

## **Traffic and Parking Subcommittee**

**11 February 2019**

### **Report for Agenda Item: 1**

**Department: Property & Infrastructure**

**Proposed permitting framework, conditions and fees for consultation**

#### **Purpose**

The purpose of this report is to seek approval of a new permitting framework for implementation.

#### **Executive Summary**

- 1 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.
- 2 The bylaw was adopted by Council at its 13 December 2018 meeting and was provided to the Minister of Transport within seven days as required under the Land Transport Act 1998. A public notice pursuant to section 157 of the Local Government Act 2002 and section 22AE of the Land Transport Act 1998 was the final step in confirming the bylaw.
- 3 The bylaw comes into effect on 1 March 2019 and Council has delegated the exercise of its decision-making by resolution to the Traffic and Parking Subcommittee ('the Subcommittee').
- 4 The bylaw introduces the power for Council to regulate parking in areas through permits applying to specific classes of vehicles. A permitting framework has been developed for the Subcommittee's consideration and proposed for approval in this report.
- 5 The new permitting framework is based on the following principles:
  - a. Parking permits should assist critical community services to carry out their various functions
  - b. Parking permits should offer convenience but not an exemption from the cost of parking
  - c. All permits should be priced, even with minimal administration fee
  - d. All permits should be linked to a vehicle's registration
- 6 The new framework will replace the current informal structure, which is to be rationalised into four categories and issued to a vehicle rather than a driver. The four categories proposed are:
  - a. SPSVs – to manage access to council-controlled ranks in the town centre

- b. Annual community use – for those providing either directly, or access to, regular or recurring voluntary, community service at no cost.
  - c. Temporary – for those requiring occupation of parking spaces/areas for the purposes of short term activities (up to six weeks) including trade services, events and filming in the district.
  - d. 75 plus – to enhance accessibility to town centres for those holding driver's licences and valid for a period of three years (renewable) unless surrendered early.
- 7 Permits are not proposed to be extended to emergency service providers or utility service providers responding to urgent works as these categories are automatically exempted from the parking regulation imposed under the bylaw clause 25.3 (b) and clause 25.3 (c).
- 8 As the permits are derived from the bylaw regime, any charges associated with these are considered to be a 'regulatory' charge, meaning consultation is required that gives effect to s82 of the Local Government Act.
- 9 Given the Council's request to specifically involve stakeholders in the development of the SPSV permit, the time required to establish a new framework including administration and replacement of current permits, and the need to consult on associated fees.
- 10 It is recommended the new framework will apply from 1 October 2019, with a transition period applying from 1 July 2019 .

## Recommendation

That the Traffic and Parking Subcommittee:

1. **Note** the contents of this report;
2. **Confirm** that the principles applying to the permitting framework to be introduced pursuant to the Traffic and Parking Bylaw 2018 will be:
  - a. Parking permits should assist critical community services to carry out their various functions
  - b. Parking permits should offer convenience but not an exemption from the cost of parking
  - c. All permits should be priced, even with minimal administration fee
  - d. All permits should be linked to a vehicle's registration.
3. **Confirm** that the permitting framework for initial implementation pursuant to the Traffic and Parking Bylaw 2018 will apply to:
  - a. SPSVs – to manage access to council-controlled ranks

- b. Annual community use – to support the provision of, or access to, regular or recurring community services delivered at no cost
  - c. Temporary – to support the delivery of trade services, events and filming in the district (for up to 6 weeks)
  - d. 75 plus – to enhance accessibility for older drivers.
4. **Approve** that the proposed fees associated with each of the permit types, as a regulatory charge pursuant to the Traffic and Parking Bylaw 2018, as outlined below, be subject to public consultation consistent with the requirements of s82 of the Local Government Act 2002. The proposed fees being:
- a. SPSVs – \$500 per annum
  - b. Annual community use – \$25 per annum
  - c. Temporary – \$20 per day or \$100 per week (up to 7 days)
  - d. 75 plus – \$5
5. **Note** that the conditions and fees proposed for the SPSVs will be subject to additional engagement with stakeholders prior to formal consultation.
6. **Note** that permits will not be extended to emergency services or utility providers responding to urgent works as these are exempt from the regulatory regime applying to parking imposed by the Traffic and Parking Bylaw 2018 under clause 25.3 (b) and clause 25.3 (c).

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5/02/2019

## Background

- 1 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.

- 2 The bylaw was adopted by Council on 13 December 2018 and comes into effect on 1 March 2019. The bylaw contemplates the adoption of a permitting framework applying to different classes of vehicles as deemed necessary by Council.
- 3 Pursuant to the delegation from Council, a Subcommittee resolution is required to establish a new permitting framework.
- 4 Following public consultation, and in response to issues identified by staff involved delivering the various informal permits currently available, a proposed new framework has been developed for formal consideration and adoption, such that the compliance with the permitting framework can be enforced.
- 5 Consistent with the governance agreement with, and the delegations of, the Wanaka Community Board, any future changes or new restrictions applying to Wanaka will be reported to the Wanaka Community Board for endorsement prior to consideration by the Subcommittee.

### **Current permitting system**

- 6 The current permitting regime is informal and fragmented, both in oversight and administration, with little clarity of the purpose and application of various permits. Staff from Property & Infrastructure, Regulatory, Customer Services, Events, Planning, Libraries and APL are involved at various stages in the administration and allocation of permits.
- 7 The introduction of a new framework offers not only the opportunity for improved access and customer service for those receiving permits, but also the opportunity to:
  - a. reduce and consolidate the effort associated with permitting
  - b. reflect that permits come with an associated cost in administration and use of council-controlled land
  - c. improve the visibility and coordination of all activities, particularly those occurring in the road corridor
  - d. improve user understanding of, and access to, appropriate permits
  - e. (in the near term) provide on-line accessibility to permit and visibility of all road corridor activities.
- 8 Permits currently issued across Council and APL are:
  - Library permits
  - 75 plus permits
  - Carpool permits
  - Temporary permits
  - Church service congregation permits
  - Coastguard permits
  - Event permits

- Salvation Army permits
- Film permits
- Licence to occupy

9 All current permits are subject to different requirements, including application processes, sign-offs and fees and information pertaining to issued permits is disaggregated and not easily accessible to the public.

## Comment

### Proposed objectives, principles and permitting framework

10 To guide the development of a new framework, the following parking management objectives were considered:

- Prioritise the safe and efficient movement of people, services and goods on the road network;
- Facilitate a transformational shift to public transport;
- Provide an outstanding customer experience at QLDC operated on and off-street facilities;
- Support place-making, amenity and good urban design outcomes; and
- Ensure a fiscally responsible approach to providing, managing and pricing parking facilities and that benefits cover costs

11 Consistent with the objectives, the following principles were applied:

- Parking permits should assist critical services to carry out their various functions
- Parking permits should offer convenience but not an exemption from the cost of parking
- All permits should be priced, even with minimal administration fee
- All permits should be linked to a vehicle's registration

12 Consistent with the principles, a streamlined permitting framework is proposed that facilitates ease of access and comprehension for users. Staff have researched permitting frameworks applying in other territorial authorities as part of preparing the new proposed new framework.

13 It is recommended that the following permit categories, with associated conditions, be introduced:

Permit type	Purpose and example conditions
SPSVs	To regulate access to council-controlled ranks. Annual permit, limited to 150, requires NZTA P-class endorsed driver at all time, in-vehicle surveillance, visible information on complaints procedures, forfeit on single verifiable breach of requirements.
Annual community	To support the provision of, or access to, community services at no cost. Annual permit available to voluntary, community, non-profit organisations.

Permit type	Purpose and example conditions
Temporary	To support the delivery of trade services, events (including annual street appeals) and film in the district. Issued for up to 6 weeks, requires proof of service and time requirement.
75 plus	To enhance accessibility to town centres. Three-year permit, issued on proof of driver's licence, may be renewed.

14 It is further proposed to consolidate the administration of the permitting regime to enhance visibility and coordination across all activities in the road corridor and improve the quality and consistency of the customer experience.

### **Permit fees, transition to the new regime and implementation**

15 In conjunction with the new permitting framework and consistent with the principles, a new fee structure has been developed to reflect the varying levels of community good and commercial convenience or gain derived from the permit.

16 The permit types and recommended fees are shown in the table below.

Permit type	Fee
SPSVs	\$500 per annum
Annual community	\$25 per annum
Temporary	\$20 per day or \$100 per week (up to 7 days)
75 plus	\$ 5 every three years

17 As the permitting framework is pursuant to the bylaw, any fees associated with the regime are considered a regulatory charge for the purposes of the Local Government Act 2002. As such, council is required to publicly consult on the introduction of these fees consistent with s82.

18 To enable consultation on fees, engagement with SPSV stakeholders and the development of new business processes to support the new framework, it is proposed that new permits will apply from 1 July 2019, with a transition period applying until 30 September 2019.

19 During this time staff recommend that there be an amnesty on existing permits and any new annual permits issued in this period will apply until 30 September 2020. Further, enforcement activities pertaining to the new permits will be educational only until 30 September 2019.

### **Options**

20 This report seeks approval and confirmation of the proposed new permitting framework and associated fees for engagement and consultation as required.

### **Option 1 – Approve and confirm the proposed permitting framework and associated fees**

*Advantages:*

- 21 Supports the feedback received during bylaw consultation to address issues associated with SPSV parking in town centres
- 22 Enables staff to reduce and consolidate the effort associated with permitting
- 23 Reflects that permits come with an associated cost in administration and use of council-controlled land
- 24 Improves the visibility and coordination of all activities, particularly those occurring in the road corridor
- 25 Improves customer understanding of, and access to, appropriate permits
- 26 Provides (in the near term) for online accessibility to permits and visibility of all road corridor activities.
- 27 Is consistent with the Council's Enforcement and Prosecution Policy
- 28 Enables effective and lawful enforcement

*Disadvantages:*

- 29 Changes to the current system may not be well received by some existing permit holders.

**Option 2 Not approve and confirm the proposed permitting framework and associated fees**

*Advantages:*

- 30 Current permit holders are unaffected

*Disadvantages:*

- 31 Does not support the feedback received during bylaw consultation to address issues associated with SPSV parking in town centres
- 32 May not enable staff to reduce and consolidate the effort associated with permitting
- 33 May not reflect that permits come with an associated cost in administration and use of council-controlled land
- 34 Does not provide the platform for improved visibility and coordination of all permitted activities, particularly those occurring in the road corridor
- 35 Will not improve customer understanding of, and access to, appropriate permits
- 36 Does not provide the platform (in the near term) for online accessibility to permits and visibility of all road corridor activities.
- 37 Is not consistent with the Council's Enforcement and Prosecution Policy
- 38 Does not enables effective and lawful enforcement

39 This report recommends **Option One** as it addresses issues raised during the stakeholder engagement and the Special Consultative Procedure completed when reviewing the Traffic and Parking Bylaw 2018; provides the platform for improved administration and customer experiences and confirms the permitting framework for enforcement post 30 September 2019.

### ***Significance and Engagement***

40 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***

41 This matter relates to the strategic risk SR3 - Management Practice - working within legislation, as documented in the Council's risk register. The risk is classed as low.

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

### **Financial Implications**

43 It is anticipated that the cost associated with the new permitting framework will be met from current budgets

### **Council Policies, Strategies and Bylaws**

44 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 2012 as existing regulation
- Queenstown Integrated Transport Strategy supporting improved network performance and customer experience for all modes and improved liveability and visitor experience
- Wanaka Transport Strategy 2008 supporting an appropriate transport network and parking provision.

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

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

### **Local Government Act 2002 Purpose Provisions**

47 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**

48 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.

49 The Council has completed a full bylaw review following section 155 of the Local Government Act 2002 during 2018. Significant formal and informal engagement was completed with the community and key stakeholders.

### **Legal Considerations and Statutory Responsibilities**

50 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 QLDC permitting framework, objectives, principles and permit types
- B Proposed fees associated with the proposed QLDC permitting framework