

Restricted Access of Roads 2025

Date in force: 1 May 2025

Purpose

The purpose of this Bylaw is to regulate the use of vehicles on roads under the control of the Stratford District Council.

Next review: 1 May 2030

- 1.1. This bylaw is the Restricted Access of Roads Bylaw 2025.
- 1.2. This bylaw comes into force on 1 May 2025.
- 1.3. This bylaw is due to be reviewed in accordance with section 158 of the Local Government Act 2002 by 1 May 2030.

2. Authority

- 2.1. This bylaw is made in accordance with the:
 - 2.1.1. Local Government Act 1974.
 - 2.1.2. Local Government Act 2002.
 - 2.1.3. Land Transport Act 1998.
 - 2.1.4. Land Transport (Enforcement Powers) Amendment Act 2009.
- 2.2. This bylaw shall be read in conjunction with the Acts listed above and all other relevant bylaws of the Council. It is not intended to restrict, limit or constrain any obligations and responsibilities under the Acts listed above.

3. Application of this Bylaw

- 3.1. This Bylaw applies to the entire Stratford district.

Part 1

Preliminary

4. Scope

- 4.1. The Bylaw generally applies to any road identified in the Restricted Access of Roads 2025 Bylaw Schedule (the Schedule) in **Appendix 1**, or by Council resolution regulating vehicle use on Council roads.
- 4.2. This bylaw:
- 4.2.1. Sets the circumstances under which roads, or sections of roads, can be utilised.
 - 4.2.2. Restricts the types of vehicles that can use restricted roads or sections of roads.

5. Interpretation

- 5.1. When interpreting this bylaw, use the definitions set out in clause 6, unless the context requires otherwise. Where references are made to a repealed enactment, read that as a reference to its replacement.
- 5.2. For the purpose of this bylaw, the word 'shall' refers to practices that are mandatory for compliance with this bylaw.
- 5.3. Any explanatory notes and attachments are for information purposes and they do not form part of this bylaw, and may be made, amended and revoked without any formal process.

6. Definitions

- 6.1. For the purpose of this bylaw, unless inconsistent with the context, the following definitions apply:

Bylaw means the Restricted Access of Roads Bylaw 2025 for the time being in force, made under the provisions of any Act or authority enabling Council to make bylaws.

Class of vehicle means groupings of vehicles defined by reference to any common feature and includes vehicles:

- By type, description, weight, size or dimension.
- Carrying specified classes of load by the mass, size or nature of such loads.
- Carrying no fewer or less than a specified number of occupants.
- Used for specified purposes.
- Driven by specified classes of persons.
- Used for sharing or carpool.
- Displaying a permit authorised by the council.

Council means the governing body of the Stratford District Council or any person delegated to act on its behalf.

District means the district of Stratford District Council.

Emergency vehicle means a vehicle used for attendance at emergencies and operated:

- By an enforcement officer
- By an ambulance service
- As a fire service vehicle
- As a civil defence emergency vehicle
- As a defence force emergency vehicle

Infringement Notice means a notice issued in respect of an alleged offence.

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

- Vehicle running on rails.
- Trailer (other than a trailer designed solely for the carriage of goods) that is designed and used exclusively as part of the armament of the New Zealand Defence Force.
- Trailer running on 1 wheel and designed exclusively as a speed measuring device or for testing the wear of vehicle tyres.
- Pedestrian-controlled machine.
- Vehicle that the New Zealand Transport Agency has declared under section 168A of the Land Transport Act 1998 is not a motor vehicle.
- Mobility device.

Network utility operation has the same meaning as in section 166 of the Resource Management Act 1991.

Proceedings means proceedings under Section 133 of the Land Transport Act 1998.

Resolution means an official decision by Council to add roads, or sections of road, to the Schedule for the purpose of restricting the road, or section of road.

Restriction means a limiting condition of access on a road, or section of road.

Road means the following which is under the control of the council:

- A street.
- A park.
- A place to which the public have access, whether as of right or not.
- All bridges, culverts, gates and fords forming part of a road or street, or a place referred to above.

Schedule means the 'Restricted Access of Roads Bylaw Schedule' in Appendix 1.

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

- Perambulators or pushchairs.
- Shopping or sporting trundlers not propelled by mechanical power.
- Wheelbarrows or hand-trolleys.
- Pedestrian-controlled lawnmowers.
- Pedestrian-controlled agricultural machines not propelled by mechanical power.
- Articles of furniture.
- Wheelchairs not propelled by mechanical power.
- Rail vehicles.
- Any other contrivance specified by rules made under the Act not to be a vehicle for the purposes of this definition.

6.2. Any undefined words, phrases or expressions used in this bylaw have the same meaning as in the Land Transport Act 1998 unless the context plainly requires a different meaning.

7. Resolutions

7.1. The council may pass a resolution under this bylaw:

- 7.1.1. To regulate, control or prohibit any matter or thing generally, or for any specific classes of case or in a particular case.
- 7.1.2. That applies to all vehicles or traffic or to any specified class of vehicles or traffic using a road.
- 7.1.3. That applies to all roads, any specified road or part of a road under the care, control or management of the Council.
- 7.1.4. That applies to any specified time or period of time.

7.2. The Schedule (**Appendix 1**) and map (**Appendix 2**) shall be updated to include any resolution stated in **Clause 7.1** without the requirement to consult on the entire bylaw.

8. Notification of Resolution

8.1. Before a resolution comes into effect, any road or section of road, subject to restricted access as specified in the Schedule, shall be sign posted with either:

- 8.1.1. A copy of the resolution made under this bylaw,
- 8.1.2. A statement of its effect conspicuously displayed, or
- 8.1.3. Any other effective means of notification.

Part 2

Vehicular use of Roads

9. Limitations on the use of roads

- 9.1. Council may, by resolution, permanently or temporarily:
 - 9.1.1. Prohibit any specified class of vehicle (for example two-wheel drive vehicles) from being driven or parked on any specified road or part of a road.
 - 9.1.2. Restrict the use of any park, unsealed or unformed road by all motor vehicles or any class of motor vehicle.
- 9.2. The council may temporarily close any road to all vehicles or classes of vehicles where necessary for any event, repair of the road or the placement or repair of any infrastructure on or near that road. For the avoidance of doubt this clause does not limit any other powers the council may have to close or restrict the entry to any road.
- 9.3. A person must not drive, stop, stand, park or turn a vehicle in contravention of a prohibition or restriction made by the council under this bylaw and evidenced by appropriate signs and/or road markings.

10. Council may grant exemptions

- 10.1. The council may, if deemed appropriate, pass a resolution to temporarily or permanently exempt:
 - 10.1.1. Any person who requires access to real property owned by them from the relevant road.
 - 10.1.2. Emergency vehicles for the purposes of responding to emergencies.
 - 10.1.3. Any class of motor vehicle used for the purposes outlined in clauses 10.1.1 or 10.1.2.
- 10.2. Residents, Property Owners, and others with a legitimate need to access the restricted roads or sections of roads listed in schedule, may apply for a permit from Council.
- 10.3. Council may impose conditions on any permit issued including, but not limited to, time restrictions and specific access points.

Part 3

Enforcement, offences, and penalties

11. Non-compliance with this bylaw

- 11.1. The council may use its powers under the Land Transport Act 1998 to enforce this bylaw.
- 11.2. A person who fails to comply with any control, restriction, limitation or prohibitions made pursuant to this bylaw commits an offence under the Land Transport Act 1998 and is liable to the penalties set out in that Act.
- 11.3. In addition to the powers conferred on it by any other enactment the council may remove or cause to be removed from any road, or parking place any vehicle or thing using the road or parking place in breach of this bylaw.

12. Offences and penalties

- 12.1. A person who fails to comply with this bylaw may:
- 12.1.1. Be served with an infringement notice in accordance with section 139 of the Land Transport Act 1998.
 - 12.1.2. Have their vehicle moved if council believes that the vehicle causes:
 - An obstruction in the road or to any vehicle entrance to any property.
 - The removal of the vehicle is desirable in the interests of road safety or for the convenience or in the interests of the public.
 - 12.1.3. Be liable to a fine of up to \$1,000 for an offence involving a moving vehicle.

13. Damage

- 13.1. No person shall undertake any activity that causes, or may cause, damage or a safety hazard to any road, or section of road, listed in the Schedule.
- 13.2. In the event of damage to any road, Council may undertake repairs to the road or any section. Council may recover the costs of these repairs, including associated expenses, from the individual responsible for causing the damage or from any person who has breached the Bylaw in connection with the damage.

14. Power to recover costs

- 14.1. Council reserves the right to recover the cost for damage from a person who wilfully or negligently destroys, damages, stops, obstructs, or otherwise interferes with any works or property owned, constructed, acquired, or used by Council, in accordance with Section 175 of the Local Government Act 2002.
- 14.2. Council reserves the right to recover the cost of remedying any damage caused in the course of committing the offence, in accordance with Section 176 of the Local Government Act 2002.
- 14.3. Council reserves the right to recover any costs associated with non-compliance, offences and penalties under this bylaw.

Part4

Exceptions and savings

15. Exceptions

15.1. A person is not in breach of this bylaw if that person proves that the:

15.1.1. Act or omission complained of took place in response to a situation on a road.

15.1.2. Situation was not of the person's own making.

15.1.3. Act or omission was taken:

- To avoid the death or injury of a person.
- If the act or omission did not create a risk of death or injury or greater damage to any property, to avoid damage to any property.

15.2. Section 15.1 does not apply if a court is considering, in proceedings for an offence specified in the Land Transport Act 1998, whether or not a person had complied with this bylaw.

15.3. Any restrictions made under Part 2 of this bylaw do not apply to vehicles that are:

15.3.1. Actually engaged in construction, maintenance or repair work to a network utility operation.

15.3.2. Being used as an emergency vehicle in attendance at an emergency situation.

15.3.3. Being used to transport registered medical personnel to assist at an emergency situation.

15.4. A person is not in breach of this bylaw if that person proves that the act or omission:

15.4.1. Took place in compliance with the directions of an enforcement officer or the council.

15.4.2. In the case of an act or omission done by an enforcement officer or the council, was necessary in the execution of the person's duty.

16. This Bylaw was made by the Stratford District Council on 1 May 2025.

THE COMMON SEAL of the STRATFORD DISTRICT COUNCIL was hereto affixed by resolution of said Council in the presence of:



Mayor



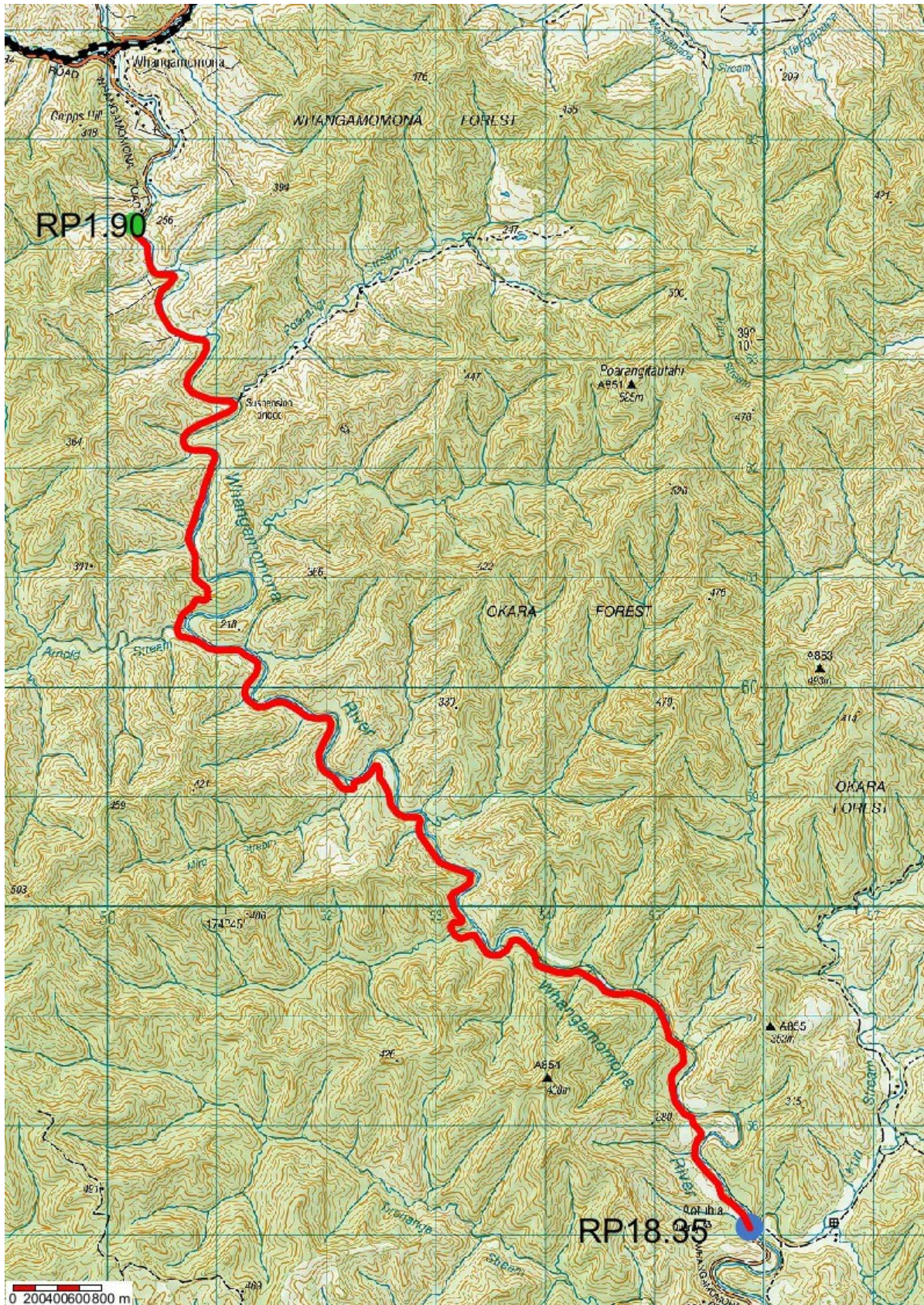
Chief Executive



Appendix 1 – Restricted Access of Roads Bylaw Schedule

Item	Road	#	Restriction	Reference
1	Whangamomona Road RP1.90 to RP18.35 Appendix 2	W1	Between 1 May to the Friday prior to Labour Day every year to all motor vehicles and vehicles.	
		W2	Between the Friday prior to Labour Day to 30 April every year , the following vehicles are prohibited: • 2WD vehicles. • Motor homes. • Caravans. • Any other vehicle that is deemed unsuitable to use this road. Only the following activities and vehicles are permitted: • Walking • Cycling • Horse trekking • Motorcycling (off-road/trial bikes) • 4WD vehicles • Tractors	
2	Lower Kohuratahi Bridge #2 (Bridge ID: 0133/0203) RP2.000 to RP2.059 Appendix 3		At all times, all vehicles are prohibited. Only pedestrian traffic with a gross mass of 400 kg is permitted. Pursuant to Clause 9 of the Restricted Access of Roads Bylaw 2025, and Regulation 11 of the Heavy Motor Vehicle Regulations 1974, This by Council Resolution at the Ordinary Meeting of Council on 8/09/2026	D26/34482
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Appendix 2 – Whangamomona Road Restriction map



Appendix 3 - Lower Kohuratahi Bridge #2 Restriction map

