

**WAITAKERE CITY COUNCIL**

**BYLAW NO. 2 1990**

**WAITAKERE SCENIC DRIVE**

The Waitakere City Council HEREBY MAKES BY WAY OF SPECIAL ORDER the following bylaw pursuant to the powers contained in the Local Government Act 1974 and the Transport Act 1962, particularly section 72(1)(i) as introduced by section 22(1) of the Transport Amendment Act 1974 and any other Act or Authority in any way enabling the Council in that behalf.

1. **SHORT TITLE:**

The Short Title of this Bylaw shall be the Waitakere City Council Bylaw No. 2 1990 - Waitakere Scenic Drive

2. **COMMENCEMENT**

This Bylaw shall come into force on the 13th day of March 1990.

3. **INTERPRETATION:**

"Vehicle" or "Heavy Motor Vehicle" shall have the meanings ascribed to them by the Transport Act 1962.

"Road" means all that part of the road in the City of Waitakere known as the Waitakere Scenic Drive between its junction with Woodlands Park Road and its junction with Shaw Road.

"Engineer" means the Engineer for the time being, his deputy or assistant or any other person appointed specially or generally by the Council to perform the duties of such Engineer for the time being.

4. **PROHIBITION OF CERTAIN CLASSES OF HEAVY TRAFFIC:**

No person shall drive or operate or cause or permit to be driven or operated on, along or over the road -

- (i) Any vehicle which has a forward length (as defined by the Traffic Regulations 1976) of more than 7.4 metres.
- (ii) Any combination of vehicles containing one or more heavy motor vehicles

5. **DISPENSATION OF BYLAW**

Notwithstanding anything contained in this bylaw, if, on written application to him, the Engineer considers it necessary to dispense with the provisions of this bylaw in full or in part in order to avoid hardship or inconvenience to the owners or occupiers of properties served by the road or to enable the owners or operators of public passenger transport vehicles which would use the road for its intended function as a scenic drive highway to pass over or along the road the Engineer may grant to any such operator a permit in writing giving such dispensation for specified journeys or for any number of journeys during a specified period of time. Any dispensation granted under this clause shall be subject to such conditions, if any, as may be specified by the Engineer.

6. **OFFENCES:**

- (a) Any person who fails to comply with the provisions of this bylaw or who fails to comply with the terms and conditions in any dispensation or permit given or issued hereunder shall be guilty of an offence under this bylaw.
- (b) Any person who causes, permits or allows any person acting as his agent or employee to commit an offence against this bylaw shall himself be guilty of an offence against this bylaw.

7. **PENALTY**

Any person who commits an offence against this bylaw shall be liable on conviction to a fine not exceeding \$500.00.

The Common Seal of the )  
WAITAKERE CITY COUNCIL )  
was hereunto affixed )  
pursuant to a resolution )  
of Council passed on 28 )  
February 1990 in the )  
presence of )

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**PRINCIPAL ADMINISTRATIVE OFFICER**

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**MANAGER: FINANCE & ADMINISTRATION**