

**Infrastructure Committee**

16 May 2024

**Report for Agenda Item | Rīpoata moto e Rāraki take [3]**

**Department: Property & Infrastructure**

**Title | Taitara: Additional parking restrictions under the Traffic and Parking Bylaw 2018 - Licence to Occupy Fork & Tap**

**Purpose of the Report | Te Take mō te Pūroko**

---

The purpose of this report is to recommend various new (and updates to existing) parking restrictions to facilitate a proposed Licence to Occupy (Fork & Tap) within the legal road reserve that has been approved conditional on approval of the proposed changes herein.

**Executive Summary | Whakarāpopototaka Matua**

---

The Queenstown Lakes District Council (QLDC) 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.

The parking restrictions proposed for approval in this report falls under one category. These restrictions support the Land Transport (Road User) Rule 2004 (the Rule) and are supported by the Queenstown Lakes District Council Traffic and Parking Bylaw 2018:

- Parking restriction change

The locations proposed in this report have been identified for removal of marking or signage and installation of loading zone and subsequent enforcement to address safety and operational concerns raised by the public, Councillors on behalf of the public, or identified by Council officers.

## Recommendation | Kā Tūtohuka

---

That the Infrastructure Committee:

1. **Note** the contents of this report;
2. **Approve** changes to the new and existing restrictions applying to the on-road and off-road parking restrictions as set out in Attachment A and B. These will come into force once signed or marked.

**Prepared by:**



**Name:** Kim Anderson  
**Title:** LTO & TRC officer

2 May 2024

**Reviewed and Authorised by:**



**Name:** David Wallace  
**Title:** General Manager: Planning and  
Development

3 May 2024

## Context | Horopaki

---

1. During the licence to occupy application processing Planning & Infrastructure engineers requested a condition requiring support from the Infrastructure committee for the proposal to amend car parks in the area to allow the applicant's proposed plans to go ahead.
2. These proposed plans were provided during the Licence to Occupy process by the applicant's architect. The License to Occupy (LTO) design plans were undertaken in conjunction with the current approved resource consent - RM200961 (varied by RM230261).
3. The removal of the three established carparks and installation of a public loading zone ensure the works proposed within the licence area can go ahead at full cost to the applicant. These works are aimed at ensuring pedestrian safety, while creating a public usable space for the Arrowtown bike community and any who visit Arrowtown. The works include the provision of a safe and secure area to park bikes while visiting the area. The proposed works are also aimed at beautifying this area in general for the whole Arrowtown Community.
4. The Licence to occupy applicant submitted a landscaping plan to APAG (Arrowtown Planning Advisory Group) as part of their resource consent which covered the onsite beer garden and the works proposed in the road reserve space in front of the premises. APAG's support was a requirement as part of their LTO application. The APAG supported the removal of the carparks for the creation of a more pedestrian friendly space and the "street life" and amenity that this would create.

5. The proposed redevelopment works had support during the application stages of the LTO by the Chief Executive Officer (CEO) of Queenstown Trails Trust (Mark Williams) due to Arrowtown's increasingly important destination for cycle tourism. It was considered that currently the area is lacking in sufficient recreational and Active Transport infrastructure which supports a mode shift away from private vehicles. Note that Objective 29.2.1 of the District Plan supports the need for an integrated, safe and efficient transport network that:
  - a. provides for all transport modes and the transportation of freight;
  - b. provides for future growth needs and facilitates continued economic development;
  - c. reduces dependency on private motor vehicles and promotes the use of shared, public & active transport;
  - d. contributes towards addressing the effects on climate change;
  - e. reduces the dominance and congestion of vehicles, particularly in the Town Centre zones; and
  - f. enables the significant benefits arising from public walking and cycling trails.
6. As a part of the conditions set out in the LTO licence (Attachment D) the applicant remains responsible for maintaining the structures and landscaping proposed within the legal road reserve and consented to a covenant in gross being recorded against the title of Part Section 1 Block X Town of Arrowtown to ensure the recommended terms and conditions of the licence continue in perpetuity for all future owners of the property.
7. There are no services located in the proposed section of legal road reserve and no known plans by QLDC to install any services, however, should services need to be installed by council in future conditions of the LTO require the LTO holder to allow these works.
8. During the LTO process multiple on-site meetings occurred with QLDC senior transport engineers to ensure the proposed install of a new loading zone would not interfere with the traffic lane. QLDC roading operations and contracts manager required any future maintenance of this area to be borne by the LTO holder.
9. The Queenstown Lakes District Council Traffic and Parking Bylaw 2018 regulates parking and the use of roads and public spaces under the Council's control.
10. Changes to existing restrictions or the implementation of new restrictions requires an Infrastructure Committee approval prior to implementation. Decision making on these changes is delegated to the Infrastructure Committee.
11. Regular changes to traffic restrictions (including parking controls) are required throughout the district, often in response to requests from the public or businesses citing safety or accessibility concerns. Opportunities for improvements are also identified by staff when considering changes in parking use patterns, demand, or as the development of master planning of town centres continues.
12. In making decisions under the bylaw, the Council is required to act reasonably and give due consideration to those potentially affected by the restriction.

## Analysis and Advice | Tatāritaka me kā Tohutohu

---

### **Parking Requirements in the District**

13. This report seeks to approve new and amend existing parking restrictions that are in place within the Wiltshire Street road reserve of Arrowtown. This will ensure enforceability under the bylaw.
14. As transport strategies are developed, changes and adjustments will be required to achieve short-term and long-term objectives. These will be reported when identified and in advance of implementation, allowing for signage and any other on-road requirements to support the restrictions.
15. Information on the restrictions applying across the district must be publicly available consistent with the requirements of the Land Transport Act 1998.

### **Strategic direction for traffic and parking**

16. Planning for the management of traffic demand and parking in the future is underway, with various transport strategies being developed.
17. Regulation of parking is required to address current issues and support the future direction of traffic and parking management.

### **District Plan considerations and implications**

18. The District Plan outlines the requirements for parking and traffic to complement the Council's overall land use goals and objectives for district development.
19. 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.

### **Enforcement**

20. Enforcement will only occur when appropriately marked and/or signed within the areas described in **Attachment A and Attachment B**.

### **Proposed parking and restriction changes**

21. The proposed changes and restrictions are detailed in **Attachment A and B**.
22. The following table indicates new or changed timed and/or specified vehicle restrictions that can be made by resolution by Council under the Traffic and Parking Bylaw 2018.

<b>Road or Location</b>	<b>Specific Description</b>
Wiltshire Street	Removal of Parking Bay line marking (hockey sticks)
Cnr Ramshaw & Romans Lane	Install New Loading Zone

23. Option 1 **Approve** the parking changes as identified in this report.

Advantages:

- Supports the requests from the LTO applicant to improve access for cyclists and provide for loading and unloading.
- Enables effective and lawful enforcement
- The amenity within the road reserve will be improved at no cost to the community.

Disadvantages:

- May result in displacement of parking to other areas.
- Encumbers the road reserve with a loading zone

24. Option 2 **Decline** the parking restrictions and consultation as identified in this report.

Advantages:

- Will not result in the displacement of vehicles to other areas.

Disadvantages:

- Does not address safety and operational issues arising from the LTO request
- Will not improve road safety for cyclists
- The legal road reserve won't be improved for the Arrowtown community and the business requesting the change

25. This report recommends **Option 1** for addressing the matter because it allows for the activities proposed in the associated LTO beautifying the road reserve and creating safe cycle infrastructure.

## Consultation Process | Hātepe Matapaki

---

### Significance and Engagement | Te Whakamahi I kā Whakaaro Hiraka

26. This matter is of low significance, as determined by reference to the Council's Significance and Engagement Policy 2021 because amended and additional parking restrictions are supported by Council officers recommendations. Although there are several amendments being presented, each amendment will affect a relatively small number of residents, ratepayers, and

visitors. As such it is not considered that the proposed amendments are likely to be a significant impact on the public. Accordingly, it is not considered that it is required to follow the special consultative procedure in accordance with section 156(1)(a) of the Local Government Act 2002.

27. The Arrowtown Planning Advisory Group, the Arrowtown Promotion and Business Association and the Arrowtown Village Association have been consulted and all are supportive of the proposal.
28. Council engineers have been consulted about the LTO application and associated road reserve amendments and are also supportive.
29. The Council's Traffic and Parking Bylaw 2018 was adopted following consultation completed in accordance with section 156(1)(b) of the Local Government Act 2002. The bylaw details specific decision-making delegation to officers and the Infrastructure Committee. Decisions made under these delegations do not require further consultation.
30. The Council has completed a full bylaw review in 2018. Significant formal and informal engagement was completed with the community and key stakeholders.

#### **Māori Consultation | Iwi Rūnaka**

31. The Council has not sought the specific views of iwi for these operational changes.

#### **Risk and Mitigations | Kā Raru Tūpono me kā Whakamaurutaka**

---

32. This matter relates to the Regulatory/Legal/Compliance risk category. It is associated with RISK10021 Ineffective operations and maintenance of property or infrastructure assets within the QLDC Risk Register. This risk has been assessed as having a low residual risk rating.
33. The approval of the recommended option will allow Council to avoid the risk. This will be achieved by ensuring operational processes are consistent with legal and regulatory requirements to support education and enforcement activities.

#### **Financial Implications | Kā Riteka ā-Pūtea**

---

34. The cost associated with installing the required signage and removing road markings will be met by the applicant.

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

---

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

- *Significance and Engagement Policy 2021* – providing clarity on councils decision making processes and assessing the extent to which individuals, organisations, groups and sectors in the community are affected by the council's decisions.
- *Long Term Plan* – the consideration to grant or otherwise a Licence to Occupy is considered part of the Council's 'Regulatory Services' outlined in the plan.
- Reference alignment with and consideration of the principles of the Vision Beyond 2050: Our Vision and Mission - QLDC
- Long Term Plan 2021-2031 strategic framework contributing to efficient and effective infrastructure and a responsive organisation
- Traffic and Parking Bylaw 2018 as existing regulation
- Parks and Open Spaces Strategy 2021
- The QLDC Disability Policy

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

37. This matter is not included in the Long Term Plan/Annual Plan.

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

---

38. 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.

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

---

39. 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 option is consistent with these objectives.

40. 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 enabling the amenity of an area of road reserve to be improved at no cost to the community;
- Is consistent with the Council's plans and policies; and
- 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	Additional parking restrictions applying to Queenstown Lakes District from 16 May 2024
B	Designs relating to item description on Attachment A
C	Proposed architect's location plans
D	Licence to Occupy – Mertha Investments Ltd