



**PROPOSED QUEENSTOWN LAKES DISTRICT
TRAFFIC & PARKING BYLAW 2018**

STATEMENT OF PROPOSAL

INTRODUCTION

- 1 Queenstown Lakes District Council (**Council**) has reviewed its Traffic & Parking Bylaw 2012. The bylaw regulates parking and vehicle use of roads and public places under Council's control.
- 2 Council is seeking your views on a proposed new Traffic & Parking Bylaw 2018, a revised and updated version of the existing bylaw. A draft of the proposed bylaw is attached along with a submission form, so you can provide feedback, or you can do this online ([insert link](#)).
- 3 The bylaw enables Council to regulate and enforce behaviours that it is unable to under other mechanisms (such as the Land Transport Act, Local Government Acts or Road User Rules) in response to issues identified in the district.

PROPOSAL

- 4 The Council proposes to revoke the Traffic & Parking Bylaw 2012 and replace it with the Traffic & Parking Bylaw 2018.
- 5 The proposed Traffic & Parking Bylaw 2018 is being released for public consultation by way of the special consultative procedure pursuant to section 156 of the Local Government Act 2002 and section 22AD of the Land Transport Act 1998.

REASONS FOR THE PROPOSAL

- 6 Under sections 158 to 160 of the Local Government Act 2002, Council is required to review all bylaws made under that Act within five years of their adoption and every 10 years thereafter. A further two year grace period is provided if a review is initiated. Some of the provisions in the current bylaw were made under the Local Government Act 2002 and some under the Land Transport Act 1998, however the council resolved to review it in its entirety.
- 7 As part of this review, the Council engaged with community, business, education, social service and central government representatives on traffic & parking issues across the district.
- 8 The informal engagement, together with research into problem evidence and how other councils are addressing traffic & parking issues, was included in a findings report presented to Council.
- 9 The findings report supported council in determining that there were problems with the structure and language of the current bylaw, gaps in the bylaw coverage of existing issues and opportunities to support the council's strategic priorities for transport through bylaw change.
- 10 The Council considered whether it should have a new bylaw or retain the existing bylaw. In the Council's view, it is essential, in the interests of a safe and efficient road transport system, to have a bylaw which regulates parking and other vehicle use, however it believes that the form and content of the bylaw should be changed to address the issues and opportunities identified.
- 11 The key changes proposed in the new bylaw (as compared to the current bylaw) are:

- a. The current bylaw is not clearly structured into traffic and parking issues; hence the draft bylaw has been re-designed for clarity and ease of reference.
- b. The current bylaw is said to have been made under the Local Government Act 2002, however many of its provisions are based on the bylaw-making powers in the Land Transport Act 1998. The proposed new bylaw is expressly made under both the Land Transport Act 1998 and Part 8 of the Local Government Act 2002, providing greater certainty for the regulation and a greater range of tools for Council to encourage compliance.
- c. The proposed bylaw includes technical revisions and new definitions to address several inadequacies and gaps identified in the current bylaw and to reflect legislative change since the last bylaw was adopted.
- d. The current bylaw addresses taxis, however national legislation has subsequently removed many of the distinctions between taxis and other small passenger service vehicles. This has led to an increase in the number of vehicles in the district and competition for space, particularly in the Queenstown central business district. This change is addressed in the proposed bylaw, with new clauses to enable Council to implement a permitting system for the parking of small passenger service vehicles, to help control numbers and access to standing locations across the district. The permitting system can also be applied to any class of vehicle in the event an issue arises that a permit is considered an appropriate response to.
- e. The current bylaw does not prevent parking on verges. This can cause damage to Council's above and below ground assets and introduces safety risks by blocking sight lines and narrowing road ways. The proposed bylaw includes a clause which will enable Council to issue infringement notices or remove vehicles that are parked in this manner.
- f. The current bylaw specifies the roads to which weight and time restrictions apply and therefore changing or adding to these restrictions requires a full bylaw amendment process. This is inflexible and makes it hard for the Council to respond efficiently when issues arise. Under the proposed bylaw, this detailed information will not be part of the bylaw itself, but the Council will make resolutions under the bylaw and those resolutions will be held in publicly accessible schedules. This will enable a faster response time to issues identified in the district and conversely, easier removal of restrictions deemed no longer appropriate or necessary.
- g. The current bylaw restricts bus parking to designated areas marked for this purpose. The proposed new bylaw includes an amended clause to allow for pick ups and drop offs, reflecting the need for buses to park for periods to allow this in otherwise un-marked areas.
- h. The current bylaw does not provide for establishing special vehicle lanes e.g. bus lanes, which may be required to support transport initiatives. The proposed bylaw enables Council to set aside parts of the roadway for certain classes of vehicles.
- i. The current bylaw does not provide for situations where demand for on street parking is conflicting with residents' needs. The proposed bylaw enables

Council to establish residents' parking areas or zones, or as mentioned above this could also be addressed through the proposed permitting system.

- j. It is proposed that the clause in the current bylaw requiring snow chains to be fitted on direction be removed, as the Land Transport Act 1998 already provides the ability to Council to direct road users to implement vehicle safety instructions.
- k. The clause relating to the removal of vehicles is also to be removed, as the Land Transport Act 1998 already provides the ability for Council to remove vehicles and recover reasonable costs.

12 A summary of the issues and recommended direction for the new bylaw is included in Table 1.

Table 1	Outcome of statutory review		
Issue identified	Bylaw appropriate to address issue?	Form of bylaw appropriate to address issue?	Response as reflected in proposed new bylaw
Traffic			
<i>Turning restrictions</i>	√	X	Amended – for completeness
<i>Direction of travel</i>	√	X	Amended – on road changes by resolution; supports safety, asset protection and transport strategy
<i>Cycle paths</i>	√	X	Amended – to support district’s transport strategy
<i>Special vehicle lanes</i>	√	X	Amended – to support district’s transport strategy
<i>Cruising</i>	√	X	Amended – for safety
<i>Heavy motor vehicles</i>	√	X	Amended – on road changes by resolution; supports safety, asset protection and transport strategy
<i>Light motor vehicles</i>	√	X	Amended – on road changes by resolution; supports safety, asset protection and transport strategy
<i>Bus routes and frequency</i>	X		Outside of Bylaw scope
<i>Engine braking</i>	√	√	Retained
<i>Unformed legal roads</i>	√	X	Amended – for safety
<i>Snow chains</i>	X	X	Revoked – other enforcement options available
<i>Skateboards</i>	X	X	Revoked – to support district’s transport strategy
<i>Signage</i>	X		Revoked – signage will still be necessary but no need for Bylaw to say so
Parking			
<i>Parking availability</i>	X		Outside of Bylaw scope
<i>Parking areas</i>	√	X	Amended – for clarification
<i>Parking restrictions</i>	√	X	Amended – for clarification and completeness
<i>Method of parking</i>	√	X	Amended – for clarification
<i>Payment for parking</i>	√	X	Amended – supports alternative payment options
<i>Interfering with machines</i>	√	X	Amended – for completeness
<i>Loading zones</i>	√	X	Amended – for clarification
<i>Angle parking</i>	√	X	Amended – for clarification
<i>Mobility parking</i>	√	X	Amended – for clarification
<i>Small passenger service vehicles</i>	√	X	Amended – to support safety and recognise legislative/rule change
<i>Goods vehicles</i>	√	X	Amended – for clarification
<i>Rental car parking</i>	√	√	Retained
<i>Commercial premise parking</i>	X		Not amended – other enforcement options
<i>Parking off roadway</i>	√	X	Amended – supports safety and asset protection
<i>Broken down vehicles</i>	√	X	Amended – for clarification
<i>Things on roadway</i>	√	X	Amended – for clarification
<i>Removal of vehicles</i>	X	X	Revoked – other enforcement options
<i>Vehicles for sale</i>	√	√	Retained
<i>Exempt vehicles</i>	√	X	Amended – for clarification

TIMETABLE FOR CONSULTATION

- 13 Council invites the community to give feedback on the proposed bylaw.
- 14 The following dates represent the key times in the consultation programme:
 - a. Council resolves to undertake public consultation regarding the proposed bylaw – 6 September 2018.
 - b. Advertisement in Otago Daily Times, Southland Times, Mirror and Wanaka Sun – between 7 September and 1 October 2018.
 - c. Submissions close on 12 October 2018.
 - d. Submissions heard by a subcommittee of Councillors - (to be confirmed – late October 2018).
 - e. Council considers outcome of consultation process – 13 December 2018.
 - f. Council provides outcome to Ministry of Transport – 14 December 2018.
 - g. Public notice of final decision – 22 December 2018.

INSPECTION OF DOCUMENTS AND OBTAINING COPIES

- 15 Copies of this Statement of Proposal and the proposed bylaw may be inspected, and a copy obtained, at no cost, from:
 - a. either of the Council offices at 10 Gorge Road, Queenstown or the Wanaka Service Centre, 33-35 Reece Crescent, Wanaka;
 - b. any Council library within the Queenstown Lakes District; or
 - c. the Council website – www.qldc.govt.nz

RIGHT TO MAKE A SUBMISSION AND BE HEARD

- 16 Any person or organisation has a right to be heard in regard to this proposal and the Council encourages everyone with an interest to do so.
- 17 The Council would prefer that all parties intending to make a submission:
 - a. go to the Queenstown Lakes District Council Website: www.qldc.govt.nz or
 - b. post their submission to: Queenstown Lakes District Council, Private Bag 50072, Queenstown 9348.
- 18 Submissions must be received by **12 October 2018**. The Council will then convene hearings in both Wanaka and Queenstown, which it intends to hold between **Tuesday 23 October and Friday 26 October 2018** at which any party who wishes to do so can present their submission in person. The Council will give equal consideration to written and oral submissions.
- 19 The Council will not permit parties to make oral submissions (without prior written material) or to make a late submission, except where it considers that special circumstances apply.

- 20 Every submission made to the Council will be acknowledged in accordance with the Local Government Act 2002, will be copied and made available to the public, and every submission will be heard in a meeting that is open to the public.
- 21 Section 82 of the Local Government Act 2002 sets out the obligations of the Council in regard to consultation and the Council will take all steps necessary to meet the spirit and intent of the law.

MAKING AN EFFECTIVE SUBMISSION

- 22 Written submissions can take any form (e.g. Email, letter). An effective submission references the clause(s) of the draft Bylaw you wish to submit on, states why the clause is supported or not supported and states what change to the clause is sought.
- 23 Submissions on matters outside the scope of the proposed Bylaw cannot be considered as part of this consultation process.

Mike Theelen
CHIEF EXECUTIVE

APPENDIX 1 - Proposed Queenstown Lakes District Council Traffic and Parking Bylaw 2018