

Analysis of submissions

Amendment to Parking Bylaw 2022

1 Background

On 19 May 2022, Council made a Parking Bylaw, under section 22AB of the Land Transport Act 1998.

The purpose of this bylaw is to restrict or prohibit parking on roads and prescribe conditions for the use of parking places by:

- (a) limiting the period of time that vehicles may park on any part of the road:
- (b) limiting the parking of vehicles on some roads to vehicles of a specified class or description,
- (c) regulating any parking-related matters including (but not limited to) charges for the use of parking places, enhancing or promoting road safety and providing protection for the environment.

Waka Kotahi NZ Transport Agency has delegated the power of control of parking and stationary vehicle offences along four sections of highway to the Far North District Council. To enable the delegations, council must make a bylaw.

The four sections of highway are

Description	Road Positions	Approximate locations of delegation extent
Kawakawa	SH01N,198,12535 to SH011,0,1133	Whitemans Road to Rayner Street
Paihia	SH011,14,2892 to SH011,14,1254	Public toilets corner Seaview and Marsden Roads to roundabout at Marsden and Puketona Roads
Kaitaia	SH01N,104,5250 to SH01N,104,8343	Te Ahu to North Park Drive
Kaikohe	Between SH012,10,1062 and SH012,09,276 and SH015,9,1293	Quarry Road to Orrs Road, and Junction of SH12 and 15 to Cumber Road

Council determined that amending the Parking Bylaw 2022 is the most appropriate way of controlling parking on the scheduled portions of State Highways.

In addition, staff identified several areas that would benefit from mobility parking in the Far North District and proposed to increase mobility parking spaces.

On 6 September 2022, the Strategy and Policy Committee approved the proposal for a new Parking Bylaw for public consultation.

This report analyses the submissions received and makes recommendations for the governing body to consider.

2 Summary of submissions

Twenty-six submissions were received in total, with twenty-five of these received using the online submissions form. Of the online submissions, nine supported the amendments in full, five supported the amendments in part, twelve submitters did not support the amended bylaw, and one was unsure.

The remaining submission was made via email. This submission suggested changes to the proposal.

3 General feedback

3.1 Support for Council amending the bylaw

Nine of the submissions (01, 03, 04, 05, 17, 20, 22, 23, 25) that support the bylaw in full, made general comments that they support the proposed amendments to the Bylaw as it is reasonable, and consistent with the current bylaw.

For example:

Submission 04	<i>"simplification of local government by law (sic) on Parking".</i>
Submission 23	<i>"It makes sense".</i>
Submission 25	<i>"Better parking arrangements and more accessible parks would be very beneficial to the community".</i>

Submitter 01 suggested that there is currently not enough parking, especially for the disabled.

Submitter 05 outlined concerns of increased traffic movement coinciding with poor and inadequate roads and the need for a higher level of safety features on our highways.

Submitter 17 stated that the business association has been wanting these amendments for years. They suggest that people currently park all day without penalty and that the amended bylaw will add strength to the street parking signage.

Submitter 22 commented they should see improvements following the amendments to the bylaw and submitter 23 shared that better parking arrangements and more accessible parks would be very beneficial to the community.

Submitter 25 was supportive of allowing Council jurisdiction over speed and parking restrictions on the State Highways within the district, particularly the built-up areas that State Highways pass through.

Staff analysis

General feedback in support of the proposed amended bylaw reinforces that the proposed amendments do not change the intent of the current bylaw.

Some of the feedback in support of the proposed amended bylaw suggests that the amendments will strengthen the current bylaw and this is expected to be beneficial to the community.

Staff recommendation

Council staff recommend no changes in response to these submissions.

3.2 Not in support of Council amending the bylaw

Twelve submissions (07, 08, 09, 10, 11, 12, 15, 16, 18, 19, and 26) do not agree that Council should regulate parking.

For example:

Submission 08	<i>"disable[d] parking remains largely unused and increasing their number has the reverse effect of moving accessible parking away from the services they seek to us[e]." [sic]</i>
Submission 10	<i>"Local business will suffer. There are not enough long term parks for tourists or workers anyway."</i>
Submission 15	<i>"There is no concrete or dire need to change the status quo."</i>
Submission 18	<i>"Not required. People don't overstay in parking. Not needed!!!"</i>

Submission 11 does not support the bylaw but did not make further comment regarding their reasons for this.

Staff analysis

All twelve submissions state that Council should not regulate parking as it is not needed, warranted, or required.

Submissions 15 and 19 state that it is a Council revenue collecting exercise and that the cost of tickets is too high. Submission 16 states that Council should be reducing its powers not increasing them and submission 08 suggests that Waka Kotahi is passing on economic and administrative burden to Council.

Submission 18 does not think that people are staying beyond the time limits of parking but that planter boxes are taking parking away from those wanting to park.

The intent of the bylaw is to encourage the public to exercise self-regulation when parking for the good of the whole community and to allow fair opportunity for everyone to access quality parking at a reasonable distance from goods and services. However, it also enables Council to enforce parking management when these regulations are not complied with.

Research and discussion around planter boxes and parklets are currently underway. This is out of scope of the Parking Bylaw amendments at this time but will be addressed by Council as part of a parking policy.

Submission 8 states that disabled parking is largely unused and that increasing the number of mobility parking spaces means that mature residents are forced to park further away from services. However, additional mobility parks are being introduced to cater for the increasing numbers of elderly with mobility issues in the district.

Submission 26 asks why kaumatua are unable to park in mobility parking spaces. The increased number of mobility parking spaces are being introduced to cater for the increasing numbers of kaumatua in the district with mobility issues.

Submission 26 also suggests that humps are needed in streets near kaumatua homes. This is a roading issue and outside the scope of the Parking Bylaw.

Staff recommendation

Council staff recommend no changes in response to these submissions.

3.3 Unsure of support for Council of amending the bylaw

Submission 14 was unsure whether to support the amendment to the Parking Bylaw 2022. They stated they were unable to make an informed decision and requested that the logic behind changes is shared by Council. They thought that Council has dictated to the public in the past rather than given the thinking and explanation behind decisions made.

Staff analysis

Submitter 14 states is interested in the reasoning behind the amendments to the bylaw, particularly, the delegations of the four stretches of state highway to Council from Waka Kotahi NZ Transport Agency.

Waka Kotahi NZ Transport Agency has previously decided the regulations for the 4 new delegations of state highway and Council is taking them over as they currently stand. Future work programmes such as parking policy will review these regulations.

Staff recommendation

Council staff recommend no changes in response to these submissions.

3.4 Support in part for Council amending the bylaw

Five submissions (02, 06, 13, 21, 24) supported the amendments to the bylaw in part. Submitters have shared where they do not agree with the bylaw. The disagreement is predominantly around regulation and enforcement of parking, and the suggested changes to mobility parking within the district.

Staff analysis

Submission 02 states *"I've noticed able bodied drivers mostly young people but also well to do people using the disabled parking. There are already plenty of disabled car parks already."*

The intent of the bylaw is to encourage the public to exercise self-regulation when parking, for the good of the whole community and to allow fair opportunity for everyone to access quality parking, at a reasonable distance from goods and services. However, it also gives Council the option to enforce parking management when these regulations are not complied with. Council has the option of increasing parking management enforcement if evidence supports this.

Submission 06 states *"I can see a time limit would enable parking spaces are available for everyone. But the time limit needs to be reasonable to allow for activities like ocean swimming"*.

Paihia currently has long term parking available along the waterfront. Other areas in the district covered by the Bylaw are unlikely to be used for ocean swimming.

Submission 13 states *"... having parking wardens ticketing people for parking or not having registrations and warrants is an added pressure our community doesn't need. Our community is suffering from low income high rate of meth and homelessness"*.

Reducing inequities and improving wellbeing is out of scope of the bylaw. However, improving wellbeing is a key component of other council work programmes.

Submission 21 states *"I oppose any time-imposed charges. I'd like time parking restrictions to remain at 120 mins... it gives ppl enough time to eat meals in a timely manner."*

The timings of parking restrictions have not changed through amendments to the parking bylaw. The restrictions are consistent with the current restrictions imposed by Waka Kotahi NZ Transport Agency.

Submission 24 states *"I have visited some of these sites and this is what I have found. Broadway (SH 12) at Post Office Kaikohe New parallel bay. Please do not put it by the rubbish bin this is an obstruction."*

Northland Transport Alliance has advised that a new drop kerb will be created to create better access to the footpath.

"Broadway (SH 12) outside Hire Shop Kaikohe. Create new angled bay with clearance zone. This position is a long way from town, yes it has a clearance zone, you then if you are in a wheelchair have to travel south and enter the footpath via a driveway-not safe."

Northland Transport Alliance has advised that a new angled bay will be created with drop kerb. This location is adjacent to the physiotherapist and prioritised by the Disability Action Group.

"Fairway Drive serving Community Fitness Kerikeri. Create new parallel bay. This will be very difficult and not safe if you are unloading a wheelchair, you would have to push the wheelchair on the road and enter into the lane. In the past we have had to park the van in the Lane with hazard lights on while unloading the wheelchair, we have a maximum weight of 160kg and we had a client that was just that, we did him for a year 3 days a week at the Gym."

Northland Transport Alliance has advised the new bay will be positioned parallel with loading bay and new drop kerb to eliminate the need to unload into the street.

‘Not everyone is in a wheelchair but there are a lot of walking frames which when they disembark from the vehicle they have to step up with their frame onto the footpath. We need more drop kerbs for ease of movement.’

Northland Transport Alliance advises that all new spaces will have associated drop kerbs. Additionally, they are working with the Disability Advisory Group to prioritise upgrades to ramps and drop kerbs throughout the district.

“There is a mobility parking outside Bay of Islands vet on Main Rd Kawakawa, this one is totally useless as the passenger can not get in or out of the car as there is a seat obstructing the door from opening far enough.”

Northland Transport Alliance will investigate this.

“There is Mobility Park outside Briscoes in Kerikeri (which may not be councils) that is close to Fairway Gym but I would never use it as you have to push downhill and back up again- too dangerous.”

Northland Transport Alliance advises that this is a private carpark and is therefore not within Council’s powers to make improvements.

Staff recommendation

Council staff recommend no changes in response to these submissions.

APPENDIX 1 – LIST OF SUBMISSIONS RECEIVED

Number	Organisation
01	Arkinstall
02	Individual submission
03	Individual submission
04	Individual submission
05	Individual submission
06	Individual submission
07	North Hedge
08	Individual submission
09	Individual submission
10	Individual submission
11	Individual submission
12	Individual submission
13	Individual submission
14	Individual submission
15	Individual submission
16	Individual submission
17	Kawakawa Business Association
18	Individual submission
19	Individual submission
20	Individual submission
21	Individual submission
22	Vision Kerikeri
23	Individual submission
24	Driving Miss Daisy Kerkikeri

25	Individual submission
26	Individual submission