205. Offences and penalty~~

~~2205.1. An authorised Environmental Health Officer may close any food premises which is not currently registered as such or the Environmental Health Officer believes public health may be compromised.~~

~~2205.2. Every person who commits an offence against this chapter of the bylaw is liable accordingly under the provisions of clause 109 of the Timaru District Consolidated Bylaw 2013.~~

~~2205.3. A re-inspection fee will be imposed in any situation where an authorised officer is required to re-inspect a food premises.~~

~~CHAPTER 22: Food Safety~~ **~~FIRST SCHEDULE BYLAW POLICY~~**

~~SUBJECT:~~

~~Clause 2201 – Compulsory Training for Food Handlers~~

~~All food handling staff shall have passed Level I of a Food Safety Certificate.~~

~~All food handlers engaged in a supervisory role shall have passed a level greater than Level I of a Food Safety Certificate.~~

DRAFT

Chapter 23: Health Protection - Pools, Beauty Facilities, Skin Piercing & Tattooing

Scope

The purpose of this chapter of the bylaw is to apply rules to prevent the transfer of communicable diseases and infections in public swimming and spa pool facilities or from beauty facilities, ~~or~~ skin piercing or tattooing practices. Where relevant this includes jewellers, beauty therapists, hairdressers and other businesses that offer skin piercing services.

Persons managing public swimming and spa pool facilities must ensure facilities are operated at a suitable level of quality. Beauticians, tattooists and other skin piercers must be fully aware of the potential hazards and wider effects of their procedures on public health. It is essential that both categories of operation (pools, beauty facilities, tattooing and skin piercing businesses) understand the precautions that must be taken to minimise the likelihood of infection or spread of disease.

This chapter of the bylaw requires that premises which provide public swimming pool facilities, beauty facilities, ~~or~~ skin piercing procedures or tattooing are registered and that certain standards of construction and operation are achieved and maintained.

2300. Interpretation

2300.1. This Chapter to be read in conjunction with Chapter 1 – Interpretation.

2301. Licensing of premises

~~2301.1. No person shall permit or allow to be used any:~~

~~(a) Public pool; or~~

~~(b) Beauty facility.~~

~~Unless the premises on which that pool or beauty facility is located are registered with Council and a current licence is issued.~~

2301.2. No person may operate a Public Pool without holding a current Certificate of Registration for that premises.

2301.3. No person may operate / offer commercial services as a Beautician, Tattooist or Skin Piercer unless a current Certificate of Registration is issued for the premises from which the commercial service is operated / offered.

2301.4. An application for a ~~licence~~ Certificate of Registration shall be submitted by the owner or operator of the premises on an approved form.

2301.5. For every registration there shall be paid to Council a fee as will be decided from time to time by way of the appropriate Council fee setting process.

- 2301.6. On receipt of any application and payment of the required fee a licence may be issued provided the ~~authorised~~ Environmental Health Officer or other suitably qualified authorised officer is satisfied in respect of the following matters:
- a) The premises on or in which the pool or beauty facility is located shall comply with the provisions of all Acts and Regulations that govern its occupancy; and
 - b) The provisions of this chapter of the bylaw; and
 - c) ~~Such parts of Council Codes of Practice for the Management and Operation of Pools and Beauty Facilities that are relevant to the facility.~~ Compliance with such parts of Council Codes of Practice that are relevant to the facility for (a) the Management and Operation of Pools; or (b) the Management and Operation of Beauty Facilities and Skin Piercing Premises.
 - d) Such other matters, as Council or the authorised officer considers relevant to the safe operation and maintenance of the facility.
- 2301.7. Every ~~licence~~ Certificate of Registration shall be prominently displayed in a public part of the premises to which it relates.
- 2301.8. Every ~~licence~~ Certificate of Registration shall expire at 30 June in every year and may be renewed upon application. No licence shall be for a term of more than one year.
- 2301.9. No ~~licence~~ Certificate of Registration is transferable to any other premises.
- 2301.10. Every ~~licence~~ Certificate of Registration shall be personal to the licensee. The licensee shall be responsible for ensuring that the provisions of this chapter of the bylaw are complied with and that all persons working on the premises are adequately trained and supervised to prevent as far as is practicable any breach of the requirements of this chapter of the bylaw.
- 2301.11. Council may suspend or cancel any ~~licence~~ Certificate of Registration either wholly or for such period as it thinks fit if satisfied that all or any of the provisions of this chapter of the bylaw have not been complied with.
- 2301.12. The above provisions also apply to every application for the renewal of a licence.

2302. Exemptions

- 2302.1. The provisions of clause 2301 of this chapter of the bylaw shall not apply to:
- (a) A Health Practitioner registered pursuant to the Health Practitioners Competence Assurance Act 2003.
 - (b) A person acting under the direction or supervision of any such medical practitioner, nurse, physiotherapist, podiatrist or dentist, where the purpose is the practice of medicine, physiotherapy, podiatry, nursing or dentistry, respectively, or
 - (c) Any premises occupied by a registered pharmacist in which only the skin piercing process of ear piercing is carried out however the provisions of this chapter of the bylaw shall otherwise apply to such premises and ear piercing operations carried out in those premises, or

- (d) The carrying out of acupuncture where any person wishing to undergo acupuncture is unable to attend the licensed premises because of injury, infirmity or medical emergency provided that the acupuncture is carried out in compliance with the procedures specified in Council's Code of Practice for the Management and Operation of Beauty Facilities as they relate to acupuncture, or
 - (e) Practitioners of traditional Maori or Pacific Island tattoo art, provided that they comply with the codes of practice as set out from time to time by Council, in consultation with the local Iwi authorities, or Pacific Island community.
- 2302.2. Where the authorised officer is satisfied that compliance with all or any of the requirements of this chapter of the bylaw would be impracticable or unreasonable having regard to the premises in question or the process being undertaken, an exemption may be granted with such modifications, and subject to such conditions as are in the interests of public health and as the authorised officer may deem desirable in the circumstances.
- 2302.3. Any person wishing to take advantage of the provisions of clause 2302.2 hereof shall require the consent of the authorised officer and shall pay such fee for any inspection required and for the authorised officer's time to consider the matter.
- 2302.4. A record of all exemptions given shall be kept by Council.
- 2303. Codes of Practice**
- 2303.1. ~~All public pools and beauty facilities shall comply with the requirements specified in Council's Code of Practice for the Management and Operation of Public Pools or Council's Code of Practice for the Management and Operation of Beauty Facilities and Skin Piercing Premises, as the case may be.~~ All public pools shall comply with the requirements specified in Council's Code of Practice for the Management and Operation of Public Pools.
- 2303.2. All beauty facilities shall comply with the requirements specified in Council's Code of Practice for the Management and Operation of Beauty Facilities and Skin Piercing Premises.
- 2303.3. All Tattooing and Skin Piercing facilities shall comply with the requirements specified in Council's Code of Practice for the Management and Operation of Beauty Facilities and Skin Piercing Premises.
- 2303.4. The Council may make, amend or revoke a code of practice that:
- (a) relates to the operation of commercial services that pose an associated health risk to any persons using or accessing their services, products or business operation; and
 - (b) establishes minimum standards with regard to the way premises are constructed, equipped and maintained, and in regard to the way operators conduct themselves when providing services; and
 - (c) may include recommendations on the best practice to be observed with regard to the way premises are constructed, equipped and maintained, and in regard to the way operators conduct themselves when providing services.

2303.5. Before making, amending or revoking a code of practice the Council shall:

- (a) consult with the Medical Officer of Health for the Timaru District and any affected operators; and
- (b) be satisfied that the standards are the minimum necessary to ensure that the purpose of the bylaw is given effect; and
- (c) have regard to the feasibility and practicality of effecting transition from current practices to new practices and any adverse effects that may result from such a transition; and
- (d) any other matters considered relevant by the Council.

2304. Cleansing and repair

- 2304.1. In any case where any premises, equipment or procedure used is of a standard or condition whereby users or staff may be exposed to contamination or communicable disease, the licensee shall, on receipt of a notice signed by an authorised officer, alter, cleanse, reconstruct or repair the premises, equipment or procedures as directed within the time specified in the notice, or cease using the premises until any such time as agreed by the authorised officer.
- 2304.2. An authorised officer may close any pool on a premises if its filtration system is not operating or if it does not meet all of the water quality standards specified above.
- 2304.3. A re-inspection fee will be imposed in any situation where an authorised officer is required to re-inspect a public pool or beauty facility after a notice referred to in clause 2304.1 hereof has been issued.

2305. Appeals

- 2305.1. The licensee of any premises having received notification of a requirement issued under the provisions of clause 2304.1 hereof may appeal against the notification of requirement to the Medical Officer of Health within 14 working days of the date of notification of the decision or requirement. The appeal shall be in writing.
- 2305.2. This right of appeal is in addition to any other statutory right available to the licensee.

2306. Offences

- 2306.1. Failure to comply with the provisions of this chapter of the bylaw is an offence and the offender is liable under section 239 of the Local Government Act 2002.

Chapter 24: Airport Charges

Scope

The purpose of this chapter of the bylaw is to authorise Council to levy and collect charges for the use of the airport or any part thereof including all land and buildings pursuant to the powers vested in it by the Airport Authorities Act 1966 and the Local Government Act 2002.

2400. Interpretation

2400.1. This Chapter to be read in conjunction with Chapter 1 – Interpretation.

2401. Charges for landing of aircraft

2401.1. The operator of every aircraft using the airport shall pay the prescribed charge upon each and every landing at the airport at the time of arrival or as may be agreed between the operator and the Airport Authority

2401.2. The charge for the landing of aircraft shall be based upon the weight and type of aircraft and be as set out in Council's Fees and Charges Manual.

2402. Use of facilities

2402.1. Aircraft operators making use of the airport terminal building and its facilities shall pay the prescribed combined charge as set out in the Fees and Charges Manual ~~the Council~~ to the Airport Authority.

~~2402.2. The lessees of any airport buildings or land including buildings and land not used for airport operational purposes shall pay a fair market rental as may be agreed between the lessees and the Airport Authority from time to time.~~

2402.3. The charges outlined in Council's Fees and Charges Manual may be altered by Council resolution, passed after consultation as part of the Long Term ~~Council~~ Community Plan or Annual Plan.