

# **Amendments to the Parking Control Bylaw 2014 - Hahei**

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<b>TO</b>	Thames-Coromandel District Council
<b>FROM</b>	Kirsten Williamson - Principal Planner Scott Summerfield - Policy and Planning Manager
<b>DATE</b>	6 June 2018
<b>SUBJECT</b>	<b>Amendments to the Parking Control Bylaw 2014 - Hahei</b>

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## **1 Purpose of report**

This report presents Council with options to consider in relation to restricting parking at Hahei. Included are a draft bylaw for public consultation and a statement of proposal should Council resolve to review the bylaw to provide for resident only on-street parking in Hahei.

## **2 Background**

Council reviewed its Parking Control Bylaw in 2014, undertaking public consultation on a comprehensive list of various parking restrictions in settlements around the district. The Bylaw provides for Council to set new or amended parking restrictions by resolution where reasonable. Good practice for these minor changes is that Council staff will engage with those people and organisations most likely to be affected by these types of changes. More comprehensive new and amended parking restrictions require a review of the Bylaw and formal public consultation through a special consultative procedure, as well as the inclusion of new types of parking restrictions which are not provided for in the current Bylaw. The Land Transport Act 1998 (the Act) under which this Bylaw is made sets the requirements for consultation under section 22AD.

The purpose of the Parking Control Bylaw 2014 is to set requirements for the control of parking in respect of roads, public places and parking areas owned or controlled by the Council in order to:

- enhance road safety;
- manage traffic flows effectively;
- achieve an appropriate allocation of parking spaces between competing uses; and
- provide for the needs of special user groups.

Bylaws should only be made to respond to a problem where no other tool (like education, or guidance) will be effective in dealing with the problem, and regulation and enforcement are therefore deemed necessary. Not all perceived problems are actual problems which Council should respond to. The Act gives Council, as a road controlling authority, wide powers to regulate use of and activity on Council controlled roads in the district. However, these powers must be balanced with consideration of the purpose of public roads, which is to be generally available for people to get from A to B. The proposed regulation should also be directly in response to the type of problem.

The Hahei Resident and Ratepayers Association (HRRA) alongside the Mercury Bay Community Board have raised an issue regarding unrestricted visitor parking throughout the Hahei settlement. The issue is particularly problematic over the peak holiday period and holiday weekends. Parking within residential streets has the effect of restricting traffic flow and is creating a safety issue for pedestrians. While Council already has some parking

restrictions in Hahei, feedback from the HRRRA is that further restrictions are required to limit where visitors to Hahei can park within the village area.

A Hahei Parking Plan has been developed between HRRRA and the District Manager - North. This was subsequently approved by the Mercury Bay Community Board. The Plan is a sequential set of proposals to slowly reduce the impact of visitor parking and congestion on Hahei residents and businesses. Action 4 in the Plan seeks the introduction of year round resident only parking on the streets of Hahei. The effect of this restriction will be to require non-residents to park in the designated parking areas only. Parking restrictions of this nature require an amendment to the Bylaw through the special consultative process.

### **3 Issue**

Visitors parking on residential streets in the Hahei village increases traffic volumes, particularly at peak times, on streets which have not been designed to accommodate such a volume of traffic. As a result there is an increased risk of accident to vehicle occupants as well as pedestrians and other road users. Parking of vehicles on these streets also reduces visibility, space for manoeuvring and creates congestion. From a community perspective there are related issues affecting amenity values and conflict between visitors and residents/property owners, often competing for the same road space.

### **4 Discussion**

HRRRA and the District Manager - North favour an amendment to the Parking Bylaw to address visitor parking concerns within the Hahei village area. Staff acknowledge that visitor numbers to Hahei have been increasing in previous year and that providing safe and adequate parking is a priority. In response to the Hahei parking action plan Council has already assumed management and control of the Grange Road car park from the Department of Conservation, implemented some parking restrictions through the bylaw and established the Hahei visitor car park. Discussions with DOC to take over management of the Beach Front car park are still progressing.

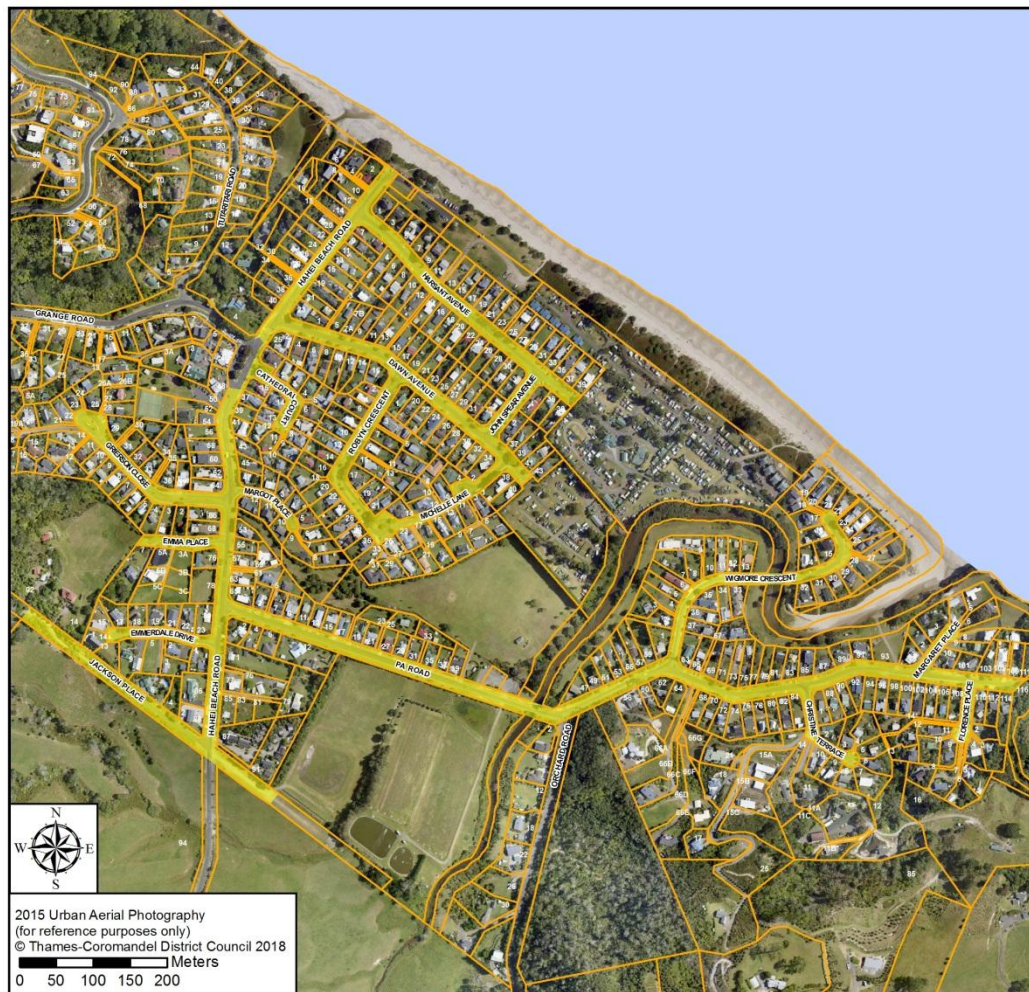
Council policy, roading and community management staff met with HRRRA on 31 May 2018 to discuss the issue. At this meeting HRRRA further explained their vision of a 'walking village' and the methods they consider appropriate to address the parking problems within the village.

#### ***HRRRA position***

In summary, HRRRA are seeking an exclusion of public parking on all residential streets in Hahei (refer Map 1) from 1 October to 30 April each year between the hours of 8am and 6pm. During these times only residents will be allowed to park on these streets. Residents will be issued two vehicle parking permits per property, and only these permitted vehicles will be allowed to park on the streets during the exclusion period. HRRRA do not support a cost to residents for these permits.

Implementation of these restrictions would need to be timed with expansion of the existing visitor car park, and paid parking restrictions at the beach front car park, to accommodate the additional parking needs of visitors who will no longer be able to park on-street in Hahei. Existing Council car parks do not have capacity over the peak summer period for this additional influx of cars. HRRRA agree that the resident parking permit arrangement should not be put in place until restrictions at the beach front car park are established, and the existing visitor car park is expanded to provide increased capacity.

### Map 1 - Hahei resident only parking areas



#### ***Staff advice on the suitability of resident only parking***

At this meeting with HRRRA on 31 May, Council staff discussed their professional advice as originally set out in the paper to the joint Infrastructure and Regulatory Committees workshop on 26 April, noting that there are other methods that could be employed to address the problem and that resident only parking is not an appropriate solution to the problem.

Staff outlined that an amendment to the Parking Bylaw as sought by HRRRA would establish a private benefit to those individuals who own or occupy property in Hahei, providing exclusive parking on a public road. This in turn would reduce traffic volumes and congestion and improve local safety and amenity however, is disproportionate to the issue being addressed.

Resident only parking (or exemptions) is used in other cities throughout New Zealand, including Auckland, Wellington, Gisborne and Christchurch, to provide for on-street resident parking where there is insufficient off-street resident parking. Such an approach in these cities addresses a range of different issues including:

- parking demand for non-residents in busy inner city area (for example, Ponsonby and Grey Lynn in Auckland);
- topographical constraints in areas such as Mt Victoria and Kelburn in Wellington;
- parking for residents by way of exemptions for those living in the inner central business district (for example, Gisborne);
- where off-street parking is insufficient (for example, Christchurch City).

In each of these cases residents, or those benefitting from the restrictions, are required to apply and pay for a permit. The permits are generally not transferable or refundable. Permit application forms are detailed, often requiring evidence of property ownership or occupation and vehicle registration details. The number of parking permits is also limited per property. Implementation of resident only parking incurs administration costs involved with the issuing of permits, and costs associated with monitoring and enforcement. A proposed fee of \$150 per permit is included in the statement of proposal which takes into account the costs of administering and enforcing the resident only parking as well as recognising the establishment of a right to private parking on public road and removal of public ability to use those roads.

### ***Compliance implications of parking permit system***

If parking permits were the preferred option, rather than road markings (broken yellow lines), adequate signage would need to be erected along all residential streets. There would also need to be an increased compliance presence for the system to be effective. Initial costs are estimated at \$45,000 for sign creation, installation and marketing with a further estimated \$70,000 annually for sign maintenance, an annual permitting system, administration costs and any potential increase in the compliance team FTE.

Permit parking only on the nominated streets along with the other existing constraints would effectively make Hahei an area where there is no free public parking or access to the beach and other visitor attractions. While this may be seen as desirable in managing the flow of international visitors, it would also impact all non-resident ratepayers from adjacent settlements and other parts of the district (and country) and may trigger a public backlash.

Options for Council consideration are set out below.

#### ***1. Do nothing***

Council could simply note the concerns from Hahei residents and decide that the problem is limited to a small period of the year, and limited hours during the day, and so parking restrictions throughout Hahei would not be necessary or appropriate. This will not address the problem of visitor parking on residential streets increasing hazards to road users but does acknowledge that this is not a constant issue, at this point in time. Doing nothing at this time would also buy time for the expansion of infrastructure to accommodate demand for visitor parking including, increased capacity of the existing paid car park.

There is however a clear expectation from the Hahei community, as expressed via HRRA, that Council more actively regulate visitor parking in the Hahei village to improve safety and comfort of residents and visitors. Visitor numbers to Hahei are also continuing to increase and so doing nothing is likely not an appropriate long term response.

#### ***2. Introduce further 'no parking' restrictions throughout the Hahei village area***

Council could consider establishing no parking areas on additional streets in the Hahei village area (like those on Grange Road and Hahei Beach Road) to limit available parking on selected streets. This could be no parking restrictions on entire streets, parts of those streets where the hazard to road users are most exacerbated by visitor parking, or on parts of the street only (for example one side of each road).

'No parking' restrictions would remove all opportunities for visitor parking, but also for residents and their own guests. While this would likely not cause any significant problems for residents given the wide availability of off-street parking in Hahei, it is a response beyond the scale of the problem. Making all of these residential streets 'no parking' areas would require a review of the Bylaw and full public consultation via the special consultative procedure. A draft statement of proposal to support such a change is included as ***Attachment D***.

Partial restrictions however offer the opportunity to reduce traffic volumes on residential streets, thereby reducing the hazards associated with parking on these streets to other road users. While this solution would not eliminate the problem, it would reduce visitor parking and traffic volumes on these streets to an acceptable and manageable level and would buy time for Council to expand the capacity of existing infrastructure.

Staff consider that the introduction of 'no parking' restrictions via road marking in a limited manner on all or parts of the residential Hahei streets which run off Hahei Beach Road is an appropriate response at this time. This should be paired with strategic and effective signage to alert visitors to the restrictions and direct them to the paid parking area. Further extension of these restrictions could be considered after observation of how they limit and manage the problem. This solution would not require a review of the bylaw and could be initiated via a Council resolution.

Simple 'no parking' restrictions are less time consuming and less expensive to enforce, and do not require annual administration of a permit system. The cost of this option is therefore significantly lower than resident only parking areas as below.

### **3. Introduce resident only parking areas in Hahei**

Council could introduce resident only permit parking on residential streets in Hahei. This solution has the benefit of restricting the availability of parking on these streets only to residents, so will greatly reduce the traffic volume from visitors. This is the solution proposed in the Hahei Village Parking Plan.

However, insufficient parking for residents in Hahei is not a problem and so this solution is not related to the actual problem. Staff consider other solutions will be better tailored to the actual problem.

Resident only parking will increase monitoring and compliance costs and require additional administrative support, both of which bring higher costs to regulatory services. Charging for resident parking permits is an appropriate way for council to offset some of this cost and to acknowledge the private benefit for Hahei residents in having exclusive on-street parking on a public road. However, this will not completely offset the cost of implementing and managing this system. As previously discussed, this option cannot be implemented until the existing paid carpark is expanded to accommodate the parking removed from streets.

At their workshop on 26 April, members of the Infrastructure and Regulatory Committees requested that staff prepare a draft bylaw and statement of proposal for public consultation which would provide for resident only parking areas and apply these to Hahei. In the event that Council decides to implement a bylaw change a draft bylaw is included as **Attachment A** and the statement of proposal is included as **Attachment B**.

### **Consultation**

Option 3 as sought by HRRRA requires a targeted review of the Parking Control Bylaw 2014 to establish the mechanism for resident only parking areas, as well as to apply resident only parking areas to Hahei. Public consultation via the special consultative procedure will be required. A communications plan to support consultation on the draft Bylaw is included as **Attachment C**.

If Council decides to go with Option 3 it is proposed that consultation would run from 29 June to 30 July, with a hearing held for submitters on 28 August.

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

That the Thames-Coromandel District Council:

1. Receives the 'Amendments to the Parking Control Bylaw 2014 - Hahei' report, dated 6

June 2018.

2. Determines that option 1 'do nothing' is the most appropriate response at this time to the Hahei visitor parking issues which have been raised by HRRA.
3. Directs staff to prepare a report to Council on Hahei parking following future expansion of the Hahei visitor car park.

### **References-Tabled/Agenda Attachments**

**Attachment A** *Draft Parking Control Bylaw 2014 for consultation*

**Attachment B** *Statement of Proposal - draft Parking Control Bylaw 2014 for consultation*

**Attachment C** *Communication Plan*

**Attachment D** *Statement of Proposal - draft Parking Control Bylaw 2014 for consultation*

**Attachment A**  
**Parking control bylaw amended 2018 residents only parking**

**Attachment B**  
**Parking control bylaw statement of proposal amendments 2018**



**Attachment C**  
**Comms Plan Parking Control Bylaw change 2018**

**Attachment D**  
**Parking Control Bylaw SOP yellow lines**