



Statement of Proposal for Consultation: Roading Bylaw 2025

Gore District Council

Summary of Information

Our Proposal

Gore District Council is proposing a new Roding Bylaw and we are consulting with the community and seeking feedback on the draft Bylaw. We need to do it to enable us to continue to manage the roads appropriately.

We have written a new Bylaw that covers the same content as the previous one. We have made some key changes to update it and make it easier to read, remove unnecessary definitions, simplify the language, and respond to changes in legislation. These are summarised in the next section.

Content of the draft Bylaw 2025

The Bylaw addresses vehicle and road use, movement of heavy motor vehicles, parking including Mobility and Over 80's permits, livestock movement, and management of stock races, various activities on the berm, and associated offences and penalties.

The main changes from the previous Bylaw are:

1. Removal of provisions relating to construction, repair, reconstruction, renewal, modification or removal of **vehicle crossings** as these are now addressed through the Gore District Council Subdivision and Land Development Bylaw 2019 and the Gore District Plan.
2. Removal of **speed management** as this is now addressed through the introduction of the Land Transport Rule: Setting of Speed Limits 2024. Speed limits are now the subject of a Speed Management Plan and registered in the National Speed Limit Register.
3. Incorporation of a **more flexible approach** to enable details of traffic and parking restrictions to be confirmed and/or modified by Council resolution. This means that the Bylaw has different language than the previous Bylaw but will continue to provide the same traffic and parking restrictions, and the detailed locations of parking places and all other specific restrictions will be recorded in Council resolutions to be made over time. Council resolutions are a public process and provide opportunity for submissions from the public.
4. New provisions to address parking of **heavy motor vehicles** in urban residential streets and banning them from travelling on urban residential streets unless they have legitimate business on these streets.

5. **Removal of the appendices** relating to traffic speeds and other detailed appendices relating to parking locations and locations of other specific restrictions. As noted above these details will be recorded in Council resolutions in the future, which provides more flexibility and reduces the complexity and length of the Bylaw, while still retaining the opportunity for public consultation.
6. Clarify bylaw provisions to ensure that heavy vehicles must meet the prescribed **load limits** for bridges to protect them from damage.

The content of the previous and new bylaw is compared in the following Table.

Roading Bylaw 2011	Draft Roothing Bylaw 2025	Key changes
Introduction	Sections 1 to 4: Introduction, purpose and interpretation	Reworded and simplified, but management remains the same
	Section 5: Resolutions (new)	Traffic restrictions will remain the same but details will be documented by resolution instead of in body of Bylaw
Traffic	Section 6: Vehicle and Road Use Section 7: Parking	Reworded and simplified, but management remains the same
Offences and Penalties (incl speed limits) and Schedules 1 – 9 Speed Limits	Section 10: Offences and Penalties	No longer required: speed limits now managed in Land Transport Rules.
Vehicle Crossings	Removed	No longer required: Addressed through Subdivision and Land Development Bylaw 2019 and Gore District Plan
Stock Movement on Roads Appendix 1A, 1B Livestock movement across roads and along roads	Section 8 and Appendix 1: Livestock movement on roads	Somewhat simplified but same management approach taken

Other Activities on Roads, and Appendices 2 – 11	Section 9: Other Activities on Roads	Reworded and simplified, but management remains the same Other activities on roads are restricted by Section 9, with the process to allow permits to be granted set out in the new supporting policy document (Appendix 2)
Schedule 10 Restricted parking Schedule 11 One way roads Schedule 12 Turning restrictions Schedule 13 Traffic prohibitions Schedule 13A Restriction on driving on certain roads Schedule 13B Restriction on parking during certain periods on certain roads Schedule 14 Weight, speed or load restrictions over bridges and culverts	Section 6: Vehicle and Road Use Section 7: Parking	Wording of Bylaw streamlined, but management remains the same

The Introduction, Purpose and Interpretations (Section 1-4) sections of the Bylaw introduce the purpose of the Bylaw and include definitions for its interpretation. We have largely used the same definitions with changes that:

- have definitions for cycle paths and cycle lanes that are the same as those in the Land Transport (Road User) Rules 2004
- recognise that Gore residents can pay parking fees electronically
- remove unnecessary definitions that did not aid interpretation of the bylaw

- streamline and simplify the parking definitions by widening the definition for time restricted parking to include all parking restrictions, including that is paid for (i.e metered)
- clarifying that vehicles must meet the load limits for bridges and culverts to prevent damaging them.

Sections 6 to 9 address vehicle and road use, parking, livestock movement, and other activities on the road. These provisions set out the scope of Resolutions that Council may make, in accordance with the matters set out in Section 5. Unlike the Roding Bylaw 2011 which included detailed prescriptions on every matter, the draft Bylaw 2025 specifies the nature of resolutions that Council may make in respect of the issues addressed in the Bylaw and includes specific prescriptions only where these are already resolved. Matters that are resolved and detailed in the Bylaw are:

- restrictions on the movement of heavy motor vehicles on residential roads (refer Section 5), and
- livestock movements on roads (refer Section 8).

Other activities on roads include stock races, work operations, fencing and gates and use of the berm for grazing, storage of materials, planting or cultivation. A new policy sits alongside the bylaw and provides guidance on the permit application process. Applications will be considered on a case-by-case basis, in the same way as occurred under the previous Bylaw.

Purpose of the Bylaw

The primary purpose of the Roding Bylaw 2025 is to set controls for parking, all types of traffic and the use of the transportation network within the District, other than State Highways controlled by the Waka Kotahi New Zealand Transport Agency. The controls are to ensure health and safety, to protect the public from nuisance and to protect transportation infrastructure from damage.

Legal framework

The Land Transport Act 1998 (LTA 1998) give councils the power to make bylaws for the purposes of managing vehicle and road use, heavy vehicles, parking, signs and markings, livestock, displays vegetation and access, weights, and pedlars, and general matters relating to road safety and environmental protection. The LTA 1998 also provides some enforcement powers to Council (regarding stationary vehicles).

Bylaws can be enforced by Council officers and the Police and are used alongside other legislation and powers such as those in the Land Transport Rule 2004.

The Roding Bylaw 2011 sat under the Land Transport Act 1998. It addressed vehicle and livestock use of roads, parking, vehicle crossings and other activities. The draft Roding Bylaw 2025 covers the same material but is updated to reflect the current legislation, regulations, rules and standards that sit around the bylaw, including for example the One Network Framework developed by NZTA and the Land Transport Rules.

Options

Council considered three options for a Roding Bylaw.

Option	Advantages	Disadvantages
Option 1 Do nothing	Fewer demands on Council and submitter time and resources.	The existing Bylaw limits Council's ability to manage the roading network in a safe and efficient way.
Option 2 – Review and adopt an updated bylaw	Enables Council to manage the roading network in a safe and efficient way.	Requires time and resources of Council and submitters.
Option 3 – Review the Bylaw and create a new one unchanged	Fewer demands on Council and submitter time and resources.	Lose the opportunity to update the Bylaw, make necessary changes and streamline it for easier use.

Chosen Option 2: Review and adopt an updated bylaw

This option gives Council the opportunity to retain the content of the previous Bylaw while simplifying the language and providing a more flexible approach. The Bylaw is shorter, is more user-friendly, and remains fit for its purpose. We have also taken the opportunity to amend it as per the changes outlined above.

Choosing this option means the Council remains consistent with its approach of regulating the use of local roads with a Bylaw.

Appropriateness

When Council is making or reviewing bylaws, we must consider three matters:

- is the bylaw necessary?

- is it the most appropriate form of a bylaw?
- Are there any implications under the New Zealand Bill of Rights Act 1990?

Council has determined that a bylaw is the most appropriate way to regulate road management in the Gore District as it allows Council to manage a wide range of activities in a simple and efficient manner.

Council has also determined that a more flexible approach is the most appropriate form because it:

- is more flexible and therefore cost-effective
- avoids need for periodic reviews, thereby saving time and money for Council and submitters
- retains the full ability for Council to manage what we need to for a safe and efficient road network, and
- retains opportunities for public participation.

Finally, Council considers that it is more appropriate for guidance on permit applications is better located in a Policy than in the appendices of the Bylaw. The permit application process and considerations remain unchanged.

Consistency with the New Zealand Bill of Rights

The New Zealand Bill of Rights Act 1990 guarantees a number of rights and freedoms including freedom from unreasonable search and seizure and discrimination, and freedom of expression, association, peaceful assembly and movement. Council considers the provisions as drafted are consistent with the New Zealand Bill of Rights Act 1990.

The only right or freedom that the Council considers could potentially be impinged upon by the bylaw is freedom of movement. The Bylaw restricts movement on the road network to specific directions, and it restricts parking as well as other activities on the road. However, these are reasonable restrictions as they are necessary for the safe and efficient functioning of the road network, which is a public good, and restrictions are necessary for the benefit of all.

The procedure for replacing the Bylaw is democratic and transparent. Interested people can make submissions and speak to the Council about their concerns. The hearing and consideration of submissions will be transparent and open, and amendments to the Bylaw will be publicly communicated.

In summary the Council considers the Bylaw is consistent with the Bill of Rights Act. This will be considered again after any significant amendments to the Bylaw as a result of the consultative process.

Following the prescribed special consultative procedure set out in section 83 of the Local Government Act 2002, the Council will consider the final draft of the proposed bylaw and reconsider whether there are any New Zealand Bill of Rights Act 1990 implications.

Consultation and Submission

In making, amending or revoking a bylaw, Council must use the Special Consultative Procedure set out in section 83 of the Local Government Act 2002. Council has prepared and adopted the proposed bylaw for public consultation. Any person can make a submission on the proposed bylaw and we invite you to have your say.

A copy of the Statement of Proposal, including the proposed bylaw and information about making a submission can be obtained from the Council website www.goredc.govt.nz

Submissions can be made online via the Council's website or alternatively submission forms and the Statement of Proposal are available at the Council Offices in the Civic Administration Building, or any of the District libraries.

Copies may also be obtained by telephoning Council's Customer Service Centre, (03) 209 0330 or 0800 GoreDC.

Submitters should advise whether they wish to be heard in support of their submission. Submitters are advised that all submissions shall be made available to the public.

Submissions on the proposal close at 5.00pm on 2 May 2025

Key Dates

WHEN	WHAT
2 April 2025	Submissions open
2 May 2025	Submissions close
20 May 2025	Hearings (for people that want to speak to their submissions)
20 May 2025	Deliberations – Council discusses submissions and confirms or amends bylaw
24 June 2025	Council adopts final bylaw