



## Statement of Proposal:

# Traffic Bylaw - 2015 review

### Summary of information

This statement of proposal relates to a review of Part 7: Traffic of the Wellington City Consolidated Bylaw 2008 (referred to as the traffic bylaw).

All bylaws must be reviewed every 10 years under the terms of the Local Government Act 2002 (the LGA). The traffic bylaw is due for review by February 2016. The review is composed of a review by Council, and then public consultation on findings and proposals.

The traffic bylaw is made under the Land Transport Act 1998 (LTA) and the LGA, and enables the Council to specify different types of parking (for example, metered parking and residents parking) and to set times and fees for parking, as well as offences against the bylaw (for example, failure to display a valid coupon or pay and display receipt). The traffic bylaw is enforced by Council parking officers, alongside other legislation, such as the Land Transport (Road User) Rule 2004.

The Council has reviewed the traffic bylaw and found it remains an appropriate bylaw and the most appropriate form of bylaw under the terms of the LGA and the LTA to address parking-related matters in Wellington. Minor amendments to the traffic bylaw are proposed in order to

- ensure the traffic bylaw provides for the use of electronic technology to monitor parking, and to pay for parking
- provide more flexibility on road markings (for example, removing the requirement that parking spaces be marked out)
- address public submission proposals that were out of scope of a review in 2011 and referred to this review
- make minor clarifications and remove references to repealed legislation.

The review findings are summarised in this statement of proposal document, and proposed amendments to the current bylaw are attached (Appendix B).

## The process and timeframe for review

The process for review that meets the consultation requirements of the LGA is as follows:

The proposed bylaw review assessment and amendments have been developed through internal consultation with Council officers from the Policy and Research, Transport Planning and Parking Services teams.

External consultation will be done under the special consultative procedure required under sections 83 and 86 of the LGA.

The timeline for the consultation and development process is:

Dates	Activity
5 August 2015	Transport and Urban Development Committee considers this statement of proposal and decides whether to send this proposal out for external consultation.
28 August to 30 September 2015	Consultation period.
	Transport and Urban Development Committee hears oral submissions (October or November, date to be confirmed).
19 November 2015	Transport and Urban Development Committee considers the report on all written and oral submissions and decides whether to adopt the proposed bylaw.
16 December 2015	Council considers whether to adopt the proposed bylaw.
17 December 2015	Bylaw (as amended) comes into force.

## Have your say

The Council is keen to know what residents, ratepayers and stakeholders think about the review and proposed bylaw amendments.

Please make a submission online at [Wellington.govt.nz](http://Wellington.govt.nz), email your submission to [policy.submission@wellington.govt.nz](mailto:policy.submission@wellington.govt.nz) or complete the attached submission form and send it to Traffic Bylaw Review, Freepost, Wellington City Council, PO Box 2199, Wellington.

You can get more copies online at [Wellington.govt.nz](http://Wellington.govt.nz), the City Service Centre, libraries, by emailing [policy.submission@wellington.govt.nz](mailto:policy.submission@wellington.govt.nz) or phoning 499 4444.

If you wish to make an oral submission to Councillors, please indicate this on the submission form and ensure that you have included your contact details. We will contact you to arrange a time for you to speak.

**Written submissions open on 28 August and close at 5pm on 30 September 2015.**

# 1. Introduction and reason for the proposal

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This statement of proposal relates to a review of Part 7: *Traffic* of the Wellington City Consolidated Bylaw 2008 (referred to as the traffic bylaw).

All bylaws must be reviewed every 10 years under the terms of the Local Government Act 2002 (the LGA). The traffic bylaw is due for review by February 2016.

The Land Transport Act 1998 (LTA) authorises a local authority to make traffic bylaws, and the LGA specifies that a bylaw should be an appropriate response to a defined problem.

Given the traffic bylaw has been in force for many years the review discussion covers what could happen without the traffic bylaw (ie, the problems that would arise). Council officers have reviewed the bylaw and note that the traffic bylaw remains an appropriate bylaw under the LGA and LTA and is the most appropriate form of bylaw to address parking-related matters in Wellington. It also gives effect to the Council's parking policies and provides for controls on vehicle traffic on any road in Wellington City with the exception of state highways.

The Council has proposed amendments to the traffic bylaw in order to:

- ensure the traffic bylaw provides for the use of electronic technology to monitor parking, and to pay for parking
- provide more flexibility on road markings (for example, removing the requirement that parking spaces be marked out)
- address public submission proposals that were out of scope of a review in 2011 and referred to this review
- make minor clarifications and remove references to repealed legislation.

This document contains:

- background information
- process and proposed timeline for proposed bylaw amendments
- bylaw review discussion and amendment proposals
- New Zealand Bill of Rights Act implications
- proposed draft bylaw amendments (Appendix B).

## 2. Background

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This section describes the traffic bylaw and review requirements. A summary of Council policy and legislation that applies to traffic management is provided (Appendix A).

### **Traffic bylaw**

The traffic bylaw mainly provides the Council with powers to:

- create parking meter areas, residents' parking areas and coupon parking areas
- specify times for parking and set parking fees
- control vehicle traffic on any road in Wellington City (excluding state highways).

The traffic bylaw also sets out how the Council should provide information about parking in different parking areas; from road markings and signs to what goes on printed receipts from pay-and-display machines. The bylaw also establishes the Council mechanism for making decisions by Council resolution and the processes required.

The traffic bylaw includes a list of offences. The penalties for offences are set out in LTA regulations, and are not controlled by the Council.

The traffic bylaw was adopted in 2004 before being consolidated in 2008. It was last amended in 2012.

## Parking Policy

The Wellington City Council Parking Policy 2007 (the Parking Policy) sets out the Council's intentions for managing the supply and demand for parking and other traffic matters. Key principles of the Parking Policy are:

- on-street parking is prioritised for shoppers rather than commuters
- residents should be able to park near their homes in designated areas.

## Land Transport Act 1998 (LTA)

The content of the traffic bylaw is empowered by the LTA (Section 22AB), which states that a local authority can make a bylaw on specific traffic and parking matters.

The traffic bylaw should be read alongside the Land Transport (Road User) Rule 2004 - a government regulation made under the LTA, which establishes detailed traffic rules (eg traffic signals, pedestrian crossings, parking, speed limits).

## Local Government Act 2002 (LGA)

The LGA sets out procedural requirements for making or amending a bylaw. Provisions were added

to the LGA in 2006 to require bylaws to be reviewed every 10 years. The Government's intent in creating the new provisions was to ensure a regular cycle of review for bylaws.

Bylaws that are not reviewed within two years of a review becoming due are automatically revoked (Sections 158-160A). The traffic bylaw became eligible for review on 25 February 2014 and the review must be completed by 25 February 2016.

The LGA procedural requirements for reviewing a bylaw are the same as those for creating a bylaw (Section 155 of the LGA). At review, a local authority must consider whether a bylaw is the most appropriate way of addressing a perceived problem and whether the proposed form of the bylaw is appropriate. The Council must also show that the bylaw is not inconsistent with the New Zealand Bill of Rights Act 1990 (NZBORA).

Section 22AD of the LTA states that the special consultative procedure set out in section 83 of the LGA is to be used for making a bylaw under section 22AB of the LTA.

After deciding to adopt any amendments to the bylaw, the local authority must give public notice of when the bylaw or amendments come into operation.

# 3. Review discussion and proposals

This discussion reflects analysis of the traffic bylaw by Council staff. The public consultation process is designed to bring any public concerns or suggestions into the review process.

## 3.1 Is the traffic bylaw still appropriate under the LTA and LGA?

As the traffic bylaw scope is defined by the LTA, Council officials note that there have been no significant changes to the LTA that would require material changes to the traffic bylaw.

### The perceived problem

Under the LGA requirements for a bylaw to address a problem, officials have considered the question: What if there was no traffic bylaw?

Thousands of cars, service vehicles, buses and taxis use parking in the city every day. This includes around 3400 metered parking spaces and some 5900 residential and coupon parking spaces. The enforcement of the bylaw is undertaken by the Parking Services team at the Council.

Without the bylaw, the Council would not be able to create different parking types (coupon, resident, pay-and-display) or charge fees for parking in the city. On-street parking would quickly fill with commuters, leaving little or no parking for shoppers and residents. Without the traffic bylaw there is no mechanism to give effect to the Council's intentions set out in the Parking Policy (as noted, to prioritise on-street parking for shoppers and residents).

### **Is the traffic bylaw the most appropriate way of addressing that problem?**

If the traffic bylaw were repealed, the Council would be unable to ensure the availability of on-street parking for shoppers and for residents in the city. The provisions of the bylaw are appropriate under the LTA, and do not duplicate any other legislation or traffic controls. If repealed, the only controls that could be enforced are those in the LTA and regulations made under the LTA (for example, no parking on a pedestrian crossing). There would also be no power for restrictions to be imposed by resolution.

The bylaw is the unique instrument for the provision and enforcement of metered parking, residents' parking, and coupon parking.

Therefore, the Council does not recommend repeal of the traffic bylaw.

The traffic was reviewed in 2011 and amended to:

- clarify if motorcycles could use pay-and-display parking areas
- clarify exemptions for residents' parking schemes
- remove offences specific to taxis that were unenforceable
- amend the resolution-making process
- editorial changes to improve the clarity of the bylaw.

Further changes to the traffic bylaw were made in 2012 to introduce taxi restricted areas.

The review in 2011 was to address specific issues and was not structured to meet the terms of the LGA for the 10-yearly reviews (which require consideration of

whether a bylaw is still appropriate). However because of the 2011 review the traffic bylaw has remained current.

Since 2011 there have been some technological developments and some interpretation issues have been raised with the Council. These matters and proposed amendments are discussed below (Section 3.2). The proposed amendments are the most appropriate way to address problems that could arise if the amendments are not made; mainly uncertainty around the use of some new electronic technology and a lack of flexibility in urban design.

### **Is the proposed bylaw the most appropriate form of the bylaw?**

The traffic bylaw is part of the consolidated bylaw and there are no reported issues to warrant changing it to a stand-alone bylaw. Subject to the proposed amendments addressed below, the Council considers that the form of the bylaw as proposed is the most appropriate form of bylaw.

## **3.2 Does the traffic bylaw require amendment?**

In this LGA review, officers have identified ways to improve the traffic bylaw to better cater for technological developments since 2011, and to address some interpretation issues that have arisen. Amendments to the traffic bylaw are proposed in this review to:

- ensure the traffic bylaw provides for the use of electronic technology to monitor parking, and to pay for parking
- provide more flexibility on road markings (for example, removing the requirement that marking of parking spaces is to be only in white paint)
- address public submission proposals that were out of the scope of a review in 2011 and referred to this review
- make minor clarifications and remove reference to repealed legislation.

These matters are discussed below and the amendments proposed in the traffic bylaw (Appendix B).

### 3.3 Electronic technology

#### Electronic technology to monitor parking space occupancy

The Council is conducting trials of electronic parking technology that can monitor whether a parking space is occupied or not. This type of technology has the ability to change the way on-street parking is managed and enforced in Wellington. In the future, information from electronic parking technology could be used to:

- let drivers know where on-street parking is available
- remind motorists when their paid parking is due to expire
- provide parking officers with reliable information about how long cars have been parked.

There are several potential benefits associated with electronic monitoring of parking space occupancy, for example:

- those trying to find a park will have access to “real time” information on parking availability
- parking officers will know for how long a car has not moved and have evidence
- parking users will be able to top up their parking remotely and not need to estimate their use at the start or return to a vehicle to top up.

The existing bylaw does not explicitly mention the use of electronic parking monitors. While the bylaw as drafted can support their use, if they are not mentioned it may encourage a situation where a parking infringement (in an area monitored electronically) is challenged. To avoid uncertainty it would be prudent to ensure electronic monitors are provided for, if they are to be relied on for parking enforcement and to support remote payment (topping up parking by text, email or other electronic communication).

#### Electronic receipts

The existing bylaw refers to pay-and-display parking, and that parking users have to display evidence in the vehicle that they have paid for the parking.

If a parking space is electronically monitored, receipts will not have to be displayed, as there will be a record of when a car entered or left a parking space.

The bylaw should note that electronic receipts may be issued, so that there does not appear to be a contradiction against pay-and-display provisions in the bylaw if only an electronic receipt is required (as an electronic receipt will not be capable of being “displayed”).

#### Proposed amendments

Proposed amendments to more clearly address electronic monitoring of parking space occupancy and electronic receipts are mainly (Appendix B):

- a definition of the term “electronic communications” based on the provisions in the Electronic Transactions Act 2002
- an amendment to the definition of a pay-and-display machine so it can issue a receipt by print or electronic communications
- referral to state “if a print receipt is required”
- a definition of an electronic parking monitor, and
- amending offences to include tampering with electronic parking technology.

### 3.4 Road markings for parking

The traffic bylaw specifies that the Council must mark out parking spaces, and the Land Transport Rule 2004: Traffic Control Devices (TCD) specifies that marked out spaces must be marked out in white lines (or yellow in the case of loading zones and disabled parking). The TCD specifies that all angle parking must be marked out, but does not specify that parallel parking must be marked out.

The Council has used brickwork in some areas to mark out parking places, and would like to have the flexibility to use brickwork in some urban areas as a design aesthetic. Council officers have noted that most people park within the brick-marked parking space boundaries, and they are no more or less well observed than white lines. Across the city about 200 infringements are issued every year for parking across the boundaries of a parking space.

At the moment, the Council has to paint white lines in bricked areas, or avoid enforcement of pay-and-display related parking offences in the bricked areas.

The Council has asked the Government to consider amending the TCD to provide more flexibility around road marking to enable the use of brick or other marking in future.

Council officers recommend that the traffic bylaw is amended to remove the requirement to mark out parking places. The effect of the amendment would be:

- parallel parking spaces will not have to be marked out (unless it is covered by a single meter)
- parking area limits for multiple parking meter areas would still have to be indicated in signs (no change), and
- the Council could use brick or other methods to indicate parallel parking limits
- where white lines do not indicate parking space limits, Council officers will still be able to enforce bylaw time restrictions and fee payment, but will not be able to enforce the offence of parking in more than one space because technically there would be no parking spaces ‘marked out’ in terms of the TCD (unless white lines are used).

The change would not affect angle parking road markings. These have to be in white for any enforcement to take place, as the TCD specifies that angle parking must be marked out.

The Council is still likely to mark out parallel parking in most places, but the changes will provide the option for more flexible urban design.

Council officials propose to repeal section 2.2(a) of the bylaw (Appendix B) in order to address this issue. Consequential amendments are also proposed to other provisions to ensure that they apply to parking areas even when there are no marked spaces.

### **3.5 Submissions made in 2011**

During the review of the traffic bylaw in 2011 to address specific issues, one submitter raised several matters that were deemed out of scope, and referred to this review by the Council and addressed below (Table 1).

### **3.6 Other**

Two other minor amendments are proposed:

- The word ‘except’ is deleted in Section 8.4 (Appendix B) following correspondence with the Council that the wording of the section was confusing.
- An out of date reference to the Transport Act 1962 is deleted and replaced with the correct reference to the LTA in Section 6.3 (Appendix B).

**Table 1: Submissions made in 2011 referred to this review of the bylaw**

Submission Summary	Officer Comment
The requirement to display a coupon immediately if you are going to be parked for more than the free parking period is too onerous [refers 8.4 (b)].	The intention is that there is no grace period once the free parking period (for example, two or three hours) has ended and a coupon needs to be displayed. The wording has been amended to make this clearer (Appendix B, Section 8.4(b)).
The wording of 8.12a (exemptions from coupon parking) is unclear, particularly in relation to the exemption for residents (8.12(a)) and the other exemptions in 8.12(d).	Agree. The ordering of the section has been changed for clarity and minor text amendments made (Appendix B, Section 8.12(a) - (d)).
The bylaw should be amended so that language is gender-neutral (for example 8.10)	Agree. Gender-neutral language is standard in modern drafting. No other cases of non-gender-neutral language were found (Appendix B, Section 8.10).
The mechanisms for giving notice of work on the road (including resealing etc) should include a sign in the street, and the use of these signs should be compulsory.	Road signage for road works is now governed by the Code of Practice for Temporary Traffic Management (COPTTM): Part 8 of the Traffic Control Devices Manual. Officials do not recommend creating any overlap or duplication with the manual.
Part 7, 3.2 and 3 should be amended so that where there is a conflict between signage and the meter; the motorist should be given the benefit of the doubt.	Photographs of signage and meters are taken and placed on record when infringements are issued, so records are clear with little scope for conflict. The bylaw provides a starting point for resolving conflict. Some wording improvements are proposed, but officials propose conflict continue to be managed on a case-by-case basis (Appendix B, Section 3.3).
The definition of road should be clarified to confirm whether it applies to private roads.	<p>The bylaw refers to the Local Government Act 1974 for a definition of 'road', and in the Act 'private road' is not part of the definition of a road, so it is not a part of the definition for the bylaw. The bylaw does specifically mention where private roads are included; at Sections:</p> <ul style="list-style-type: none"> <li>• 9.9 removal of bulk bins not in compliance with bylaw</li> <li>• 9.10 powers to declare a private road a no parking area (with the agreement of all residents), and</li> <li>• Section 13(n), offence to leave a vehicle that cannot be driven, for more than 7 days, in a private road.</li> </ul> <p>Officials recommend no change. The bylaw is sufficiently clear about when private roads are in the scope of the bylaw.</p>
The working of Part 5: 14.2 and 14.3 contains a contradiction.	Amendments to Part 5: Public Places of the Wellington City Consolidated Bylaw 2008 are not in the scope of this review.

## 4. New Zealand Bill of Rights Act 1990 (NZBORA) implications

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Under section 155(3) of the LGA the Council is obliged to consider whether the proposed bylaw creates any implications under the NZBORA. The LGA expressly requires that bylaws are consistent with the NZBORA.

The only right or freedom recognised under the NZBORA that the Council considers could potentially be impinged by the bylaw is freedom of movement. However, even if it could be established that the bylaw restricts freedom of movement, it is considered to be a reasonable restriction of that right.

The Council considers that the proposed bylaw is not inconsistent with NZBORA and does not give rise to any implications under the NZBORA.

The bylaw amendments do not go beyond what is required to achieve the objectives discussed in this paper and adheres to LGA requirements of amending a bylaw.



## Appendix A: Council policy and legislation for traffic management

Legislation/Bylaw/Policy	Scope	Relevance to the traffic bylaw review
Land Transport Act 1998 (LTA)	Local government can make bylaws on specific traffic and parking matters.	<ul style="list-style-type: none"> <li>Legislation that provides the mandate for the Council to make traffic bylaws.</li> <li>Ensure any proposed amendments are still in the scope of LTA Section 22AB.</li> </ul>
Land Transport (Road User) Rule 2004 (Road User Rule)	Rules about all on-road traffic matters. Stationary and moving vehicle offences. Stationary vehicle offences can be enforced by Council parking officers (examples; parking on intersections or pedestrian crossings).	<ul style="list-style-type: none"> <li>LTA regulations that operate alongside the traffic bylaw.</li> </ul>
Land Transport (Offences and Penalties) Regulations 1999 (Schedule 1B)	Fees for parking offences. From \$12 for parking over the time limit (not more than 30 minutes), \$60 for parking on clearways and other restricted areas, and \$40 for most other offences.	<ul style="list-style-type: none"> <li>LTA regulations that operate alongside the traffic bylaw.</li> </ul>
Land Transport Rule: Traffic Control Devices 2004	Rules about how restrictions should be reflected (eg, markings and signage).	<ul style="list-style-type: none"> <li>LTA regulations that operate alongside the traffic bylaw.</li> </ul>
Local Government Act 2002 (LGA)	Local government can make bylaws, terms and conditions for making and reviewing bylaws.	<ul style="list-style-type: none"> <li>The LGA sets out the process and terms for bylaw reviews.</li> </ul>
Traffic Bylaw	Made under terms and conditions of the LTA and the LGA. Enables the Council to control on-street parking, set different types of regimes to charge for parking, and enforce parking.	<ul style="list-style-type: none"> <li>The traffic bylaw under review.</li> </ul>
Wellington City Council Parking Policy	Sets the Council's intentions for managing on-street parking spaces in central, inner residential and suburban areas.	<ul style="list-style-type: none"> <li>The traffic bylaw is relied on to give effect to policy decisions (for example, enables the Council to charge for parking).</li> </ul>

## Appendix B: Proposed amended traffic bylaw

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### Part 7: Traffic of the Wellington City Consolidated Bylaw 2008

Proposed review amendments are indicated in ~~strikethrough~~ and blue text.

#### Purpose

The purpose of this Part of the Bylaw is to set the requirements for parking and control of vehicle traffic on any road in Wellington City, excluding State Highways controlled by the New Zealand Transport Agency.

This Part of the Bylaw is made pursuant to section 22AB of the Land Transport Act 1998. In addition, traffic and parking issues are also regulated and controlled by other Acts and Regulations. This includes the Land Transport (Road User) Rule 2004, which should be referred to in conjunction with this Bylaw.

### 1. Definitions and interpretation

**1.1** In this Part of the Bylaw, unless the context otherwise requires:

**Authorised Officer** means any person appointed or authorised by the Council to act on its behalf and includes any Parking Warden appointed under section 128D of the Land Transport Act 1998 or Police Officer.

**Coupon Parking Space** means a space in a coupon parking area which is suitable for the accommodation of a motor vehicle.

**Coupon Parking Area** is a “zone parking control” under the Land Transport Rule: Traffic Control Devices 2004 and means any area of land or building belonging to or under the control of the Council which is authorised by resolution of the Council pursuant to clause 11 of this Bylaw as a place where vehicles may be parked using parking coupons.

**Parking Coupon or Coupon** means a coupon issued by or on behalf of the Council to any person authorising the parking of a vehicle in a coupon parking space in accordance with these Bylaws.

**Driver** of a vehicle includes any person in charge of the vehicle.

**Electronic Parking Monitor** means a form of technology used to monitor whether a vehicle is occupying a parking space.

**Electronic communications** shall have the same meaning as the Electronic Transactions Act 2002

**Footway or Footpath** means as much of any road or public place that is laid out or constructed by the authority of the Council for pedestrian use.

**Metered Area** means a road, area of land or building owned or controlled by the Council which is authorised by resolution of the Council to be used as a parking place and at which parking meters or multiple parking meters are installed and maintained, but does not include any Multiple Parking Meter area as defined herein.

**Multiple Parking Meter** means a parking meter which functions in respect of more than one parking space and includes pay and display parking meters.

**Parking** means:

- a. in relation to any road where parking is governed by the location of parking meters or multiple parking meters placed pursuant to this Bylaw, the stopping or standing of a vehicle on that portion of the road for any period exceeding 5 minutes; and
- b. in relation to any other road, the stopping or standing of a vehicle on a portion of the road.

**Parking Meter** means a device, in relation to the time for which a vehicle may be parked in a parking space or in accordance with this Bylaw, designed to either:

- a. measure and indicate the period of time paid for and which remains to be used; or
- b. issue a receipt, by print or electronic communications, showing the period of time paid for and accordingly which remains to be used;

and includes single, multiple and pay and display parking meters and any other device (for example, electronic application) that is used to collect payment in exchange for parking a vehicle in a particular place for a limited time.

**Parking Meter Area** means a road, area of land or building owned or controlled by Council which is authorised by resolution of council to be used as a parking place and at which parking meters are installed and maintained.

**Parking Space** means a space or section in a parking meter area indicated by and lying within [any](#) markings made by the Council ([whether by paint or otherwise](#)) for the accommodation of a vehicle, and “metered space” and “metered parking space” have a corresponding meaning.

**Pay and Display Parking Meter** means a parking meter designed for the purpose of issuing a receipt, [by print or electronic communications](#), indicating the date and time of payment of a fee, amount of fee paid and time until which a vehicle may be parked within a parking meter area controlled by that pay and display parking meter.

**Permit** means a permit to park a vehicle on a road supplied by the Council, under this Bylaw.

**Prescribed Fee** means New Zealand coin, or token, card, prepaid parking device, or other system of payment prescribed by resolution of Council pursuant to this Bylaw as the fee payable for parking [in](#) a parking meter area.

**Reserve** shall have the same meaning as in the Reserves Act 1977.

**Resident**, in respect of a particular road the subject of a Residents Parking Scheme Resolution under this Bylaw, means a person whose only or principal residential accommodation is a dwelling or other building which has its only or principal legal access from that particular road, or which has such access in the vicinity of that road.

**Residents’ Parking Scheme** means the provision by the Council of parking places for residents pursuant to a Resolution passed under this Bylaw which may be in conjunction with any ancillary parking or loading resolutions for all vehicles used by non-residents.

**Road** shall have the same meaning as in section 315 of the Local Government Act 1974 and shall where the context requires include a street (excluding State Highways) and any place the public has access to, whether as of right or not.

**Single Parking Meter** means a parking meter designed for the purpose of measuring and indicating the time for which a vehicle may be parked in a particular parking space.

**Taxi** means a motor vehicle that is:

- a. a small passenger service vehicle; and
- b. fitted with a sign on its roof displaying the word ‘taxi’ and any other signs required by law.

**Taxi Restricted Parking Area** means the area or areas of Road identified as such by Council resolution from time to time.

- 1.2 Notwithstanding anything in Part 1 of this Bylaw, but subject to clause 1.1, any words, phrases or expressions used in this Part of this Bylaw which have meanings assigned to them by the Local Government Act 1974, the Land Transport Act 1998, and Rules made under the Land Transport Act 1998 or any amendments thereof, shall have the meanings as are respectively assigned in those Acts/Rules, unless those meanings would be repugnant to, or inconsistent with, the context in which such words, phrases or expressions, occur.

## 2. Creation of parking meter areas

- 2.1 The Council may from time to time pass a resolution to:
- a. Declare that any road or land controlled by the Council is a parking meter area.
  - b. Declare the times and for how long vehicles may park in parking spaces [or parking meter areas](#).
  - c. Fix the fees that must be paid for the parking of vehicles within parking spaces [or parking meter areas](#).
  - d. Provide for and regulate the operation, maintenance, control, protection, use or discontinuance of parking spaces, [parking meter areas](#), and parking meters.
- 2.2 In accordance with any resolution under clause 2.1:
- a. ~~The Council shall mark out parking spaces in parking meter areas~~ [\[repealed\]](#)

- b. Single parking meters (~~except multiple parking meters~~) shall be placed on and firmly fastened to the kerb or footway adjoining each parking space and each parking meter shall clearly display the period of time for which a vehicle may be parked in that parking space and the prescribed fee required to activate the meter.
- c. Multiple parking meters shall be located within the parking meter area which they are to control. A multiple parking meter shall be erected in a position where it is clearly visible. Details of the period of time for which a vehicle may park within the area and the prescribed fee required to activate the meter shall be clearly indicated on the meter.
- d. The limits of parking meter areas controlled by single parking meters shall be indicated by white markings painted on the street or area, or otherwise marked, by the Council. The limits of parking meter areas controlled by multiple parking meters shall be indicated by signs.

### 3. When parking by meter applies

- 3.1** A parking meter shall apply during the hours set by resolution of the Council and shown on the meter.
- 3.2** Subject to any parking time limits and restrictions, any metered parking space or area may be occupied without charge on any days, hours, or in any locations where there are specific exceptions made by resolution of the Council.
- 3.3** If any conflict arises between a resolution regarding the application of any parking meter as it may be shown on the meter) and any other resolution regarding traffic control (as may be shown on any sign erected), then the provisions of the ~~latter~~ resolution shown on ~~such~~ the signs shall apply.

## 4. Parking at parking meters

- 4.1** In respect of areas controlled by parking meters:
- a. No driver of a vehicle shall park:
    - i. a vehicle on or over any marking indicating the limits of the parking space or area, or
    - ii. so that the vehicle is not entirely within ~~the~~ any markings which indicate the limits of the parking space or area.

However, where a vehicle has a trailer attached, the driver of it may park the vehicle and trailer in two adjacent parking spaces which are in the same alignment, paying the fees as are required for both spaces.

- b. In an angle park, the front or the rear of the vehicle (as the case may be) shall be as near as is practical to the kerb.
- c. No driver of a vehicle shall park it in a parking space which is already occupied by another vehicle, provided that more than one motor cycle may be parked in a parking space.
- d. Where more than one motorcycle occupies a parking space only one parking fee for any authorised period shall be required. However, no motorcycle shall remain parked in the parking space while the parking meter placed at that parking space shows the authorised period has expired, or for a time in excess of the maximum authorised period.
- e. Subject to paragraph (f) of this clause, if the parking space or area is parallel to the kerb or footpath, the driver of any vehicle (except a motorcycle) shall park the vehicle so that it is headed in the general direction of the movement of the traffic on the side of the street on which it is parked.
- f. A motorcycle may be parked otherwise than parallel to the kerb or footpath provided that during the hours of darkness it shall be sufficiently illuminated so as to be visible from at least 50 metres.

- g. A taxi may not stop, stand or park in any metered area in the taxi restricted parking area, unless it is on a designated stand as defined in the Land Transport Rule: Operator Licensing 2007 or it is waiting for a hirer who has already hired the vehicle.

## 5. Payment of fees

- 5.1** When any vehicle is parked in a parking space or area the driver of that vehicle shall immediately:
- insert in the parking meter installed at that space, or area, the prescribed fee so that the meter mechanism is activated, or
  - activate a prepaid parking or other payment device (for example, making payment using an electronic application) approved by Council.

Any vehicle may be lawfully parked in a parking space or area during the period which has been paid for.

- 5.2** It shall be lawful for the driver of a vehicle during, or when the period which has been paid for expires, to insert another prescribed fee in the parking meter and set the parking meter in operation for a further period. However, where a maximum authorised period has been declared by resolution of the Council and is indicated on the parking meter, it is an offence for the driver of the vehicle to occupy ~~the~~ same space in that area for a time in excess of the maximum authorised period.

## 6. Parking at multiple parking meters

- 6.1** No driver of a vehicle shall park that vehicle in a parking meter area controlled by a multiple parking meter without complying with the directions and requirements indicated by any multiple parking meter and relevant notices installed at the area. Compliance will include paying the prescribed fee to cover the period of parking, receiving and (if a print ticket is required) displaying a ticket from the multiple parking meter in respect of that payment, or activating a prepaid parking or other payment device approved by Council as the case may be.

- 6.2** The driver of a vehicle shall:

- park that vehicle so that it is contained wholly within a parking space where marked, or area.
- (if a print ticket is required to be displayed) place the ticket authorising the vehicle to be parked at the multiple parking meter, on the inside of the vehicle's windscreen closest to the kerb, so that the information is visible to inspection from outside the vehicle, or in the case of other payment devices approved by the Council, as directed in that approval.
- not display an obsolete ticket.

- 6.3** In a parking meter area controlled by a multiple parking meter, an Authorised Officer may exercise any of all of the powers conferred under section 68BA of the Transport Act 1962 and any of the relevant powers under section 113, section 128E and section 139 of the Land Transport Act 1998.

- 6.4** No person shall park any vehicle in any aisle, entry or exit lane of any parking meter area controlled by a multiple parking meter.
- 6.5** No person shall park a motorcycle in any parking meter area controlled by a multiple parking meter, other than in any part specifically set aside for motorcycles.
- 6.6** The Council may from time to time set aside any parking space in a parking meter area controlled by a multiple parking meter for reserved parking upon payment of a fee. This fee shall be set by resolution of the Council and is payable as specified in that resolution.

## 7. Residents' parking schemes

- 7.1** Every resolution under clause 11 setting aside an area for a Residents Parking Scheme may specify:
- The roads, or parts of road, subject to the scheme.
  - A form of vehicle sticker to identify the vehicles of residents holding a permit to park in terms of the scheme and where the sticker shall be fixed to the windscreen.

- 
- c. The hours and days of the week during which the scheme shall operate (which may be expressed to differ on different parts of a road, and which may apply all the time).
  - d. The fees it will charge to cover the reasonable cost to the Council of the service involved in granting a permit to park, instituting and maintaining and policing the scheme, erecting traffic signs and placing road-markings, and otherwise in relation to the reserving of the parking places.
  - e. The form or declaration to be used by residents applying for a permit, together with the evidence required to support the application.
  - f. That parking on a road is limited only to the vehicles of residents. All other vehicles, or specified classes or types of vehicles, shall be subject to the parking or loading restrictions, in respect of that road.
  - g. The number of residents in any one building, or in specified sizes or types of buildings, that may be entitled to a permit.
  - h. Any other matters that the Council considers relevant.
- 7.2** Residents permits act as an exemption permit to the coupon parking charges within the areas to which they apply and holders are able to park in:
- a. Residents parking areas; and
  - b. Coupon parking areas.
- 7.3** No permit is capable of being assigned or transferred to any person or vehicle, unless specifically issued by the Council for that purpose.
- 7.4** A permit holder shall immediately destroy the permit on ceasing to own the subject vehicle, or on ceasing to be a resident.
- 7.5** If a resident obtains a different vehicle from the subject of a current permit, he or she upon making a new application, shall be supplied with a new permit for that different vehicle for the balance of the permit period without paying a further fee.
- 7.6** A permit shall not be construed to mean that:
- a. a resident is assured of a parking place by the Council
  - or
  - b. the Council is liable for any loss of, or damage to, a vehicle or its contents merely because it is parked pursuant to that permit.
- 7.7** Property owners not residing on the property and requiring unrestricted access may apply for an annual resident's parking permit. This also gives them the right to use a resident's parking space for the maintenance of property and related activities.
- 7.8** Exemptions from residents parking may be granted by the Council as follows:
- a. The Council may issue, on application, a permit exempting a vehicle from the requirements of the Residents Parking Scheme.
  - b. The fee for the residents parking exemption permit will be set by resolution under clause 11. The fee will be calculated taking into account the cost of processing an application, issuing the exemption and policing the scheme.
  - c. Exemptions to residents parking can be made in the case of trades people / Service Authorities carrying out work, and needing to park in one of these areas to undertake the work. The owner of the vehicle must apply for a Trade Coupon from the Council and pay any fee set by the Council by resolution. The Trade Coupon must be displayed on the vehicle in a location readily visible from the kerbside when the vehicle is parked in a residents' parking area.
- 8. Coupon parking**
- 8.1** The Council may by resolution specify:
- a. The roads, or parts of road, designated as a coupon parking area.
  - b. A form of coupon to identify that a vehicle is parking lawfully in the coupon parking area.

- c. Where the coupon shall be displayed on the vehicle.
- d. Fees payable for parking vehicles in any coupon parking area.
- e. The operation, maintenance, control, protection, use or discontinuance of coupon parking areas.
- f. A form of vehicle windscreen sticker to identify the vehicles of residents holding a permit to park pursuant to a parking scheme and which will exempt vehicles from coupon parking.
- g. The hours and days of the week during which coupon parking shall operate (the hours and days may be expressed to differ on different parts of a road), ~~and which may apply at all times~~.
- h. The free period a vehicle may park or remain parked without displaying a coupon or a valid permit.
- i. When and how coupons may be used in parking meter areas.
- j. Any other matters that the Council considers relevant.

#### 8.2 [repealed]

**8.3** Where a coupon parking space is also a metered space, the driver or person in charge of any vehicle may park that vehicle in that space in accordance with the provisions of this Bylaw if, pursuant to a Council resolution under clause 11, the meter is marked indicating that coupons are acceptable.

**8.4** The provisions of this clause shall apply to any coupon parking area, ~~except~~ during the hours which the Council has resolved, under clause 8.1(g) of this Bylaw, to be the hours during which parking by coupon ~~applies~~ shall operate in that coupon parking area.

- a. When a vehicle is parked in a coupon parking area, the driver of that vehicle shall also comply with any other restriction identified as applying to that area.
- b. When a vehicle is parked in a coupon parking area, the driver of that vehicle shall display

on that vehicle a valid parking coupon, from the time that any ~~if the vehicle is to be parked for more than~~ the duration of the free parking period approved by the Council in accordance with clause 8 (h) has ended. The coupon is to be displayed ~~on that vehicle at all times the vehicle remains parked in the coupon parking area~~ and in accordance with the instructions printed on the coupon or on the booklet from which the coupon has been detached. For avoidance of doubt, the coupon may be displayed from the time of parking, and must be displayed from when any free parking period has ended.

- c. A parking coupon shall only be valid if:
  - i. The coupon is not torn, defaced or mutilated to such extent that any indicator, figure or other particular is not legible; and
  - ii. The coupon has no alteration, erasure or other irregularity; and
  - iii. The coupon has been activated in accordance with clause 7.6 of this Bylaw; and
  - iv. The coupon is not for any other reason invalid.

**8.5** Subject to clause 8.3 no driver of any vehicle shall cause, allow, permit or suffer such vehicle to be parked or remain parked in a coupon parking area without a valid parking coupon being displayed on that vehicle in accordance with the provisions of this Bylaw.

**8.6** A parking coupon, shall be activated by indicating on the coupon, in accordance with the instructions printed on the coupon or the booklet in which the coupon is attached, the date of the commencement of parking the vehicle on which the coupon is to be displayed in the parking coupon area.

**8.7** The Council, or any Authorised Officer, may issue parking coupons on payment of the appropriate fees which shall from time to time be fixed by the Council in accordance with clause 8.1(d).

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- 8.8** All parking coupons shall be issued with printed instructions as to the display and activation of such coupons.
- 8.9** No refund shall be allowed for any unused coupons, except in such circumstances as the Council may allow and only then if the coupons are not defaced, mutilated or in any other manner rendered invalid.
- 8.10** Any Authorised Officer may, for the purposes of this Bylaw, require the driver of any motor vehicle parked in any coupon parking area, to produce for ~~his~~ their inspection any parking coupon displayed on such motor vehicle and that Authorised Officer may retain any such parking coupon.
- 8.11** A coupon may not be construed to mean that:
- A driver is assured of a parking space by the Council; or
  - That the Council is liable for any loss of, or damage to, a vehicle or its contents merely because it is parked pursuant to that coupon.
- 8.12** Exemptions from coupon parking may be granted by Council as follows:
- The Council may issue, on application, a permit exempting a vehicle from the requirements of coupon parking (a coupon exemption permit). The coupon exemption permit allows a person living in a coupon parking area to be exempt from displaying a coupon in their vehicle.
  - The coupon exemption permit must be displayed on the windscreen of the vehicle when the vehicle is parked in a coupon parking area.
  - The fee for the coupon parking exemption permit will be set by resolution under clause 11. The fee will be calculated taking into account the cost of processing an application, issuing the exemption and the cost of policing the scheme.
  - ~~A coupon parking exemption does not allow the permit holder to park in a residents parking area. [moved to f]~~
- Exemptions to coupon parking can also be made in the case of:
    - Businesses with no off-street parking located outside the metered Central District time restricted area. One free coupon exemption permit may be granted on application.
    - Schools with no off-street parking which require vehicles to overcome any proven operational difficulties enabling the school to function free from coupon parking. Five free coupon exemption permits may be granted on application.
    - Registered Community Service Groups with no off-street parking which can demonstrate a need for a vehicle to carry out community work. One free coupon exemption permit may be granted on application.
    - Tradespeople/Service Authorities carrying out work, and needing to park in one of these areas to undertake the work. The owner of the vehicle must apply for a Trade coupon from the Council and pay any fee set by the Council by resolution. The Trade coupon must be displayed on the vehicle in a location readily visible from the kerbside when the vehicle is parked in a coupon parking area.
  - A coupon parking exemption or Trade coupon does not allow the permit holder to park in a residents parking area.
  - The Council may withhold exemptions in the case of those persons or organisations with possible alternative options open to them, as in the case of shift workers. Such options would include:
    - Car pooling one way and public transport the other way.
    - Workers or employees are able to purchase a common coupon, making it available on a rotation basis.

## 9. Vehicle removal

- 9.1** Any vehicle, which is parked in a parking space, [parking area](#), building, transport station, on a road or on a footpath in any manner not in conformity with this Bylaw or resolutions passed under this Bylaw, may be removed at the request of an Authorised Officer. Such a removal will be to a nearby lawful place for vehicle parking, or to any Council vehicle pound, or to any yard in the city occupied by any company engaged by the Council to remove such vehicles, as he or she thinks fit. All charges relating to the removal of the vehicle or bulk bin or container shall be met by the owner.
- 9.2** Vehicles may also be removed by the Council or their appointed agents from a parking space, [parking area](#), building, transport station or road where these facilities require resealing or any other type of repair or maintenance. The removal of vehicles will be undertaken where the vehicle obstructs such activity or by its position, prevents the activity from taking place.
- 9.3** If the Council is to remove vehicles under clause 9.2, they must give notice at least 48 hours prior to the resealing, repair or maintenance indicating the Council's intention to undertake the activity. Notice of the activity may be provided either through residential post boxes or on vehicles parked in the street in which the activity is to take place or through notices in a local newspaper or any combination of these. The notices will request that vehicles be removed from the road, parking space, building or transport station to allow the resealing, repair or maintenance activity to occur. After issuing a notice, the Council will not be obliged to make any further contact with the owners of the vehicles prior to their removal.
- 9.4** Any vehicle may be detained at the place to which it has been removed by the Council or its appointed agents, until the reasonable costs of the removal and of any subsequent daily storage are paid by any person requesting the possession of that vehicle.
- 9.5** The Council may authorise the removal of any cycle left in a parking space, or any motor-cycle or power-cycle left leaning against a parking meter, in contravention of this clause. The owner of the motor-cycle, power-cycle or cycle may be required to pay to the Council any cost of removal.
- 9.6** Owners of vehicles removed or impounded in terms of clause 9.1 may obtain access to storage premises for the purposes of recovering their vehicles once the costs of removal and storage of the vehicles have been met.
- 9.7** The minimum hours during which the owners of impounded vehicles, or their appointed agents, have access to storage premises to recover their vehicle are those set out in Regulation 7(b) of the Land Transport (Requirements for Storage and Towage of Impounded Vehicles) Regulations 1999.
- 9.8** Access to storage premises may also be obtained outside of these times provided any such arrangement is mutually agreed between the parties concerned. The tow company/storage provider is entitled to charge for allowing access to vehicles after these hours. The tow company/storage provider involved must make known their access hours as well any additional charges for access after the hours for access by owners to vehicles.
- 9.9** Any bulk bin or container, which is on a road or private road, in breach of this bylaw may be removed in accordance with clause 9.1.
- 9.10** Council may declare by resolution any private road to be a no parking area. In order that a no parking area may be declared, Council must:
- Obtain written consent of all adjoining landowners of the area concerned; and
  - Erect signage as required under the Land Transport Rules.
- 9.11** The powers that may be exercised under this clause are in addition to those provided in section 128E of the Land Transport Act 1998 and sections 348 and 356 of the Local Government Act 1974.

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## 10. Temporary discontinuance of a parking place

- 10.1** If an Authorised Officer is of the opinion that any parking place should be temporarily discontinued as a parking space [or area](#) the Authorised Officer may cause a sign / signs or meter-hoods to be placed or erected which indicate “No Stopping”. It shall be unlawful for any person to stop or park a vehicle at the parking space [or area](#) affected while any sign/signs or meter-hoods are placed or erected.
- 10.2** If the Authorised Officer is of the opinion that any parking place should be temporarily discontinued, except for the use of a trade vehicle (as defined by the Council from time to time by resolution) or other specified vehicle, the Authorised Officer may place or erect or cause to be placed or erected a sign or signs, temporary barricades, or meter-hoods sufficiently indicating “Reserved Parking” for a specific trade or other specified vehicle and it shall be unlawful for any person other than a person specifically authorised by the Authorised Officer to stop or park a vehicle at the parking space [or area](#) affected while any sign / signs or meter-hoods are placed or erected or to remove any sign or signs, temporary barricades or meter-hoods so placed or erected.
- 10.3** The Council may from time to time by resolution fix fees payable for users or classes of users authorised by an Authorised Officer to parking spaces [or areas](#) reserved in the manner prescribed by clause 10.2 hereof.

## 11. Provision for resolutions

- 11.1** The Council may by resolution impose such prohibitions, restrictions, controls, or directions concerning the use by traffic or otherwise of any road or other area or building controlled by the Council unless the restriction/control/prohibition/direction is already provided for in a relevant enactment or Land Transport Rule (in which case a Council resolution is not required).

## 11.2 Any resolution may:

- a. Be made in respect of a specified class, type or description of vehicle, and may be revoked or amended by the Council.
- b. Be expressed or limited to apply only on specified days, or between specified times, or in respect of specified events or classes of events, or be limited to specified maximum periods of time.
- c. Also, where appropriate, prescribe, abolish or amend fees, whether annual, hourly or otherwise, as the Council may reasonably require for any parking space, [parking area](#), building, transport station, or residents coupon parking scheme; and may prescribe the methods of displaying appropriate receipts for payments, or other authority to use or park in such spaces buildings or areas.
- d. In respect of any resolution made in terms of this Bylaw, specify a minimum number of occupants in any private motor vehicle.
- e. Be made in respect of any defined part of a road, including, any defined footpath, carriageway or lane.

## 12. Public notification

- 12.1** Any resolution proposed under this Part shall be placed on the Council’s website at least 14 days before the Council considers it. Any person may provide comments, in writing, on the proposed resolution and those comments will be considered by the Council before it makes a resolution. Any person who has made written comments may request to be heard by the Council and it is at the Council’s sole discretion whether to allow that request.

### 13. Offences

**13.1** The provisions of Part 1 of this Bylaw notwithstanding, every person commits an offence against this Bylaw who:

- a. Fails to comply in all respects with any prohibition or restriction or direction or requirement indicated by the lines, domes, areas, markings, parking meters, multiple parking meters, traffic signs, or other signs and notices, laid down, placed, or made, or erected, in or on any road, building, or other area controlled by the Council, pursuant to any provision of this Bylaw, or of any resolutions made thereunder.
- b. Fails to comply with any resolution made under this Bylaw or fails to comply with any duty, obligation, or condition imposed by this Bylaw.
- c. Drives a vehicle on any street in a manner which interferes with or obstructs any funeral or civic or State or authorised procession.
- d. Drives any vehicle over any hose in use in connection with an outbreak or alarm of fire provided that it shall not be an offence under this clause so to drive if hose bridges are provided or the driver is directed by a traffic officer, police officer or New Zealand Fire Service officer.
- e. Drives or parks a vehicle so as to hinder or obstruct any member of the New Zealand Fire Service engaged in connection with any outbreak or alarm of fire, the Police, Ambulance Service, or other emergency services in carrying out their respective duties.
- f. [repealed]
- g. [repealed]
- h. [repealed]
- i. [repealed]
- j. Drives or parks any vehicle on a street where it is in such a condition that an undue quantity of oil, grease or fuel drops from such vehicle.
- k. Unloads any vehicle so as to cause or, be likely to cause, damage to the pavement or any footpath.
- l. Drives any motor vehicle onto any property of the Council other than a road or permits the vehicle to stand or remain standing on any such property, without the consent of the Council.
- m. Drives or parks a vehicle on any grassed or cultivated area under the control of Council.
- n. Leaves in or on any road or private road within the City for a period exceeding 7 days, any vehicle having no effective motive power in or attached to it, or in such a state that it cannot be safely driven, or so disabled or damaged that it cannot be driven.

It shall not be a defence to a charge under this paragraph that the vehicle is under repair, if that repair exceeds 7 days.

For the purposes of this paragraph “vehicle” also includes caravans, trailers, boats, and the shell or hulk of a vehicle.

- o. Parks in a road in front of any property in the Residential Area under the Council’s District Plan, where the size of the vehicle parked, or the continual nature of the parking, unreasonably prevents occupants from parking outside their property, excluding commercial vehicles parked on the road temporarily for business purposes.
- p. In relation to residents parking:
  - i. Makes a false application or supplies false details in an application;
  - ii. Places a permit on a vehicle for which it was not issued;
  - iii. Places or maintains a permit, or allows a permit to be placed or maintained, on a vehicle which is no longer being used by a resident;
  - iv. Parks a vehicle in a place that is the subject of a Residents Parking Scheme without a current windscreen sticker for the Residents Parking Scheme being displayed on the vehicle; or

- 
- v. Parks a vehicle in a place that is subject to the Residents Parking Scheme, without displaying a current exemption permit on the vehicle.
  - q. In relation to coupon parking:
    - i. Parks within the coupon parking area for longer than the free period without displaying a clearly validated coupon on the vehicle; or
    - ii. Displays a coupon on the vehicle for a date other than the date indicated; or
    - iii. Parks in excess of any other time restriction or contrary to any other parking restriction in place within the coupon parking area; or
    - iv. Parks within the coupon parking area, without displaying a current exemption permit on the vehicle.
  - r. Fails to produce a coupon on demand pursuant to clause 8.10.
  - s. Causes, allows or permits any vehicle to be parked in any parking space [or area](#) except in accordance with, or pursuant to, the provision of this Bylaw and of any resolutions.
  - t. Causes, allows or permits any vehicle to remain parked in a parking space [or area](#) for more than 24 hours where no other maximum authorised period is specified in a Council resolution or on a parking meter or signs in its vicinity.
  - u. Causes to be inserted in any parking meter anything other than the prescribed coin or coins or does not comply with any other card or token system prescribed by resolution of the Council as a method of making payment of the parking fee.
  - v. Fails to activate an approved parking device while parked in a parking space [or area](#), adjusts the tariff to make it different from that required at that space, or displays the tariff incorrectly so that it cannot be read for enforcement purposes.
  - w. Places or leans a motor-cycle or power-cycle on or against a parking meter.
  - x. Places or leaves a cycle on any parking space.
  - y. Misuses any parking meter.
  - z. Interferes or tampers with the working or operation of any parking meter or pay and display machine [or electronic parking monitor](#).
  - aa. Without due authority from the Council affixes any placard, advertisement, notice, list, document, board or thing on, or paint, or writes upon any parking meter [or electronic parking monitor](#).
  - bb. Wilfully damages any traffic control sign or parking meter [or electronic parking monitor](#).
  - cc. Parks a motor-cycle or power-cycle between parking spaces.
  - dd. Operates or attempts to operate any parking meter by any means other than as prescribed by this Bylaw.
- 14. Parking defences**
- 14.1** It shall be a defence to any person who is the driver, or is in charge of any vehicle and who is charged under this Bylaw with a breach of any condition imposed by this part of this Bylaw relating to any parking space if such person proves that the act complained of was done:
- a. in compliance with the directions of a police officer or traffic officer, or that the vehicle was engaged on a public work and was being used on the road with due consideration for other road users; or
  - b. with a vehicle used by an Ambulance Service or the Fire Service, Police or other emergency service in the urgent carrying out of their respective duties.



# Review and amendments to Part 7: Traffic of the Wellington City Consolidated Bylaw 2008

Absolutely Positively  
**Wellington City Council**  
Me Heke Ki Pōneke

## Section one – details for the submission form

### Enter your name and contact details

Mr  Mrs  Ms  Miss  Dr

First name\*

Last name

<input type="text"/>	<input type="text"/>
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Street address\*

Phone/mobile

Email

<input type="text"/>	<input type="text"/>
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\* Mandatory fields

I am making a submission  As an individual  On behalf of an organisation  I would like to make an oral submission

Name of organisation

### We are keen to get your views on the Review and amendments to Part 7: Traffic of the Wellington City Consolidated Bylaw 2008

You can have your say:

- submitting online at [wellington.govt.nz](http://wellington.govt.nz),
- emailing a submission [policy.submission@wcc.govt.nz](mailto:policy.submission@wcc.govt.nz)

- complete this form, detach and post back to us (no postage required)
- phoning us on 04 499 4444
- requesting an opportunity to make an oral submission.

**Submissions close at 5pm, 30 September 2015.**

#### Disclaimer:

All submissions (including name and contact details) are published and made available to elected members of the Council and the public. Personal information supplied will be used for the administration and reporting back to elected members of the Council and the public as part of the consultation process. All information collected will be held by Wellington City Council, 101 Wakefield Street, Wellington. Submitters have the right to access and correct personal information.

## Questions

1. Do you agree with the changes we have made to the Traffic Bylaw to make it clearer that residents can use electronic technology to pay for parking?  Yes  No If you disagree, can you tell us why? Your comments:

2. Do you agree with the changes we have made to the Traffic Bylaw to make it clearer that the Council can use electronic technology to monitor parking space occupancy?  Yes  No If you disagree, can you tell us why? Your comments:

3. Do you agree with the proposed removal of section 2.2 in the Traffic Bylaw (that stipulates car park spaces must be marked out on the road) to give the Council more flexibility with road markings?  Yes  No If you disagree, can you tell us why? Your comments:

4. Is there anything you think should be added to and/or removed from the Traffic Bylaw to make it better? Your comments:

5. Do you have any other comments?

1st fold here - fasten here once folded

**Please return this submission form  
by 5pm on 30 September 2015.**

2nd fold here

Free Post Authority Number 2199

**Absolutely Positively  
Wellington City Council**

Me Heke Ki Pōneke



Freepost Wellington City Council  
Proposal: Review and amendments to Part 7: Traffic of the  
Wellington City Consolidated Bylaw 2008 (COP01)  
Wellington City Council  
PO Box 2199  
Wellington 6140