

Full Council

17 April 2025

Report for Agenda Item | Rīpoata moto e Rāraki take [4]

Department: Strategy & Policy

Title | Taitara: Traffic and Parking Bylaw – Issues and Options Report

Purpose of the Report | Te Take mō te Pūroko

The purpose of this report is to present to Council:

- findings from a review of the Traffic and Parking Bylaw 2018 (the bylaw); and
- a recommendation that Council determine that a new Traffic and Parking Bylaw is the most appropriate way to manage the perceived problems in the district related to traffic and parking (required under s.155(1) of the Local Government Act 2002).

Executive Summary | Whakarāpopototaka Matua

Issues related to traffic and parking that the bylaw set out to address in 2018 are still evident in the Queenstown Lakes District (QLD). A traffic and parking-related bylaw is still required, and can provide a framework to implement Council plans, strategies, traffic management controls and support enforcement officers in the district.

Officers recommend **Option 1**, that a Traffic and Parking Bylaw made under the Land Transport Act 1998, and Local Government Act 2002 and 1974, is the most appropriate way to address perceived problem(s) in relation to traffic and parking in the district.

Engagement with internal teams and police found that while the bylaw is largely working as intended, updating and streamlining implementation processes that sit under the bylaw, as well as making minor adjustments to the bylaw itself, may be required to aid its effectiveness and efficiency. Regulatory and non-regulatory options to address issues identified will be covered in the next stage of the bylaw development process.

Recommendation | Kā Tūtohuka

That the Council:

1. **Note** the contents of this report.
2. **Determine** pursuant to section 155(1) of the Local Government Act 2002 that a bylaw is the most appropriate way to address perceived problems related to traffic and parking issues in the district.


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26 March 2025

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25 March 2025

Context | Horopaki

This report is the first step in the bylaw development process

1. Queenstown Lakes District Council (QLDC) has a statutory responsibility under Section 160(a) of Local Government Act 2002 (LGA) to replace the Traffic and Parking Bylaw 2018 (**Attachment A**, the bylaw) by 13 December 2025, if it wishes to continue to have a bylaw to regulate these matters. This report is the first step in replacing the 2018 bylaw with a new bylaw.
2. Proposed next steps to replace the bylaw are shown in the table 1 below:

Table 1. Table showing steps in the bylaw development process

Indicative dates	Meeting Fixture	Purpose
17 April 2025	Council meeting	Endorse that a bylaw is the most appropriate way to address the perceived problem/s (s.155 LGA)
13 May 2025	Council & Wānaka Upper Clutha Community Board workshop	Provide input into options of amending new draft bylaw before public consultation
31 July 2025	Council meeting	Adopt a statement of proposal (SOP) and draft Traffic and Parking Bylaw 2025 for consultation and appoint hearing panel members
early-August to early-September 2025	Public consultation	Public can input on proposed bylaw via special consultative procedure (SCP) - this runs for one calendar month
late September 2025	Hearing panel meeting	Hearing panel receives submissions and recommends a final form of the draft bylaw to Council
November 2025	Council workshop	Explain bylaw process, may be part of other induction processes for new councillors
November or December 2025	Council meeting	Council adopts new bylaw to replace the Traffic and Parking Bylaw 2018 (this must occur before 13 December 2025)

Background of the Traffic & Parking Bylaw 2018

3. The purpose of the bylaw is to regulate parking and the use of vehicles or other traffic on roads and other public places in the Queenstown Lakes District (QLD).
4. The intention of the bylaw is to enable Council to regulate and enforce behaviours that are either not available through existing mechanisms (such as the Land Transport Act 1998), or to further enhance or refine those abilities in response to issues identified in the district. The areas where Council may regulate through a bylaw are detailed in the Land Transport Act 1998 (LTA) Section 22AB, and the LGA Part 8.
5. Regulatory controls made under the bylaw must comply with legislation (such as the LTA, LGA and other legislation), 'The Rules' under the LTA, as well as the Bill of Rights 1990.

6. Regulatory controls (i.e. rules) under the bylaw are either 'self-contained' or act as part of a 'framework'.
 - **'Self-contained controls'** are where all the details of the control are in the bylaw. For example, no person must park a vehicle in any road which unreasonably obstructs the footpath under clause 22.2(b) of the bylaw. This clause can be used by parking officers when issuing infringements in the district.
 - **'Framework controls'** are where details of the control are determined later by Council through making a resolution. For example, clause 16.1 of the bylaw allows Council to restrict parking (on Council land) by resolution. Council, at its 13 February 2025 meeting, used this clause to restrict overnight parking at the Queenstown Events Centre. Of the 18 topic areas regulated under the bylaw, 12 are framework controls. See table 2 below for a full list of framework controls under the bylaw.
7. Most controls made under the bylaw are framework controls. This makes the bylaw flexible to respond to issues through the resolution process instead stating controls in the body of the bylaw.
8. Through its use of the resolution process, the bylaw is better understood as a tool to facilitate the introduction of traffic-related solutions, rather than a tool used to develop solutions directly. For example, the draft Parking Strategy proposes a variety of regulatory controls, such as parking zones, to address perceived parking-related problems. While the bylaw is the tool which allows their enactment, it is through the development of Council strategies and plans (such as Parking Management Plans) that the design of these solutions is determined.

Table 2: Traffic and Parking Bylaw 2018 Topics by control type

Topic name	Bylaw control	Delegated authorities	Exemptions
1. One-way roads	Framework	Council by resolution	
2. Left or right turns and U-turns		Council by resolution	
3. Traffic control because of size, nature or goods		Council by resolution	CE may issue exemption permits
4. Special vehicle lanes		Council by resolution	
5. Cycle paths		Council by resolution	
6. Engine Braking		Council by resolution	
7. Cruising		Council by resolution	
8. Uninformed legal roads		Council by resolution	
9. Temporary restrictions on the use of roads		Council & CE	Authorised officer may issue exemptions
10. Stopping, standing and parking of vehicles		Council by resolution	
11. Parking restrictions – parking places and transport stations		Council by resolution	
14. Residents' parking		Council by resolution	

Topic name	Bylaw control	Delegated authorities	Exemptions
12. Method of parking (enforcement details)	Self-contained	N/A	N/A
13. Mobility parking (enforcement details)			
14. Passenger service vehicles, goods service vehicles, rental service vehicles			
15. Parking off a roadway			
16. Miscellaneous (Nuisance)			
17. Miscellaneous (Regarding road obstructions)			
18. Miscellaneous (Damage to parking tools/signage)			

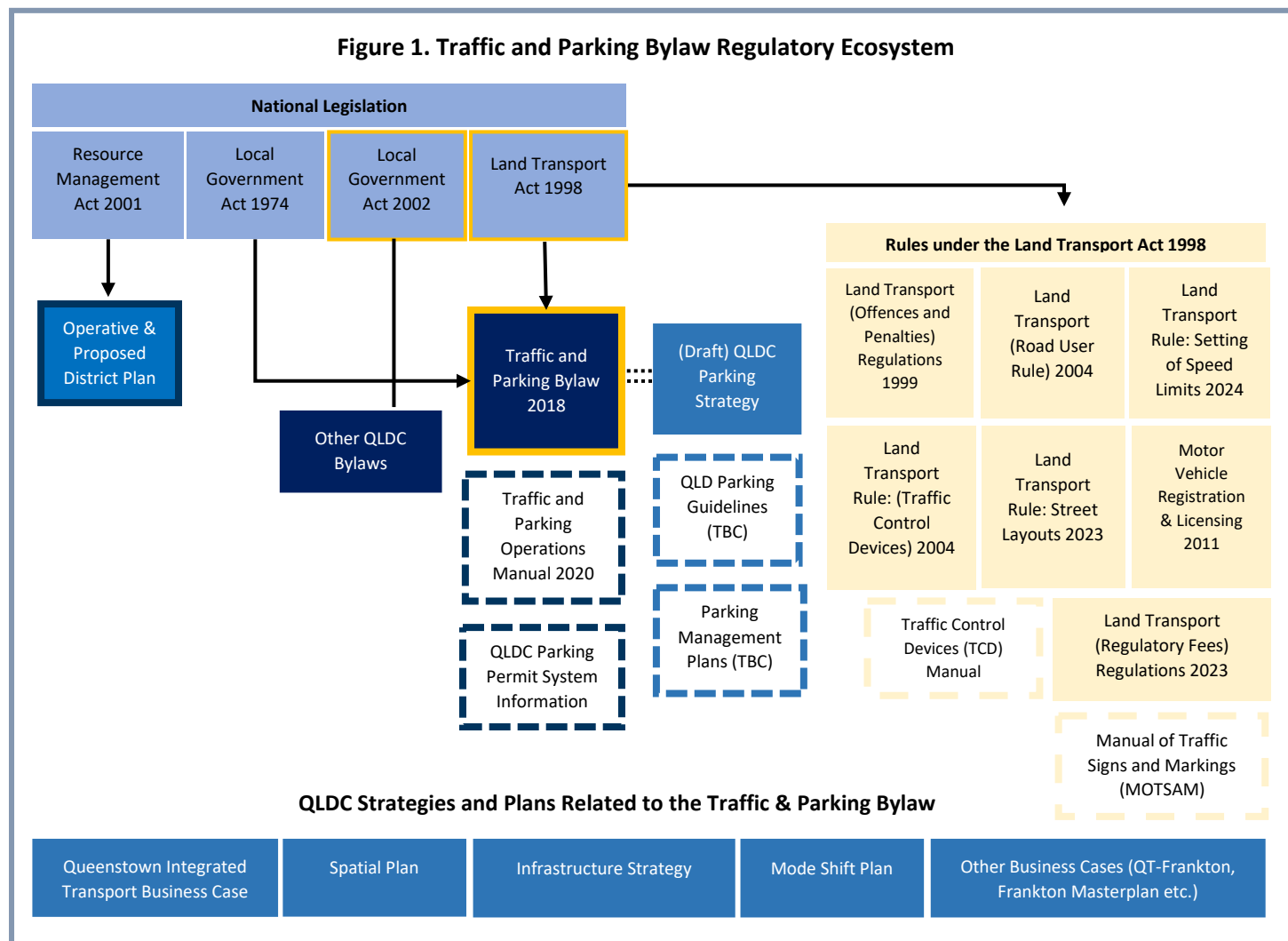
There is a process for exacting controls by resolution

9. When enacting a control under the bylaw, Council is required to take into account considerations laid out in the resolution process, Clause 5.1 (a-f), as well as the specific clause the resolution is related to. This process is designed to ensure the Council considers:
 - The purpose of the bylaw
 - The statutory content of the bylaw (as established in the Land Transport Act 1998)
 - The public interest in a safe and efficient road transport system
 - The likely effect of the decision on members of the public or categories of the public
 - The nature and extent of the problem being addressed and alternative options for addressing the problem
 - Protecting land assets which are owned or under control of the Council.
10. These conditions ensure that resolutions made under the bylaw are only used for issues related to traffic and parking, and other options (including non-regulatory options) have been considered to address the perceived problem.

Legislative context of the Traffic and Parking Bylaw 2018

11. The overarching regulatory ecosystem surrounding the bylaw is displayed in the diagram below. The Land Transport Act 1998 (LTA) Section 22AB, along with the LGA Part 8, empower the bylaw and determining the bylaw's purpose and scope.
12. 'The Rules' are regulations create by Waka Kotahi/New Zealand Transport Agency (see right hand side of fig 1). These rules contain detailed requirements for areas of the transport system. For example, the recently introduced Land Transport Rule: Setting of Speed Limits 2024 sets out criteria, requirements and procedures to be followed by Road Controlling Authorities (such as QLDC) when reviewing and setting speed limits for roads.

13. QLDC has developed implementation tools to operationalise the bylaw. The Traffic and Parking Operations Manual 2020 (shown in fig 1), provides specific terms, conditions, and administrative tools related to the bylaw for Council officers.
14. As shown in the figure below, there is an inter-relationship between the parking strategy and bylaw, whereby the bylaw (and its implementation tools show in the dashed boxes) provides a framework for solutions in the parking strategy to be enacted.



Relevant legislative changes since the development of the 2018 bylaw

15. There has been some changes to legislation, and ‘the rules’ since the 2018 bylaw development. None of these changes are significant enough to require material changes to the bylaw. See **Attachment B**, for a list of recent legislative changes relevant to the bylaw.
16. An upcoming potential change to the regulatory ecosystem is the planned development of a Parking Strategy for Queenstown Lakes District. It is necessary to consider the direction of the Parking Strategy during the development of a new traffic and parking bylaw to ensure there are

sufficient mechanisms to give full effect to Council's intentions as set out in its Parking Strategy, Guidelines and Management Plans. This will be covered in more detail at the options stages of the bylaw development process.

Bylaws are enforced by both Council officers and police using national legislation

17. The bylaw is enforced by police, through enforcement officers, and local authorities, through parking wardens. In general, police have a broad mandate to enforce under both bylaws and general traffic laws and tend to focus on moving vehicles that have potential to cause trauma. Local authorities tend to focus on stationary vehicle offences within their jurisdiction and bylaw controls (see table 3).

18. Legislation related to enforcement in this space includes:

- The Land Transport (Road User) Rule 2004, which requires compliance with most controls set through bylaws (for example, parking and special vehicle lane controls)
- The Land Transport (Offences and Penalties) Regulations 1999
- The Land Transport Act 1998 specifies the agency responsible for the enforcement of a control under the bylaw in practice.

Table 3: Table showing which topics are enforced by whom

Topic name	Bylaw control	Enforcement authority
1. One-way roads	Framework	Police
2. Left or right turns and U-turns		Police
3. Traffic control because of size, nature or goods		Police & Council
4. Special vehicle lanes		Police & Council
5. Cycle paths		Police & Council
6. Engine Braking		Police
7. Cruising		Police
8. Uninformed legal roads		Police
9. Temporary restrictions on the use of roads		Police & Council
10. Stopping, standing and parking of vehicles		Council (Police if safety risk)
11. Parking restrictions – parking places and transport stations		Council (Police if safety risk)
14. Residents' parking		Council
12. Method of parking (enforcement details)	Self-contained	Council
13. Mobility parking (enforcement details)		Council
15. Passenger service vehicles, goods service vehicles, rental service vehicles		Police & Council
16. Parking off a roadway		Council & Police if safety risk
17. Miscellaneous (Nuisance)		Council (Police if safety risk)
18. Miscellaneous (Regarding road obstructions)		Council (Police if safety risk)
19. Miscellaneous (Damage to parking tools/signage)		Council (Police if safety risk)

Enforcement in the district

19. Council employs two full time equivalent (FTE) parking officers, one based in Queenstown another based in Wānaka, who enforce controls set under the bylaw. In addition, six contracted FTE cover the whole district 9am – 6pm seven days a week, although these hours may change to

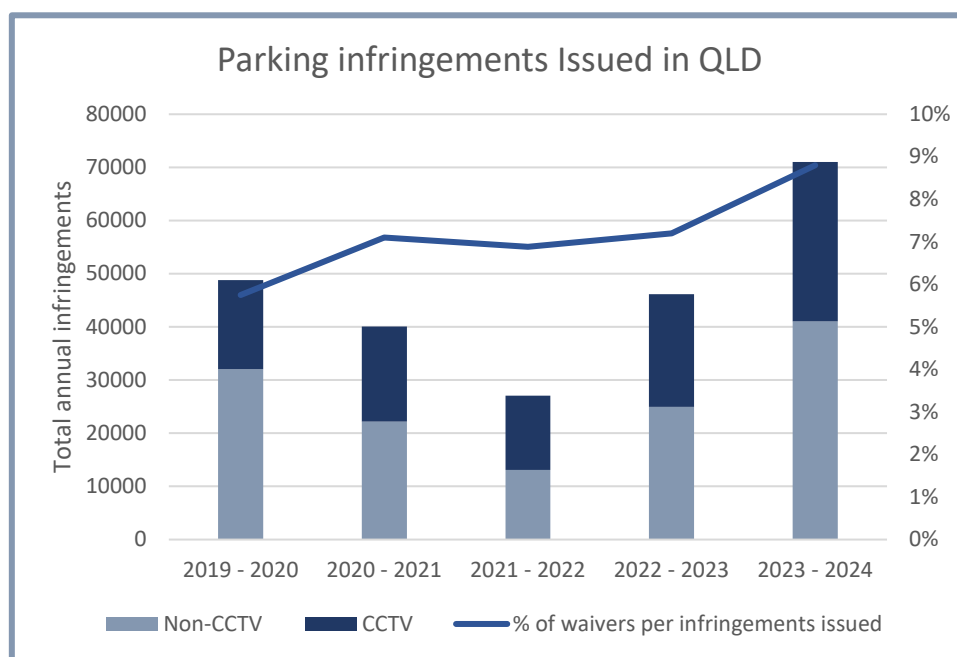
9am to 9pm if required. Supporting the enforcement officers are 1.5 administration FTE focused on requests for service, infringement waivers and general duties, with an additional parking co-ordinator role to assist with day-to-day management of the parking officers. Issues are escalated to Regulatory Support, Animal Control and Parking Manager as required. Contracted FTEs aim to respond to afterhours requests for service within two hours of receipt.

20. The enforcement approach of QLDC officers is informed by Council's Enforcement Strategy and Prosecution Policy. In general, annual reporting has shown that problems related to traffic and parking in district are still evident, and the bylaw is being actively used to address these issues.

21. This is shown in fig. 2 below, which demonstrates:

- An increase in traffic and parking related infringements issued post-COVID-19 across the district; and
- An increase in traffic and parking infringements issued through CCTV cameras (such as loading zone infringements)
- A slight increase in the proportion of infringements waived, this may be due to an increase in CCTV infringements issued (which has a higher waiver rate than non-CCTV infringements).

Figure 2.



Analysis and Advice | Tatāritaka me kā Tohutohu

22. This section covers an analysis of:

- the appropriateness of the bylaw,
- issues raised by officers with the current bylaw,
- proposed options and next steps.

Is a bylaw still appropriate?

23. Vehicle use and parking continue to be significant issues in QLD. These perceived problems include public safety, travel delays, obstructions, reduced accessibility, public nuisance, and damage to the environment (fauna and flora) and/or public property or infrastructure.

24. Analysis of request for service (RFS) data demonstrates issues and queries related to traffic and parking are a significant proportion of the communities' interaction with Council. In 2024, 39% of all RFS requests (including snap send solve requests) were related to parking.

Table 4. Tabling showing parking related RFS's

Year	Total RFS's	Parking RFS's	% of Total RFS's
2018	6071	2916	48%
2019	7532	2099	28%
2020	6321	1222	19%
2021	6118	1458	24%
2022	6062	1510	25%
2023	6598	2191	33%
2024	7201	2816	39%

25. Of the five most common parking infringement offences in QLD, four have a clear linkage with the bylaw, either through the bylaw resolution process, or are empowered directly through clauses in the bylaw itself as shown in the table below.

Table 5. Top five offences in QLD and their relationship to the bylaw (1 July 2023 to 30 June 2024)

Offence	Total infringements issued	Relationship to bylaw
Prohibited parking	21,491* * Of note 16,835 were issued via CCTV (Code P105)	<ul style="list-style-type: none"> • Prohibited parking areas can be established through bylaw resolution process (Clause 5.1, 5.2, and 15.1 b) • Council officers are empowered to inspect vehicles through the bylaw (Clause 23.1) as well as national legislation (LTA, Road User Rule (RUR))
Parked in excess of the maximum time (Code P106)	15,132	<ul style="list-style-type: none"> • Parking time limit can be established through bylaw resolution process (Clause 5.1, 5.2 and Clause 15.1 b)
Parked a motor vehicle in an area marked by a Broken Yellow Line (Code P107)	14,040	<ul style="list-style-type: none"> • Enforced through national code and legislation (LTA, RUR)

Offence	Total infringements issued	Relationship to bylaw
Failed to display a valid parking coupon (Code Q143)	8,103	<ul style="list-style-type: none"> Enforcement directly empowered by Clause 16.5(d) and 24.2 of the bylaw Local code Q143 used¹ to issue infringements, this is empowered directly from the bylaw
Operated an unregistered Motor vehicle	3,340** **Of note, 2,859 were issued as warning notices (Code P401)	<ul style="list-style-type: none"> Council officers empowered to inspect vehicles through the bylaw (Clause 23.1), as well as the LTA and rules under LTA

26. RFS and infringement data above demonstrate that problems regarding traffic and parking remain evident throughout the district, and the bylaw plays an essential role in addressing these problems by complementing national legislation and enforcement codes, or through enabling the creation of controls through the resolution process.

27. As mentioned previously the bylaw also plays an essential role in the establishment of various Traffic Control Devices (TCDs), complimenting the Land Transport Rule: (Traffic Control Devices) 2004. Traffic control devices such as no stopping lines, special vehicles lanes, shared paths are implemented by the bylaw resolution process. For examples the Infrastructure Committee established a variety of TCDs through the bylaw for SH6/SH6A Frankton Intersection & Bus Hub Improvements at its March 2025 meeting.

Are there alternatives to the bylaw?

28. If there was no traffic-related bylaw in QLD, the Land Transport Act 1998 is the best alternative regulatory tool to address problems related to traffic and parking. The LTA, and 'the rules' under the LTA, allow for enforcement of some traffic related controls. However, many of the powers granted to Road Controlling Authorities under Section 22AB of the LTA require a bylaw to be implemented or work to compliment a traffic related bylaw.

29. The absence of a traffic related bylaw would therefore limit Council's ability to fully exercise its powers as a Road Controlling Authority, and by extension its ability to respond to community needs and action strategies and plans related to traffic and parking. For example, changing maximum parking time limits, or establishing parking zones for specific classes of vehicles to respond to community needs, require a bylaw to be in place.

30. Council could utilise other bylaws to regain some of these controls. This would require altering the nature and purpose of an existing bylaw (such as the Activities in Public Places Bylaw 2023) or undergoing an additional bylaw development process under the LGA. This would cost additional time and resources, as well as unnecessarily complicate the regulatory framework in relation to traffic and parking in the district.

¹ Parking offences codes which are empowered by the local bylaw start with a Q in Queenstown, codes which are empowered from national legislation generally start with a P. For example, P401 is the standard national code for operating an unregistered vehicle.

31. Non-regulatory interventions, such as educational campaigns and information dissemination are currently used to address traffic and parking related issues in the district. These include signage, website information and other forms of engagement with road users. While useful when complementing regulatory measures, these methods often fail to alter behaviour adequately to address problems on their own. For example, issuing infringements via CCTV for vehicles using loading zones in the Queenstown town centre, in tandem with non-regulatory measures such as education, has proven an effective method in addressing problems related to illegal use of loading zones.
32. Due to the bylaw's complementary role with legislation (primarily the LTA and 'the rules') in aiding enforcement, and its ability to action Council strategies and plans to respond to perceived problems, officers recommend that a bylaw is the most appropriate tool to address the perceived problems related to traffic and parking. **Attachment B** breaks down this determination under each topic under the bylaw.

Is the bylaw still the most appropriate form of bylaw?

33. The bylaw underwent a comprehensive review in 2018 and is largely working as intended. A review of topics under the bylaw shows that minor changes are needed to further simplify the bylaw and potentially reduce duplication with legislation. Many changes to improve the functioning of the bylaw sit underneath in implementation processes or documents, see **Attachment C** for more information.
34. The 2018 review amended the bylaw and resulted in:
- improved readability, clarity and structure
 - aligned the 2012 bylaw with the LTA and recent legislative/rule changes (such as changes around the legislative distinction between taxis and small passenger vehicles)
 - amendments and updates from the 2012 bylaw to align with Council's transport strategy or future initiatives, such as allowances for special vehicle lanes (i.e. T2 lanes)
 - revoked clauses related to the following topic areas:
 - snow chains (due to perceived better enforcement options)
 - skateboarding (to align with council transport strategy)
 - removal of vehicles (due to other enforcement options)
 - amended several topic areas for clarification, completeness, or to introduce a resolution process to improve safety and asset protection.
35. In addition to the bylaw amendments, the Traffic and Parking Operations Manual (2020) was also drafted as an implementation tool during the 2018 review.

What suggested amendments have been raised by officers and police?

36. While the bylaw is largely operating as intended, officers have raised several issues related to the bylaw. Many of the issues identified relate to the implementation of the bylaw and may be able to be addressed through:

- amending the bylaw
- amending implementation processes tools, such as the Traffic Operations Manual
- amending or improving other internal processes related to the bylaw.

37. The table below lists issues raised through internal engagements with Council officers and police and recommended next steps to address perceived problems. The list is non exhaustive and may be updated in subsequent discussions. The most significant suggested change to the bylaw is the reintroduction of a self-contained clause regarding snow chains requested by police.

Table 6. Issues related to the bylaw raised by engagement with police

Issue	Description	Relevance to bylaw	Recommended Next Steps
Delegations	Delegations are out of date and in the wrong location, causing inefficiencies.	Resolution process detailed in clause 5, and delegations in appendix 4.	Delegations are in the body of the bylaw and need to be moved to the QLDC delegations register. Register also needs to be updated and reviewed to aid efficiency of decision making. Proposed delegations' updates will be presented during options workshop in May.
Parking on verges/berms	Vehicles parking on berms/grass verges across the district causing obstructions and damage. RFS analysis shows 230 cases in 2024 across the district.	Clauses 21.1 and 21.2 detail self-contained controls regulating parked off a roadway and on berms.	Options to address perceived problem will be investigated as part of bylaw development process. Options will be presented during May workshop.
Mobility Parking definition	Instances of overstaying mobility parking (overnight or over many days) reducing parking availability for priority users.	Clause 18 of the bylaw details mobility parking conditions.	Options to address perceived problem will be investigated as part of bylaw development process. Options will be presented during May workshop.
Large service vehicles	Large passenger service vehicles parking overnight in residential street, causing obstructions.	Bylaw clause 20.3 prohibits parking overnight between midnight and 5am.	Options to address perceived problem will be investigated as part of bylaw development process. Options will be presented during May workshop.

Issue	Description	Relevance to bylaw	Recommended Next Steps
Rubbish bins on cycleways	Rubbish bins are being placed in cycleways, obstructing traffic flow and endangering riders.	Clause 22.3(a) establishes controls for leaving waste containers more than 24 hours.	Options to address perceived problem will be investigated as part of bylaw development process. Options will be presented during May workshop.
Snow chains (raised by police)	Drivers ignoring requirement to fit chains. Police are having issues using LTA to enforce snow chains on Crown Range, have requested additional bylaw clause to reinstate local offence code.	Clause removed in 2018 review due to other perceived enforcement options (s113(2)(d) and 128E(c) of the LTA).	Options to address perceived problem will be investigated as part of bylaw development process. Options will be presented during May workshop.
Shared zones ²	Officers have raised the potential need to use the bylaw to establish shared zones throughout the district.	No clause related to shared zones.	The LTA and RUR already allow for shared zones establishment. Assessment of bylaw appropriateness for district will be investigated.
Alignment with Parking Strategy	The QLDC Parking Strategy, Guidance and Management Plans are currently being developed. Documents need to be cross referenced/aligned to ensure effective functioning.	Bylaw allows for implementation of parking zones, and conditions for parking.	Align terminology to Parking Strategy to ensure effective implementation of parking management plans.

Options analysis

38. This report presents the following reasonably practicable options for assessing the matter as required by section 77 of the LGA.

39. **Option 1 (recommended option):** That Council determines a bylaw is the most appropriate way to address perceived problem(s) relating to traffic and parking in the district.

Advantages:

- Officers would be able to explore amending the bylaw to ensure that it is able to respond issues raised during this review.
- The bylaw would continue to operate effectively, and officers would be able to continue essential work.

² A shared zone is defined in the Land Transport (Road User) Rule 2004 as 'a length of roadway intended to be used by pedestrians and vehicles'.

- The bylaw would be able to be more responsive to local issues and future-proofed for the district.

Disadvantages:

- The bylaw development process will require officer time and resources.

40. **Option 2:** The Council determines that a bylaw is not the most appropriate way to address perceived problems related to traffic and parking in district. The Traffic and Parking Bylaw 2018 would then automatically lapse after 13 December 2025.

Advantages:

- There would be reduced resourcing needed to develop and review a bylaw.

Disadvantages:

- It would be difficult for Council to carry out its usual work, such as issuing parking infringements for failure to display valid parking coupons.
- Council would be unable to exercise its full powers and responsibilities as a Road Controlling Authority and would be unable to exercise powers to address problems in the community which require a bylaw to implement.
- Council would be unable to respond to problem(s) related to traffic and parking through tools proposed in the Parking Strategy, Guidelines or Parking Management Plans.
- Council would be unable to future proof the district through proactively developing necessary frameworks to regulate emerging issues or areas of concern.

Summary of analysis and advice

41. Having considered the appropriateness of the bylaw, officers recommend **Option 1**, that a traffic and parking bylaw is the most appropriate way of addressing perceived problems in relation to traffic and parking in the district.
42. While the bylaw is sufficiently flexible in responding to perceived problem(s) in the district as they occur, updating and streamlining implementation processes underneath the bylaw is required to aid the effectiveness of the bylaw.
43. The bylaw may need minor amendments to respond to issues raised by officers and police, such as parking on berms and lack of compliance with snow chain restrictions on roads such as the Crown Range. These will be canvassed at the next stage of the bylaw development process, should Council elect to proceed with Option 1.

Next steps

44. Subject to councillors determining that a bylaw is the most appropriate way to address perceived problem(s) related to traffic and parking in the district, officers will present options to address issues raised through initial engagement at a workshop with councillors and Wānaka-Upper Clutha Community Board (WUCCB) on 13 May 2025. It is anticipated that a draft traffic and parking bylaw and statement of proposal will then be presented to Council at its 31 July 2025 meeting, with the public consultation period occurring early-August to early-September 2025 and public hearings in late September.
45. Adoption of a new traffic and parking bylaw is intended to occur in November or December 2025, with meeting fixtures to be confirmed after the 11 October local body election. A new bylaw needs to be made before 13 December 2025 for Council to continue to have an operative bylaw in relation to traffic and parking.

Consultation Process | Hātepe Matapaki

Significance and Engagement | Te Whakamahi I kā Whakaaro Hiraka

46. This matter is of low significance, as determined by reference to the Council's Significance and Engagement Policy 2024. While perceived problem(s) related to traffic are parking are of high community interest, Council is not being asked to adopt a draft bylaw to address perceived problem(s) at this stage. The purpose of this report is to determine that a bylaw is the most appropriate way to address perceived problem(s) related to traffic and parking in the district. Formal engagement with the community will occur at a later stage in the bylaw development process may be of higher community interest. However, as set out previously, the bylaw largely functions as a mechanism to operationalise parking and traffic solutions within the confines of the LTA, not as the method to design and solutions themselves, as the strategies to do so sit above the bylaw.
47. The following matters were considered in relation to significance:
- Community interest – covered above
 - Consistency with existing policy and strategy – low significance, bylaw aligns with existing policies and strategies.
 - Impact on the Council's capability and capacity - There is a risk that determining that a bylaw is not appropriate may impact business usual services related to parking, such as issuing parking infringements.

Māori Consultation | Iwi Rūnaka

48. The recommendations in this report do not relate to land, body of water, or valued flora and fauna and other taoka of Kāi Tahu. While Kāi Tahu have not been engaged in the preparation of

this report, it is acknowledged that mana whenua input may be needed as partners at later stages of the bylaw development process.

Risk and Mitigations | Kā Raru Tūpono me kā Whakamaurutaka

49. This matter relates to the Regulatory/Legal/Compliance risk category. It is associated with RISK10026 Ineffective enforcement within the QLDC Risk Register. This risk has been assessed as having a moderate residual risk rating.

50. The approval of the recommended option will allow Council to avoid this risk. This will be achieved by endorsing that a bylaw is the most appropriate way to address perceived problems associated with traffic and parking in the district (s155 determination under the LGA).

Financial Implications | Kā Riteka ā-Pūtea

51. The costs associated with developing a draft bylaw including officer time, engaging internal and external subject matter experts and communication activities will be met within current budgets. The recommended option before Council does not propose any changes to Council operations that would require additional funding.

Council Effects and Views | Kā Whakaaweawe me kā Tirohaka a te Kaunihera

52. The following Council policies, strategies and bylaws were considered:

- Strategic Framework and Investment Priorities
- Significance and Engagement Policy 2024
- Enforcement Strategy and Prosecution Policy 2021
- Queenstown Integrated Transport Programme Business Case
- Wānaka Programme Business Case
- Parking Strategy (draft)
- Parking Guidelines (draft)

53. The recommended option is consistent with the principles set out in the above-mentioned named policies.

54. Provision for bylaw review, enforcement and complaint response is identified as part of QLDC's regulation functions and services in the Long Term Plan³.

Legal Considerations and Statutory Responsibilities | Ka Ture Whaiwhakaaro me kā Takohaka Waeture

55. Council is bound by the LGA when making or reviewing bylaws. The base determination, notification, and consultation procedures set out under sections 155, 156 and 157 of the LGA apply.

³ QLDC Long Term Plan 2024–2034, page 104

56. The preparation of QLDC's bylaw must be in accordance with the LTA, rules under the LTA and the New Zealand Bill of Rights Act 1990. Section 160(7) of the Land Transport Act 1998 establishes the hierarchy, stating that if a bylaw of a local authority is inconsistent with or repugnant to any ordinary rules (under the LTA) in force in the same locality, the rules override the bylaw.

LGA section 155 determinations

57. Before commencing the process for making a bylaw, Council must determine whether a bylaw is the most appropriate way of addressing the perceived problem in accordance with section 155(1) of the LGA.

58. The perceived problem(s) in relation to traffic and parking are public safety, travel delays, obstructions, reduced accessibility, public nuisance, and damage to the environment (fauna and flora) and/or public property or infrastructure occurring on roads and/or council land.

59. Having considered different options to address perceived problems associated with traffic and parking, officers recommend that a traffic and parking bylaw is the most appropriate way to addressed perceived problems with traffic and parking in the district.

Local Government Act 2002 Purpose Provisions | Te Whakatureture 2002 o te Kāwanataka ā-Kiaka

60. Section 10 of the Local Government Act 2002 states the purpose of local government is (a) to enable democratic local decision-making and action by, and on behalf of, communities; and (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future. The review of the bylaw will deliver on this purpose as it will ensure QLDC is managing waterways to give effect to section 145 of the LGA.

61. It is considered that the recommendation in this report is appropriate and within the ambit of Section 10 of the Act.

62. The recommended options:

- a. Can be implemented through current funding under the Long Term Plan and Annual Plan;
- b. Are consistent with the Council's plans and policies; and
- c. Would not significantly alter the intended level of service provision for any significant activity undertaken by or on behalf of the Council or transfer the ownership or control of a strategic asset to or from the Council.

Attachments | Kā Tāpirihaka

A	Traffic and Parking Bylaw 2018
B	Recent legislative changes relevant to traffic and parking bylaws
C	Assessment of appropriateness of bylaw by topic