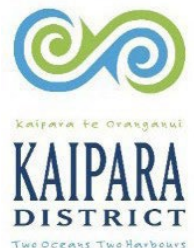

Statement of Proposal

To make the
Parking and Traffic Bylaw
and amend the
Consolidated General Bylaw to remove Part 6

Council would like to hear your views on a proposal to make a Parking and Traffic Bylaw and amend the Consolidated General Bylaw to remove Part 6 – Traffic.

Key dates

Written submission period:	31 August – 30 September 2026
Hearing:	21 October 2026
Deliberations:	12 November 2026
Final decision:	14 December 2026



1. What is this about?

Following Council's 10-year review of the Consolidated General Bylaw (CGB) in 2020, Council directed staff to start a work programme to split the Parts of the CGB into individual bylaws to support improved access and understanding that had been highlighted by submitters.

As part of this project, we have now reviewed Part 6 – Traffic of the CGB and are proposing to:

- make a new Parking and Traffic Bylaw to regulate parking in the District by providing the necessary framework for Council to create parking prohibitions and restrictions and setting traffic controls; and
- amend the CGB by removing Part 6 and any relevant parking and traffic provisions and references from other Parts of the CGB.

Before finalising the proposed Bylaw and amending the CGB, Council wants to hear your views. This document includes further information about the proposal, and the proposed draft of the Bylaw.

2. Have your say

Before making any final decisions, Council would like to know your views. You can tell us what you think of this proposal between 31 August and 30 September 2026.

Further information on how to let us know what you think about the proposal is included at the end of this document or you can visit the [have your say](#) webpage for more information.

3. Key dates

Written submission period:	31 August – 30 September 2026
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4. Improvements identified

The review found that the provisions of Part 6 could be improved. The proposed improvements mostly aim to simplify and clarify existing rules, while removing inconsistencies, duplication and outdated rules that are no longer used. Examples include:

- the removal of weight restricted bridge provisions as the relevant powers are provided through the Heavy Motor Vehicle Regulations 1974
- the removal of the requirement for goods services vehicles to use service lanes instead of front entrances where possible as this had not been relied on
- replacing a range of exemptions to be able to be issued with a general provision that outlines when the Bylaw does not apply, such as emergency service vehicles operating during an emergency.

The ability for Council to make resolutions to manage parking and other traffic issues is proposed to be retained, including for example:

- specifying one-way roads
- prohibiting parking in specific locations to support road safety issues
- establishing time-limited parking spaces, mobility parking spaces and loading zones as well as other types of parking restrictions.

The proposal also includes a new element which is to allow Council to create parking zones. This doesn't create any changes 'on the ground', it is merely a more efficient way to create time-limited parking spaces within a geographically defined area.

5. Proposed amendments to the Consolidated General Bylaw

To avoid regulatory inconsistencies, it is proposed to amend the [Consolidated General Bylaw](#) to remove [Part 6 – Traffic](#) at the same time Council makes the new Parking and Traffic Bylaw. Additional minor changes to updating the remaining Part numbers, tables of contents and other non-substantive amendments are also proposed to reflect the removal of Part 6.

6. Legislative considerations

As part of the bylaw making process Council must consider whether our bylaws are effective, efficient, and still necessary. This also includes making sure that the bylaw is not inconsistent with the [New Zealand Bill of Rights Act 1990](#).

Council considered the research and analysis undertaken and decided a bylaw is still the most appropriate way of addressing the perceived problems at the [23 June 2026 Council Meeting](#).

Following this, at the Council meeting on 26 August 2026, Council determined that the proposed Parking and Traffic Bylaw is the most appropriate form of bylaw; and that it does not give rise to any implications under the New Zealand Bills of Rights Act 1990.

For further details on these determinations, click this [link](#) to see the agenda report for the 26 August 2026 Council meeting, or ask to view the report at Council offices and libraries.

Kaipara District Council
DRAFT
Parking and Traffic Bylaw

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Part A

Preliminary provisions

1. Title

This Bylaw is the Kaipara District Council Parking and Traffic Bylaw.

2. Commencement

This Bylaw comes into force on ## Month 202X.

3. Application

3.1 This Bylaw applies to land in the Kaipara District controlled or managed by Kaipara District Council.

3.2 This Bylaw does not apply to –

- a. Council when exercising its lawful compliance functions;
- b. emergency services or civil defence personnel exercising their lawful functions in an emergency; or
- c. any person acting in compliance with a lawful direction of Council.

4. Purpose

The purpose of this Bylaw is to help minimise public safety risks, public nuisance and damage to public infrastructure and property caused by the use or parking of vehicles on roads and public places in the Kaipara District.

Related information about the Bylaw

This Bylaw is part of a wider framework of rules about land transport. This Bylaw does not seek to duplicate or be inconsistent with this framework which includes –

- the Land Transport (Road User) Rule 2004 exceptions to compliance requirements with most parts of this Bylaw, for example to:
 - avoid death, injury or property damage due to circumstances not of your making (rule 1.8(1))
 - comply with a direction of the Police, a parking warden or a traffic control device (rule 1.8(2))
 - a vehicle involved in a public work on the road where the vehicle user considers and takes reasonable care to prevent any accident or interference with other road users (rule 1.8(4))
 - emergency vehicles in an emergency in a special vehicle lane (rule 2.3(1)(f) and 6.6)
- the Local Government Act 1974 (s.356 and 357) which cover abandoned vehicles
- the Land Transport Act 1998, Land Transport (Road User) Rule 2004 and Land Transport (Offences and Penalties) Regulations 1999 that provide Bylaw enforcement powers, offences and penalties
- the Local Government Act 1974 related to the construction or creation of roads, footpaths, cycle paths, shared paths, parking places, transport stations for example.

This Bylaw does not apply to:

- State Highways under the control of the New Zealand Transport Agency Waka Kotahi (NZTA) under s61, Government Roading Powers Act 1989
- roadways on private land and privately-owned car parking facilities or buildings.

5. Interpretation

5.1 In this Bylaw, unless the context otherwise requires:

Act	means the Land Transport Act 1998 and any regulations and rules made under that Act.
Council	means the Kaipara District Council.
class	in relation to vehicles, means a class specified in a resolution made by the Council under this Bylaw.
parking place	has the same meaning as in section 591(6) of the Local Government Act 1974.
parking zone	means an area declared by the relevant authority to be a parking zone.
time restricted parking	means parking in that area is limited to a specific duration of time.
Traffic	means road users of any type and includes pedestrians, vehicles and driven or ridden animals.
transport station	has the same meaning as in section 591(6) of the Local Government Act 1974.
use	use, in relation to a vehicle, means to drive, ride, propel, control, operate or wheel the vehicle, or permit the vehicle to be on the road. The terms vehicle use and use of a vehicle have a corresponding meaning.
Urban area	means area zoned residential, commercial, mixed use or industrial in the Operative Kaipara District Plan.

5.2 Related information (in grey shaded text boxes titled “Related information” or italic text) and links to webpages are for information purposes only and may be inserted, changed or removed without any formality.

5.3 The Legislation Act 2019 applies to this Bylaw.

Related information about the Legislation Act 2019

The Legislation Act provides principles and rules about the interpretation of legislation that apply to any bylaw. For example –

- words defined in the Land Transport Act 1998 and any regulations and rules made under that Act have the same meaning in this Bylaw ([section 20](#))
- the definition of person used in this Bylaw as “person includes a corporation sole, a body corporate, and an unincorporated body” is provided in [Section 13](#).

5.4 To avoid doubt:

- compliance with this Bylaw does not remove the need to comply with all other applicable Acts, regulations, transport rules, standards, bylaws, rules of law, or regional or district plans;
- this Bylaw does not limit Council’s power to regulate traffic and parking under any other legislation or the effect of any such regulation under other legislation.

Part B

Vehicle and road use

6. One-way roads

Council may by resolution specify any road where all vehicles, or a specified class or classes of vehicles, must travel in one direction only.

7. Left or right turns and U-turns

Council may by resolution prohibit:

- a. vehicles or classes of vehicles on any specified road from turning to the right or to the left or from proceeding in any other direction;
- b. vehicles performing a U-turn on any specified road.

8. Control of traffic by reason of size, nature or good (including heavy traffic)

8.1 Council may by resolution prohibit or restrict the use of any road as unsuitable for any specified class of traffic or any specified class of vehicle due to its size or nature or the nature of the goods carried.

8.2 If Council considers it necessary or desirable to address the effects or likely effects of heavy traffic, it may by resolution:

- a. prohibit any specified class of heavy traffic likely to cause serious damage to any road;
- b. require any person operating a heavy motor vehicle or other vehicle within the specified class of heavy traffic:
 - i. to give security that no special damage will occur to any road by reason of that vehicle or specified class of heavy traffic;
 - ii. to pay any reasonable sum as compensation for any damage to any road likely to occur by reason of that heavy vehicle or specified class of heavy traffic;
 - iii. to pay in advance Council's estimate of the cost of reinstating or strengthening the road for any damage to any road likely to occur by reason of that vehicle or specified class of heavy traffic.

Part C

Stopping, standing and parking

9. Prohibition on stopping, standing or parking

9.1 Council may by resolution prohibit the stopping, standing or parking of vehicles on any road.

9.2 The purpose of a prohibition under subclause (1) may include, without limitation, providing for or supporting:

- a. safe operation of an intersection;
- b. safe operation of the road;
- c. safe pedestrian access;
- d. safe turning of heavy motor vehicles;
- e. access to a fire hydrant;
- f. the avoidance of nuisance or danger to other road users.

9.3 Council may by resolution prohibit the parking of heavy motor vehicles on any specified road during specified hours or for a period that exceeds a specified period.

10. Restriction on stopping, standing or parking

10.1 Council may by resolution restrict the stopping, standing or parking of vehicles, or any specified class of vehicle, on a road.

10.2 Without limiting subclause (1), the restriction may provide for:

- a. reserved parking, which may include:
 - i. bus only parking;
 - ii. motorcycle only parking;
 - iii. parking for a specified class of vehicles (including trailers and large vehicles);
 - iv. parking for electric vehicles while being charged;
- b. time restricted parking;
- c. paid parking, in which case the relevant authority may prescribe:
 - i. any charges to be paid for the parking; and
 - ii. how parking charges must be paid and any conditions applying to that manner of payment;
- d. the restriction on parking by heavy motor vehicles on any specified road during specified hours or for a period that exceeds a specified period;
- e. a bus stop;
- f. a loading zone.

11. Parking zones

Council may by resolution set the parking zone control requirements that apply to a parking zone by:

- a. specifying the vehicles or class or description of vehicles or road users that are entitled to park in the parking zone or are prohibited from parking in the parking zone;
- b. permitting parking within the parking zone subject to the payment of a fee, or with a time restriction, or both;
- c. prescribing the times, manner and conditions for the parking of vehicles in the parking zone;
- d. providing that the parking requirements in the parking zone do not apply to vehicles holding and displaying a current specified parking permit;
- e. where parking in the parking zone is subject to the payment of a fee, prescribing:
 - i. charges to be paid for parking in the parking zone, which may include different pricing zones within the parking zone; and
 - ii. how parking charges must be paid and any conditions applying to that manner of payment.

12. Disabled persons parking

12.1 Council may by resolution specify:

- a. any part of a road as a disabled persons parking space, reserved for parking by the holders of approved disabled persons' parking permits; and
- b. any time limits and parking charges to be paid for parking in that parking space.

Related information about disabled persons' parking permits

Also commonly known as 'mobility parking permits'. This refers to the schemes owned and administered by CCS Disability Action or Sommerville Disability Support Services with the cooperation of local GPs and city and district councils.

13. Requirements for the use of parking places and transport stations

- 13.1** Council may by resolution set requirements for the use of any parking place or transport station by:
- a. specifying the vehicles or classes of vehicle that are entitled to use the parking place or transport station;
 - b. prescribing the times, manner and conditions for the parking of vehicles or classes of vehicles in the parking place or transport station;
 - c. limiting the parking place or transport station to vehicles belonging to or used by particular persons or classes of persons;
 - d. limiting the parking place or transport station to vehicles used for particular public purposes.
 - e. prescribing:
 - i. any charges to be paid for the use of the parking place or transport station; and
 - ii. the manner by which parking charges must be paid and any conditions applying to that manner of payment.
- 13.2** Where charges are to be paid for the use of the parking place or transport station, Council will display, in a location or locations sufficient to notify road users, how the parking charges can be paid.

14. No parking on certain parts of the road

A person must not stop, stand or park a motor vehicle, wholly or partially on:

- a. any part of a berm, kerb, verge, lawn, garden, or other cultivation adjacent to, or forming part of, a road in an urban area;
- b. any other part of a road that is not designed and constructed to accommodate a vehicle.

Part E

Resolutions

15. Resolutions made under this Bylaw

- 15.1** A resolution made under this Bylaw may:
- a. apply to some or all classes of vehicles or traffic using a road;
 - b. apply to some or all classes of vehicles or traffic except for specified classes of vehicles or traffic;
 - c. apply to all roads, or all or any part of any specified road;
 - d. apply to transport stations and parking places that are on or off roads;
 - e. apply at all times or at any specified time or period of time;
 - f. amend, revoke and/or replace any resolution previously made under this Bylaw or a corresponding former bylaw.
- 15.2** For the purposes of subclause (1) a class of vehicle is any category or type of vehicle specified in the resolution.

- 15.3** Without limiting subclause (2), a class of vehicle may be specified by reference to:
- a. its size or nature (for example, its gross vehicle mass or motive power);
 - b. its use (for example, the carriage of disabled persons or a good services vehicle);
 - c. the size or nature of the load it is carrying;
 - d. the number of its occupants;
 - e. its status (for example emergency vehicles);
- 15.4** When making a resolution, Council may take into account any matter which it considers, in its discretion, to be relevant to whether the prohibition, restriction, requirement or condition in the resolution is reasonably necessary to achieve the purpose of this Bylaw.
- 15.5** A resolution made under this Bylaw comes into effect:
- a. on the date specified in the resolution;
 - b. if no date is specified in the resolution, when the resolution is made.

Related information about resolutions

Council maintains a register of resolutions for each resolution made under this Bylaw and these are available on Council's website or on request.

Part F

Enforcement powers, offences and penalties

16. Council can use statutory powers and other methods to enforce this Bylaw

Council may use its powers under the Land Transport Act 1998 to enforce this Bylaw.

17. A person can be penalised for not complying with this Bylaw

- 17.1** A person who fails to comply with this Bylaw commits an offence and is liable to a penalty under the Land Transport Act 1998.
- 17.2** A person does not commit an offence in accordance with clause 5.1 if the person proves that the failure to comply was to due compliance with the directions of Council.

Part G

Savings and transitional provisions

18. Savings

Any resolution or other act of authority made under any Traffic Bylaw of Council, which is current at the time this Bylaw comes into force, remains in force on its terms until amended, replaced or revoked by resolution of Council.

19. Existing inquiries to be completed under the Consolidated General Bylaw 2020

Any compliance or enforcement action by Council under the Consolidated General Bylaw 2020 that was not completed before the date this Bylaw commences, are to be completed as if this Bylaw had not been made and Part 6 of the Consolidated General Bylaw had not been revoked.