



HAVE YOUR
SAY ON THE
PROPOSED
TRAFFIC BYLAW

STATEMENT OF PROPOSAL

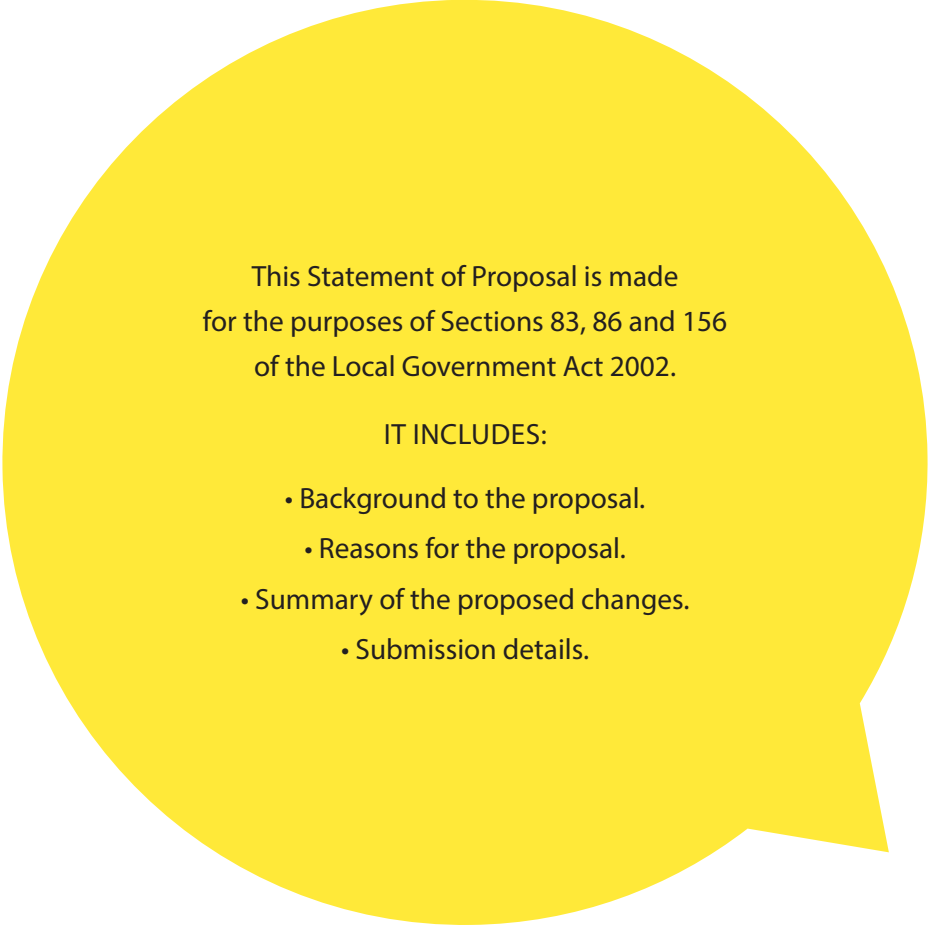
PROPOSED TRAFFIC BYLAW 2023

waikatodistrict.govt.nz

0800 492 452

Waikato

DISTRICT COUNCIL
Te Kaunihera aa Takiwaa o Waikato



This Statement of Proposal is made
for the purposes of Sections 83, 86 and 156
of the Local Government Act 2002.

IT INCLUDES:

- Background to the proposal.
- Reasons for the proposal.
- Summary of the proposed changes.
- Submission details.

BACKGROUND AND REASONS FOR PROPOSAL

Waikato District Council has been reviewing its Public Places Bylaw 2016 as required by the Local Government Act 2002.

The 2016 Bylaw includes traffic provisions. As part of the review, the decision was made to remove all traffic-related content from the Bylaw and create a new Traffic Bylaw.

We felt that traffic provisions were quite distinct from other types of public places and having a separate bylaw would make it easier for the community to understand the rules around traffic in the district.

The proposed Traffic Bylaw enables Council to put measures in place to protect the public from

nuisance and protect, promote, and maintain public health and safety. This is done through setting requirements for parking, establishing standards for activities within the road reserve and general control of vehicular or other traffic.

The Bylaw is now available for consultation and we would like your feedback on the proposed changes. Consultation allows the community to have a say on the contents of, and changes to, the Bylaw.

Council welcomes your feedback on the proposed Traffic Bylaw with consultation open from 27 February to 27 March 2023.

KEY CHANGES



Council believes that, on the whole, the Bylaw content has been working well (as a part of the Public Places Bylaw 2016), however, acknowledges that some improvements can be made. Several changes are proposed including: the addition of a Light Motor Vehicle Prohibition clause (to help reduce nuisance driving), the inclusion of a Turning Restrictions clause, the removal of stock movement clauses (as they are covered by other bylaws), and the inclusion of both a Damage to Roads and a Damage to Signs clause. A summary of these changes is noted below:

1. The inclusion of a Light Motor Vehicle Prohibition (clause 14) allows Council, by resolution, to restrict or prohibit any vehicle having a gross motor vehicle mass less than 3,500kg from being operated on any road generally between the hours of 9pm and 4am. This would allow Police to move people on if they are gathering on roads and causing nuisance to residents and/or driving in circuits and other nuisance driving (described in the Bylaw as 'cruising'). Cruising is defined in the Bylaw as: 'Driving repeatedly in the same direction over the same section of road in a motor vehicle in a manner that: a. draws attention to the power or sound of the engine of the motor vehicle being driven; or b. creates a convoy that is formed otherwise than in trade and impedes traffic flow.' This definition comes from the Land Transport Act 1998. Clause 14 would also give the Police powers to gather information/data through the use of cameras and issue infringement and trespass notices. The rules would not apply to residents' vehicles or people visiting properties on that road, or passenger service vehicles (e.g. taxis). A similar clause has been adopted in Hamilton City Council's Traffic Bylaw and Waipa District Council's Public Places Bylaw allowing for a sub-regional approach by Police in reducing the occurrences of this type of nuisance driving.
2. Removal of Keeping of Animals Bylaw 2015 and Livestock Movement Bylaw 2022 content (clause 23 of the Public Places Bylaw 2016). There was a clause outlining the movement of stock in the current Public Places Bylaw. We're proposing to remove this clause from the new Traffic Bylaw as the content in this clause is covered by the Livestock Movement Bylaw 2022 and the Keeping of Animals Bylaw 2015.
3. There are no turning restrictions clauses in the Public Places Bylaw 2016. We are proposing to include turning restrictions (Clause 11) such as no 'u' turns or no left turn' which already currently apply on some roads in the district, however, the Public Places Bylaw does not currently prohibit a vehicle from driving a vehicle contrary to these restrictions. Therefore, we are proposing the addition of clause 11 to the Traffic Bylaw to ensure there is recourse when these restrictions are ignored.
4. Including a Damage to Roads clause (clause 17). There are no rules in the Public Places Bylaw 2016 related to damaging district roads or creating a safety hazard on roads. We're proposing to include new rules relating to damage to roads and creating safety hazards on district roads. It is important that Council has the ability to have recourse in these situations.
5. Including a Damage to Signs clause (clause 17). There are no rules in the Public Places Bylaw 2016 related to damaging or removing district signs. We're proposing to include new rules relating to damage to or removal of signs and creating safety hazards on district roads. It is important that Council has the ability to have recourse in these situations.



FEEDBACK

You can let us know how you feel about any of these proposed changes, or anything else that is covered by the proposed bylaw.

You can do this by completing the submission form online, or by printing out the submission form and sending it in to us.



SUBMISSIONS

Anyone can make a submission to the review of the Proposed Traffic Bylaw, and we encourage you to let us know your views. This feedback will be used during the decision-making process.

PRIVACY ACT INFORMATION



The Local Government Act 2022 requires submissions to be made available to the public.

Your details are collected:

- so the council can write and inform you of the decision(s) on your submission(s)
- to arrange a hearing date and time for you to speak (if you choose to).

Your name will be publicly available. If you would like your name kept confidential you need to inform us when you send in your submission.

You have the right to correct any errors in personal details contained in your submission. If you do not supply your name and address the Council will formally receive your submission but will not be able to inform you of the outcome.

DETERMINATIONS

In reviewing this Bylaw Council determined that having a Bylaw in place is still the most appropriate way to manage issues relating to traffic.

We consider the proposed Traffic Bylaw to be the most appropriate form of the Bylaw. The draft Bylaw imposes no infringements or gives rise to implications with the New Zealand Bill of Rights Act 1990.

SUBMISSIONS

ONLINE:

www.waikatodistrict.govt.nz/sayit



POSTED:

Waikato District Council
Private Bag 544
Ngaruawahia 3742

DELIVERED:

Waikato District Council
Attn: Corporate Planner
15 Galileo Street, Ngaruawahia
3742



EMAILED:

consult@waidc.govt.nz
Subject heading should read:
"Traffic Bylaw Submission"

Huntly Office

142 Main Street, Huntly 3700

Raglan Office

7 Bow Street, Raglan 3225

Tuakau Office

2 Dominion Rd, Tuakau 2121

Te Kauwhata Office

1 Main Road, Te Kauwhata 3710

WHAT HAPPENS NEXT?

Council will acknowledge each submission received in writing,
either by letter or email.

Following the closing of submissions on 27 March 2023, all submissions will
be reviewed. Verbal submissions will be heard and all submissions formally
considered at a meeting of the Policy & Regulatory Committee on 11-12 April
2023. This meeting is open to both submitters and the public to attend.

IMPORTANT DATES TO REMEMBER:

SUBMISSIONS OPEN – 27 February 2023

SUBMISSIONS CLOSE – 27 March 2023

HEARING OF SUBMISSIONS/DELIBERATIONS – 11-12 April 2023

If you have any further queries or would like further
copies of the draft Bylaw, please contact
Toby McIntyre via email at
consult@waidc.govt.nz.

