
EXTRAORDINARY MEETING

OF

THE TRAFFIC BYLAW REVIEW 2015 SUBCOMMITTEE

AGENDA

Time: 9.15AM
Date: Thursday, 22 October 2015
Venue: Committee Room 1
Ground Floor, Council Offices
101 Wakefield Street
Wellington

MEMBERSHIP

Mayor Wade-Brown

Andy Foster (Chair)
Councillor Free
Councillor Lee
Councillor Young

Have your say!

You can make a short presentation to the Councillors at this meeting. Please let us know by noon the working day before the meeting. You can do this either by phoning 803-8334, emailing public.participation@wcc.govt.nz or writing to Democratic Services, Wellington City Council, PO Box 2199, Wellington, giving your name, phone number and the issue you would like to talk about.

AREA OF FOCUS

The Subcommittee has responsibility to hear submissions on **Part 7: Traffic of the Wellington City Consolidated Bylaw 2008 (the traffic bylaw)** and report the results of oral hearings and final recommendations to the Transport and Urban Development Committee.

Quorum: The Quorum shall be a majority of the members.

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1 Meeting Conduct

1.1 Apologies

The Chairperson invites notice from members of apologies, including apologies for lateness and early departure from the meeting, where leave of absence has not previously been granted.

1.2 Conflict of Interest Declarations

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

1.3 Public Participation

A maximum of 60 minutes is set aside for public participation at the commencement of any meeting of the Council or committee that is open to the public. Under Standing Order 3.23.3 a written, oral or electronic application to address the meeting setting forth the subject, is required to be lodged with the Chief Executive by 12.00 noon of the working day prior to the meeting concerned, and subsequently approved by the Chairperson.

1.4 Items not on the Agenda

The Chairperson will give notice of items not on the agenda as follows:

Matters Requiring Urgent Attention as Determined by Resolution of the The Traffic Bylaw Review 2015 Subcommittee.

1. The reason why the item is not on the agenda; and
2. The reason why discussion of the item cannot be delayed until a subsequent meeting.

Minor Matters relating to the General Business of the The Traffic Bylaw Review 2015 Subcommittee.

No resolution, decision, or recommendation may be made in respect of the item except to refer it to a subsequent meeting of the The Traffic Bylaw Review 2015 Subcommittee for further discussion.

2. General Business

REPORT ON SUBMISSIONS - TRAFFIC BYLAW REVIEW 2015

Purpose

1. To present the results of public consultation, and ask the Traffic Bylaw Review 2015 Subcommittee (the Subcommittee) to recommend that the Transport and Urban Development Committee (the Committee) request that Council approve the amended Part 7: Traffic of the Wellington Consolidated Bylaw 2008.

Recommendations

That The Traffic Bylaw Review 2015 Subcommittee:

1. Note that Part 7: Traffic of the Wellington City Consolidated Bylaw 2008 has been reviewed to meet the Local Government Act 2002 (LGA) requirement to review bylaws every 10 years.
2. Note that public consultation has been undertaken on proposed amendments to Part 7: Traffic of the Wellington City Consolidated Bylaw 2008 by way of a statement of proposal approved by the Transport and Urban Development Committee on 5 August 2015.
3. Note the public consultation submissions and officer responses in the Summary of Submissions.
4. Agree to amendments (additional to the amendments discussed in the statement of proposal) of Part 7: Traffic of the Wellington City Consolidated Bylaw 2008 to:
 - a. align content with the Wellington City Council Writing Style Guide 2015
 - b. correct an incorrect reference in clause 8.4 diii)
 - c. repeal two redundant clauses:
 - i. clause 7.7 which appears to provide property owners with the right to residents parking permits (instead of trade coupons)
 - ii. clause 8.3 which refers to metered parking spaces which are also coupon parking areas (but no such areas exist)
 - d. retain clause 8.12 d unchanged as reordering of content proposed in the statement of proposal would have the unintended consequence of prohibiting the use of trade coupons in residents parking areas.
5. Recommend to the Transport and Urban Development Committee that it requests Council adopt the proposed amended Part 7: Traffic of the Wellington City Consolidated Bylaw 2008 (Attachment 2).
6. Agree to delegate to the Chair of the Traffic Bylaw Review 2015 Subcommittee the authority to amend the Proposed Amended Traffic Bylaw (Attachment 2) to include any amendments agreed by the Subcommittee and any associated minor consequential edits.

Background

2. On 5 August 2015 the Committee considered and agreed a statement of proposal presenting a review of the Traffic Bylaw.
3. Under the Local Government Act 2002 (LGA) local authorities must review bylaws at least every 10 years. The Traffic Bylaw must be reviewed by February 2016 in order to remain in force.
4. The Traffic Bylaw 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; and
 - control vehicle traffic on any road in Wellington city (excluding state highways).
5. The amendments to the Traffic Bylaw discussed in the statement of proposal were to:
 - more clearly allow for the use of electronic technology to monitor whether parking spaces are occupied and the use of electronic parking receipts; and
 - provide more flexibility for road marking (for example removing the requirement that spaces be marked out).
6. The Council consulted on the statement of proposal from 28 August to 30 September under sections 83 and 86 of the LGA.
7. Nine submissions were received, and one oral submission was heard by the Subcommittee on 8 October 2015.
8. All submission responses and comments are reported, alongside officer comments in a Summary of Submissions (Attachment 1).

Discussion

9. Most of the submitters expressed support for the proposed changes in responses to submission form questions:
 - 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?
 - 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?
10. Four submitters responded “yes” and four responded “no” to the question:
 - 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?”
11. In response to submissions officials recommend additional amendments to the Traffic Bylaw to:
 - align content with the Wellington City Council Writing Style Guide 2015 (for example, consistent use of “the Council”)
 - correct an incorrect reference in clause 8.4 diii)
 - repeal clause 7.7 which appears to provide property owners with the right to residents parking permits (instead of trade coupons)
 - retain clause 8.12 d unchanged as re-ordering of content proposed in the statement of proposal would have had an unintended consequence of prohibiting the use of trade coupons in residents parking areas.

12. During further review of the traffic bylaw, Council officers noted that clause 8.3 refers to “metered parking spaces which are also coupon parking areas”. No such areas exist and officers recommend the clause be repealed as it is redundant.
13. There were also submission proposals about footpaths, and about motorcycle use of pay and display parking spaces. No changes are proposed with regard to these proposals, footpaths are out of scope, and motorcycle parking was considered in 2011 with no new evidence provided for change.
14. The proposed amended traffic bylaw has been assessed against the New Zealand Bill of Rights Act 1990 (NZBORA) and is not inconsistent with the NZBORA.

Next Actions

15. If the Subcommittee recommend to the Committee that it requests that Council adopt the proposed amended Part 7: Traffic of the Wellington City Consolidated Bylaw 2008 (Attachment 2) the Committee will consider the recommendation on 19 November 2015 and Council will consider the proposed amended bylaw on 16 December 2015.
16. If Council agree the proposed amended bylaw it will come into effect on 17 December 2015.

Attachments

Attachment 1.	Attachment 1 Summary of Submissions	Page 11
Attachment 2.	Attachment 2 Proposed amended Traffic Bylaw	Page 17

Authors	Leila Martley, Senior Policy Analyst Geoff Lawson, Principal Advisor
Authoriser	John McGrath, Acting Director Strategy and External Relations

SUPPORTING INFORMATION

Consultation and Engagement

The special consultative procedure statutorily required under the Local Government Act 2002 has been complied with in conducting the public consultation including oral hearings.

Treaty of Waitangi considerations

N/A

Financial implications

The proposed amended bylaw will operate within existing budgets.

Policy and legislative implications

The proposed amended bylaw is not inconsistent with the New Zealand Bill of Rights Act 1990.

Risks / legal

The statement of proposal was reviewed by DLA Piper, any additional amendments are not significant.

Climate Change impact and considerations

N/A

Communications Plan

A marketing and communications plan for amended bylaw coming into effect will be managed by the Policy and Marketing and Communications teams. There changes are not of a nature that will require public education.

Attachment 1: Summary of Submissions

Review of Part 7 Traffic of the Wellington City Consolidated Bylaw 2008

Background

1. On 5 August 2015 the Transport and Urban Development Committee (the Committee) considered, and agreed to publish, a statement of proposal presenting a review of Part 7: Traffic of the Wellington City Consolidated Bylaw 2008 (the Traffic Bylaw).
2. The review was undertaken to meet the Local Government Act 2002 requirement to review bylaws every 10 years.
3. Public consultation on the statement of proposal was open from Friday 28 August 2015 to Wednesday 30 September 2015. Nine submissions were received. One oral submission was heard by the Traffic Bylaw Review 2015 Subcommittee on 8 October 2015.
4. In the submission form questions were posed about the main changes discussed in the statement of proposal. "Yes/No" responses were sought, as well as additional comments. The questions and "Yes/No" responses are noted below. Not all submitters used the form, so there were not nine responses for each question. Any additional submission comments are reported alongside officer responses in Tables 1 and 2.

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?

- Six submitters¹ indicated they agreed with the proposed amendments.
- One submitter² did not agree with the proposed amendments.

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?

- Five submitters³ indicated they agreed with the proposed amendments
- Three submitters (refer Table 1) indicated that they did not support the changes.

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?

- Four submitters⁴ supported the proposal.
- Four submitters (refer Table 1) did not support the proposal.

5. Recommendations are **noted in bold** with the officer responses in Table 1.

¹ Submissions references: 2 Iain Apperley, 4 John Gill, 5 Kate Clarke, 7 Fiona Hodge, 8 Bernard O'Shaughnessy, 9 Erin Tasker.

² Submission reference: 6 Sanje Munanthanthiri.

³ Submission references: 2 Iain Apperley, 5 Kate Clarke, 7 Fiona Hodge, 8 Bernard O'Shaughnessy, 9 Erin Tasker.

⁴ Submission references: 5 Kate Clarke, 7 Fiona Hodge, 8 Bernard O'Shaughnessy, 9 Erin Tasker.

• **Table 1: Submission points on the traffic bylaw, by submitter and clause**

# ⁵	Submitter	Subject	Submission Summary	Officer Response
4	John Gill	Clause 1	Support amendments on the use of electronic technology to pay for parking, provided that cash and card solutions are still available.	Noted. It is not proposed to change the way that people can pay for parking at this review.
4	John Gill	Clause 1	Do not support amendments on the use of electronic technology to monitor parking space occupancy. Needs to be shown that it works well and is cost effective.	Noted. Decisions on the installation of electronic monitors will be based on standard operational decision making for parking infrastructure (for example, durability and cost effectiveness).
6	Sanje Munanthanthiri	Clause 1	Do not support amendments on the use of electronic technology to monitor parking space occupancy. Makes this system open to exploitation.	Noted. The use of electronic monitors will provide accurate timing records of how long a vehicle has been parked. It is unclear how improved accuracy could lead to exploitation.
11	Viv Chapple	Clause 1	<p>Do not support amendments on the use of electronic technology to monitor parking space occupancy.</p> <p>Consider the Council double dips when there is a compulsory minimum charge, but the space becomes free. If somebody has paid for more time than they use they may like somebody else to be able to use the time.</p> <p>I am surprised the cost of technology is offset against income from parking.</p>	<p>Noted. Motorists can ensure they only pay for the parking time they use by making use of Phone2park and SmartPark to pay for parking (refer to the Council website www.wellington.govt.nz, pages about parking). A minimum fee is important to prevent 'gaming' the parking system, for example, paying 20c but intending to park for an hour. Overstaying has a much smaller infringement than not paying at all – so in this context 'gaming' means taking a calculated risk to pay a small fee. This is unfair on people who do pay for the parking they intend to use.</p> <p>Revenue from parking is allocated to the transport budget, and reduces the load on rates. Investment in parking technology is a small cost relative to the revenue raised.</p>
2	Iain Apperley	Clause 2.2	Do not support proposal to remove 2.2. Car spaces should be clearly marked in some way.	Noted. Parking spaces will continue to be clearly marked.
6	Sanje Munanthanthiri	Clause 2.2	Do not support proposal to remove 2.2. Opens up the system for exploitation by parking wardens.	The requirement to "mark out" spaces in clause 2.2 of the Traffic Bylaw limits urban design options because if parking spaces are marked out, then Land Transport Act 1998 (LTA) regulations apply, and these regulations require markings to be
11	Viv Chapple	Clause 2.2	Do not support proposal to remove 2.2. White lines are ugly but clearly understood. They rule	

⁵ Refers to submission number.

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# ⁵	Submitter	Subject	Submission Summary	Officer Response
			out any ambiguity. They are so much a part of the urban landscape that I am surprised non drivers notice them.	made using white paint.
4	John Gill	Clause 2.2	Do not support the proposal to remove 2.2. Drivers need clear markings of the space they have paid for.	Without the requirement in the bylaw the Council may use brick or other ways to mark out spaces, instead of white lines. The change will only apply to parallel parking as the LTA regulations require all angle parking to be "marked out" (and therefore in white lines).
10	Living Streets Aotearoa	Clause 6.5	Motorbikes should be able to park in an area controlled by a multiple parking meter.	Noted. This matter was considered during the technical review of the Traffic Bylaw in 2011. Initially motorcycles were excluded from pay and display areas because there was no way to affix receipts to a motorcycle. While technology could address the matter, submissions from the motorcycle community in 2011 did not support motorcycles being able to park in multiple parking meter areas as they perceived it could work against the provision of free motorcycle parking. Submissions also noted dangers to motorists and motorcyclists, the potential for damage, and inefficiency (a motorcycle occupying a large space). There have been no new submissions from the motorcycle community to indicate that change is wanted.
10	Living Streets Aotearoa	Clause 7.7	Resident parking permits should only be available to residents (and not non-resident landlords).	Agree. Clause 7.7 states that a property owner "may" apply for a residents parking permit if they require access to the property. In practice, property owners cannot receive a residents permit if they do not live at the property. Instead, property owners apply for trade coupons when they need to do work at a property. Clause 7.7 is redundant. Recommend: Repeal clause 7.7, and for clarity, it is proposed to add "property owners" at 7.8 c and at 8.12 e iv) to the description of who can use trade coupons.
10	Living Streets Aotearoa	Clause 8.12 f	Should allow trade coupons to park in resident zones.	Agree. A proposed amendment in the statement of proposal had an unintended effect of indicating that trade coupons do not entitle parking in

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# ⁵	Submitter	Subject	Submission Summary	Officer Response
				residents parking. Recommend: The proposed amendment (in the statement of proposal to move 8.12d to 8.12f) is cancelled by retaining clause 8.12d unchanged.
10	Living Streets Aotearoa	Clause 8.4 d iii	"7.6" should be "8.6"	Agree. The reference is incorrect. Recommend: Change "7.6" to "8.6" (refer 8.4 c iii).
10	Living Streets Aotearoa	Clause 7.1 d and 7.8 b	Fees for residents parking areas should be based on the opportunity cost of restricting public use of the space, not just cost to Council.	Disagree. The cost of residents parking areas is based on a comprehensive measure of cost to the Council, including, for example, the cost of maintaining roads. If there are significant public benefits associated with alternative use of a road, the Council may change the usage of that road. Officers also note that the opportunity cost of restricting public use would vary by location and would be difficult to measure. There are no reported issues with the current system to warrant introducing more complex costing models.
10	Living Streets Aotearoa	Clause 10	There should be an ability to 'book' a particular parking space to carry out some work on a payment of a fee – for example so that a builder can gain access to a building for a period or a removal company can book space so they can pack out a household over one or two days	Disagree. There are loading zones throughout the city as well as a trade coupon system that operates in the central business district and suburbs. Specific areas or spaces may be reserved by arrangement with the Council. There is no requirement for a booking system - which would be costly to implement.
10	Living Streets Aotearoa	Consistency	The bylaw has several inconsistencies, this is not good practice in legal documents because it could be inferred that the things being referred to are not the same. Examples are: a) "the council", "Council" b) "resolution of council", "Council resolution", "resolution of the Council", "the council by resolution", "Resolution", "resolution" c) "motor-cycle", "motorcycle" d) "Residents' Parking Scheme", "Residents Parking Scheme"	Agree. The traffic bylaw has now been reviewed and amendments proposed in line with the Wellington City Council Writing Style Guide February 2015. Recommend: Align the traffic bylaw with the Council style guide, specifically, consistent use of: <ul style="list-style-type: none"> • "the Council" • "by resolution of the Council" or "resolution" • "motorcycle" • "residents parking scheme" (no apostrophe, lower case) • "coupon exemption permit"

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# ^b	Submitter	Subject	Submission Summary	Officer Response
			<p>“residents coupon parking scheme”, “residents permits”, “residents parking permits” and more apostrophe placement issues.</p> <p>e) “coupon exemption permit”, “coupon parking exemption”, “exemption permit”</p> <p>f) “Trade Coupon”, “Trade coupon”.</p>	<p>(lower case)</p> <ul style="list-style-type: none"> • “trade coupon” (lower case) • “footpath” (delete “footway”, refer definitions and 2.2).

Table 2: Submission points out of scope of the Traffic Bylaw

#	Submitter	Subject	Submission comment	Officer response
10	Living Streets Aotearoa	Clause 2.2 b and 2.2c	Add that parking meters should be oriented so that the obstruction of the footpath is minimized.	<p>Noted. Issues around footpaths are covered by other bylaws and regulations, including:</p> <ul style="list-style-type: none"> • Part 5: Public Places of the Wellington City Consolidated Bylaw 2008, • The Council’s Footpath Management Policy, and • The Land Transport (Offences and Penalties) Regulations 1999 (for example, an infringement fee of \$40 for parking a vehicle on the footpath). <p>In view of the potential for duplication, it is not appropriate to add any further detail about footpaths to the Traffic Bylaw.</p>
10	Living Streets Aotearoa	Clause 4.1 b	Add that the front or rear end of a car not overhang the footpath.	
10	Living Streets Aotearoa	Clause 9.1	The only situation where a vehicle can park on a footpath is a bicycle in a Council designated bike park. We would like to see this limited and all other bicycle parking removed to the road.	
10	Living Streets Aotearoa	Clause 9.9	Bulk bin – add ‘or on a footpath’.	
10	Living Streets Aotearoa	Clause 13	Some of the offences for motorbikes should probably be changed so they are not tempted to park on the footpath.	
10	Living Streets Aotearoa	Clause 13 x	The cycle parking offence should also apply on the footpath.	
10	Living Streets Aotearoa	Clause 9.5	Needs to specify ‘the removal of any cycle left in a parking space or on the footpath’ but what is a contravention of this clause? Is that 9.1?	
8	Bernard O’Shaughnessy	Rush hour	Ban cars on weekdays in the CBD during rush hours.	A ban under a bylaw would need to meet Local Government Act 2002 criteria around public safety risks or public nuisance, and undergo public consultation.
8	Bernard O’Shaughnessy	Bus	Ratepayers should be given a \$20 Snapper card once a year to get	There is nothing in the traffic bylaw to prevent the Council from encouraging

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#	Submitter	Subject	Submission comment	Officer response
	ssy		them on the buses.	the use of public transport through policies and promotions. Snapper cards may be used to pay for parking as well as on buses, so would not necessarily encourage bus use.
8	Bernard O'Shaughnessy	Picture	The picture on the front of the statement of proposal shows traffic offences (footpaths too wide, buses too big, no room for cycle-ways).	Noted. The matters raised are not traffic offences.

Attachment 2: Proposed amended Traffic Bylaw

Part 7: Traffic of the Wellington City Consolidated Bylaw 2008

Proposed review amendments made in the statement of proposal are indicated in ~~strikethrough~~ and underlined text (red)

Any additional changes from consultation are indicated in underlined text (blue)

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 ~~S~~state ~~H~~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 ~~O~~fficer 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 ~~P~~arking ~~S~~space means a space in a coupon parking area which is suitable for the accommodation of a motor vehicle.

Coupon ~~P~~arking ~~A~~rea 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 Aarea 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 Pparking Mmeter 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 Mmeter 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 Mmeter 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 are installed and maintained.

Parking Sspace 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 Ddisplay Pparking Mmeter 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 [the](#) 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 resolution [of the Council](#) 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~~ footpath 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 motorcycle 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:

- a. insert in the parking meter installed at that space, or area, the prescribed fee so that the meter mechanism is activated, or
- b. activate a prepaid parking or other payment device (for example, making payment using an electronic application) approved by the 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 ~~parking~~ 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 the Council as the case may be.

6.2 The driver of a vehicle shall:

- a. park that vehicle so that it is contained wholly within a parking space where marked, or area.
- b. (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.
- c. 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:

- a. The roads, or parts of road, subject to the scheme.
- b. 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 restrictions₂ 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~~ [they](#), 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.](#)~~
[\[repealed\]](#)

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 Sscheme.
- b. The fee for the residents parking exemption permit will be ey set by resolution under clause 11. The fee will be calculated taking into account the cost of processing an application, issuing the exemption permit and policing the scheme.
- c. Exemptions to residents parking can be made in the case of trades people/service authorities/property owners 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 of the Council. 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's' 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 apply at all times, and 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.~~ [repealed]

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~~ 8.6 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 coupon₂ 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).

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. A driver is assured of a parking space by the Council; or
- b. 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 the Council as follows:

- a. 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.
- b. The coupon exemption permit must be displayed on the windscreen of the vehicle when the vehicle is parked in a coupon parking area.

- c. 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.
- d. A coupon parking exemption does not allow the permit holder to park in a residents parking area.
- e. Exemptions to coupon parking can also be made in the case of:
 - i. Businesses with no off-street parking located outside the metered ~~Central District~~ central business district - time restricted area. One free coupon exemption permit may be granted on application.
 - ii. 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.
 - iii. Registered ~~C~~community ~~S~~service ~~G~~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.
 - iv. Tradespeople/service authorities/property owners 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.

- f. 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:
 - i. Car pooling one way and public transport the other way.
 - ii. 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 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 [motorcycle](#) or power-cycle left leaning against a parking meter, in contravention of this clause. The owner of the [motorcycle](#), 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 The Council may declare by resolution any private road to be a no-parking area. In order that a no-parking area may be declared, the Council must:

- a. Obtain written consent of all adjoining landowners of the area concerned;
and
- b. 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.

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 on to any property of the Council other than a road or permits the vehicle to stand or remain standing on any such propertyⁱ without the consent of the Council.
- m. Drives or parks a vehicle on any grassed or cultivated area under the control of the Council.
- n. Leaves in or on any road or private road within the Ccity 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 a R~~r~~esidential A~~a~~rea as defined in 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 R~~r~~esidents Parking Sscheme without a current windscreen sticker for the R~~r~~esidents Parking Sscheme being displayed on the vehicle; or

 - v. Parks a vehicle in a place that is subject to the R~~r~~esidents Parking Sscheme, 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 of the Council 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 motorcycle 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 paints, 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 motorcycle 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.