

**Tasman District Council**

**Consolidated Bylaw**

**Chapter 11**

**Tasman's Great Taste Trail Bylaw 2012**

## **Tasman District Council**

### **Tasman's Great Taste Trail Bylaw 2012**

*Pursuant to Section 145 of the Local Government Act 2002*

#### **1. TITLE**

1.1 This Bylaw shall be known as the Tasman's Great Taste Trail Bylaw 2012.

#### **2. MEANING OF TRAIL**

2.1 In this Bylaw, Trail means the path formed by or on behalf of the Tasman District Council along the route delineated on the map in Schedule 1 of this Bylaw, whether on private land, Crown land, Road, or land vested in or under the control of the Council, that is intended for the use of Cyclists but which may also be used by Pedestrians, riders of Mobility Devices, riders of Wheeled Recreational Vehicles and riders of SBTW Devices, and includes:

- (a) all the land within 2.1 metres on either side of the centre-line of the formed path; and
- (b) every bridge, culvert and ford within the Trail,

but does not include a cycle lane within a Roadway.

#### **3. COMMENCEMENT and APPLICATION**

3.1 This Bylaw shall come into force on 5<sup>th</sup> day of December 2012 and applies to all parts of the Trail.

#### **4. PURPOSE**

4.1 The purpose of this Bylaw is to:

- Protect, promote, and maintain the safety of people using, or working, and living in proximity to the trail; and
- Protect from nuisance those using or working and living in proximity to the trail; and
- Protect and maintain the natural and wildlife values and habitats in the vicinity of the trail.

#### **5. INTERPRETATION**

5.1 In this Bylaw, unless the context otherwise requires;

**Council** means Tasman District Council.

**Cycle**

- (a) means a Vehicle that has at least one wheel and that is designed primarily to be propelled by the muscular energy of the rider; and
- (b) includes a power-assisted cycle; and
- (c) includes a unicycle.

**Cyclist** is a person who rides a Cycle.

**Driveway** includes, but is not limited to a place used as a vehicle entrance to or exit from land fronting a Road.

**Hours of darkness** means

- (a) a period of time between half an hour after sunset on one day and half an hour before sunrise on the next day; or
- (b) any other time when there is not sufficient daylight to render clearly visible a person or vehicle at a distance of 100 metres.

**Mobility Device** means a Vehicle that;

- (a) is designed and constructed (not merely adapted) for use by persons who require mobility assistance due to a physical or neurological impairment; and
- (b) is powered solely by a motor that has a maximum power output not exceeding 1500 W.

**Motor Vehicle** has the same meaning as in Section 2(1) of the Land Transport Act 1998, but does not include a Mobility Device, a Wheeled Recreational Device, or a SBTW Device.

**Pedestrian** means a person on foot and includes a person in a wheelchair not propelled by mechanical power, and a person in or on a contrivance equipped with wheels or revolving runners that is not a Vehicle.

**Road** has the same meaning as in section 315 (1) Local Government Act 1974.

**Roadway** means that portion of the Road used for the time being for vehicular traffic in general.

**SBTW Device** means a Vehicle that is a self-balancing two-wheeled electric powered device for carrying a standing person with a maximum speed of 20 km / hour. An example of a SBTW Device is a Segway Personal Transporter.

**Stock** includes any horse, cattle, deer, mule, sheep, pig, goat, alpaca and llama.

**Trail** has the meaning given in clause 2.1 of this Bylaw.

**User** means a person that uses the Trail and includes a Pedestrian, a Cyclist, the rider of a Mobility Device, the rider of a Wheeled Recreational Device, and the rider of a SBTW Device.



**Vehicle** has the same meaning as in Section 2(1) of the Land Transport Act 1998.

**Wheeled Recreational Device**

- (a) means a Vehicle that is a wheeled conveyance (other than a Cycle that has a wheel diameter exceeding 355 mm) and that is propelled by human power or gravity; and
- (b) includes a conveyance to which are attached one or more auxiliary propulsion motors that have a combined maximum power output not exceeding 300 W.

5.2 In this Bylaw words in the singular include the plural and words in the plural include the singular.

**6. USE OF THE TRAIL**

- 6.1 The Trail may be used at the same time by Cyclists, Pedestrians, riders of Mobility Devices, riders of Wheeled Recreational Devices, and riders of SBTW Devices.
- 6.2 Subject to clause 6.3, no person shall drive a Motor Vehicle on or along the Trail except:
  - (a) to cross the Trail at right angles to the edge of the formed path on the Trail when on, exiting, or entering, a Driveway; or
  - (b) to carry out construction, maintenance, repair or replacement work on or in the vicinity of the Trail, which has been authorised by the Council; or
  - (c) if that person is authorised by the Council to drive a Motor Vehicle on the Trail.
- 6.3 Clause 6.2 shall not apply to the section of the Trail between Lansdowne Road, Richmond and Neiman Creek, Richmond.
- 6.4 No person shall stop, stand, or park a Motor Vehicle within 500mm of the edge of the formed path on the Trail without the prior written approval of the Council.
- 6.5 No person shall use the Trail for an organised event, including a race or time trial, without the prior written approval of the Council.
- 6.6 A User must at all times keep to the left side of the formed path on the Trail so that oncoming, or following, Users can pass on their right.
- 6.7 No person shall unduly impede the passage of a User along the Trail.
- 6.8 A person must not ride, or be carried on, a Cycle on the Trail unless that person is wearing a safety helmet of an approved standard that is securely fastened. The approved standards for safety helmets are those prescribed by Rule 11.8 Land Transport (Road User) Rule 2004.
- 6.9 A person must not ride a Cycle on the Trail, or ride a Mobility Device on the Trail, during the Hours of darkness without using a steady or flashing white or

yellow forward-facing light that is sufficiently brilliant to be visible in normal atmospheric conditions for a distance of at least 100 metres, and a steady or flashing rear-facing red light that is sufficiently brilliant to be visible in normal atmospheric conditions for a distance of at least 100 metres.

- 6.10 All Cyclists and riders of Mobility Devices within Spooners Tunnel must use the lights described in clause 6.9 at any time of the day or night.
- 6.11 No person shall ride or lead any horse on the Trail except for the purpose of crossing the Trail at right angles to the edge of the formed path on the Trail.
- 6.12 No person shall drive Stock from any land onto the Trail except for the purpose of crossing the Trail at right angles to the edge of the formed path on the Trail and, if the Trail is within Road, in accordance with the Council's Stock Control and Droving Bylaw 2005 or any bylaw made in substitution thereof.
- 6.13 No person shall wilfully leave open any gate or make a gap in a fence for the purpose of permitting or causing any Stock to stray or wander on to the Trail or otherwise wilfully cause any Stock to stray or wander on to the Trail.
- 6.14 No person shall leave litter on the Trail unless the person leaves the litter in a bin on the Trail that is provided by the Council for the purpose of disposing of litter.
- 6.15 No person shall place or leave on the Trail any object or thing that may obstruct or in any way interfere with the passage of Users along the Trail, unless authorised by the Council.
- 6.16 No person shall do or cause or permit to be done any act whatsoever by which any damage is caused to the Trail, unless such act is authorised by the Council.
- 6.17 No person shall wilfully or negligently cause or allow any oil, or any liquid likely to create a danger to Users, to escape on to any part of the Trail having a sealed or paved surface, unless such act is authorised by the Council.
- 6.18 No owner of a dog, or person in possession of a dog, shall allow that dog to enter onto or remain on any part of the Trail shown as a solid pink line on the map in Schedule 1 of this Bylaw unless that dog is:
  - (a) being used for the purpose of herding or driving stock; or
  - (b) a working dog (as defined by the Dog Control Act 1996); or
  - (c) being used for the purpose of hunting game birds (as defined by the Wildlife Act 1953) during the game bird hunting season. i.e first full weekend in May to the last weekend in August.
- 6.19 Subject to clause 6.18 of this Bylaw the owner of a dog, or a person in possession of a dog, shall keep that dog under effective control at all times while on any part of the Trail. In this clause 'effective control' means that the dog is not causing a nuisance or danger and that the owner or person in possession



of the dog is able to obtain an immediate and desired response from the dog by use of a leash, voice commands, hand signals, whistles or other effective means.

## 7. ACCESS TO AND OVER THE TRAIL

7.1 Except with the permission of the Council no person shall establish a Driveway or path that:

- (a) crosses the Trail, or provides access to and from the Trail; and
- (b) is used or available for use by Pedestrians, Cyclists, riders of Mobility Devices, riders of Wheeled Recreational Devices, riders of SBTW Devices, or drivers of Motor Vehicles.

7.2 In granting permission under clause 7.1 of this bylaw the Council may impose such conditions as it thinks fit for the protection and safety of Users.

## 8. OFFENCES

8.1 Every person who breaches this Bylaw commits an offence under section 239 Local Government Act 2002 and is liable on summary conviction to a fine not exceeding \$20,000 under section 242(4) of the Local Government Act 2002.

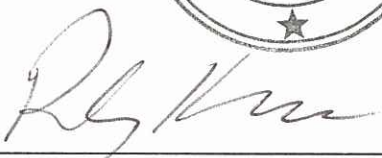
## 9. DATE BYLAW MADE

9.1 This Bylaw was made by the Tasman District Council at a meeting on 29 November 2012.

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



Mayor

  
\_\_\_\_\_

Chief Executive

  
\_\_\_\_\_



# Tasman's Great Taste Trail Bylaw

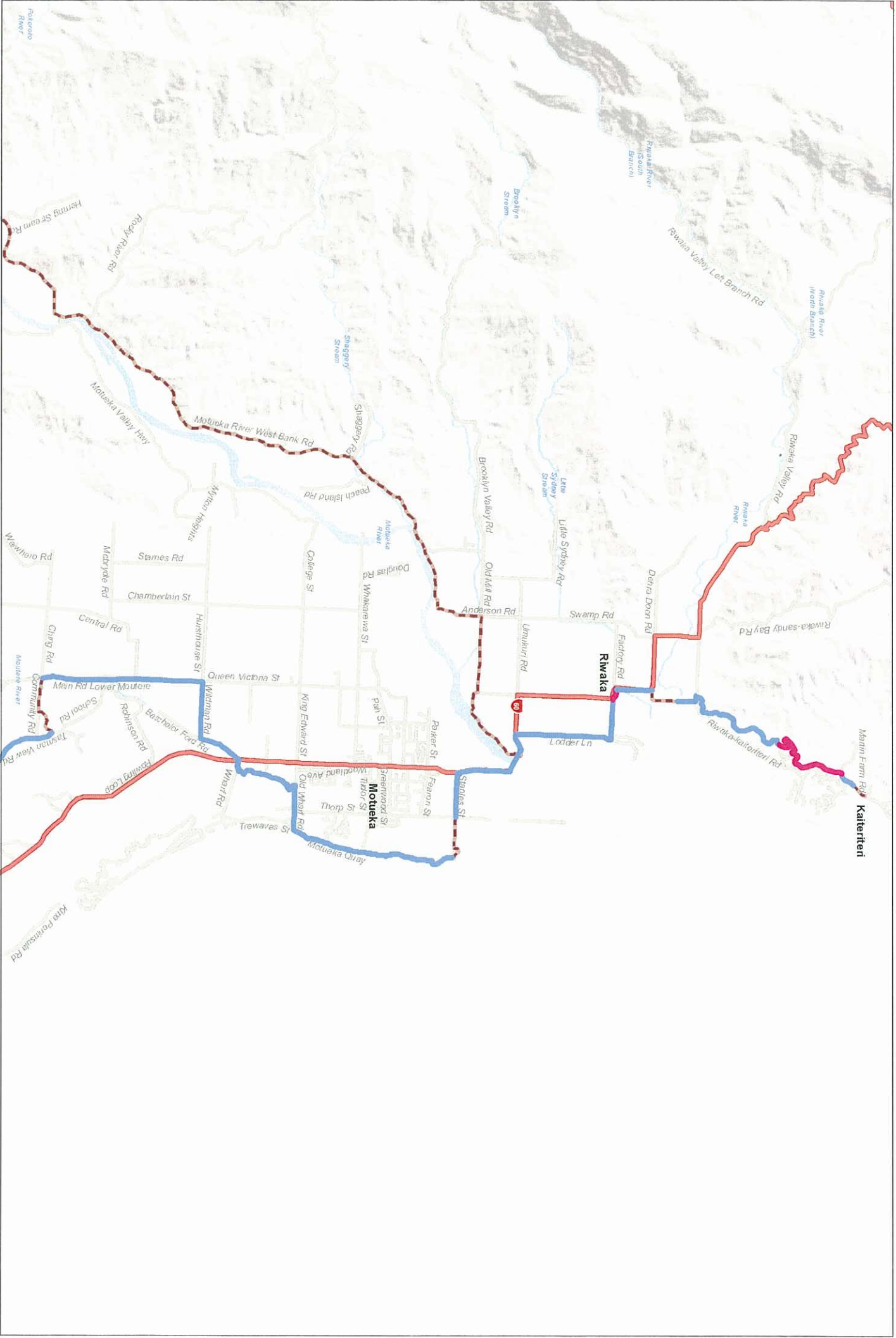
November 2012

- Horses Banned
- Horses and Dogs Banned
- Bylaw not denoted
- Connecting Route



Sheet 1

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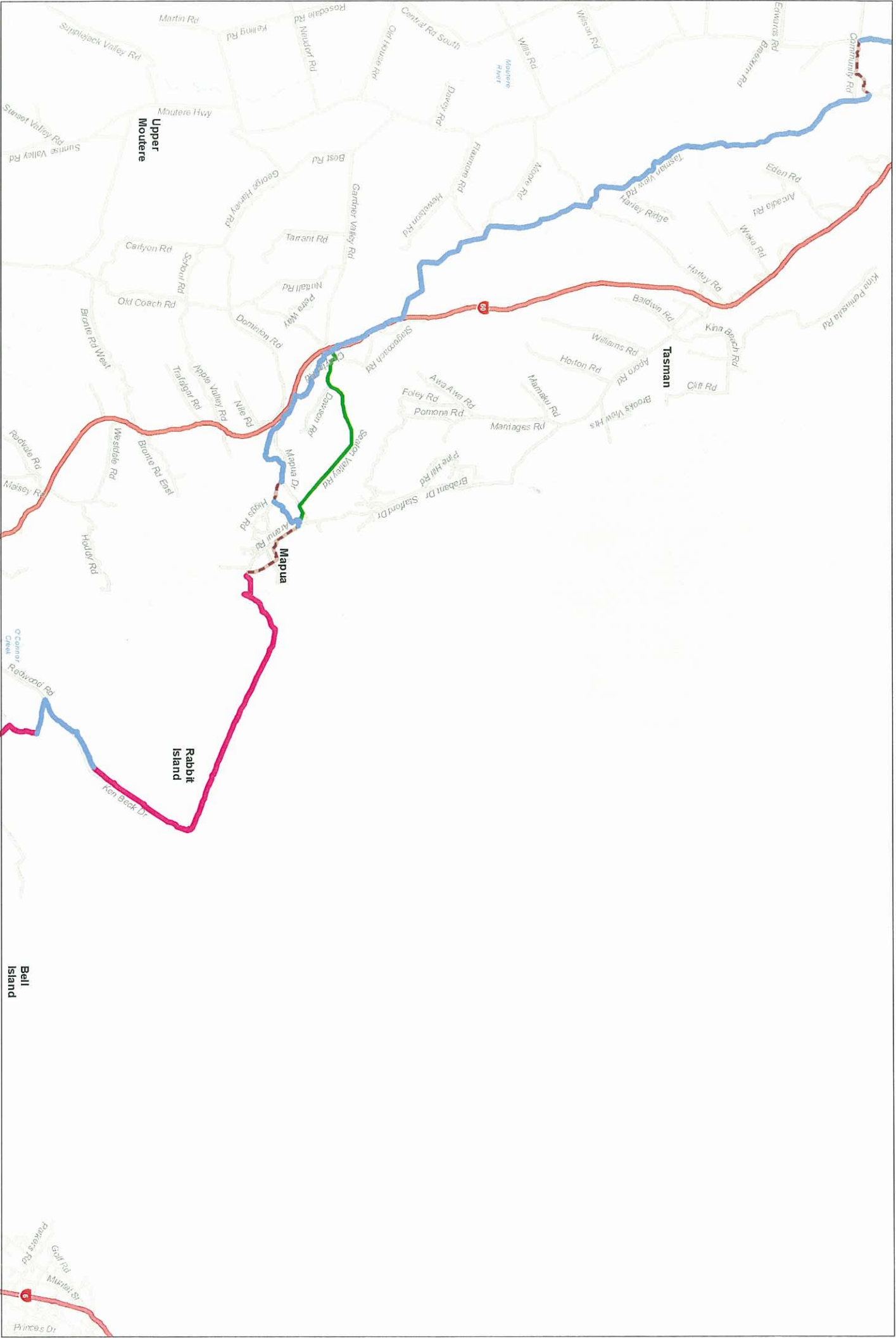
# Tasman's Great Taste Trail Bylaw November 2012

Bylaw denotes where Horses & Dogs are banned

1:55,000 @ A3

Sheet 2

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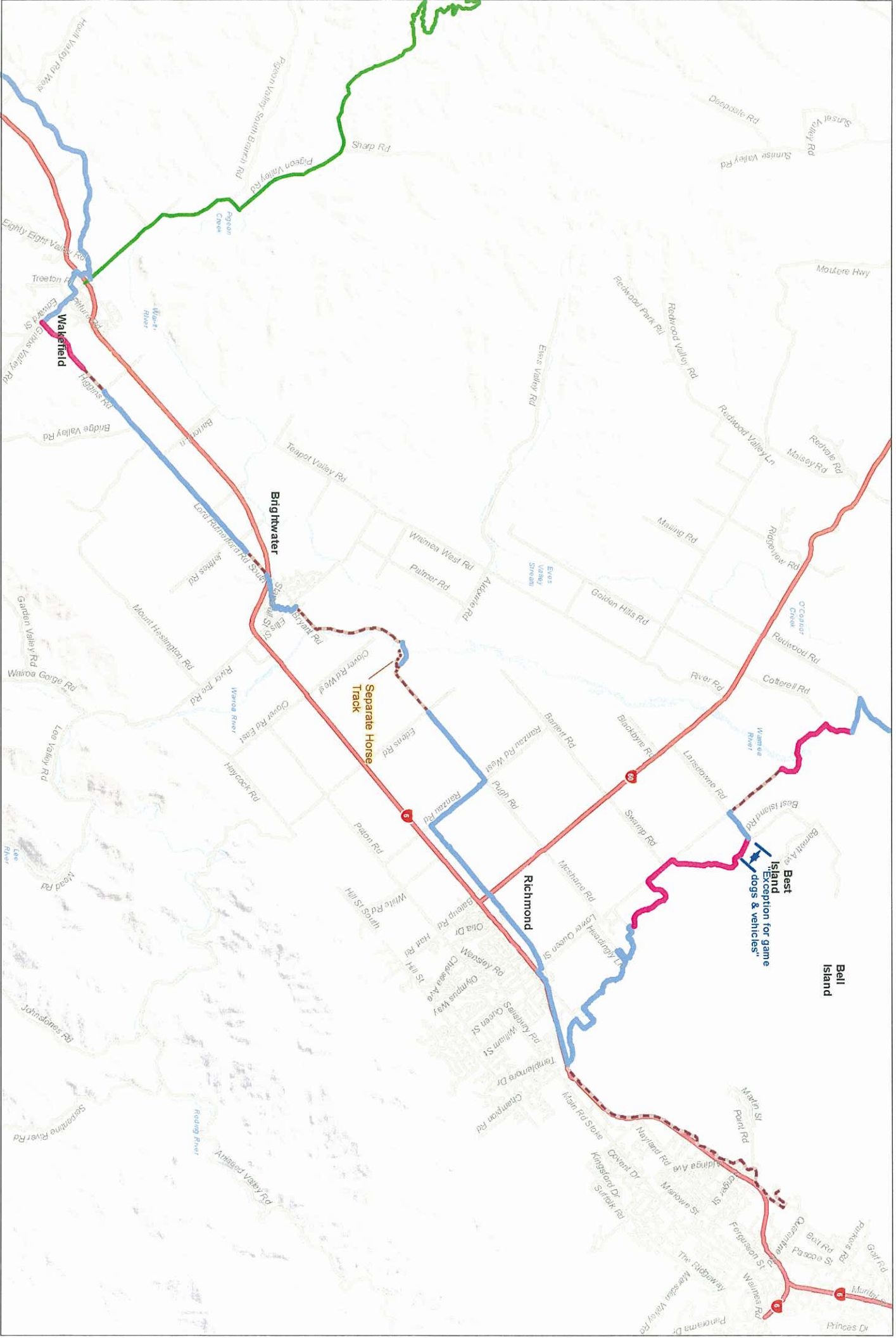
# Tasman's Great Taste Trail Bylaw November 2012

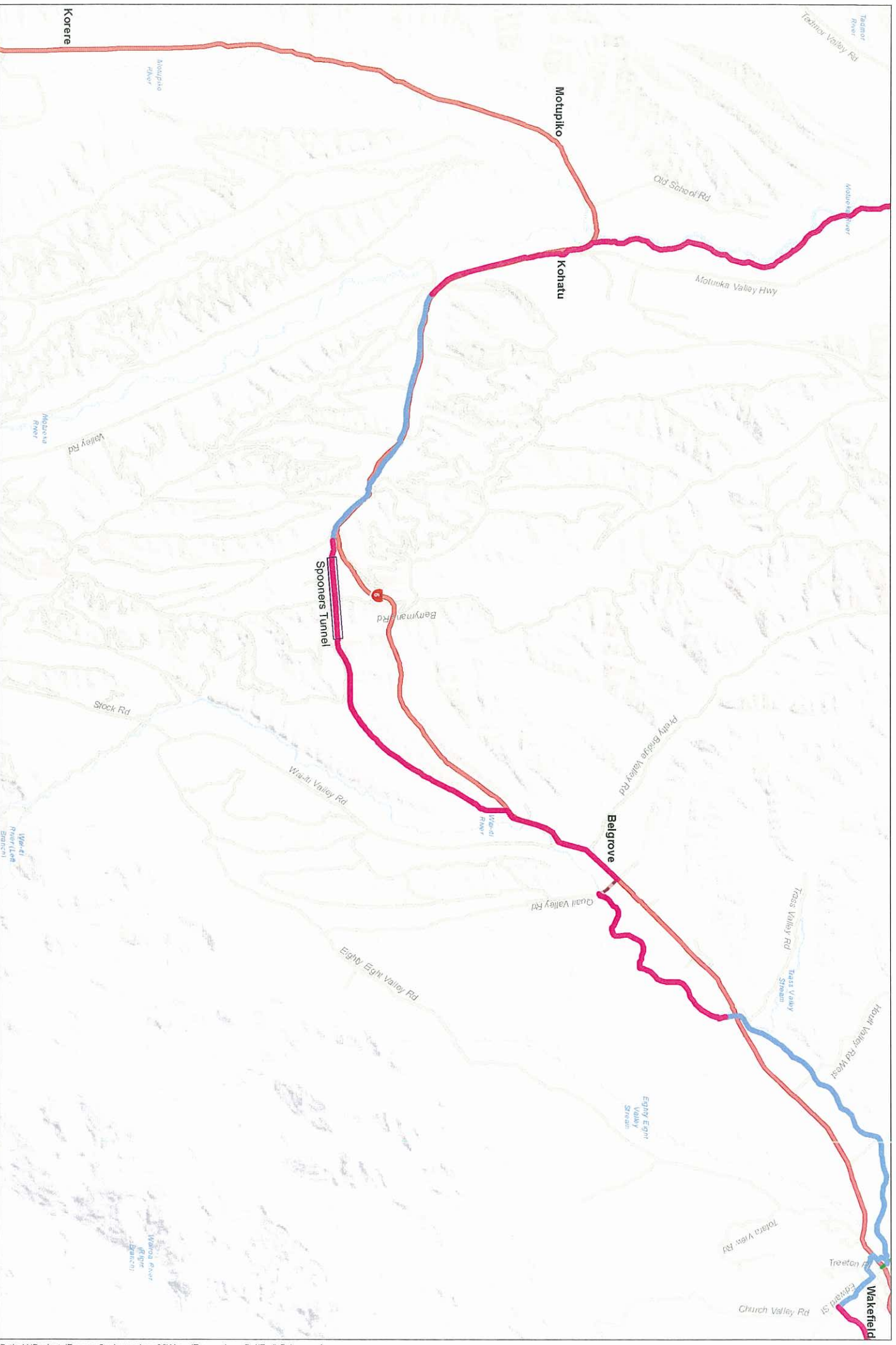
Bylaw denotes where Horses & Dogs are banned

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Sheet 3

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**Tasman's Great Taste Trail Bylaw** November 2012

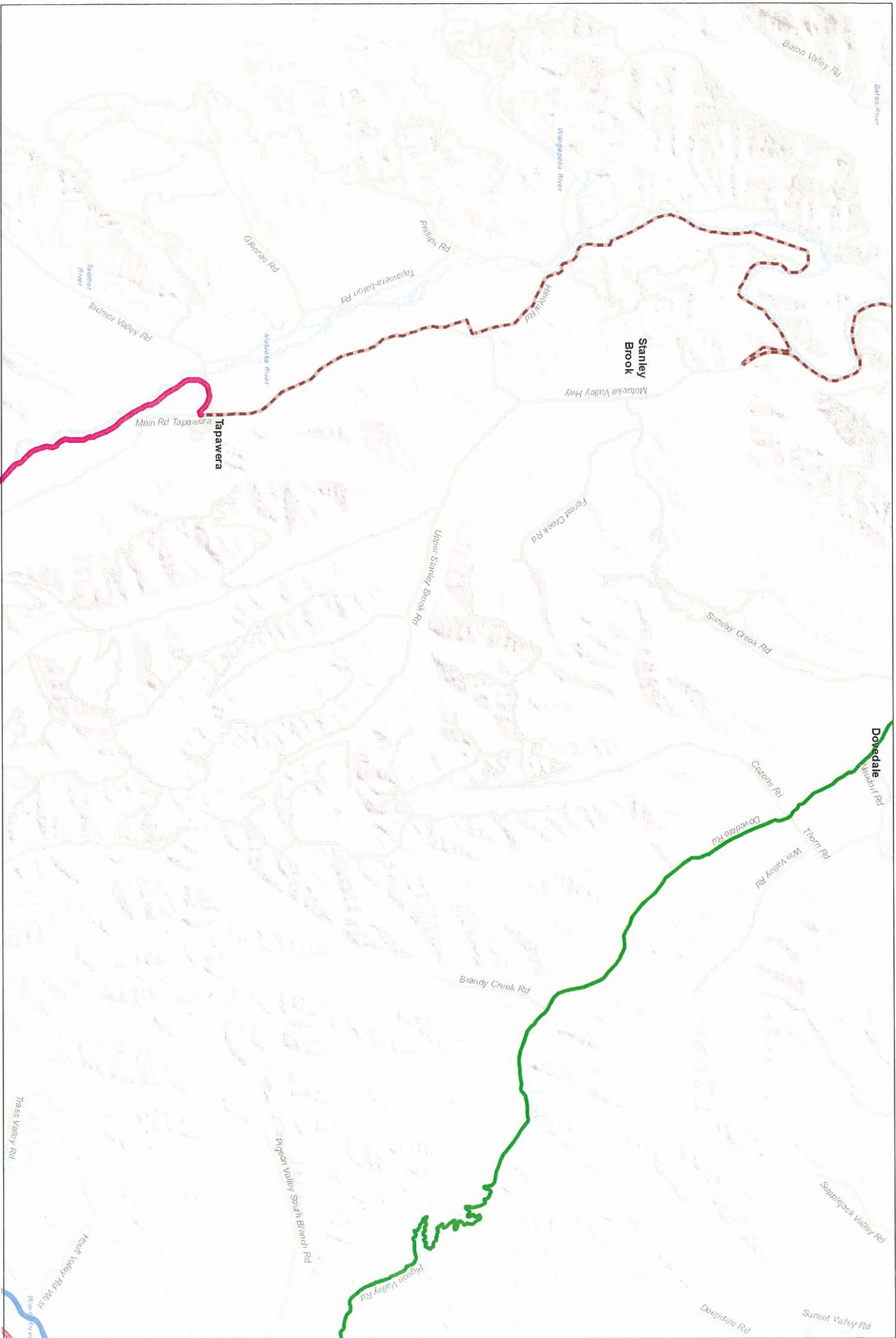
Bylaw denotes where Horses & Dogs are banned

Horses Banned  
Horses and Dogs Banned  
Bylaw not denoted  
Connecting Route

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0 0.5 1 2 km

Sheet 5

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**Tasman's Great Taste Trail Bylaw** November 2012

Bylaw denotes where Horses & Dogs are banned

-  Horses Banned
-  Horses and Dogs Banned
-  Bylaw not denoted
-  Connecting Route

1:55,000@A3  
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Sheet 6

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