

# **Amendments to Schedule A of the Parking Control Bylaw 2014 - Tararu Arts Centre**

---

<b>TO</b>	Thames-Coromandel District Council
<b>FROM</b>	Scott Summerfield - Policy and Planning Manager
<b>DATE</b>	23 February 2018
<b>SUBJECT</b>	<b>Amendments to Schedule A of the Parking Control Bylaw 2014 - Tararu Arts Centre</b>

---

## **1 Purpose of report**

This report presents Council with options for restricting long term parking at the Tararu Arts Centre reserve.

## **2 Background**

Council's Parking Control Bylaw (the Bylaw) was reviewed in 2014 and Council adopted a revised bylaw at its meeting on 19 November 2014. Amendments can be made to the Bylaw Schedule A (local parking controls) by Council resolution. The last amendments were made in February 2018.

Part of the Tararu Arts Centre reserve car park is being used as long term parking for the residents of an adjacent property. This is generally not an access problem to the reserve car park for most of the year for other users, however this long term use creates problems during busy periods for the gallery and when performances are scheduled by the performing arts society.

There have also been reports of intimidation by those parking long term to other users of the car park/premises. This is a separate issue to the use of the car park by people sleeping in campervans as this activity is currently prohibited on this site under the Freedom Camping Bylaw 2014.

## **3 Issue**

Council is able to restrict the hours of use for this car park in order to make sure it is available for the temporary visitors to the Tararu Arts Centre and to remove car parking in the late evening/early morning hours to reduce the scope for intimidation.

## **4 Discussion**

At their meeting of 20 February 2018 Council asked that staff consider how the Parking Bylaw 2014 may manage the inappropriate use of the car park at the Tararu Arts centre reserve, beyond the restrictions in place on overnight camping provided by the Freedom Camping Bylaw 2014. This report provides three options.

While the intimidation problem reported by some members of the public is a Police matter and should be dealt with by Police, the Bylaw may go some way to mitigate situations where the intimidation arises by restricting the hours that the car park is available.

### **Options**

#### *Option A*

Council could impose a time limit for parking (for example, four hours/240 minutes) to limit the time available that the car park can be used. This form of restriction would be best applied to the larger part of the car park commonly used by visitors as those working in the

centre more regularly tend to park outside the front door and may be there in excess of four hours as part of the ongoing operation of the Tararu Arts Centre. This would make parking in the car park beyond the time limit a breach of the Bylaw and liable for an infringement.

#### *Option B*

Council could restrict long term parking by banning overnight parking at the arts centre, for example between the hours of 12am and 6am. However this option would prevent all parking in this period, including by users of the arts centre, rather than focusing just on long term use of the car park. This would make parking in the car park during this time a breach of the Bylaw and liable for an infringement. While not without some logistical difficulties, this option is most targeted to the specific problem and least likely to impact temporary visitors to the arts centre.

#### *Option C*

Do nothing. Council could use available mechanisms under the Activities in Public Places Bylaw 2017 and the Local Government Act 2002 to remove vehicles and other material continually left on the reserve for long periods of time. However this action would require court approval and is therefore a more time consuming and more expensive process.

### **Enforcement**

Council should give consideration to how effective these restrictions may be and what enforcement action can be taken if the Bylaw is not complied with. Bylaw compliance staff do not currently work between the hours of 12am and 6am for example so additional compliance patrols will be required to monitor this kind of change, at either additional cost or a reduction of existing patrols elsewhere in the district.

Beyond this consideration should be given to how Council will respond if infringements for breaching the Bylaw have no impact. Council are able to tow vehicles which are repeatedly in breach of the Bylaw and where the infringement has not been paid.

Council could consider installing a barrier to be closed during the set hours where overnight parking is prohibited however this still requires operation outside of usual staff hours, and would be redundant if the offending vehicles were already in the car park and had no need to depart before the barrier was raised the next day.

### **Discussion with Tararu Arts Centre lessees**

Staff have discussed the problem and proposed options with the two groups. The Thames Society of Arts is comfortable with other Option A or B, and Thames Music And Drama have a preference for Option B.

### **Bill of Rights Act**

Council are required to consider implications under the Bill of Rights Act when making, reviewing or amending a bylaw. Staff advise that these options do not have implications under the Bill of Rights Act as the restriction will only impact on vehicular access and pedestrian access to the reserve and adjoining properties will be preserved.

## **5 Suggested resolution(s)**

That the Thames-Coromandel District Council:

1. Receives the 'Amendments to Schedule A of the Parking Control Bylaw 2014 - Tararu Arts Centre' report, dated 23 February 2018.
2. Approves an amendment to Schedule A of the Parking Control Bylaw 2014 to prohibit overnight parking between the hours of 12am and 6am every day at the Tararu arts Centre reserve.