

**Traffic and Parking Subcommittee
2 April 2019**

Report for Agenda Item 1

Department: Property & Infrastructure

Proposed locations for restricting vehicle parking off a roadway

Purpose

The purpose of this report is to consider proposed locations for signs restricting vehicles parking off a roadway enabling enforcement to occur.

Executive Summary

The Queenstown Lakes District Council Traffic and Parking Bylaw 2018 (the bylaw) regulates parking and the use of roads and public spaces under Council's control.

The bylaw was adopted by Council at its 13 December 2018 meeting and came into effect on 1 March 2019. Council has delegated the exercise of its decision-making by resolution to the Traffic and Parking Subcommittee (the Subcommittee).

Clause 21 of the bylaw restricts parking off a roadway. Enforcement is subject to prescribed signage, however no signs are currently prescribed. A decision is required on locations to erect signage, such that enforcement can occur.

The locations proposed in this report have been identified for signage and subsequent enforcement due to potential damage to Council infrastructure and/or to address safety concerns due to compromised sightlines and high volumes of vulnerable road users.

A blanket restriction on parking off a roadway and associated enforcement is not considered appropriate as vehicle parking off a roadway is practically necessary in some low speed, low volume areas due to the lack of formed off road parking or because of intensified urban development with residents and visitors attempting to park clear of the roadway.

Recommendation

That the Traffic and Parking Subcommittee

1. **Note** the contents of this report and in particular;
2. **Approve** the erection of signage and subsequent enforcement of vehicles parking off a roadway in the following locations to prevent potential damage to amenity infrastructure and/or address safety concerns. The areas for enforcement are:

Road or Location	Specific Description
Queenstown Area	
Ballarat Street (East)	No parking off roadway from Henry Street intersection to Hallenstein Street
Hallenstein Street	No parking off a roadway on northern side of Hallenstein street from properties 1 - 7
Hallenstein Street	No parking off a roadway on Hallenstein Street on the northern side from properties 59 through to 79 and the southern side of Hallenstein Street from properties 68 to 86
Boundary Street	No parking off a roadway on the full length of Boundary Street's northwest side of the roadway
Turner Street	No parking off a roadway at the northwest intersection of Turner Street and Gorge Road
Brecon Street - Carpark	No parking in any areas that is not a marked carpark
Gorge Road and Industrial Place	No parking off a roadway on the north or the south side of the roadway at the Gorge Road and Industrial Place intersection
Arthurs Point and Atley Road Reserve	No parking off the roadway on the reserve located between Atley Road and Arthurs Point Road
Malaghans Road	No parking off a roadway on the north side of Malaghans Road where Coronet Peak Road and Malaghans Road intersect
Queenstown Gardens	No parking off a roadway or outside of a marked carpark in areas in and around the Queenstown Gardens
Lake Hayes	
Howards Drive – Pond Reserve	No parking off the roadway on the reserve located at the entrance to Lake Hayes Estate known as Pond Reserve
Arrowtown	
Butel Park Reserve	No parking off the road on the reserve located on Essex Street in Butel Park
Frankton And Kelvin Heights	
Joe O'Connell Drive	No parking in any areas that is not a marked carpark
Bridge Street and Boyd Crescent	No parking off a roadway on either side of the road on Bridge Street. No parking off a roadway on the reserve adjacent to Bridge Street No parking off a roadway on the west side of Boyd Crescent
Kelvin Grove	No parking off the roadway on the reserve located at on Golf Course of Kelvin Heights
Wanaka Area And Albert Town	
McMurdo Park	No parking off the roadway on the reserve located on Dale Street - Albert Town
Wanaka Recreation Centre	No parking in any areas that is not a marked carpark
Wren Street Reserve	No parking off roadway between 19 Wren Street and 1 Mallard Street - Albert Town
Rata Street, Aubrey Road and Totara Terrace	No parking off a roadway opposite Kellys Flat at the intersection of Rata Street and Aubrey Road

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19/03/2019

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20/03/2019

Background

- 1 The Queenstown Lakes District Council Traffic and Parking Bylaw 2018 (the bylaw) introduced new restrictions in relation to parking off a roadway.
- 2 Issues have been identified in certain locations across the district where parking in this manner is causing damage to Council's above and below ground infrastructure and increasing risk to road user safety by blocking sight lines and narrowing roadways.
- 3 The special consultative procedure for the new bylaw specifically sought public feedback on the ability for Council to infringe or remove vehicles parked off a roadway or in parks and reserves, that were potentially damaging assets or creating safety issues. Over 97% of respondents supported this.
- 4 To enforce the new restriction, signage is required although no signs are currently prescribed under the Road User Rule: Traffic Control Devices. It is proposed to use standard "no parking" signs, which provides Council a clear infringement ability.
- 5 To prevent a plethora of signage and focus enforcement resource, a decision is required on locations that signage will be erected.
- 6 In making decisions under the bylaw, Council is required to act reasonably and given due consideration to those potentially effected by the restriction.
- 7 In recommending locations based on potential infrastructure damage and addressing safety concerns, this also recognises that there are some areas within the district where parking off a roadway is practically necessary.
- 8 This is due to a lack of formed parking areas (e.g. Arrowtown) or because of intensified urban development with residents and visitors attempting to park clear of the roadway (e.g Lake Hayes Estate) and also tends to occur in areas with low speeds and low road user volumes.
- 9 As such, a blanket restriction on parking off a roadway and associated enforcement is not recommended.

10 A Subcommittee resolution is required to approve locations for signage and subsequent enforcement.

Comment

Strategic direction for traffic and parking

11 With both visitor and population growth in the district leading to pressure on housing and higher demands for parking, parking off a roadway is becoming increasingly common.

12 Planning for managing traffic demand and parking in the future is underway, with the Queenstown Integrated Transport Strategy and the Queenstown Town Centre Master Plan now complete, and the Wanaka Transport Strategy and district parking strategies in progress.

13 Regulation of off roadway parking is required to address current issues and support the future direction of traffic and parking management.

District plan considerations and implications

14 The district plan outlines the requirements for parking and traffic to complement Council's overall land use goals and objectives for district development.

15 The Transport chapter of the district plan endeavours to support mode use change by reducing parking requirements within commercial developments, encouraging off street parking in residential developments and increasing densities around town centres.

16 While changes will occur in the district over time, there will remain areas for which parking off a roadway will continue.

Proposed principles for determining areas to erect signage restricting parking off a roadway

17 Clause 21 of the bylaw outlines the restrictions for motor vehicles parking off a roadway.

"21.1 A person must not stop, stand or park a motor vehicle on that part of a road which is laid out as a lawn or cultivated area, including a grass plot, a flower bed or a shrubbery.

21.2 A person must not stop, stand or park a vehicle off a roadway in any reserve, park or similar land used for public recreation, and which is under the Council's control, except:

a) in an area designed and constructed to accommodate a parked vehicle; or

b) where the Council has given specific permission to stop, stand or park the vehicle in that place."

18 It is recommended that two key principles are considered when determining areas for signage and subsequent enforcement:

- Ensuring the safety of high numbers of road users (motor vehicles, cyclists, pedestrians including children)
- Protecting above and below ground infrastructure

19 Consideration will also be given to other options to improve safety and address infrastructure risk, such as broken yellow line markings or 'post and chain' fences, which may be implemented as well as restricting parking off a roadway.

Proposed areas for signage

20 The Infrastructure & Property; Parks and Recreation; and Regulatory teams have identified 22 locations across the district for potential signage. Full details of the locations proposed, including maps, can be found at Attachment A.

21 A summary of the recommended locations for signage:

Road or Location	Specific Description	Reason for Restriction
Queenstown Area		
Ballarat Street (East)	No parking off roadway from Henry street intersection to Hallenstein Street	Protect the above ground infrastructure (such as cultivated grass) and enable safe and appropriate sightlines
Hallenstein Street	No parking off a roadway on northern side of Hallenstein Street from properties 1 - 7	Protect the above ground infrastructure (such as cultivated grass) and enable safe and appropriate sightlines High volume road with traffic calming in place to protect vulnerable users (e.g. school children, pedestrians)
Hallenstein Street	No parking off a roadway on Hallenstein Street on the northern side from properties 59 through to 79 and the southern side of Hallenstein Street from properties 68 to 86	Protect the above ground infrastructure (such as cultivated grass) and enable safe and appropriate sightlines High volume road with traffic calming in place to protect vulnerable users (e.g. school children, pedestrians)
Boundary Street	No parking off a roadway on the full length of Boundary Street's northwest side of the roadway	Protect the above ground infrastructure (such as cultivated grass) and enable safe and appropriate sightlines at busy intersection
Turner Street	No parking off a roadway at the northwest intersection of Turner Street and Gorge Road	Protect the above ground infrastructure (such as cultivated grass) and enable safe and appropriate sightlines
Brecon Street - Carpark	No parking in any areas that is not a marked carpark	Ensure safe and appropriate sight lines and protect surrounding infrastructure
Gorge Road and Industrial Place	No parking off a roadway on the north or the south side	Protect the above ground infrastructure (such as cultivated grass) and enable safe

Road or Location	Specific Description	Reason for Restriction
	of the roadway at the Gorge Road and Industrial place intersection	and appropriate sightlines at busy intersection Wastewater network access is blocked if parking off a roadway occurs in this area
Arthurs Point and Atley Road Reserve	No parking off the roadway on the reserve located between Atley Road and Arthurs Point Road	Protect the above ground infrastructure (such as cultivated grass) and enable safe and appropriate sightlines at busy intersection
Malaghans Road	No parking off a roadway on the north side of Malaghans Road where Coronet Peak Road and Malaghans Road intersect	Protect the above ground infrastructure (such as cultivated grass) and enable safe and appropriate sightlines at busy intersection
Queenstown Gardens	No parking off a roadway or outside of a marked carpark in areas in and around the Queenstown Gardens	Protect key above ground and below ground infrastructure and protect the amenity value of the Queenstown Gardens
Lake Hayes		
Howards Drive – Pond Reserve	No parking off the roadway on the reserve located at the entrance to Lake Hayes Estate known as Pond Reserve	Protect the above ground infrastructure (such as cultivated grass) at entrance into Lake Hayes Estate
Arrowtown		
Butel Park Reserve	No parking off the road on the reserve located on Essex Street in Butel Park Arrowtown	Protect the reserve and recreational value of the above ground infrastructure for the purpose of recreational use
Frankton And Kelvin Heights		
Joe O'Connell Drive	No parking in any areas that is not a marked carpark	Protect the above ground infrastructure (such as cultivated grass) and enable safe and appropriate sightlines to ensure safety of all recreational users
Bridge Street and Boyd Crescent	No parking off a roadway on either side of the road on Bridge Street. No parking off a roadway on the reserve adjacent to Bridge Street No parking off a roadway on the west side of Boyd Crescent	Protect the above ground infrastructure (such as cultivated grass) and enable safe and appropriate sightlines at busy intersection

Road or Location	Specific Description	Reason for Restriction
Kelvin Grove	No parking off the roadway on the reserve located at on Golf Course of Kelvin Heights	Protect the reserve and recreational value of the above ground infrastructure for the purpose of recreational use Area of highly vulnerable recreation users
Wanaka Area And Albert Town		
McMurdo Park	No parking off the roadway on the reserve located on Dale Street- Albert Town	Protect the reserve and recreational value of the above ground infrastructure for the purpose of recreational use
Wanaka Recreation Centre	No parking in any areas that is not a marked carpark	Protect the above ground infrastructure (such as cultivated grass) and enable safe and appropriate sightlines to ensure safety of all recreational users
Wren Street Reserve	No parking off roadway between 19 Wren Street and 1 Mallard Street- Albert Town	Protect the above ground infrastructure (such as cultivated grass) and enable safe and appropriate sightlines
Rata Street, Aubrey Road and Totara Terrace	No parking off a roadway opposite Kellys Flat at the intersection of Rata Street / Aubrey Road and Totara Terrace and Aubrey Road	Protect the above ground infrastructure (such as cultivated grass) and enable safe and appropriate sightlines High volume road with traffic calming in place to protect vulnerable users (e.g. school children, pedestrians)

22 Should the locations be approved by the Subcommittee signs stating 'no parking' will be erected. It is proposed that for a period of two weeks following the signs being in place that vehicles will be left with information that the restriction is to be enforced.

23 Consistent with Land Transport Act 1998 requirements, a register including the restrictions will be available to the public on the Council website and in hard copy by request.

Options

24 This report seeks approval for signage restricting vehicles parking off a roadway in the areas outlined.

Option 1 – Approve areas for signage restricting vehicles parking off a roadway as identified in this report

Advantages:

25 Supports the feedback received during bylaw consultation to address issues associated with vehicles parking off a roadway

- 26 Reduces the risks of costs incurred to repair damaged infrastructure
- 27 Improves the safety of roads for all users including pedestrians and cyclists
- 28 Improves the community's understanding of requirements for enforcement
- 29 Is consistent with the Council's Enforcement and Prosecution Policy
- 30 Enables effective and lawful enforcement

Disadvantages:

- 31 May cause conflict with vehicle owners receiving infringements for parking off a roadway in restricted areas
- 32 May result in displacement of vehicles to areas that are not subject to the restrictions.

Option 2 Not approve areas for signage restricting vehicles parking off a roadway as identified in this report

Advantages:

- 33 No cause for conflict with vehicle owners receiving infringements for parking off a roadway in restricted areas
- 34 Will not result in displacement of vehicles to other areas

Disadvantages:

- 35 Does not support the feedback received during bylaw consultation to address issues associated with motor vehicles parking off a roadway
- 36 Risks of costs required to repair damaged infrastructure remain
- 37 Will not improve road safety for all users
- 38 Does not provide an opportunity to improve the community's understanding of enforcement requirements
- 39 Is not consistent with the Council's Enforcement and Prosecution Policy
- 40 Does not enables effective and lawful enforcement
- 41 This report recommends **Option 1** as it addresses issues raised during the stakeholder engagement and the Special Consultative Procedure completed for the Traffic and Parking Bylaw 2018; provides the platform for improved safety and protecting infrastructure and risk of associated costs to remediate infrastructure damages.

Significance and Engagement

42 This matter is of [low] significance, as determined by reference to the Significance and Engagement Policy as the introduction of permitting was well canvassed through the engagement and consultation processes during the bylaw review and will be subject to continued engagement and consultation.

Risk

43 This matter relates to the strategic risk SR3 - Management Practise - working within legislation, as documented in the [Council's risk register](#). The risk is classed as low.

44 This matter relates to this risk because it ensures operational processes are consistent with legal and regulatory requirements to support education and enforcement actives.

Financial Implications

45 It is anticipated that the cost associated with installing the required signage will be met from current budgets

Council Policies, Strategies and Bylaws

46 The following Council policies, strategies and bylaws were considered:

- 10-Year Plan 2018-2028 strategic framework contributing to efficient and effective infrastructure and a responsive organisation
- Traffic and Parking Bylaw 2018 as existing regulation
- Queenstown Integrated Transport Strategy supporting improved network performance and customer experience for all modes and improved liveability and visitor experience
- Parks and Open Spaces Strategy 2017
- Wanaka Transport Strategy 2008 supporting an appropriate transport network and parking provision.

47 The recommended option is consistent with the principles set out in the named policies.

48 This matter is not explicitly identified in the 10-Year Plan/Annual Plan

Local Government Act 2002 Purpose Provisions

49 The recommended option:

- Will help meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses by ensuring efficient and effective administration and enforcement activities;

- Can be implemented through current funding under the 10-Year Plan and Annual Plan;
- Is consistent with the Council's plans and policies; and
- Would not alter significantly 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.

Consultation: Community Views and Preferences

50 The persons who are affected by or interested in this matter are residents/ratepayers; business associations; emergency services; schools; large tourism transport operators; passenger service vehicles; heavy motor vehicle users; NZTA.

51 The Council completed a full bylaw review during 2018. Significant formal and informal engagement was completed with the community and key stakeholders.

Legal Considerations and Statutory Responsibilities

52 This report satisfies the decision-making requirements of Council under the new bylaw pursuant to the Land Transport Act 1998 and the Local Government Act 2002. The report provides a robust platform for the decisions to restrict parking and control vehicle use that are implemented on land under council's control. The approach has been confirmed by council's legal advisors as appropriate.

Attachments

A – Proposed locations for signage restricting vehicle parking off a roadway.