

[Insert coat of arms]

The Queenstown Lakes District Council Speed Limits Bylaw 2019

[Insert te reo title]

Queenstown Lakes District Council

Date of making: [Insert]

Commencement: [Insert]

This Bylaw is made under section 22AB of the Land Transport Act 1998 and the Land Transport Rule Setting of Speed Limits 2017 (Rule 54001/2017).

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Part 1 – Preliminary

1 Title and commencement

1.1 This bylaw is the “Queenstown Lakes District Council Speed Limits Bylaw 2019”.

1.2 This bylaw comes into force on [insert date].

2 Area within which Bylaw applies

This bylaw applies to the area of the Queenstown Lakes District.

3 Purpose

The purpose of this bylaw is to enable the Council to set speed limits on roads under its jurisdiction, as required by the Rule.

4 Application

4.1 This bylaw applies only to roads under the jurisdiction of the Council.

4.2 To avoid doubt, this bylaw does not apply to state highways or motorways within the Queenstown Lakes District which are under the control of the New Zealand Transport Agency.

5 Interpretation

5.1 In this bylaw:

Act means the Land Transport Act 1998

Rule means the Land Transport Rule Setting of Speed Limits 2017 (Rule 54001/2017)

urban traffic area means an area designated under Rule 3.5 of the Rules that consists of one or more specified roads or a specified geographical area, to which the urban speed limit generally applies

Explanatory note: under the Rules, the urban speed limit is 50 km/hr. This is the default speed limit which applies to all roads within a designated urban traffic area, except for motorways or roads for which a different speed limit has been set.

5.2 Any word used in this bylaw that is defined in the Act or the Rules has the same meaning as in the Act or the Rules, unless the context otherwise requires.

Explanatory note: for convenience, some of these definitions are reproduced below, in their form as at the date this bylaw was made. However, the Act and Rules are subject to change, and the wording in the definitions at any particular time should be confirmed in the Act or Rules themselves.

designated location is any of the following—

- (a) a car park:
- (b) an educational or scientific institution:
- (c) a commercial or industrial facility:

- (d) a health facility:
- (e) a residential facility:
- (f) marae land:
- (g) a camping ground:
- (h) a sports facility or other recreational area:
- (I) a botanical garden:
- (j) a cultural reserve:
- (k) a port or wharf area:
- (l) an airport:
- (m) a beach:
- (n) a cemetery or urupā:
- (o) a facility operated by the New Zealand Defence Force:
- (p) a facility operated by the Department of Corrections:
- (q) any other location approved by the Agency by notice in the Gazette.

holiday speed limit means a maximum speed limit set in accordance with the Rule that is in force 24 hours a day for a specified period or periods

permanent speed limit means a maximum speed limit set in accordance with the Rule, that is in force except when a holiday, variable, temporary, or emergency speed limit is in force

variable speed limit means a set of one or more defined alternative speed limits set under the Rule, one of which may be operating for a particular road at a particular time depending on the presence of specified conditions at that time.

- 5.3 Any explanatory notes and attachments are for information purposes, do not form part of this bylaw, and may be made, amended or revoked without any formality.
- 5.4 The Interpretation Act applies to this bylaw.

Part 2 – Speed Limits

6 Designation of urban traffic areas and setting of speed limits

- 6.1 The Council may by resolution, for any roads under its jurisdiction:
 - (a) designate urban traffic areas;
 - (b) set speed limits, which may be:
 - (i) a permanent speed limit;
 - (ii) a holiday speed limit;
 - (iii) a variable speed limit.
- 6.2 The Council may by resolution set speed limits for any roads under its jurisdiction in any designated location.
- 6.3 The resolution designating the urban traffic area or setting the speed limit must specify the date the urban traffic area or speed limit comes into force.
- 6.4 The Council may only designate an urban traffic area or set a speed limit if it has complied with the relevant requirements of the Rule.

6.5 Subject to compliance with the Rule, the Council may amend or revoke a resolution made under clauses 6.1 or 6.2 at any time.

Explanatory notes:

1. *In accordance with rule 3.2 of the Rules the Council may set speed limits of 10, 20, 30, 40, 50, 60, 70, 80, 90, 100 or 110 km/h.*
2. *Rule 2.8 of the Rules requires the Council to establish and maintain a register of speed limits that records all speed limits (apart from temporary speed limits) and records all designated urban traffic areas for the roads under its jurisdiction. The register of speed limits must be available for inspection by members of the public. The Council's speed limits register including maps showing the designated urban traffic areas can be found on the Council website: [insert relevant link](#)*

7 Offences

7.1 Every person commits an offence against this bylaw who operates a vehicle in contravention of any speed limit set under the bylaw or by the Rule.

7.2 Offences and penalties relating to the infringement of speed limits set under the bylaw are as provided for in the Land Transport Act 1998 and the Land Transport (Offences and Penalties) Regulations 1999.

Explanatory notes:

1. *Enforcement of the speed limits set under this bylaw is carried out by the New Zealand Police.*
2. *The legislation referred to in clause 7.2 is that which in force as at the date this bylaw was made and is subject to change.*

8 Revocation and savings

8.1 The Queenstown Lakes District Council Speed Limits Bylaw 2009, including all amendments, is revoked.

8.2 Despite clause 8.1, all urban traffic areas designated, and all speed limits set, in or pursuant to the Queenstown Lakes District Council Speed Limits Bylaw 2009 or any former bylaw, and which are in force at the date of revocation, remain in force until changed or replaced under this Bylaw.

The common seal of the Queenstown Lakes District Council is attached in the presence of:

_____ Mayor

_____ Chief Executive Officer.

DRAFT

