

Full Council

31 July 2025

Report for Agenda Item | Rīpoata moto e Rāraki take [5]

Department: Strategy & Policy

Title | Taitara: Traffic and Parking Bylaw 2018 review

Purpose of the Report | Te Take mō te Pūroko

The purpose of this report is to present Council with proposed changes to the Traffic and Parking Bylaw 2018 (**the current bylaw**) and seek that Council endorse the draft Traffic and Parking Bylaw 2025 / Kā Waeture Huarahi kā Tūka Waka 2025 (**the draft bylaw**) for formal consultation, via the special consultative procedure.

If Council endorses the draft bylaw and adopts the Statement of Proposal for consultation, officers will undertake formal consultation in accordance with the special consultative procedure from 8.00am 7 August to 5:00pm on 7 September 2025.

Executive Summary | Whakarāpopototaka Matua

Council is empowered by the Land Transport Act 1998 (LTA) and the Local Government Act 2002 (LGA) to create a traffic and parking bylaw. This bylaw allows Council to conduct activities to protect public safety and regulate the behaviours of road users¹.

The Traffic and Parking Bylaw 2018 (the current bylaw) operates by providing a framework for council to make controls (i.e. rules) regarding traffic and parking in the district. This means that typically controls on specific streets or location are developed as needed, with the bylaw providing the necessary process and 'toolbox' for implementing these controls on a case-by-case basis. Typically, traffic and parking controls are passed through infrastructure committee, or full council, by resolution.

Queenstown Lakes District (QLDC) is required to review bylaws every five years, and in some cases every 10 years, with a two-year grace period. Therefore, the current bylaw needs to be replaced by 13 December 2025, or it will be automatically revoked, and the district will cease to have a bylaw. This means that the hearings panel will finalise their recommendations on changes to the bylaw during deliberations in late September, and the new council will need to adopt the new bylaw as one of their first orders of business in late November/ early December 2025.

¹ For a comprehensive list of topics which can be regulated under Land Transport Act 1998 Section 22AB see Attachment B

The bylaw development process provides an opportunity to future proof the bylaw, and ensure it aligns with national legislation and the needs of the district. In general, this process has found that the current bylaw is working as intended, and most provisions are proposed to be carried over to the draft bylaw.

Issues identified during the development process, and recommended options to address them, were presented to council and Wānaka-Upper Clutha Community Board (WUCCB) at the Council workshop on 13 May 2025². As mentioned previously, the nature of the bylaw means that many issues are best addressed by the resolution process instead of making amendments to the bylaw itself, with the bylaw operating as a vehicle to facilitate the introduction of traffic and parking controls.

Minor amendments to improve and future proof the draft bylaw include:

- Enabling police to enforce fitting of snow chains on vehicles (particularly on the Crown Range) by updating delegations regarding temporary restrictions under the bylaw.
- Incorporating new definitions into the draft bylaw to facilitate regulation in emerging areas of interest for the district (e.g. electric vehicles, micromobility devices)³.
- Update and simplify the draft bylaw to ensure alignment with national legislation and ease of use.
- Facilitate the regulation of shared zones⁴ and shared paths⁵ through additional clauses in the draft bylaw.
- Encourage the use of bicycles and wheeled recreational devices by allowing more flexible parking locations whilst also ensuring they don't cause obstructions on footpaths.
- Clarify that parking control exemptions for officers (police or council officers) are only for the purposes of duty or function.
- Simplify and clarify wording and definitions in the bylaw in general
- Amend the resolution process to reference councils intended parking strategy/plans

While other traffic and parking related issues were identified during this process, many of these issues are more appropriately addressed through mechanisms outside the scope of the bylaw (such as parking availability and supply) or are already provided for under the current bylaw's powers through the resolution process - and therefore do not require bylaw amendments⁶.

The consultation process for the draft bylaw is proposed to have a wider remit than proposed amendments

While the remit of the changes proposed in the draft bylaw are relatively narrow, Council recognises the strain traffic and parking issues have on the community. For example, in 2024 39% of all Council requests for service (including snap send solve requests) were related to parking. Consultation on the draft bylaw provides an opportunity to get community feedback on issues identified during the bylaw development process to inform future parking strategies and plans in the district.

² A summary of issues identified and recommended options is shown in Attachment C

³ Other definitions include: micromobility devices, boat ramps, re-parking, shared paths/zones, chains, trailers

⁴ A shared zone is where both vehicles, pedestrians and cycles use the same space

⁵ A shared path is intended to be used by pedestrians, cyclists, mobility devices and wheeled recreational devices.

⁶ See Attachment C for a summary of issues and recommended approaches

Recommendation | Kā Tūtohuka

That the Council:

1. **Note** the contents of this report;
2. **Note** that at its 17 April 2025 meeting, Council determined that pursuant to section 155(1) of the Local Government Act 2002, that a bylaw is the most appropriate way of addressing issues related to traffic and parking in the district;
3. **Determine** pursuant to 155(2)(a) of the Local Government Act 2002 that the draft Traffic and Parking Bylaw 2025 / Kā Waeture Huarahi kā Tūka Waka 2025 is the most appropriate form of bylaw;
4. **Determine** pursuant to 155(2)(b) of the Local Government Act 2002 that the draft Traffic and Parking Bylaw 2025 / Kā Waeture Huarahi kā Tūka Waka 2025 does not give rise to any implications under the New Zealand Bill of Rights Act 1990;
5. **Adopt** the draft Traffic and Parking Bylaw 2025 / Kā Waeture Huarahi kā Tūka Waka (**Attachment A**) for consultation;
6. **Adopt** the Statement of Proposal in **Attachment D** for consultation in accordance with the Special Consultative Procedure outlined in Sections 83 and 86 of the Local Government Act 2002, from 8.00am 7 August 2025 to 5.00pm 7 September 2025; and
7. **Appoint** four councillors (to be named) of whom three are required to form a hearings panel to hear and consider the submissions on the proposal and make recommendations to the Council on adoption of a draft Traffic and Parking Bylaw 2025 / Kā Waeture Huarahi kā Tūka Waka 2025.

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Date: 10 July 2025

Context | Horopaki

Bylaws scope and limitations

1. The 2018 Traffic and Parking Bylaw's scope is determined by both the Local Government Act 2002 (LGA) Part 8, and the Land Transport Act 1998 (LTA) Section 22AB.
2. A bylaw can be made under the Local Government Act 2002 (LGA) to:⁷
 - a) protect the public from nuisance
 - b) protect, promote, and maintain public health and safety, and
 - c) minimise the potential for offensive behaviour in public places.
3. A bylaw can be made under the Land Transport Act 1998 (LTA) to regulate and enforce behaviours on roads. The types of behaviours which can be regulated are detailed in Section 22AB of the Land Transport Act 1998 (summary is provided in **Attachment B**).
4. Most powers from the current bylaw are derived from the LTA, with some supplementary powers derived from the LGA. Bylaws review requirements are set out in the LGA Section 160(a).

The bylaw review process

5. The LGA sets out that a bylaw must be reviewed within five years of the date it is first made⁸. If it is not reviewed within 5 years there is a two-year grace period,⁹ after which it is automatically revoked. The current bylaw has passed the five-year review date (December 2023) and will be revoked automatically if a new bylaw is not made by 13 December 2025. See figure 1. below for a diagram displaying the bylaws development progress.
6. This report requests that Council:
 - Determine that the draft bylaw is the most appropriate form of bylaw and does not give rise to any implications under the NZ Bill of Rights Act 1990;
 - Endorse the statement of proposal and draft new bylaw for public consultation; and
 - Appoint a panel to hear submissions and deliberate on the final form of the bylaw.

⁷ LGA Section 145

⁸ LGA Section 158

⁹ LGA Section 160A

Figure 1 – High level overview of the bylaws development so far



Key issues identified during the bylaw development process

7. Officers identified several issues related to traffic and parking during the development of the draft bylaw, with input from Council officers, subject matter experts and police. These issues were categorised as:
 - regulatory issues, which require elected member resolution or oversight, and
 - non-regulatory issues, which do not require an elected member resolution at this stage.
8. Options to address issues were presented to councillors and members of the Wānaka-Upper Clutha Community Board (WUCCB) during a Council public workshop on 13 May 2025 for feedback.¹⁰ A summary of the options presented, and the analysis undertaken by officers is provided in the next section.

Analysis and Advice | Tatāritaka me kā Tohutohu

9. During the 13 May workshop, findings from the bylaw statutory review, and options to address these issues, were presented and Councillors and WUCCB for feedback.
10. Feedback regarding bicycle parking wording within the current bylaw was raised during the workshop and determined to be in scope of the review. Other issues raised and discussed during the workshop include mobility parking rules, public nuisance, loading zone rules and public communication of parking rules.
11. A summary table of key issues identified during the review of the bylaw, as well as options to address these issues is shown in **Attachment C**. Criteria used to evaluate options is shown below.

¹⁰ <https://www.qldc.govt.nz/media/a40n2xzj/3-traffic-parking-bylaw-workshop-updated.pdf>

Table 1 – Showing option evaluation criteria used

OPTIONS EVALUATION CRITERIA (TRAFFIC & PARKING BYLAW)	
Risks and mitigation	What are risks to Council due to the potential option. These could be reputational risks, etc. What can Council do to mitigate these risks?
Effectiveness	How effective is the option at addressing the perceived problem (as laid out in the problem definition)
Efficiency	How efficient is the option at addressing the problem (this could be cost-efficiency, efficiency of process, efficiency of time/internal resource, opportunity cost etc.)
Validity	Is the proposed option repugnant to legislation (i.e. does it align with national legislation, Land Transport Act 1998 & NZ Bill of Rights Act 1990)
Bylaw Implementation	What are considerations regarding the implementation of the bylaw (e.g. enforcement feasibility, cost feasibility, technological, practical considerations etc.)

12. The conclusion of the options analysis demonstrated that most issues do not require bylaw amendments and are more appropriately addressed through the resolution process.
13. A resolution is when council, or a delegated committee, decide (for example to implement a 'control') during a committee meeting with advice from council officers. These decisions are typically made as part of a wider project or planned development and tend to apply to a street or section of a road, such as a no stopping rule, heavy vehicle limit or parking limit change.
14. The finding that most issues can be addressed by resolution demonstrates that the current bylaw is generally fit for purpose in its current form and provides Council with a flexible tool that can be applied to variety of issues without requiring bylaw amendments.

Summary of the issues and recommended options presented during the workshop

15. Vehicles parking on verges/berms, causing obstructions and damage to property.

The current bylaw has clauses prohibiting parking on berms (Clause 21.1). This has been identified as a long-standing issue in the district¹¹.

- The recommended option is to continue to address the issue through the bylaw resolution process. This would allow signage to be erected at 'hotspot' locations to aid the enforcement team in issuing infringements (infringements cannot be issued without appropriate signage). These locations can be identified through analysis of request for service (RFS) data and community input/feedback.

¹¹ Approximately 8% of parking related request for service (RFS) in the district were related to vehicles parking on berms

16. Heavy vehicles (>3000kgs) parking in residential areas, causing obstructions and safety risk.

- The recommended option is to address the issue through the current bylaw resolution process. This approach avoids unintended consequences, is easier to communicate to the public/heavy vehicle owners if enacted in site specific locations. It is also in line with best practice across the country and allows the erection of signage at specific problem sites.

17. Traffic and parking congestion around public facilities (mainly reserves and water facilities), increasing maintenance and impacting public access.

- The recommended option is to address the issue through the current bylaw resolution process and explore utilising other regulatory tools. This approach would allow future decisions to be made on a case-by-case basis, and incorporate the usage of more appropriate tools, such as the Maritime Transport Act 1994 and Reserves Act 1977, to address these issues.

18. Re-parking, where people move their vehicles to re-park in the same zone.

- The recommended option is to address the issue through the bylaw resolution process. This approach allows the introduction of site-specific controls at hotspots (such as the Town Centre Zone), which is easier to enforce through installation of appropriate signage, as well as alter in response to changing circumstances. This approach would also ensure alignment with Council's parking strategy (to be introduced) and parking management plans.

19. Mobility park overstaying, causing disruption to users and reducing parking availability for mobility parking users.

- The recommended option is to address the issue through the bylaw resolution process. This approach allows the introduction of flexible site-specific controls at hotspots (such as the Town Centre Zone), which is easier to enforce and change in response to changing circumstances.

20. Allow police to issue infringements for refusal to use of snow chains.

- Roading police have reported issues of road users not complying with snow chain requirements during adverse weather, causing a safety risk to themselves and others. Police have requested to reinstate the district precedent code to issue infringements under the bylaw. This will allow police to issue infringements if \$150 for non-compliance with a snow chain requirement, with a maximum fine of \$1000 dollars. This can be done through the bylaw in its existing form (through clause 14.1 temporary restriction of classes of vehicles) and does not require Council resolution.

21. Council does not have readily available mechanisms to regulate shared zones and shared paths.

- The recommended option for this issue is to amend the current bylaw to give Council the mechanism to regulate shared paths and shared zones by resolution. This is in line with other councils' approach and broadens the scope of the bylaws powers to regulate shared spaces, which are becoming more common in the district.

22. Update the resolution process to align with Council's planned strategies to ensure alignment and consistency of approach across the district.

- The recommended option is to ensure Council consider parking strategies and plans (which are in development) when passing a resolution under the bylaw. This will ensure alignment of approaches across the district.

23. Definitions in the bylaw

- The draft bylaw proposes updated definitions to ensure ease of use, efficiency of processes and validity (legal alignment) when issuing future resolutions. Definitions have been added into the preliminary section of the draft bylaw. Other definitions in the draft bylaw have been altered to directly reference central government legislation.

These definitions include:

- micromobility devices
- electric vehicles
- trailer
- boat ramp
- re-parking (where vehicles re-park in the same zone)
- chains (snow chains)
- shared zones
- shared paths.

24. Clarify wording regarding bicycle parking

- The draft bylaw proposes to clarify wording in Clause 22.2 by making an amendment that allows more flexible parking locations, whilst ensuring that bicycles are not causing obstructions or damage to Council property.

25. Since the 13 May Council Workshop, the following definitions and clarification have been made following legal and subject matter expert review, these are:

- Unformed legal roads definition added to the bylaw (also known as paper roads)
- Clarification regarding parking exemptions for officers when necessary for duty of function, when no other practical alternative is available (Clause 27.4 in proposed bylaw)

- Recreational devices added to Clause 22.2 to reduce obstructions or damage to Council property.

Issues identified that don't require regulatory change or Council resolution

26. Updating Chief Executive delegations

- This does not require elected member input but would facilitate the introduction of temporary prohibitions on classes vehicles due to climatic conditions (i.e. snow fall or icy conditions on roads). This delegation would facilitate snow chain use being enforced by police in the district when appropriate signage is present.

27. Rubbish bins causing obstructions

- A self-contained clause (which applies district wide) is already provided for in the current bylaw (Clause 22.3a).

28. Bylaw implementation improvements in general

- Issues regarding enforcement and maintenance of a record detailing the controls that are established pursuant to the bylaw is outside of the scope of the bylaw development process. However, the business process team is currently working on identifying options in address record keeping issues related to the bylaw and recommending next steps.

Options Analysis

29. This report identifies and assesses the following reasonably practicable options as required by Section 77 of the Local Government Act 2002.

30. Option 1 the Council endorses the draft Traffic and Parking Bylaw 2025 / Kā Waeture Huarahi kā Tūka Waka 2025 for consultation and nominates panel members.

Advantages

- The development of the draft bylaw has comprehensively identified the regulatory and non-regulatory issues that may be addressed through a traffic and parking bylaw. Adoption of the draft bylaw would ensure that these matters have been considered and addressed.
- Continues a compliant bylaw development process.
- The public would be able to submit on the draft bylaw.

Disadvantages

- The public consultation and adoption aspects of the bylaw development process require resources to run the submission processes, hold public hearings, and prepare reports.

31. Option 2 the Council does not endorse the Traffic and Parking Bylaw 2025 / Kā Waeture Huarahi kā Tūka Waka 2025 for consultation and lets the bylaw lapse.

Advantages

- There may be avenues under the Land Transport Act 1998, whereby some council powers to regulate traffic related issues can be retained post bylaw lapse date (13 December 2025).
- Fewer resources required to run submissions, hearings and prepare deliberation and adoption related reports.

Disadvantages

- Council would lose its ability to regulate traffic and parking from 13 December 2025 via a traffic and parking bylaw to specifically manage the issues related to traffic and parking in the district. This is a legal risk, as well as a risk to safety and order on roads in the district.

32. This report recommends **Option 1**. This will enable council to continue the bylaw development process for developing a new traffic and parking bylaw.

Next steps

33. If Council adopts Option 1, the draft bylaw and statement of proposal will go out for public consultation in the month of August. The community will be asked for feedback on proposed changes to the bylaw, as well as changes which are proposed during this review cycle, such as the enforcement of snow chains.

34. It is intended that written and oral submission will be presented and a hearing on this matter will be held late September/early October 2025.

35. Officers will then present the new draft bylaw to Council for deliberation and adoption during a council meeting before 13 December 2025 (date will be determined after October election period). This means that the hearings panel will finalise their recommendations on changes to the bylaw during deliberations in late September, and the new council will need to adopt the new bylaw as one of their first orders of business in late November/ early December 2025. This also means that

36. If required, a bylaws workshop may be held prior to the adoption to update new councillors on this bylaw, as well as the bylaw making process in general.

Consultation Process | Hātepe Matapaki

Significance and Engagement | Te Whakamahi i kā Whakaaro Hiraka

37. This matter is of low significance, as determined by reference to the Council's Significance and Engagement Policy 2021. While the bylaw development process may result in amendments that could change the current bylaw, the recommended amendments will not have significant impacts on how traffic and parking is regulated in the district. The proposed changes will largely maintain the mechanisms and processes of the Traffic and Parking Bylaw 2018 and will not significantly alter Council's capacity or capability to deliver core functions.
38. The persons who are affected by or interested in this matter are commercial transport operators, businesses, Waka Kotahi NZTA, other transport users and the general public. As mentioned previously this bylaw development does not significantly impact or introduce new controls, instead, it determines if the process and scope for introducing controls is still fit for purpose.

Māori Consultation | Iwi Rūnaka

39. Council has not undertaken direct consultation with Iwi, but the opportunity to make a submission during the consultation period will be available to Iwi and Rūnaka.

Risk and Mitigations | Kā Raru Tūpono me kā Whakamaurutaka

40. 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.
41. The approval of the recommended options will allow Council to implement additional controls for this risk. This will be achieved by ensuring QLDCs bylaw provides the most efficient and effective provisions for it to fulfil its obligations under the LTA and LGA.

Financial Implications | Kā Riteka ā-Pūtea

42. The costs associated with the bylaw development process including officer time and advertising will be met within current Council budgets. The draft bylaw 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

43. 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)

44. The recommended options are consistent with the principles set out in the above-mentioned named policies.
45. Provision for bylaw review, enforcement and complaint response is identified as part of QLDC's regulation functions and services in the 2024-34 Long Term Plan.

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

Determinations under Section 155(2)(a) and (b)

46. Before making a bylaw, Council must make the following determinations:

- whether the proposed bylaw is in the most appropriate form of bylaw to address the perceived problem, and
- whether the proposed bylaw gives rise to any implications under the New Zealand Bill of Rights Act 1990 (NZBORA)

Section 155(2)(a) and (b) determinations

47. A standalone document is the most appropriate form of bylaw because it provides an accessible single repository for all relevant regulatory matters, is appropriately concise, and there are no other appropriate documents or bylaws that could reasonably be applied to achieve QLDC's traffic and parking roles and responsibilities. QLDC has also used a standalone traffic and parking bylaw since at least 2012, continuing this approach would provide regulatory consistency for residents and Council officers.
48. This form of bylaw has been generally considered fit for purpose. The bylaw utilises the resolution process heavily (through framework controls) to enact most traffic and parking rules in the district. This gives council flexibility in responding to perceived problems as they occur outside of the bylaw review cycle and allows elected members and officers to consider the unique characteristics of each location when implementing traffic and parking controls. Having a bylaw utilise the resolution process also facilitates the development of traffic and parking related plans and strategies, such as the development of comprehensive parking management plans.

Implications under the New Zealand Bill of Rights Act 1990 (NZBORA)

49. The NZBORA protects the civil and political rights and freedoms of all New Zealanders. In accordance with section 5 of the NZBORA, 'the rights and freedoms contained in the Bill of Rights may be subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society'.

50. Traffic-related bylaws potentially give rise to implications on the right of freedom of movement (Section 18) due to restrictions on where a person may use or park a vehicle. However, these limitations are a justified, proportionate and reasonable response to the problem, therefore council considers that the proposed bylaw is not inconsistent with the NZ Bill of Rights Act. Amendments to the bylaw as part of this review, and controls issued under the bylaw are required to comply with the NZBORA, and prescribe reasonable limits prescribed by law.

Other requirements under the LGA

51. 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.

52. 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 its roads to give effect to section 145 of the LGA.

53. A copy of every bylaw made under the LTA by a road controlling authority must, within one week after being made, be sent to the Minister of Transport, who may at any time disallow the bylaw or any part of the bylaw under section 22AC.

Special consultative procedure

54. It is proposed that consultation on a draft bylaw would be done using the special consultative procedure outlined in sections 83 and 86 of the LGA. The special consultative procedure requires that Council adopts a formal statement of proposal, has a consultation period of not less than one month, and allows people to present their views to Council in a manner that enables spoken interaction, such as by having a hearing.

55. In accordance with section 83 of the LGA, it is proposed that Council will encourage people to give feedback by making the draft bylaw, Statement of Proposal, Summary of Information, and associated supporting material as widely available as is reasonably practicable and by:

- a. enabling people to provide their views on the draft bylaw by way of a survey and interactive map on Council's 'Let's Talk' website, or by email, post or hand delivery,
- b. having the Summary of Information and Statement of Proposal accessible on Council's 'Let's Talk' website,
- c. placing advertisements in local newspapers and radio stations,
- d. directly notifying (via email) known public stakeholders (i.e. commercial operators and recreational groups), and

- e. promoting the consultation on Council's social media pages.

Revocation of the Traffic and Bylaw 2018

56. A bylaw is automatically revoked under Section 160A of the LGA two years after the last date it was eligible for review. Therefore, the current bylaw needs to be reviewed before 13 December 2025 (seven years after the date of making) to prevent it from lapsing. If the bylaw is lapsed then officers and police will be unable to enforce controls under the bylaw, such as parking fines etc.

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

57. 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.

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

59. The recommended options:

- Can be implemented through current funding under the Long-Term Plan and Annual Plan;
- Are consistent with the Council's plans and policies;
- 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	Draft Traffic and Parking Bylaw 2025 / Kā Waeture Huarahi kā Tūka Waka 2025
B	List of topic areas which may be regulated under Land Transport Act 1998, Section 22AB
C	Summary of issue identified during review process and recommended options
D	Statement of Proposal - Traffic and Parking Bylaw 2025 / Kā Waeture Huarahi kā Tūka Waka 2025



The Queenstown Lakes District Council Traffic and Parking Bylaw 2025

Kā Waeture Huarahi kā Tūka Waka 2025

Queenstown Lakes District Council

Date of making: TBC
Commencement: TBC

This bylaw is made pursuant to Section 22AB of the Land Transport Act 1998 and Part 8 of the Local Government Act 2002.

Contents

		Page
1	Title and commencement	4
2	Area within which Bylaw applies	4
3	Purpose	4
4	Interpretation	4
5	Resolutions made under this Bylaw	7
6	One-way roads	8
7	Left or right turns and U-turns	8
8	Traffic control because of size, nature or goods	8
9	Special vehicle lanes	9
10	Cycle paths	9
11	Shared zones	9
12	Shared Paths	10
13	Engine braking	10
14	Cruising	10
15	Unformed legal road	10
16	Temporary restrictions on the use of roads	11
17	Stopping, standing and parking	11
18	Parking restrictions – parking places and transport stations	12
19	Method of parking	14
20	Mobility parking	14
21	Residents' parking	14
22	Passenger service vehicles, goods service vehicles, rental service vehicles	14
23	Parking off a roadway	15

24	Miscellaneous	15
25	Inspection	16
26	Offences and penalties	17
27	Exceptions	17
28	Revocation	18
29	Savings	18
	Additional information to Traffic and Parking Bylaw 2025	19

DRAFT

Part 1 – Preliminary

1 Title and commencement

- 1.1 This bylaw is the “Queenstown Lakes District Council Traffic and Parking Bylaw 2025 | Kā Waeture Huarahi kā Tūka Waka 2025”.
- 1.2 This bylaw comes into force on TBC.

2 Area within which bylaw applies

This bylaw applies to the Queenstown Lakes District.

3 Purpose

The purpose of this bylaw is to regulate parking and the use of vehicles or other traffic on roads managed and controlled by Queenstown Lakes District Council and other public places.

4 Interpretation

- 4.1 In this bylaw, unless the context otherwise requires.

Act means the Land Transport Act 1998.

Authorised officer means any person appointed or authorised by the Council to act on its behalf under this bylaw and includes any Parking Warden or Enforcement Officer.

Chains means 2 separate lengths of chain (commonly referred to as snow chains) which are designed and are able to be fitted over the wheels of a vehicle providing drive-on-the-road surface, thereby increasing the vehicle's traction in ice and snow.

Council means the Queenstown Lakes District Council.

Cruising has the same meaning as the as in the Land Transport Act 1998.

Driver in relation to a vehicle, includes the rider of a motorcycle or moped or bicycle; and drive has a corresponding meaning.

Electric vehicle has the same meaning as in clause 1.6 of the Road User Rule.

Enforcement officer means-

- (a) *in relation to powers exercised under the Land Transport Act 1998:*

- (i) *a sworn member of the Police*
- (ii) *a non-sworn member of the Police who is authorised for the purpose by the commission of Police*
- (iii) *a person who is appointed to that officer by warrant under section 208 of the Land Transport Act 1998 or who holds that*

office by virtue of that Act and any parking warden appointed by the Council and warranted accordingly

- (b) in relation to powers exercised under the Local Government Act 2002, an enforcement officer appointed under section 177 of the Local Government Act 2002

Goods service vehicle has the same meaning as in section 2(1) of the Act.

Heavy motor vehicle has the same meaning as in section 2(1) of the Act.

Infringement offence has the same meaning as it has in section 2(1) of the Land Transport Act 1998.

Large passenger service vehicle has the same meaning as in section 2(1) of the Act.

Micromobility device means transportation using lightweight vehicles such as bicycles, skateboards or scooters, especially electric ones that may be used as part of a self-service scheme in which people hire vehicles for short-term use within a town or city.

Mobility parking permit means a mobility parking permit issued by CCS Disability Action.

Motorcycle has the same meaning as in clause 1.6 of the Road User Rule.

Motor vehicle has the same meaning as in section 2(1) of the Act.

Operate has the same meaning as in section 2(1) of the Act.

Owner has the same meaning as in section 2(1) of the Act.

Parking has the same meaning as in section 2(1) of the Act and **park** has a corresponding meaning.

Parking Machine means a machine which is used to facilitate the payment of charges for parking, and includes a parking meter, pay and display machine or other device.

Parking place means a place (including a building) where vehicles or any class of vehicles may wait or park.

Parking warden means a person appointed to hold the office of parking warden under section 128D of the Land Transport Act 1998.

Passenger service vehicle has the same meaning as in section 2(1) of the Act.

Person has the meaning given in the Legislation Act 2019.

Public place means all or part of a place -

- (a) that is under the control of the Council; and
(b) that is open to, or being used by, the public, whether or not there is a charge

for admission; and includes:

- (c) a road, whether or not the road is under the control of the Council.

Ramp in relation to water, means any structure that is provided for launching a vessel into the water or taking a vessel out of the water.

Rental service vehicle means a vehicle used or available for use in a rental service for letting on hire for the carriage of passengers or goods, or both, to a person who drives the vehicle or provides a driver for the vehicle; but does not include a vehicle specified as an exempt vehicle in the Land Transport Act 1998 or the regulations or the rules made under that Act.

Road has the same meaning as in clause 1.6 of the Road User Rule.

Roadway has the same meaning as in clause 1.6 of the Road User Rule.

Road User Rule means the Land Transport (Road User) Rule 2004.

Shared paths have the same meaning as described in clause 11.1A of the Road User Rule.

Shared zone has the same meaning as in clause 1.6 of the Road User Rule.

Small passenger service vehicle has the same meaning as in section 2(1) of the Act.

Traffic sign has the same meaning as in clause 1.6 of the Land Transport (Road User) Rule 2004.

Trailer has the same meaning as in clause 1.6 of the Land Transport (Road User) Rule 2004.

Transport station has the same meaning as in section 591(6) of the Local Government Act 1974.

Unformed legal road (also known as 'paper roads') means any legal road that has not been physically formed, laid out, constructed, or enhanced by adding metal seal, or any other type of surface.

Use has the same meaning as in clause 1.6 of the Road User Rule.

Vehicle has the same meaning as in section 2(1) of the Act.

Zone parking, in relation to a road, means a parking restriction imposed by the Council:

- (d) that applies to an area comprising a number of roads; and
- (e) in respect of which persons using vehicles within the area could reasonably be expected to be aware of the application of the parking restriction to the area without the need for the erection of signs at each intersection within the area, for reasons including:
 - (i) the nature of the area; or
 - (ii) the nature of the parking restriction; or
 - (iii) traffic patterns into and within the area; or

- (iv) *the nature and number of entry points to the area; and*
- (f) *that the Council specifically declares to be a zone parking control.*

Zone restriction means an area of roadway the use of which is restricted to a specified class or classes of vehicle or class or classes of road user (with or without a time restriction).

- 4.2 Any explanatory notes and attachments are for information purposes, do not form part of this Bylaw, and may be made, amended or revoked without any formality.
- 4.3 The Legislation Act 2019 applies to this bylaw.

5 Resolutions made under this bylaw

- 5.1 In making a resolution under this bylaw, the Council will take into account the following considerations, if and to the extent they are relevant and in proportion to the significance of the decision:
 - (a) the purpose of this bylaw;
 - (b) the statutory context of the relevant bylaw-making power under section 22AB of the Land Transport Act 1998 and/or Part 8 of the Local Government Act 2002, as the case may be;
 - (c) the public interest in a safe and efficient road transport system and the Council's contribution to that objective in relation to roads under its control;
 - (d) the likely effect of the decision on members of the public or categories of the public;
 - (e) the nature and extent of the problem being addressed by the proposed decision and the reasonably available options for addressing the problem (if any) apart from making a resolution under this bylaw;
 - (f) the public interest in protecting from damage land and assets which are owned or under the control of the Council.
- 5.2 In making a resolution under this bylaw, Council's parking strategy and other parking related plans and guidelines will be considered.
- 5.3 A resolution made under this bylaw may:
 - (a) regulate, control or prohibit any matter or thing generally, or for any specific classes of case, or in a particular case;
 - (b) apply to all vehicles or traffic or to any specified class of vehicles or traffic;
 - (c) apply to any road or part of a road under the care, control or management of the Council;
 - (d) apply at any specified time or period of time;
 - (e) be made subject to any such conditions as are reasonable in the circumstances; amend, revoke, or revoke and replace any

previous resolution made under this bylaw or any equivalent former bylaw.

Part 2 – Vehicle and road use

6 One-way roads

- 6.1 No person shall drive any vehicle on any of the roads specified in Schedule 1 of this bylaw, except in the direction specified in that schedule.
- 6.2 The Council may by resolution:
 - (a) require vehicles on a specified road to travel in one specified direction only;
 - (b) specify that cycles may travel in the opposite direction on a one-way road.
- 6.3 A person must not drive a vehicle on a one-way road in a direction contrary to that specified in Schedule 1 or pursuant to clause 6.2.

7 Left or right turns and U-turns

- 7.1 The Council may by resolution prohibit on any specified road:
 - (a) any vehicle generally or any specified class of vehicle from turning to the left or turning to the right of the path of travel;
 - (b) any vehicle turning from facing or travelling in one direction to facing or travelling in the opposite direction (performing a U-turn).
- 7.2 A person must not turn a vehicle to the left, or to the right, or perform a U-turn, where that movement has been prohibited pursuant to this clause.

8 Traffic control because of size, nature or goods

- 8.1 The Council may by resolution prohibit or restrict the use of a road as unsuitable for any specified class of traffic or any specified class of vehicle due to its size or manner of operation or the nature of the goods carried.
- 8.2 Unless the resolution says otherwise, no prohibition or restriction made under clause 8.1 applies to a waste collection vehicle collecting waste pursuant to a waste collection contract.
- 8.3 A person must not use a road in a manner contrary to a prohibition or restriction made under this clause.
- 8.4 The Chief Executive of the Council may issue permits to contractors in respect of specified construction contracts or projects, authorising vehicles of the permit-holder to be used on any roads or streets in respect of which a prohibition or restriction under clause 8.1 is in place, and to load and unload materials and supplies for such projects, between 10.00am and 6.00pm on any specified day, and subject to such conditions as may be included in the permit.

8.5 The Chief Executive Officer of the Council may issue permits to events organisers in respect of specified events, authorising vehicles of the permit-holder to occupy parking spaces, and to be used on any roads or streets in respect of which a prohibition or restriction under clause 8.1 is in place, between 10.00am and 6.00pm on any specified day, and subject to such conditions as may be included in the permit.

8.6 A person is not in breach of clause 8.3 if they are acting pursuant to, and in accordance with, a permit issued under clause 8.4 or clause 8.5.

9 Special vehicle lanes

9.1 The Council may by resolution prescribe a road, or a part of a road, as a special vehicle lane that may only be used by a specified class or classes of vehicle.

9.2 A person must not use a special vehicle lane contrary to any restriction made under this clause.

10 Cycle paths

10.1 The Council may by resolution regulate the use of cycle paths including by:

- (a) prohibiting the use of the cycle path by specified vehicles or classes of vehicle;
- (b) determining priority for users of the cycle path by some or all of the following persons:
 - (i) pedestrians;
 - (ii) cyclists;
 - (iii) riders of mobility devices;
 - (iv) riders of wheeled recreational vehicles;
 - (v) rider of micromobility devices.

10.2 A person must not use a cycle path in a manner contrary to any prohibition or restriction made under this clause.

11 Shared zones

11.1 The Council may by resolution specify any road or part of a road to be a shared zone.

11.2 Any resolution made under this clause may specify:

- (a) whether the shared zone may be used by specified classes of vehicles;
- (b) the days and hours of operation of the shared zone (if they differ from 24 hours per day, 7 days per week); and

- (c) any other restrictions on how the shared zone is to be used by the public, including how traffic pedestrians will interact.
- 11.3 Except where the Council has by resolution specified otherwise, no person may stand or park a vehicle in a road specified as a shared zone.
- 11.4 No person may use a shared zone in a manner that contravenes a restriction made by the Council under this clause.
- 12 Shared paths**
- 12.1 The Council may by resolution:
 - (a) determine the length, route and/or location of a shared path; and
 - (b) determine priority for users on a shared path.
- 12.2 No person may use a shared path in a manner that contravenes a restriction made by resolution of Council under this clause.
- 13 Engine braking**
- 13.1 The Council may by resolution prohibit or restrict engine braking on any road where the permanent speed does not exceed 70 km/hr.
- 13.2 A person must not use engine braking on any road contrary to a prohibition or restriction made under this clause.
- 14 Cruising**
- 14.1 The Council may by resolution:
 - (a) specify any section of road or roads on which cruising is controlled, restricted or prohibited;
 - (b) prescribe the period of time that must elapse between each time a driver drives on a specified section of road for a driver to avoid being regarded as cruising.
- 14.2 A person must not use a motor vehicle contrary to a control, prohibition or restriction made under this clause.
- 15 Unformed legal roads**
- 15.1 The Council may by resolution restrict the use of motor vehicles on unformed legal roads for the purpose of protecting the environment, the road and adjoining land, and/or the safety of road users.
- 15.2 A person must not use a motor vehicle on an unformed legal road contrary to a restriction made under this clause.

16 Temporary restrictions on the use of roads

- 16.1 The Council may temporarily restrict the use of, or class of vehicles which may use, any road or part of a road when the Council's Chief Executive considers that:
- (a) there is, or is likely to arise, at any place on that road a risk of danger to the public or to a person working on or near a road or a risk of damage to the road; or
 - (b) it is necessary for the safety of a special event.
- 16.2 A person must not drive or use the vehicle contrary to any restriction made under clause 16.1.
- 16.3 Any vehicle being used for the purpose of maintenance or construction of roading, or a vehicle of a utility operator, may, with the permission of an authorised officer, be driven or parked in a manner contrary to any restriction made under clause 16.1, provided it is driven or parked with due consideration to other road users.

Part 3 – Parking

17 Stopping, standing and parking

- 17.1 The Council may by resolution:
- (a) prohibit or restrict the stopping, standing or parking of vehicles on any road; or
 - (b) limit the stopping, standing or parking of vehicles on any road to vehicles of any specified class or description, and limit the period of time that such vehicles may stop, stand or park on the road.
- 17.2 For the purposes of clause 17.1(b):
- (a) a class or description of vehicles may be specified by reference to whether the vehicle, or the driver or owner of the vehicle, has a permit or approval issued by the Council to stop, stand or park the vehicle on that road; and
 - (b) the Council may by resolution establish a permit or approval system which may include, without limitation, specifying or providing for:
 - (i) the criteria for obtaining the permit or approval;
 - (ii) the process for applying for the permit or approval including the provision of any information to the Council;
 - (iii) the payment of any application fee to the Council, and the amount of that fee;
 - (iv) the procedure for determining applications;
 - (v) the imposition of conditions on any permit or approval issued by the

Council;

- (vi) the duration of the permit or approval;
- (vii) the revocation of approvals or permits;
- (viii) any other matter relevant to the approval or permit system.

17.3 A person must not stop, stand or park a vehicle on a road in contravention of a prohibition, restriction or limitation made under this clause, including any condition attaching to a permit or approval referred to in clause 17.2(a).

18 Parking restrictions - parking places and transport stations

18.1 The Council may by resolution:

- (a) prescribe the times, manner (such as angle parking only) and conditions for the parking of vehicles or classes of vehicles in a parking place or transport station;
- (b) specify the vehicles or classes of vehicles that may or must not use a parking place or transport station, such classes including but not limited to:
 - (i) motorcycles;
 - (ii) cycles, including electric bicycles;
 - (iii) electric vehicles, while in the course of being recharged at an electric vehicle charging station;
 - (iv) goods service vehicles;
 - (v) passenger service vehicles, including large passenger service vehicles and small passenger service vehicles;
 - (vi) vehicles in the course of loading or unloading goods or passengers (“loading zone”);
 - (vii) vehicles loading or unloading vessels;
 - (viii) vehicles used by disabled persons;
 - (ix) vehicles used by pregnant women or by persons accompanied by infants or young children;
 - (x) micromobility devices.
- (c) prescribe:
 - (i) any charges to be paid for the use of the parking place or transport station; and
 - (ii) the manner by which parking charges may be paid, through the use of parking machines or by way of electronic payment or in any other specified manner, and the way in which proof of payment must be

demonstrated (such as display of a receipt);

- (d) make any other provision for the efficient management and control of the parking place or transport station.

18.2 For the purposes of clause 18.1(a) and (b):

- (a) a class of vehicles may be specified by reference to whether the vehicle, or the driver or owner of the vehicle, has a permit or approval issued by the Council to park the vehicle in the parking place or transport station; and
- (b) clause 18.2(b) applies, with any necessary changes, to the establishment of the permit or approval system.

18.3 To avoid doubt, the restrictions in clause 16.1 may be imposed, in the case of a road, by way of zone parking or a zone restriction.

18.4 Any restrictions that apply generally to a zone do not apply to locations within that zone where other specific stopping, standing or parking restrictions apply.

18.5 Where the conditions of parking require display in or on the vehicle of a ticket or receipt for payment or other similar document, then the requirement of display is not satisfied if the ticket, receipt or document:

- (a) is torn, defaced, or mutilated to such an extent that any material particular is not legible; or
- (b) has been tampered with so that it differs from the original document; or
- (c) is not used in accordance with the instructions (if any) relating to its use given on the ticket, receipt or document or on any sign relating to the parking; or
- (d) is not prominently displayed in the vehicle or is obscured or cannot easily be read and inspected by any person outside the vehicle.

18.6 A person must not park a vehicle in a parking place or transport station in contravention of a prohibition or restriction made under this clause, or without complying with a condition prescribed or applying under this clause. This includes, without limitation:

- (a) failing to pay a prescribed parking charge, either in the prescribed manner or at all;
- (b) failing to demonstrate proof of payment in the prescribed manner;
- (c) parking for a time period which is in excess of the time period for which payment has been made;
- (d) parking for a time period which is in excess of any maximum authorised period of parking prescribed by the Council.

19 Method of parking

- 19.1 Where individual parking spaces within a parking place or transport station are indicated by painted lines or other markings:
- (a) each vehicle must be parked entirely within a single parking space;
 - (b) where the parking spaces are to be used for angle parking only, vehicles must be parked on the angle indicated;
 - (c) where the parking spaces comprise bays for angle parking of motorcycles, no motorcycle (other than a motorcycle with a sidecar attached) shall be parked across any line marking the edge of the bay.

20 Mobility parking

- 20.1 A person may not park a vehicle in a parking place set aside for mobility parking unless:
- (a) a current mobility parking permit is prominently displayed in the vehicle; and
 - (b) the vehicle is being used to convey the holder of that permit or to pick up or drop off that person.

21 Residents' parking

- 21.1 The Council may by resolution:
- (a) if it considers it reasonable to do so, reserve any specified parking place or places as a residents' parking area, for the exclusive use of persons residing in the vicinity;
 - (b) prescribe:
 - (i) the criteria for qualifying to use the residents' parking area, and any conditions attaching to such use such as a requirement to display an approved resident's parking permit;
 - (ii) any fees to be paid for the use of the residents' parking area including the manner in which the fees are calculated and the manner of payment;
- 21.2 A person must not park a vehicle in a resident's parking area in contravention of a prohibition or restriction made, or a condition imposed, under this clause.

22 Passenger service vehicles, goods service vehicles, rental service vehicles

- 22.1 No small passenger service vehicle shall be parked on any road other than a parking place or transport station set aside for the use of small passenger service vehicles, unless the vehicle:
- (a) is in the course of hire; or

- (b) is not available for hire.
- 22.2 No large passenger service vehicle shall be parked on any road other than a parking place or transport station set aside for such vehicles, unless the vehicle is in the process of loading or unloading passengers.
- 22.3 No passenger service vehicle exceeding 2,000 kilograms in tare weight or goods service vehicle exceeding 4,000 kilograms in tare weight shall be parked on any road between midnight and 5.00am, except where such overnight parking has been specifically authorised by the Council.
- 22.4 No goods service vehicle, large passenger service vehicle, small passenger service vehicle, or rental service vehicle parked on any road shall be washed down or cleaned in such a way that any water, sludge or other liquid flows from the vehicle onto any road or into a culvert, ditch or drain associated with the road.
- 22.5 No goods service vehicle, large passenger service vehicle, small passenger service vehicle, or rental service vehicle shall be parked on any road with its engine running for a period in excess of 5-minutes.
- 22.6 No rental service vehicle shall be parked on any road other than a parking place or transport station set aside for such vehicles, unless the vehicle is under hire at the time of the parking.

23 Parking off a roadway

- 23.1 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.
- 23.2 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.

24 Miscellaneous

- 24.1 A person must not drive or park a vehicle on any road or in any public place in a manner that causes a nuisance.
- 24.2 A person must not:
- ~~(a) chain or otherwise attach a bicycle or other vehicle to street furniture or public infrastructure;~~
 - (a) chain or otherwise leave a bicycle, recreational device or other vehicle in such in a way which unreasonably obstructs the road, footpath or damages public property.
- 24.3 A person must not, without the prior written consent of the Council:

- (a) leave or place on a road any thing other than a vehicle (for example, but without limitation, any machinery, equipment, containers or materials), except that this prohibition does not apply to containers which are placed off the roadway and are used solely for a council–authorised kerbside collection of waste or diverted material, if such containers do not remain on the road for more than 24 hours;
- (b) stop, stand or park a vehicle on a road or parking place for the purpose of advertising a good or service or offering the vehicle for sale, unless the vehicle is being used for bona fide travel and is parked, incidentally, in the course of such travel.
- (c) leave a vehicle (including a vehicle which is broken down) parked on a road or parking place for a continuous period of more than 7 days other than in a designated long term parking area;
- (d) carry out repairs or modifications to a vehicle on a road unless those repairs or modifications are of a minor nature and do not impede the flow of traffic or are necessary to enable the vehicle to be moved.

24.4 A person must not:

- (a) remove, deface, or otherwise interfere with any notice, board, sign, picture or device which has been erected or placed by the Council in relation to parking or the control of vehicles on any road or in any public place;
- (b) misuse, damage, interfere or tamper with any parking machine.

Part 4 – General Provisions

25 Inspection

25.1 Any parking warden or any enforcement officer may, for the purposes of this bylaw:

- (a) inspect any parked vehicle;
- (b) take any action to assist in determining or proving the period for which a vehicle is parked including marking the tyres of the vehicle;
- (c) inspect any ticket or receipt for payment or similar document demonstrating payment for parking, or any parking machine;
- (d) require the driver, or any person appearing to be in charge of a parked vehicle, to produce for inspection any ticket or receipt for payment or similar document (including an electronic document) demonstrating payment for parking;
- (e) retain, for the purposes of any enforcement action under this bylaw, any such document where the parking warden or enforcement officer believes on reasonable grounds that it may be evidence relevant to a breach of this bylaw in relation to parking.

26 Offences and penalties

- 26.1 The operation, driving, using or parking of any vehicle in breach of any of the provisions of this bylaw or any resolution made under this bylaw is a breach of this bylaw.
- 26.2 Without limiting the liability of any person under any enactment, every person commits an offence who:
- (a) commits a breach of this bylaw.
 - (b) causes or permits to be done, anything contrary to this bylaw.
 - (c) omits, fails or refuses to do anything required by this bylaw.
 - (d) operates any vehicle contrary to this bylaw.
 - (e) as the owner of anything parked or left on any road or in any public place does any act contrary to the provisions of this bylaw.
 - (f) is the driver, operator, person in charge, or user of any vehicle, which is driven, operated, used or parked in breach of this bylaw.
- 26.3 Nothing in clause 26.2 limits the liability of any person for an infringement offence as defined in the Act.
- 26.4 Any person breaching a provision of this bylaw made under section 22AB of the Land Transport Act 1998 and in respect of which no other penalty provision applies is liable for a fine of \$500.
- 26.5 Subject to any provision to the contrary, any person convicted of an offence of breaching a provision of this bylaw made under the Local Government Act 2002 is liable for the penalties set out in section 242 of the Local Government Act 2002.
- 26.6 Every person guilty of an infringement offence is liable for the applicable infringement fee relating to that offence together with any applicable towage fee.

27 Exceptions

- 27.1 A person is not in breach of this bylaw if that person proves that:
- (a) the act or omission complained of took place in response to a situation on a road; and
 - (b) the situation was not of the person's own making; and
 - (c) the act or omission was taken—
 - (i) to avoid the death or injury of a person; or
 - (ii) if the act or omission did not create a risk of death or injury or greater damage to any property, to avoid damage to any property.

- 27.2 A person is not in breach of this bylaw if that person proves that the act or omission:
- (a) took place in compliance with the directions of an enforcement officer or a parking warden, constable, traffic signal or traffic sign; or
 - (b) in the case of an act or omission done by an enforcement officer, constable or parking warden, was necessary in the execution of the person's duty.
- 27.3 Any restrictions made under Part 2 and 3 of this bylaw do not apply to:
- (a) a vehicle that is engaged in urgent repair work to a public utility service;
 - (b) a vehicle that is being used as an emergency vehicle in attendance at an emergency situation (including a civil defence emergency);
 - (c) a vehicle that is being used to transport registered medical personnel to assist at an emergency situation.
- 27.4 Any restrictions made under Part 3 of this bylaw do not apply to an enforcement officer / council officer in the execution of duty, or permitted provided that:
- (a) the activity for which the vehicle is being used is necessary for the purpose of duty or function;
 - (b) the vehicle is being used with due consideration for other road users; and
 - (c) where practicable, no other reasonable alternative for conducting the duty or function is available that would avoid contravening the bylaw.

28 Revocation

The Queenstown Lakes District Council Traffic and Parking Bylaw 2018, including all amendments, is revoked.

29 Savings

Any resolutions, approvals, permits or other acts of authority made pursuant to the Queenstown Lakes District Council Traffic and Parking Bylaw 2018, or any previous traffic and parking bylaw made by the Council, and in force as at the date of revocation of the Queenstown Lakes District Council Traffic and Parking Bylaw 2018, remains in force and is deemed to have been made under this bylaw, until revoked or amended by the Council.

Additional information to Traffic and Parking Bylaw 2018

This document contains matters for information purposes only and does not form part of any bylaw. It may include matters made pursuant to a bylaw and other matters to assist in the ease of understanding, use and maintenance. The information contained in this document may be updated at any time

Contents

		Page
1	History of Bylaw [Constantia font 8]	19
2	Enforcement powers	20

1 History of Bylaw

Action	Description	Date of decision	Date of commencement
Make	Traffic and Parking Bylaw 2025	TBC	TBC
Revoke	Traffic and Parking Bylaw 2018	TBC	TBC
Make	Traffic and Parking Bylaw 2018	13 December 2018	1 March 2019
Revoke	Traffic and Parking Bylaw 2012	13 December 2018	1 March 2019
Make	Traffic and Parking Bylaw 2012	18 December 2012	2 May 2013
Revoke	Traffic and Parking Bylaw 2006	18 December 2012	2 May 2013
Make	Traffic and Parking Bylaw 2006	24 November 2006	1 December 2006
Revoke	Traffic and Parking Bylaw 2001	24 November 2006	1 December 2006
Make	Traffic and Parking Bylaw 2001	20 July 2001	1 September 2001

Document title	Description	Location
Decision minutes and agenda	Decisions on submissions to proposed Traffic & Parking bylaw	www.qldc.govt.nz
Hearings report	Background and summary of submissions on proposed Traffic & Parking bylaw	www.qldc.govt.nz
Traffic & Parking Bylaw review- Statement of Proposal	Provides background to proposed Traffic & Parking bylaw	www.qldc.govt.nz
Long Term Plan	Outlines financial plans	www.qldc.govt.nz
Annual Plan	Sets fees and charges	www.qldc.govt.nz
Land Transport Act 1998	Provides certain functions, duties, powers and penalties to make and enforce the bylaw	www.legislation.govt.nz
Local Government Act 2002	Provides certain functions, duties, powers and penalties to make and enforce the bylaw	www.legislation.govt.nz
Bylaws Act 1910	Provides for certain matters related to the validity of bylaws	www.legislation.govt.nz
Interpretation Act 1999	Provides for certain matters related to the interpretation of bylaws	www.legislation.govt.nz

2 Enforcement powers

Legislative provision	Description
Sections 128E and 139 of the Land Transport Act 1998	<p>Allows parking wardens to enforce any stationary vehicle offence or special vehicle lane offence, to direct the driver to remove any vehicle if it is obstructing the road or if it is desirable to remove the vehicle in the interests of road safety or for the convenience or interests of the public etc, or in those same circumstances, to move the vehicle or have someone else do so.</p> <p>Allows parking wardens to issue an infringement notice or proceed with a prosecution under the Criminal Procedures Act 2011.</p>
Part 8 of the Local Government Act 2002	<p>162 Injunctions restraining commission of offences and breaches of bylaws</p> <p>163 Removal of works in breach of bylaws</p> <p>164 Seizure of property not on private land</p> <p>165 Seizure of property from private land</p> <p>168 Power to dispose of property seized and impounded</p> <p>171 General power of entry</p> <p>172 Power of entry for enforcement purposes</p> <p>173 Power of entry in cases of emergency</p> <p>175 Power to recover for damage by wilful or negligent behaviour</p> <p>176 Costs of remedying damage arising from breach of bylaw</p> <p>178 Enforcement officers may require certain information</p> <p>183 Removal of fire hazards</p> <p>185 Occupier may act if owner of premises makes default</p> <p>186 Local authority may execute works if owner or occupier defaults</p> <p>187 Recovery of cost of works by local authority</p> <p>188 Liability for payments in respect of private land</p>

Council delegations

Clause	Function, duty, power to be delegated	Delegated authority	Date of delegation decision	Date of commencement
6.2	Power to make controls for one-way roads	Traffic and Parking sub-Committee	13-December-2018	1-March-2019
7.1	Power to make controls for left or right turns and U-turns	Traffic and Parking sub-Committee	13-December-2018	1-March-2019
8.1	Power to make traffic controls because of size, nature or goods	Traffic and Parking sub-Committee	13-December-2018	1-March-2019
9.1	Power to make special vehicle lanes	Traffic and Parking sub-Committee	13-December-2018	1-March-2019
10.1	Power to regulate use of cycle paths	Traffic and Parking sub-Committee	13-December-2018	1-March-2019
11.1	Power to make controls for engine braking	Traffic and Parking sub-Committee	13-December-2018	1-March-2019
12.1	Power to make controls for cruising	Traffic and Parking sub-Committee	13-December-2018	1-March-2019
13.1	Power to make controls for unformed legal roads	Traffic and Parking sub-Committee	13-December-2018	1-March-2019
15.1	Power to make controls for stopping, standing and parking	Traffic and Parking sub-Committee	13-December-2018	1-March-2019
15.2	Power to make, amend and revoke permit or approval system conditions excluding the setting of fees	Traffic and Parking sub-Committee	13-December-2018	1-March-2019
16.1 and 16.2 and 16.3	Power to set restrictions for parking in parking places and transport stations, including zones.	Traffic and Parking sub-Committee	13-December-2018	1-March-2019
19.1	Power to make controls for residents' parking	Traffic and Parking sub-Committee	13-December-2018	1-March-2019
20.3	Power to set aside roadway for large passenger service vehicle overnight parking	Traffic and Parking sub-Committee	13-December-2018	1-March-2019

Clause	Function, duty, power to be delegated	Delegated authority	Date of delegation decision	Date of commencement
Part 2 clauses 6-14	Provision of signs and markings to evidence controls	Infrastructure Tiers 3-5	13 December 2018	1 March 2019
Part 3 clauses 15-22	All powers, duties and functions as required to enforce	Regulatory Tiers 3-5 (parking wardens)	13 December 2018	1 March 2019
8.4	Power to issue permits to contractors	Regulatory Tiers 3-5 Customer services Tiers 3-4	13 December 2018	1 March 2019
8.5	Power to issue permits to events organisers	Regulatory Tiers 3-5 Customer services Tiers 3-4	13 December 2018	1 March 2019
15.2	Power to determine and issue permits or approvals	Regulatory Tiers 3-5 Customer services Tiers 3-4	13 December 2018	1 March 2019
22.3	Power to issue written consent	Regulatory Tiers 3-5 Customer services Tiers 3-4	13 December 2018	1 March 2019

Attachment B – List of topic areas which may be regulated by Road Controlling Authorities under Land Transport Act 1998, Section 22AB

Road controlling authorities can make bylaws for the following purposes:

- **Cruising:** For controlling, restricting, or prohibiting cruising, including specifying sections of road and periods of time to define cruising.
- **Fines:** For prescribing fines, not exceeding \$1,000, for the breach of any bylaw made under this section.
- **Traffic classes:** For prohibiting or restricting any specified class of traffic or motor vehicle that is unsuitable for use on any road due to its size, nature, or the goods carried.
- **Engine braking:** For prohibiting or restricting engine braking in any area where the permanent speed limit does not exceed 70 kilometres per hour.
- **Beach vehicle:** For prohibiting or restricting the use of vehicles on beaches.
- **Unformed roads:** For restricting the use of motor vehicles on unformed legal roads to protect the environment, the road and adjoining land, and the safety of road users.
- **Road/cycle use:** For prescribing the use of roads and cycle tracks, and regulating the construction of anything on, over, or under a road or cycle track.
- **Heavy traffic:** For providing security against damage from heavy traffic, prohibiting heavy traffic that causes or is likely to cause serious damage unless reinstatement costs are paid, or providing for compensation payments or tolls for heavy traffic.
- **Parking:** For prohibiting or restricting the stopping, standing, or parking of vehicles, limiting parking to specified classes or descriptions of vehicles or time periods, and regulating the use and charges of parking places and transport stations, including reserving them or prohibiting nuisance parking in residential areas.
- **One-way roads:** For providing that vehicles must travel in one specified direction only on roads, subject to prescribed signs.
- **Vehicle turns:** For prohibiting vehicles from turning to face the opposite direction or restricting right or left turns for specified vehicle classes, subject to prescribed signs.
- **Lane restrictions:** For prescribing that any traffic lane may be used or any turning movement made only by vehicles of specified classes, vehicles carrying specified loads, or vehicles with a minimum number of occupants, subject to lane markings.
- **Occupancy limits:** For prescribing that any traffic lane may be used only by vehicles carrying no fewer than a specified number of occupants.
- **Livestock:** For prohibiting or conditionally allowing the crossing of bridges or culverts by animals or vehicles, prescribing routes and times for animals on roads, prohibiting loose animal driving, or requiring animals to be confined within a motor vehicle on roads.
- **Access:** For regulating the use of any means of access constructed under section 319(1) of the Local Government Act 1974.
- **Building numbers:** For requiring the owner or occupier of land or a building to display its allocated number in a position visible from the road.
- **Advertisements:** For regulating, controlling, or prohibiting the display of posters, placards, handbills, writings, pictures, or devices for advertising or other purposes on or over public buildings or other structures visible from a road or public place.
- **Vegetation:** For restricting or prohibiting the planting or erection of trees, shrubs, hedges, fences, or walls at or near corners, bends, or intersections if they constitute a nuisance or danger to traffic and requiring their trimming or cutting.

- **Fencing:** For requiring any allotment in specified parts of the district to be fenced along its frontage to any road.
- **Noxious plants:** For requiring any allotment in specified parts of the district to be kept clear of noxious plants.
- **Grass cutting:** For prohibiting the cutting of grass for seed on roads or specified roads without the previous written consent of the authority.
- **Road landscaping:** For regulating the use of and protecting grass plots, flower beds, and shrubberies laid out in roads, and protecting trees growing on roads or land controlled by the authority.
- **Cellars:** For regulating or prohibiting the construction of cellars or the making of excavations within a specified distance from any road or adjoining land and preventing them from becoming a receptacle for stagnant water or other impure matter.
- **Excavations:** For regulating or prohibiting the making of excavations within a specified distance from any road or adjoining land and preventing them from becoming a receptacle for stagnant water or other impure matter.
- **Vehicle weights:** For providing for the weighing or measurement of vehicle loads, the computation of load weights, requiring drivers to provide load information, and regulating the weights of vehicles or loads that may pass over bridges or culverts.
- **Bridge weights:** For regulating the weights of vehicles or loads that may pass over bridges or culverts.
- **Pedlars/stalls:** For prohibiting or permitting the occupation of stands or stalls by hawkers, pedlars, and mobile or travelling shops in roads, public places, and State highways (with prior consent for State highways), and prescribing charges for related permits.
- **Road safety:** For regulating any road-related matters not specifically addressed in other paragraphs, including enhancing or promoting road safety.
- **Environment protection:** For regulating any road-related matters not specifically addressed in other paragraphs, including providing protection for the environment.

Attachment C – Summary of issues identified during review process and recommended options

Problem identified	Options to address perceived problems		
	Amend bylaw	Use resolution process	Use another approach/tool
Parking on verges/berms			✓ Continue with approach of enforcement of hotspots/signage at hotspots
Heavy vehicle parking		✓ Address problem through T&P resolution process	
Congestion around public facilities (marinas, parks and other facilities)		✓ Address problem through T&P resolution process	✓ Use combination of T&P bylaw and Maritime Transport Act to address issues
Re-parking (cars moving to		✓ Address problem through T&P resolution process	
Mobility Parking overstaying		✓ Address problem through T&P resolution process	
Snow chains not used when required			✓ Use existing bylaw clause (14.1) to reinstate precedent code for police
Shared zones and shared paths	✓ Introduce clause to facilitate regulation of these spaces		
Updating of resolution process	✓ Amend resolution process to explicitly consider parking strategy		
Prohibitive regulations regarding bicycle parking	✓ Amend bylaw to allow more flexible bicycle parking		
Issues identified that may not require a regulatory response or change under the traffic and parking bylaw			
Updating delegations' underneath bylaw			✓ Can be achieved through updating delegations register
Rubbish bins causing obstructions			✓ Already accounted for in existing bylaw clause 22.3 (a)
Bylaw implementation improvements, such as maintaining live schedule of controls			✓ Can be addressed through business improvement project/s internal to council
Freedom camping issues in the district			✓ Freedom Camping Bylaw best suited tool
Parking availability			✓ Bylaw is a tool to provide regulatory framework, but doesn't provide investment for parking availability or new infrastructure

1. Summary of information

Queenstown Lakes District Council's (Council's) traffic and parking bylaw enables the regulation of behaviours on locally managed roads and land. The bylaw does not provide for parking infrastructure, instead, it acts as a regulatory tool which gives Council the power and processes to introduce traffic and parking controls. In general, the current bylaw is operating effectively, and only minor adjustments are proposed in the proposed draft Traffic and Parking Bylaw 2025 (draft bylaw). *Have your say on the proposed changes to the bylaw by going to <https://letstalk.qldc.govt.nz>.*

Traffic and parking controls (rules) are mainly created on a case-by-case basis

Typically, controls under this bylaw, such as parking limits, are discussed and implemented by Council resolution during committee meetings. These decisions are often part of wider projects or planned developments. Some bylaw controls apply district-wide, but most only apply to a street or section of road. This structure allows for the bylaw to be flexible enough to deal with issues as they occur and respond to changing circumstances and feedback. This makes the bylaw unique in its flexibility compared to other more detailed bylaws, such as the Freedom Camping Bylaw. Controls passed under the bylaw during regular meetings typically include parking time limits, no stopping rules, and heavy vehicles limits.

To ensure QLDC continues to have the ability to regulate traffic and parking in the district, a new bylaw will need to be adopted by 13 December 2025. The bylaw development process is also an opportunity to future proof the bylaw and ensure it aligns with national legislation and the needs of the district.

The main proposals in the draft bylaw are to:

- Enable police to enforce fitting of snow chains on vehicles (particularly on the Crown Range).
- Incorporate new definitions into the draft bylaw to facilitate potential controls in emerging areas of interest (e.g. electric vehicles, micromobility devices)¹.
- Update and simplify the draft bylaw to ensure alignment with national legislation.
- Facilitate the regulation of shared zones² and shared paths through additional clauses.
- Clarify bike and recreational device parking rules to increase availability and reduce obstructions.
- Amend the resolution process to reference Council strategies and plans.
- Clarify exemptions for council officers (police or council) only if necessary for the purposes of duty.

During the bylaw development process, several issues were identified. However, these issues are best addressed through the resolution process on a case-by-case basis instead of making district wide rules. These issues include:

- Vehicles parking on berms/verges, causing obstructions and damage to council property.
- Heavy vehicle parking (>3000kgs) in residential areas causing obstructions.
- Congestion and commercial use around public facilities (such as marinas, reserves and boat ramps), increasing maintenance costs and reducing public accessibility.
- Re-parking, where people are moving cars to re-park in the same zone. This reduces parking availability, especially in locations in the central business district (CBD).
- Mobility Park overstaying, where vehicles park overnight in mobility parking.

We want to know what you think. The consultation will be open for one month starting 7th August 2025. See submission details at: [\[redacted\]](#).

¹ Other definitions include: micromobility devices, boat ramps, re-parking, shared paths/zones, chains, trailers

² A shared zone is where both vehicles, pedestrians and cycles use the same space, a shared path is intended to be used by pedestrians, cyclist, mobility devices and other wheeled recreational devices.

Statement of Proposal

Draft Traffic and Parking Bylaw 2025 |
Kā Waeture Huarahi kā Tūka Waka 2025

2. Council's proposal

This statement of proposal is prepared under sections 83 and 86 of the Local Government Act 2002 (LGA) and contains:

- a copy of the draft Traffic and Parking Bylaw 2025 showing the proposed changes from the current bylaw (**see attachment**)
- information about the proposed amendments
- the reasons for the proposed amendments
- how you can have your say
- timetable for consultation
- Council's determinations under section 155 of the LGA.

The reason for the proposal

The key reason for this proposal is to:

- ensure Council's traffic and parking bylaw is fit for purpose and council retains the ability to regulate traffic and parking in the district
- seek community views on the draft bylaw
- to encourage people to give feedback on the draft bylaw
- to let people know how they can give feedback.

The 31 July 2025 Council report contains more detailed information on these points: **insert here**

How you can have your say

Anyone can make a submission online at <https://letstalk.qldc.govt.nz>.

Submitters can also use the digital map to highlight specific locations in which they have feedback on future parking management plans or future resolution decisions. While this is not directly related to this bylaw review, these parking management plans will be using the tools that bylaw provides.

Submissions will be accepted from 8.00am on (**insert date**) and must be received by 5.00pm on (**insert date**).

All submissions should state:

- the submitter's name³
- details of any organisation the submitter is representing (if applicable)
- the submitter's contact details
- whether or not the submitter would like to speak to Council about this matter.

Copies of this statement of proposal and draft bylaw may be obtained at no cost from either of the Council offices at 10 Gorge Road, Queenstown or 47 Ardmore Street, Wānaka, any Council library within the Queenstown Lakes District or the Council website at <https://letstalk.qldc.govt.nz>. If you need help submitting, please contact Council at 03 441 0499, or call in to one of Council's offices. All written submissions made to Council will be acknowledged and made available to the public.

³ Note: if you do not feel comfortable providing your name or contact details in a submission, please contact Council, who can facilitate an anonymous submission.

Statement of Proposal

Draft Traffic and Parking Bylaw 2025 |
Kā Waeture Huarahi kā Tūka Waka 2025

Written submissions may take any form (e.g. email or letter) but we recommend your submission be made on the specified submission form available online at <https://letstalk.qldc.govt.nz/>. An effective submission references the option of the proposal you wish to submit on, states why the option is supported or not supported, and states what change to the option is sought. Submissions on matters outside the scope of the proposal cannot be considered by the Hearings Panel.

Submissions are considered public information under the Local Government Official Information and Meetings Act 1987, and submissions will be published on our website following the consultation period. Your personal contact details will not be published⁴.

Council intends to hold a hearing late September 2025. This is when anyone who has made a written submission and who has said they would like to speak to Council, can do so. This meeting will be open to the public. If you indicate you would like to be heard, Council staff will get in touch with you to arrange a time for you to speak at the hearing either in person or via audio-visual link. If at the hearing you have any requirements, please let us know.

Section 82 of the LGA sets out the obligations of QLDC in regard to consultation and QLDC will take all steps necessary to meet the spirit and intent of the law.

Timetable for consultation

The dates below outline the timetable for the consultation process. Any changes to these dates will be publicly advised on Council's Facebook page and website.

Date	Activity
31 July 2025	Council adopted the draft bylaw and statement of proposal for consultation
7 August 2025	Consultation period begins (8.00am)
7 September 2025	Consultation period ends (5.00pm)
26 th September 2025	Oral submissions heard by Council hearing panel
To be confirmed post-election	Deliberations and adoption by Council

Background on the draft bylaw and proposal

What do traffic-related bylaws do?

The Traffic and Parking Bylaw 2018 regulates the use of Council-controlled roads and land. The scope of bylaw is determined by the Land Transport Act 1998⁵ and Local Government Act 2002 and 1974. 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.

For a diagram showing the relationship between the bylaw and other legislation see **Attachment A**. See the current bylaw here: <https://webadmin.qldc.govt.nz/your-council/council-documents/bylaws>.

⁴ In accordance with LGOIMA section 7(2)(a) to protect the privacy of natural persons.

⁵ Section 22AB of the Land Transport Act details most of the bylaws remit

Statement of Proposal

Draft Traffic and Parking Bylaw 2025 |
Kā Waeture Huarahi kā Tūka Waka 2025

What does the current bylaw address?

Key areas that the bylaw regulates in the district includes:

- The use of vehicles or traffic on roads, such as determining the direction of travel (one-way roads), restrictions due to size and nature of goods carried or class of vehicle (e.g. heavy vehicles etc.).
- The establishment of cycle paths and special vehicle lanes (which regulates if only specific classes of vehicles can be used on certain roads).
- Engine braking and cruising on local roads, to reduce nuisance, noise and protect public safety.
- Unformed legal roads, such as restricting motor vehicles to protect the environment.
- Restrictions on stopping, standing and parking of vehicles, including setting time limits and requiring permits or payment.
- Temporary restrictions on the use of roads to protect public safety or the purposes of maintenance and construction.
- Specific provisions to allow the introduction of regulations regarding mobility permits, residents parking permits and other permits on classes of vehicles (such as taxis & carpooling permits etc.).
- Provisions regarding parking off a roadway, obstructions of the road, limitations on continuous parking (over seven days).
- Provisions to reduce obstructions of roads and cycleways, as well as to protect Council property.
- General provisions to empower enforcement officers to inspect vehicles, issue offences as well as determine conditions for exceptions or breaches of the bylaw.

What is proposed in the draft bylaw?

It is proposed that the draft bylaw will largely maintain the scope and powers of the current bylaw. There are some changes proposed in the draft bylaw (as described in the summary) in order to:

- Enable police to enforce the fitting of snow chains on vehicles (through using temporary traffic restrictions powers under the bylaw).
- Incorporate new definitions into the draft bylaw to facilitate potential controls on topics such as:
 - micromobility devices
 - electric vehicles
 - vehicles with trailers
 - boat ramps
 - re-parking (where vehicles re-park in the same zone)
 - chains (snow chains).
- Update and simplify wording to ensure alignment with national legislation and ease of use.
- Facilitate the regulation of shared zones and shared paths through additional clauses.
- Encourage the use of bicycles by allowing more flexible parking locations and clarifying wording regarding obstructions to include wheeled recreational devices (which includes e-scooters).
- Amend the resolution process to reference Councils parking strategy and plans.
- Clarify exemptions to parking controls are for council / enforcement officers only for the purposes of duty or function when there are no other reasonable practical alternatives.

As part of the bylaw process several issues were identified that are summarised along with recommended next steps in the table in **Attachment B**.

For more details on the options discussed to address perceived problems refer to Council workshop material [here](#).

Determinations under section 155 of the LGA

Before adopting a bylaw, Council will consider whether:

- there has been adequate consultation (which will occur through this proposal)
- that a bylaw is the most appropriate way of addressing the perceived problems,
- that the proposed bylaw is in the most appropriate form, and
- that it does not give rise to any implications under the New Zealand Bill of Rights Act 1990 (NZBORA).

Determination that a bylaw is the most appropriate way to address the perceived problems

Vehicle use and parking continue to be significant issues in the Queenstown Lakes District (QLD). 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.

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. 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. If there was no traffic-related bylaw in the QLD, the Land Transport Act 1998 would be the best alternative regulatory tool to address problems related to traffic and parking. However, many of the powers granted to Road Controlling Authorities under Section 22AB of the Land Transport Act 1998 require a bylaw to be implemented and are designed to complimented by a bylaw.

Due to the bylaw's complementary role with legislation, its active use in the district to address perceived problems, and its ability to action Council strategies and plans, officers recommend that a bylaw is the most appropriate tool to address perceived problems related to traffic and parking in the district.

Determine that the bylaw is the most appropriate form of bylaw

Different forms of the bylaw could include a standalone document, amendment to existing bylaw, or consolidation with other bylaws.

Council has determined that a standalone document is the most appropriate form of bylaw because it would provide an accessible single repository for all relevant regulatory matters, is appropriately concise, and there are no other appropriate documents or bylaws that could reasonably be applied to achieve QLDCs traffic and parking roles and responsibilities. QLDC has used a standalone traffic and parking bylaw since at least 2012. This form of bylaw has been generally considered fit for purpose and utilises the resolution process (through framework controls) to enact most traffic and parking rules in the district. This allows for flexibility in responding to perceived problems as they occur outside of the bylaw review cycle and to response to the unique characteristics of each location.

New Zealand Bill of Rights Act 1990 implications

The NZBORA protects the civil and political rights and freedoms of all New Zealanders. In accordance with section 5 of the NZBORA, 'the rights and freedoms contained in the Bill of Rights may be subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society'.

Statement of Proposal

Draft Traffic and Parking Bylaw 2025 |
Kā Waeture Huarahi kā Tūka Waka 2025

Traffic-related bylaws potentially give rise to implications on the right of freedom of movement (Section 18) due to restrictions on where a person may use or park a vehicle. However, these limitations are a justified, proportionate and reasonable response to the problem, therefore Council considers that the proposed bylaw is not inconsistent with the NZBORA.

What happens next?

This proposal is the third step in developing a new bylaw, after this proposal is published public consultation will commence from X to X. A hearings panel will receive submissions and deliberate, and Council will then finalise and adopt a new bylaw (as shown below).



A new traffic and parking bylaw needs to be adopted by 13th December 2025 as the current bylaw will be automatically revoked on this date. Council may make other changes to the draft bylaw in response to feedback, but anything that is a significant departure from the options set out in this proposal may require further consultation.

Council will consider the following options about how to proceed:

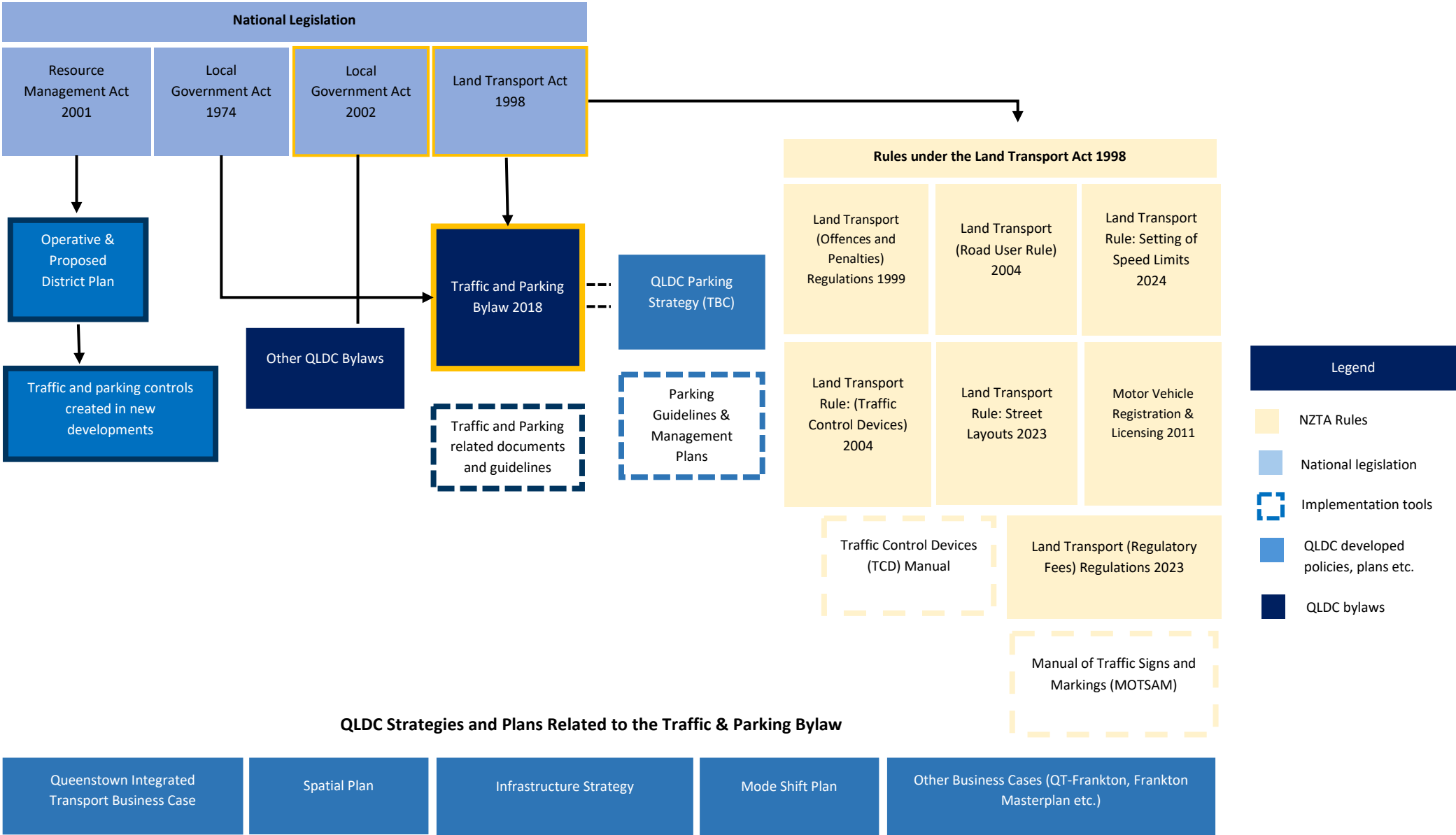
Option 1 – adopt the draft bylaw

- This option involves adopting draft bylaw as provided in this proposal

Option 2 – do not adopt the draft bylaw

- This option involves not adopting a new bylaw, this would result in the bylaw lapsing

Attachment A – Traffic and Parking Bylaw Regulatory Context



Attachment B – Summary of issues identified during review process and recommended options to address them

Problem identified	Amend bylaw	Use resolution process	Use another approach/tool
Parking on verges/berms			✓ Continue with approach of enforcement of hotspots/signage at hotspots
Heavy vehicle parking		✓ Address problem through T&P resolution process	
Congestion around public facilities (marinas, parks and other facilities)		✓ Address problem through T&P resolution process	✓ Use combination of T&P bylaw and Maritime Transport Act to address issues
Re-parking		✓ Address problem through T&P resolution process	
Mobility Parking		✓ Address problem through T&P resolution process	
Snow chains			✓ Use existing bylaw clause (14.1) to reinstate precedent code for police
Shared zones and shared paths	✓ Introduce clause to facilitate regulation of these spaces		
Updating of resolution process	✓ Amend resolution process to explicitly consider parking strategy		
Issues identified that may not require a regulatory response or change under the traffic and parking bylaw			
Updating delegations' underneath bylaw			✓ Can be achieved through updating delegations register
Rubbish bins causing obstructions			✓ Already accounted for in existing bylaw clause 22.3 (a)
Bylaw implementation improvements, such as maintaining live schedule of controls			✓ Can be addressed through business improvement project/s internal to council
Freedom camping issues in the district			✓ Freedom Camping Bylaw best suited tool
Parking availability			✓ Bylaw is a tool used for enactment but doesn't provide investment for parking availability or new infrastructure

Attachment C – Summary of changes to the bylaw and their effect

Section of bylaw	Control type	Changed?	Bill of Right Implications	Description of changes and impact of changes
Part 1 – Preliminary Definitions and interpretation	-	Amended	None	Amended bylaw to: <ul style="list-style-type: none"> Clarify purpose of the bylaw is to regulate council-controlled and managed land Better align the bylaw with national legislation definitions (e.g. Land Transport Act 1998) Incorporate new definitions in areas of interest, e.g. electric vehicles (see list of new definitions in sections above). These definitions will facilitate future resolutions. Remove repealed Interpretation Act 1999 and replace with Legislation Act 2019 Reference legislation directly to ensure the most up to date definitions are used
Resolution process	-	Amended	None	<ul style="list-style-type: none"> Amended to incorporate QLDC's parking strategy and other parking related plans and guidelines are of relevant consideration when making resolutions
Part 2 – Vehicle and road use Direction of travel	Framework (case-by-case) ⁶	Carried over	None	<ul style="list-style-type: none"> No changes
Traffic control because of size, nature or goods	Framework (case-by-case)	Carried over	None	<ul style="list-style-type: none"> No changes
Special vehicle lanes	Framework (case-by-case)	Carried over	None	<ul style="list-style-type: none"> No changes
Cycle paths	Framework (case-by-case)	Carried over	None	<ul style="list-style-type: none"> No changes
Shared zones, new clause	Framework (case-by-case)	New	None	<ul style="list-style-type: none"> Clause added to allow the council to regulate behaviour in, and establish, shared zones
Shared paths, new clause	Framework (case-by-case)	New	None	<ul style="list-style-type: none"> Clause added to allow the council to regulate behaviour in, and establish, shared paths
Engine braking	Framework (case-by-case)	Carried over	None	<ul style="list-style-type: none"> No changes
Cruising	Framework (case-by-case)	Carried over	None	<ul style="list-style-type: none"> No changes
Unformed legal roads	Framework (case-by-case)	Carried over	None	<ul style="list-style-type: none"> No changes
Temporary restrictions on the use of roads	Framework (case-by-case)	Carried over	None	<ul style="list-style-type: none"> No changes

⁶ Framework controls are implemented on a case-by-case basis, through the resolution process detailed in the bylaw (Clause 5.).

Part 3 – Parking Stopping, standing and parking	Framework (case-by-case)	Carried over	None	<ul style="list-style-type: none"> No changes
Parking restrictions – parking places and transport stations	Framework (case-by-case) & Self-contained (district-wide) ⁷	Amended	None	<ul style="list-style-type: none"> Amended clause 18.1 (b) to incorporate additional definitions, such as vehicles in the course of loading or unloading vessels and micromobility devices, to facilitate future resolutions.
Method of parking	Self-contained (district-wide)	Carried over	None	<ul style="list-style-type: none"> No changes
Mobility parking	Self-contained (district-wide)	Carried over	None	<ul style="list-style-type: none"> No changes
Residents’ parking	Framework (case-by-case)	Carried over	None	<ul style="list-style-type: none"> No changes
Passenger service vehicles, goods service vehicles, rental service vehicles	Self-contained (district-wide)	Carried over	None	<ul style="list-style-type: none"> No changes
Parking off a roadway	Self-contained (district-wide)	Carried over	None	<ul style="list-style-type: none"> No changes
Miscellaneous	Self-contained (district-wide)	Amended	None	<ul style="list-style-type: none"> Remove clause 22.2 (a) for clarity and amend 22.2 (b) to include bicycles and wheeled recreational devices
Part 4 – General Provisions Inspection	Self-contained (district-wide)	Carried over	None	<ul style="list-style-type: none"> No changes
Offences and penalties	Self-contained (district-wide)	Carried over	None	<ul style="list-style-type: none"> No changes
Exceptions	Self-contained (district-wide)	Amended	None	<ul style="list-style-type: none"> Clarify exceptions are only if necessary for duty or function, and when no alternative options and being considerate of other users.
Revocation	-	Amended	None	<ul style="list-style-type: none"> Amended to consider the 2018 Traffic and Parking Bylaw
Savings	-	Amended	None	<ul style="list-style-type: none"> Amended to consider the 2018 Traffic and Parking Bylaw

⁷ Self-contained controls apply district-wide and detailed in the body of the bylaw.