

Date: Tuesday 18 February 2025
Time: 1:00 pm
Meeting Room: Council Chamber,
Venue: Auckland Town Hall,
 301-305 Queen Street, Auckland

Waitematā Local Board

OPEN ATTACHMENTS

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Memorandum

24 October 2024

To: Governing Body and all local board members

Subject: Update on the process for 'Fix and Finish' fund.

From: Hao Chen - Manager Local Board Financial Advisory
Mark Purdie - Manager Group Financial Planning and Analysis

Contact information: hao.chen@aucklandcouncil.govt.nz,
mark.purdie@aucklandcouncil.govt.nz

Purpose

1. To provide an update on the draft process and criteria for the 'Fix and Finish' fund, ahead of further engagement with relevant local board chairs and ward councillors.

Context

2. Through the Long-term Plan 2024-2034 (LTP) decisions, Auckland Council established the Auckland Future Fund and an associated reserve fund set up to fix and finish community projects that fell in the boundaries of the legacy Manukau City and Auckland City areas. This fund will be referred to in this document as the Fix and Finish fund.
3. The concept of the Fix and Finish fund was introduced in the Mayoral Proposal for the LTP for the Budget Committee's consideration as shown below:

AIAL Legacy Fund

37. I know there are some strong feelings about the airport shares.
38. My view is that the Future Fund honours the legacy of the councils that retained airport shares by making sure we protect the value of that intergenerational investment for future generations. It means that legacy continues and can be improved upon.
39. It has been pointed out that some areas of Auckland have already benefited from the sale of AIAL shares by legacy councils, which used the proceeds to provide better local infrastructure. This was compounded by a funding formula for Local Boards that locked in unfairness.
40. I am also proposing to do two more things to address this:
 - **Fairer Funding:** Finally fix the unfairness in how Local Boards are funded based on legacy assets by accelerating Fairer Funding over the next 4 years.
 - **Reserve Fund:** Set aside the increased returns from the Future Fund for Year 1 (which we weren't counting on in the central proposal) in a Reserve Fund to "fix and finish" community projects in the legacy areas. This is expected to be \$20 million which could go to some important projects and help address imbalances.
4. As part of the LTP decision-making, the Governing Body resolved (Resolution number GB/2024/45) the following as clause a) ii) D):
 - \$20 million of the enhanced returns from the Auckland Future Fund in 2024/2025 will be set aside in a reserve fund to fix and finish community projects in legacy Manukau City and Auckland City areas.
5. As we are now entering the planning phase for the Annual Plan 2025/2026, councillors and local board members have asked for a progress update on developing a draft process and set of criteria for discussion.
6. This memo contains draft processes and criteria, and local board and councillor engagement will be essential as part of the process.



Discussion

Purpose of the Fix and Finish fund

7. The purpose of the Fix and Finish fund is to provide capex funding to priority projects within the legacy Auckland City and Manukau City Council areas that provide a direct benefit to local communities and residents. Funding must go towards projects that are already in the pipeline and may not have full funding.

Draft criteria for the establishment of the Fix and Finish fund

8. Staff note that the fund is created on the assumption of:
 - o the Auckland Future Fund (AFF) being operational, and
 - o making 'increased returns' by 30 June 2025.

There is some risk on both the initial capitalised value of the AFF (based on the AIAL share price at time of the AFF becoming operational) and the level of financial returns achieved by 30 June 2025, so we will need to consider what impact that would have on the establishment of the \$20 million Fix and Finish fund, and delivering projects allocated to this fund. The fund is expected to be a one-off.

Draft rules and criteria for projects

9. Staff have developed a draft set of criteria, with input from the Mayor's Office, for identifying and assessing projects to be funded with the \$20 million 'Fix and Finish' budget as follows:
 - must be in previous Manukau City or Auckland City boundaries.
 - must be a local board project.
 - is a 'community project' per the Governing Body resolution. This is limited to projects which fall under the local community services activity.
 - projects which renew existing assets (fix) or have undergone planning and awaiting funding to deliver (finish).
 - are included in the latest local board plan as a key priority, including projects that were highlighted as advocacy items to the Governing Body.
 - project value is over \$1 million. Given the increases in budgets (fairer funding for local boards) and local board decision-making, a materiality threshold is proposed as appropriate. An exception may be required for Waiheke and Aotea/Great Barrier.
 - was not included in the recently adopted 3-year work programme, as these projects are planned and funded, but potentially could be in years two and three and brought forward. Ideally these would be projects that have already been scoped and could commence soon.
 - the project will be fully funded and planned for delivery in a timely manner to achieve community outcomes. If the Fix and Finish allocation is insufficient to fully fund the project, the local board should demonstrate commitment from other funding sources for the shortfall.
 - projects could include unfunded stages of a multi-stage project that have funding for initial stages and are in the adopted work programme for delivery.
10. Other considerations
 - projects for consideration are subject to an approved business case.
 - Auckland Council has capacity to commence the delivery of the project within the next three years (scope of the 3 year capital work programme).
 - local boards have the option to work together on a project where it is appropriate, to jointly fund projects which benefit communities within more than one local board area.



Options for allocation of funding towards local boards

11. There are 13 local boards with partial or complete geographic boundaries within the legacy Auckland City and Manukau City areas. These are: Waitematā, Ōrākei, Albert-Eden, Puketāpapa, Whau, Waiheke, Aotea/Great Barrier, Maungakiekie-Tāmaki, Howick, Ōtara-Papatoetoe, Māngere-Ōtāhuhu, Manurewa and Franklin.
12. The following is a list of funding allocation options which could be implemented. Each option has its benefits and drawbacks. These are developed on the assumption that funding is allocated only to local boards.

A) Equitable funding model: This option involves allocating funding across local boards using some or all elements of the equity model: population, deprivation, and land area.

Pros	Cons
Aligns closely with the recently adopted Fairer Funding model and is a relatively fairer way to allocate funding	There may be differing views on the appropriateness of underlying statistics and its point in time used for the funding model.
Supports the empowered local board decision-making approach, noting local board funding allocation decisions will still need to align with the eligibility criteria	Local boards may not have sufficient qualifying projects to be funded from their allocation, resulting in funding not being utilised, which could go towards completing another eligible local project.
	The Fairer Funding model was intended to be used for all 21 local boards. With 13 local boards there may need to be consideration of adjusting the model, and adjusting Waiheke and Aotea/Great Barrier local boards.

B) Contestable: This option involves an application process from local boards to the reserve fund approver based on criteria and by a set date. A decision will be made to allocate funding available towards the list of projects from applicants.

Pros	Cons
Funding is allocated to projects with the highest assessed benefits (subject to assessment criteria)	Should there be a risk of oversubscription, prioritisation criteria may need to be developed for eligible projects and this may result in more administrative work.
Allows the allocation of larger funding amounts to enable completion of a larger community project.	The allocation of funding to local boards may be considered unfair or inequitable, as contestable processes are subjective.

A first-come first-served option was considered but was ruled out as it would not provide a fair opportunity for all local boards to partake in the process as some local projects may be more ready than others.

Draft process to manage the Fix and Finish Fund

13. Establish criteria for:
 - the establishment and amount of the Fix and Finish fund
 - rules for eligible projects
 - funding allocation method.
14. During 2024/2025, monitor the performance of the Auckland Future Fund and assess when the criteria for the establishment of the \$20 million Fix and Finish Fund is met.



15. Recommendations will be made on final allocations of funding to the Governing Body or other relevant committee for decisions.
16. Include projects as part of Local Board Capital Work Programme adoption in June 2025. The process would be the same as for a discrete project, and to be considered along with the entire local board capital work programme through the annual planning process.
17. Administration of the fund would sit with the Finance Division, with funding to be released for use on receipt of approved business case.
18. The Fix and Finish fund is to be kept as a reserve on council's balance sheet. This will be reported at year end through the annual report by Financial Control.
19. Progress of these projects will be reported through ongoing quarterly monitoring at the local board level via local board work programme reporting.
20. Six monthly monitoring and reporting of the overall fund and the allocation of funding to local boards will be provided to the Governing Body.

Risks

21. There are likely to be risks relating to:
 - the performance of the Auckland Future Fund, which may impact the establishment and amount available in the Fix and Finish fund
 - the chosen funding allocation option
 - delivery of projects.

Next steps

22. Allow the opportunity for local boards to workshop and provide informal feedback through the local board chairs.
23. To hold a workshop with affected local board chairs and councillors to discuss the criteria and options set out in this memo and seek feedback.
24. Update memo with feedback, receive final Mayor sign-off, and circulate to all elected members and relevant staff.
25. The process to receive final sign-off from the Mayor is expected to be completed by the end of December 2024.



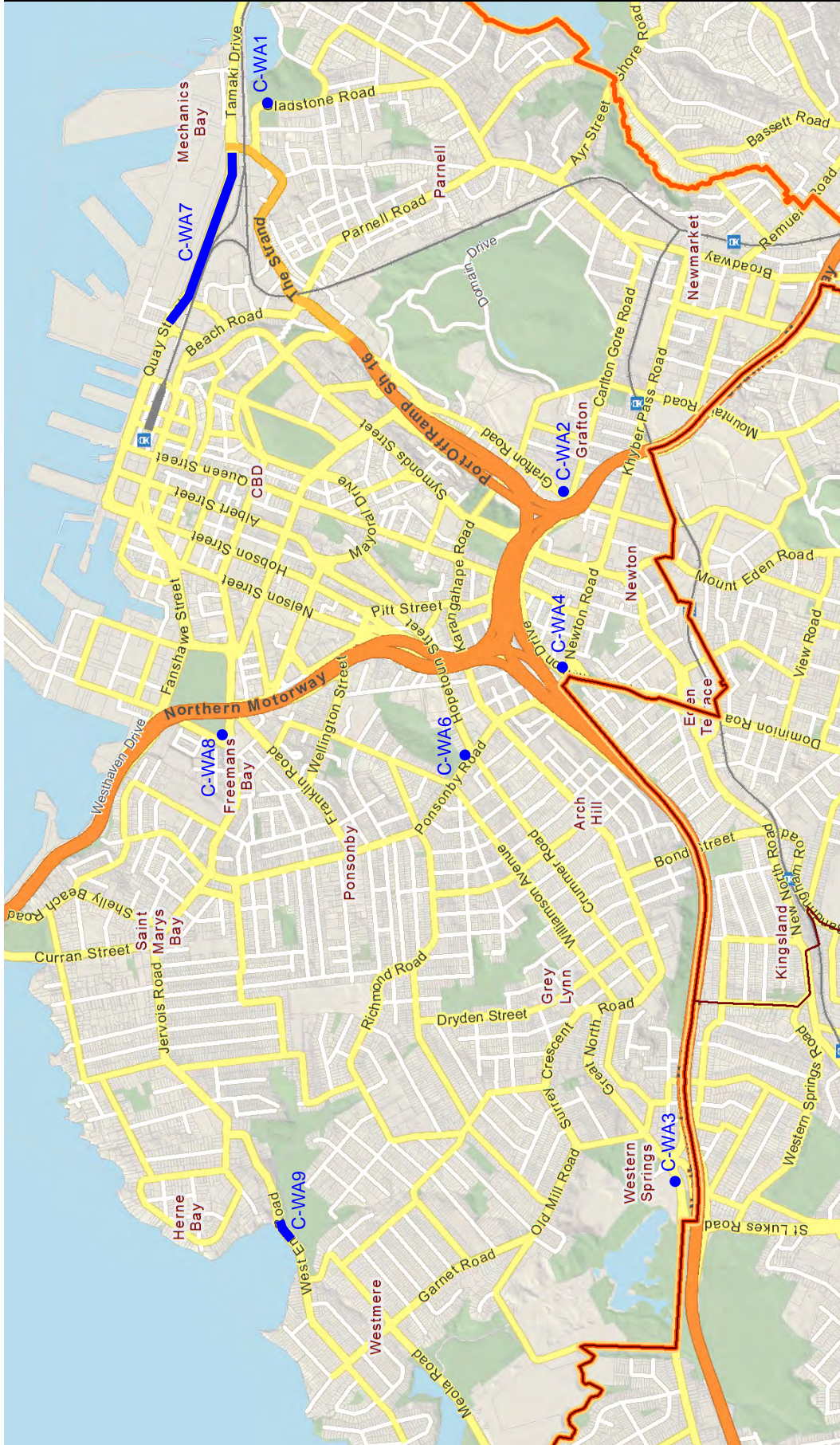
Appendix A: indicative funding split under different methods Update: 15 January 2025

Local Board	Equitable split	Straight split	Contestable
Albert-Eden	\$1,905,218	\$1,538,462	
Franklin	\$607,778	\$1,538,462	
Aotea/Great Barrier	\$200,000	\$1,538,462	
Howick	\$2,816,907	\$1,538,462	
Māngere-Ōtāhuhu	\$1,979,261	\$1,538,462	
Manurewa	\$2,207,348	\$1,538,462	
Maungakiekie-Tāmaki	\$1,879,882	\$1,538,462	\$20,000,000
Ōrākei	\$1,650,761	\$1,538,462	
Ōtara-Papatoetoe	\$2,028,994	\$1,538,462	
Puketāpapa	\$1,379,453	\$1,538,462	
Waiheke	\$400,000	\$1,538,462	
Waitematā	\$1,861,942	\$1,538,462	
Whau	\$1,082,457	\$1,538,462	
Total	\$20,000,000	\$20,000,000	\$20,000,000

List of Public Sites for Election Signs in Waitematā Local Board

This list has been colour-coded to indicate whether sites are on the road or are on parks or a combination of both roads and parks. It is very important to note that Local Boards have approved the erection of election signs on their local parks to the nine weeks before an election (or only four weeks in the case of the Ōrākei Local Board for a local government election). Election signs must not be put up in parks outside that time period and considerable care would need to be used to ensure that signs are not put up in part of a combined site that is a park (it may be safest to avoid putting up any signs in a combined site outside the nine-week period).

LOCAL BOARD	STREET NAME	MAP KEY	LOCAL BOARD
Waitematā <i>Note: 9-week limit on sites in Parks</i>	Gladstone Road	C-WA1	Park
	Grafton Road	C-WA2	Road
	Great North Road	C-WA3	Both
	Ian McKinnon Drive / Newton Road junction	C-WA4	Park
	Ponsonby Road / Hopetoun Street junction	C-WA6	Park
	Quay Street	C-WA7	Road
	Victoria Park	C-WA8	Park
	West End Road	C-WA9	Both



Waitemata election sign sites

● Existing Site

Scale @ A4 1:25000

The map/plan is illustrative only and all information should be independently verified on site before taking any action. Copyright Auckland Council. Boundary information from LINZ (Crown Copyright Reserved). Waitematā Local Board (Crown Copyright Reserved). This map/plan gives no warranty as to the accuracy and completeness of any information on this map/plan and accepts no liability for any errors, omissions, or use of the information. Height datum: Auckland 1949.

Created: Wednesday, 20 April 2016, 12:40:13 p.m.

(C-WA1) Gladstone Road



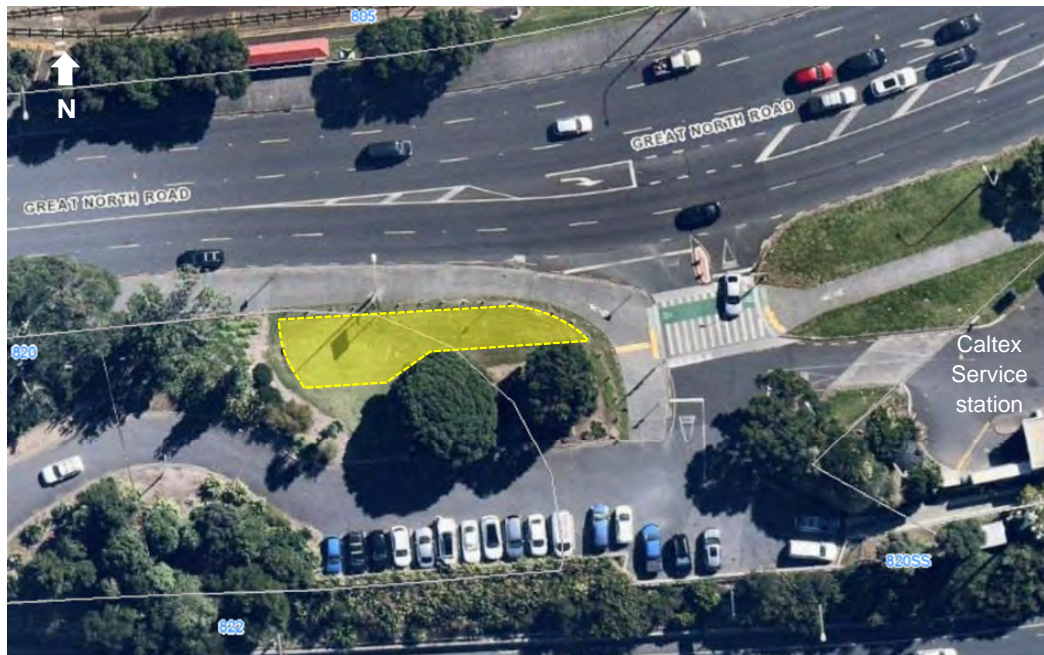
This aerial photograph identifies a location which is specified as a Council-controlled place available for the display of election signs. Irrespective of any changes since the photo was taken, the yellow zone is a general indication where the signs can be placed subject to the controls of the Auckland Council and Auckland Transport [Te Ture ā-Rohe mo nga Tohu 2022 / Signs Bylaw 2022](#).

(C-WA2) Grafton Road



This aerial photograph identifies a location which is specified as a Council-controlled place available for the display of election signs. Irrespective of any changes since the photo was taken, the yellow zone is a general indication where the signs can be placed subject to the controls of the Auckland Council and Auckland Transport [Te Ture ā-Rohe mo nga Tohu 2022 / Signs Bylaw 2022](#).

(C-WA3) Great North Road



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(C-WA4) Ian McKinnon Drive / Newton Road junction



This aerial photograph identifies a location which is specified as a Council-controlled place available for the display of election signs. Irrespective of any changes since the photo was taken, the yellow zone is a general indication where the signs can be placed subject to the controls of the Auckland Council and Auckland Transport [Te Ture ā-Rohe mo nga Tohu 2022 / Signs Bylaw 2022](#).

Note:

- There is no on-street parking in the immediate vicinity of this site.

(C-WA6) Ponsonby Road / Hopetoun Street junction



This aerial photograph identifies a location which is specified as a Council-controlled place available for the display of election signs. Irrespective of any changes since the photo was taken, the yellow zone is a general indication where the signs can be placed subject to the controls of the Auckland Council and Auckland Transport [Te Ture ā-Rohe mo nga Tohu 2022 / Signs Bylaw 2022](#).

Conditions:

- This site has been identified as a V-Shaped sign site.

(C-WA7) Quay Street



This aerial photograph identifies a location which is specified as a Council-controlled place available for the display of election signs. Irrespective of any changes since the photo was taken, the yellow zone is a general indication where the signs can be placed subject to the controls of the Auckland Council and Auckland Transport [Te Ture ā-Rohe mo nga Tohu 2022 / Signs Bylaw 2022](#).

(C-WA8) Victoria Park



This aerial photograph identifies a location which is specified as a Council-controlled place available for the display of election signs. Irrespective of any changes since the photo was taken, the yellow zone is a general indication where the signs can be placed subject to the controls of the Auckland Council and Auckland Transport [Te Ture ā-Rohe mo nga Tohu 2022 / Signs Bylaw 2022](#).

Conditions:

- This site has been identified as a closed landfill or potential closed landfill. Refer to the protocol for sign installation and removal in potentially contaminated sites, available on the website.

(C-WA9) West End Road



This aerial photograph identifies a location which is specified as a Council-controlled place available for the display of election signs. Irrespective of any changes since the photo was taken, the yellow zone is a general indication where the signs can be placed subject to the controls of the Auckland Council and Auckland Transport [Te Ture ā-Rohe mo nga Tohu 2022 / Signs Bylaw 2022](#).

Conditions:

- This site has been identified as a closed landfill or potential closed landfill. Refer to the protocol for sign installation and removal in potentially contaminated sites, available on the website.
- This site has been identified as a V-Shaped sign site.

ELECTION SIGN SITE CRITERIA

The following criteria shall be used to assess/guide the suitability of public sites for election signs:

1. Election sign sites must ensure that election signs do not obstruct the safe line of sight of any corner, bend, intersection or vehicle crossing, as measured according to *Table 3.2 of the Austroads Guide to Road Design (1 AGRD) - Part 4A: Unsignalised and Signalised Intersections (AGRD04A-09) Section 3.2.2.* (summarized below)
2. Election sign sites must be large enough to easily contain as many election signs as are likely to be needed in that ward/electorate. (remembering that for general elections each candidate and party can have signs).
3. Election sign sites must not be likely to cause election signs to obscure, obstruct or impair the display of any traffic control devices (traffic signals and traffic signs). Election Signs must not be displayed on a traffic control devices or supporting structures – so sites must not include any of these.
4. Election Sign sites must not be on median strips, roundabouts, traffic islands or any other similar traffic separation structure or kerbed projection on any road.
5. Election sign sites must not be likely to lead to election signs obstructing, obscuring or impairing the safe passage of pedestrians, cyclists or persons in wheelchairs or mobility scooters on paths or be positioned in such a way that they constitute a hazard to driveways, entranceways or roads.
6. Election sign sites must be large enough to ensure that no part of an election sign or its supporting structure needs to be positioned closer than 500mm to any footpath, cycle path, driveway, entranceway or roadway.
7. Election signs must be placed outside the drip line of any tree (ie signs must not be directly below any part of a tree). Election sign sites can include areas with trees but the site must be large enough that there will be sufficient space for election signs. The existing list includes sites that were approved or used historically in the legacy areas. Considerable tree growth may have occurred in the interim. Sites with trees should therefore be reassessed to determine whether they are still practical or not.
8. Election sign sites must not allow for signs to be placed on sites that are historical, cultural, architectural, heritage, geological or archaeological features identified, scheduled or recorded in the relevant district plans. (Note that maunga (cones) particularly those managed by the Maunga Authority should not be used as sites.)

9. Election signs must be free standing. They must not be fixed to any tree, building, bollard or any other structure or street furniture, including, but not limited to, light poles, bus shelters, seats, rubbish bins, road signs, public signs, pylons and power poles. Election sign sites should avoid including these items to reduce temptation.
10. Election sign sites must not be located immediately between playground equipment and a road. Avoid having signs where they could obstruct drivers' vision of children who might run out from a playground onto the road.
11. Given the political nature of signs and the level of visual impact they can have it is preferable to place them in locations where they will not appear to be linked to, or have an undue impact on, private residences, businesses or institutions (including for example health and school locations). Election sign sites must not be placed on the berm outside the front facing side of a residential property and may only be on the side of such a property if well screened by a high fence or vegetation. By preference sites should be on or outside council owned parks and reserves.
12. In rural areas or other locations without kerbs and footpaths it is preferable to only select sites that allow for a 5m separation of the site from the edge of the sealed roadway.
13. In the assessment of a site, note the closest parking area (by approximate distance) and if there is no parking directly outside the designated site, e.g. if there are extensive broken yellow line outside the designated area. This is not a criterion in site selection, but will serve as additional information. The aim is to avoid encouraging illegal parking behaviour by those erecting signs.
14. Where possible determine if the site is a rehabilitated closed landfill. This is not a bar to a site being selected but the additional criteria of complying with the protocol for closed landfill sites will need to be added and this must be stated in the resolution.
15. Larger sites may be suitable for V-Shape election signs. A single election sign consisting of two panels attached at one edge to the same post in a V-Shape maybe displayed on larger sites that are suitable for this configuration if the widest point of the V is not more than 2m. The criteria for site selection is an area of at least 250m², preferably corner site (if possible but not absolutely necessary). There should be at least 1 V-Shape site identified for each Local Board area.
16. NZTA Conditions:
 - i. Elections signs may not be on, adjacent to or visible from motorways.
 - ii. Elections signs may not be displayed on any State Highways where the speed limit is above 50 km/h, without specific permission from NZTA. So it is best to also avoid sites in parks and reserves visible from state highways with speed limits above 50 km/h.

ELECTION SIGNAGE CRITERIA - Safe Intersection Sight Distance (SISD) Requirement

The following guidelines for determining safe intersection sight lines have been taken from Table 3.2 of the *Austrroads Guide to Road Design (1 AGRD) - Part 4A: Unsignalised and Signalised Intersections (AGR04A-09) Section 3.2.2.*

Minimum intersection sight distances to maintain safety

In the same manner as other roadside features, roadside signs may create restrictions to sight visibility and create a safety hazard if they obstruct or interfere with:

- Road users' view of a road hazard, person or oncoming vehicle on the roadway.
- Road users' view of a person or vehicle about to enter the roadway.

The general requirements for maintaining safe sight distances at driveways and intersections therefore need to be applied to roadside signs.

The minimum safe intersection sight distances in Table 3.2 must be maintained in all circumstances to ensure that traffic safety is not compromised. These sight distance requirements relate only to conflicts between vehicles. For driveways crossing a footpath a 5 metre by 2 metre visibility splay must be provided.

Distances are measured between points at a height of 1.1 metres above the level of the roadway (equivalent to the height of a driver's eye when seated in a car) and 1.25m (accepted vehicle roof height for SISD). The minimum distances shown in Table 3.2 are measured along the major road from 5 metres (3m minimum) back from the major road.

Note: Corrections to the distances shown in Table 3.2 need to be undertaken for gradients greater than 2% (refer to *Austrroads Guide to Road Design (1 AGRD) - Part 4A: Unsignalised and Signalised Intersections (AGR04A-09) Section 3.2.2 Table 3.3).*

Table 3.2 Safe Intersection Sight Distance

Posted Speed Limit (km/h)	Design Speed (km/h)	Minimum distance (m)
50	60	123
60	70	151
70	80	181
80	90	214
90	100	248
100	110	285

In general, visibility problems will not be caused by signs or devices which are:

- Less than 1m in height, except where they are likely to obscure children.
- The bottom of the sign is more than 3m above the level of the roadway.

Some of the more common situations where there is a potential for visibility problems include:

- Signs close to intersections or curves in the roadway.
- Signs adjacent to driveways particularly of major traffic generators e.g. service stations.
- Portable signs placed on footpaths, shoulders or grass berms.
- Vehicle-mounted signs.

Additional requirements for the erection of signs from the Bylaw

These are the bylaws requirement for the erection of the signs and may aid in the selection of sites.

1. Election signs may only be erected on public land designated for this purpose and must comply with any site specific instructions. For example specific sites requirements may be included when a site is approved by a resolution made under an elections signs bylaw.
2. Election signs must comply with any and all other relevant signage rules, bylaws and requirements.
3. Elections signs must not compromise road safety by causing confusion or distraction by resembling any traffic control devices, including traffic signs.
4. Election Signs must not be made of, or have affixed, any fluorescent, phosphorescent or reflective material that may reflect headlights, distract or interfere with a road user's vision.
5. Election Signs must not be illuminated (either internally or externally), use flashing or revolving lights or light sources, moving or rapidly changing displays/images (less than 5 seconds per display), lasers or any other method of illumination that may dazzle or distract drivers.
6. Election signs must be located in a manner that minimises visual and physical clutter. Only one election sign may be erected per candidate or per party on a road frontage of any one site.
7. Election signs and their supporting structure must be securely braced and anchored at ground level. Signs and their supporting structures must be constructed, fixed or placed in a manner so that they will not come loose under normal weather conditions so as not to pose a danger to property or the public. This is the responsibility of the sign owner.
8. No secondary signs, posters, flags etc. may be attached to election signs.
9. The top edge of an election sign must be less than 3 metres above ground level and must have a sign area of less than 3 square metres (approximately 2.4 x 1.2 metres).
10. There must be at least 500mm clearance left between the bottom edge of the election sign and the ground. Clause 8 (f).



Te Ture ā-Rohe mō te Whakamahinga me te Whakatūnga Waka 2025 Vehicle Use and Parking Bylaw 2025

(as at XXXXX)

**Made by the Board of Auckland Transport and
the Governing Body of Auckland Council**

in resolution XXXXX on XXXXXX and

in resolution XXXXXX on XXXXXX respectively

Bylaw made under section 22AB of the Land Transport Act 1998, by the –

- Board of Auckland Transport for land managed and controlled by Auckland Transport; and
- Governing Body of Auckland Council for land managed and controlled by Auckland Council.

Vehicle Use and Parking Bylaw 2025

Summary

This summary is not part of the Bylaw but explains the general effects.

Auckland's land transport system exists to connect people and places by supporting the movement of people, goods and services.

The use or parking of vehicles on roads and public places can, however, cause public safety risks (including death), travel delays, obstruction, public nuisance (for example, from noise) and damage to the environment (including fauna and flora), public infrastructure and property.

This Bylaw seeks to manage the problems caused by vehicle use and parking by –

- making rules on parts of the Auckland land transport system administered by Auckland Transport (most roads) and Auckland Council (for example roads on some parks and beaches) in a single bylaw
- making rules for vehicle and road use (Part 2) and stopping, standing and parking (Part 3)
- providing clearer powers to establish and regulate busways and busway stations (Part 4)
- regulating and limiting vehicle use and parking on beaches (Part 5)
- managing vehicle use and parking during special events (Part 6)

Other parts of this Bylaw assist with its administration by –

- stating its name, when it comes into force and where it applies (clauses 1, 2 and 3)
- stating the purpose of this Bylaw and defining key terms (clauses 4 and 5)
- providing transparency about how the relevant authority can make a resolution under the Bylaw and establish and administer a system for the grant of permits (Part 7)

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 Auckland Council and Auckland Transport [Signs Bylaw 2022](#) (cl.18) which covers the use or parking of vehicles for the purpose of advertising or sale
- the Local Government Act 1974 ([s.356](#) and 357), Auckland Transport [Activities in the Road Corridor Bylaw 2022](#) (cl.3, 4, 9 and 21), Auckland Council [Public Safety and Nuisance Bylaw 2013](#) (cl.6(3), Sch.1(3), (10) and (12A)), Auckland Council [Stormwater Bylaw 2015](#) (cl15), Resource Management Act 1991 ([s.15](#)) or Auckland Unitary Plan ([E4](#)) which cover abandoned vehicles, broken down vehicles, vehicle repairs and leaving machinery or goods on a road.
- the [Legislation Act 2019](#) that determines how to interpret and apply legislation (including this Bylaw).
- The Local Government Act 2002 ([s.150](#)) to set fees (for example residential parking permits)
- the [Government Rounding Powers Act 1989](#) (s.61) regulation of [State Highways](#) (for example the Upper Harbour Highway (SH18)) by the New Zealand Transport Agency Waka Kotahi (NZTA)
- the [Land Transport \(Road User\) Rule 2004](#) exceptions to compliance 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 [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.

Vehicle Use and Parking Bylaw 2025

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Vehicle Use and Parking Bylaw 2025

1 Title

This Bylaw is the Auckland Transport and Auckland Council Te Ture ā-Rohe mō te Whakamahinga me te Whakatūnga Waka 2025 | Vehicle Use and Parking Bylaw 2025.

2 Commencement

This Bylaw comes into force on XXXXX.

3 Application

This Bylaw applies to land in Auckland managed and controlled by Auckland Transport or Auckland Council.

Related information about Auckland Transport and Auckland Council land

Auckland Transport manages and controls the [Auckland transport system](#) (ATS).

- The ATS [includes](#) roads, public transport services and infrastructure (for example bus and train services, bus stops, etc.).
- However, the ATS does not include state highways, railways, off-street parking facilities under the control of the Council or airfields.
- Roads in the ATS are sometimes known as 'legal roads' and are defined in s315 of the [Local Government Act 1974](#).
- See s45 and 37, [Local Government \(Auckland Council\) Act 2009](#) for more information.

Auckland Council manages and controls:

- road on parks, reserves and beaches owned by Council (excluding 'legal roads' which form part of the Auckland transport system)
- off-street parking facilities at council libraries, community centres and car park buildings.

Land not managed and controlled by Auckland Transport or Auckland Council includes:

- 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.

Part 1

Preliminary provisions

4 Purpose

The purposes of this Bylaw are to:

- (a) contribute to an Auckland land transport system that connects people and places in a way that is safe, effective and efficient;
- (b) help minimise public safety risks, travel delays, obstructions, public nuisance and damage to the environment, public infrastructure and property caused by the use or parking of vehicles on roads and public places in Auckland.

5 Interpretation

- (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.

approved car share vehicle means a car share vehicle that is the subject of an approved car share vehicle permit granted under this Bylaw.

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Auckland has the same meaning as in [section 4\(1\)](#) of the Local Government (Auckland) Council Act 2009.

authorised operator means an operator authorised under clause 22 of this Bylaw.

beach includes the foreshore and any adjacent areas of sand, dunes, stones, vegetation, streams, estuaries and structures (for example boat ramps, dune protections and sea walls) which can reasonably be considered part of the beach environment.

bus has the same meaning as in [clause 1.6](#) of the Road User Rule.

busway station means a transport station where vehicles lawfully using the busway may wait between trips.

car share vehicle means a motor vehicle operated by an organisation that provides members of the public, for a fee, access to a fleet of shared motor vehicles available for hire on an hourly or part hourly basis.

class, in relation to vehicles, means a class specified in a resolution made by the relevant authority under clause 26 of this Bylaw.

cruising has the same meaning as in [section 2\(1\)](#) of the Act.

drive and **driver** have the same meanings as in [section 2\(1\)](#) of the Act.

emergency vehicle has the same meaning as in [clause 1.6](#) of the Road User Rule.

heavy motor vehicle has the same meaning as in [section 2\(1\)](#) of the Act.

motorcycle has the same meaning as in [clause 1.6](#) of the Road User Rule.

motor vehicle has the same meaning as in [section 2\(1\)](#) of the Act.

operator means, for the purposes of the definition of **authorised operator**,

- (a) a person who carries on a business or provides a service using a vehicle; and
- (b) does not include any other person who is a driver of the vehicle or who otherwise assists in the business or service.

parking has the same meaning as in [section 2\(1\)](#) of the Act, and **park** has a corresponding meaning.

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.

passenger service vehicle has the same meaning as in [section 2\(1\)](#) of the Act.

relevant authority means either –

- (a) Auckland Transport, for land managed and controlled by Auckland Transport; or
- (b) Auckland Council, for land managed and controlled by Auckland Council.

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Item 16

Attachment A

reserved parking has the same meaning as in [Part 2](#) of the Land Transport Rule: Traffic Control Devices 2004.

residential parking zone or **RPZ** means a parking zone which has been declared by the relevant authority to be a residential parking zone and is accordingly subject to clause 18 of this Bylaw.

residential parking permit or **RPP** means a permit issued under this Bylaw which exempts the holder from any or all of the parking controls otherwise applying in the residential parking zone.

road has the same meaning as in [section 2\(1\)](#) of the Act and includes part of a road.

Related information about the Land Transport Act definition of road

A road includes —

- (a) a street; and
- (b) a motorway; and
- (c) a beach; and
- (d) a place to which the public have access, whether as of right or not; and
- (e) all bridges, culverts, ferries, and fords forming part of a road or street or motorway, or a place referred to in paragraph (d); and
- (f) all sites at which vehicles may be weighed for the purposes of this Act or any other enactment.

Road User Rule means the [Land Transport \(Road User\) Rule 2004](#).

roadway has the same meaning as in [clause 1.6](#) of the Road User Rule.

Related information about the Road User Rule definition of roadway

A roadway as the portion of the road used or reasonably usable for the time being for vehicular traffic in general.

special vehicle lane has the same meaning as in [section 2\(1\)](#) of the Act.

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, 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.

vehicle has the same meaning as in [section 2\(1\)](#) of the Act.

Related information about the Land Transport Act definition of vehicle

A “vehicle”:

- (a) means a contrivance equipped with wheels, tracks, or revolving runners on which it moves or is moved; and
- (b) includes a hovercraft, a skateboard, in-line skates, and roller skates; but

Vehicle Use and Parking Bylaw 2025

- (c) does not include—
- (i) a perambulator or pushchair;
 - (ii) a shopping or sporting trundler not propelled by mechanical power;
 - (iii) a wheelbarrow or hand-trolley;
 - (iv) [Repealed]
 - (v) a pedestrian-controlled lawnmower;
 - (vi) a pedestrian-controlled agricultural machine not propelled by mechanical power;
 - (vii) an article of furniture;
 - (viii) a wheelchair not propelled by mechanical power;
 - (ix) any other contrivance specified by the rules not to be a vehicle for the purposes of this definition;
 - (x) any rail vehicle

- (2) Any undefined words, phrases or expressions used in this Bylaw and which are defined in the Act have the same meaning as in the Act unless the context plainly requires a different meaning.
- (3) Related information and links to webpages do not form part of this Bylaw and may be inserted, changed or removed without any formality.
- (4) To avoid doubt:
- (a) compliance with this Bylaw does not remove the need to comply with all other applicable Acts, regulations, transport rules, standards, bylaws, rules of law, regional or district plans or park management plans;
 - (b) this Bylaw does not limit the relevant authority's power to regulate traffic and parking under any other legislation or the effect of any such regulation under other legislation.

Part 2
Vehicle and Road Use

6 One-way roads

The relevant authority 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

The relevant authority 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 Special vehicle lanes

The relevant authority may by resolution specify any road as a special vehicle lane that may only be used by:

- (a) vehicles of a specified class or classes;
- (b) vehicles carrying a specified class or classes of load;
- (c) vehicles carrying no fewer than a specified minimum number of occupants.

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- 9 Control of traffic by reason of size, nature or goods (including heavy traffic)**
- (1) The relevant authority 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.
- (2) If the relevant authority 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 the relevant authority'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.
- (3) In this clause, **heavy traffic** has the same meaning as in [section 2\(1\)](#) of the Act.

10 Cruising and light motor vehicle restrictions

- (1) The relevant authority may by resolution:
- (a) specify any section of a road or roads on which cruising (as defined in [section 2](#) of the Act) is controlled, restricted, or prohibited;
 - (b) specify the period of time that must elapse between each time a driver drives on a specified section of road for the driver to avoid being regarded as cruising.

Related information about the Land Transport Act definition of cruising

Cruising is driving repeatedly in the same direction over the same section of a 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.

- (2) The relevant authority may by resolution restrict or prohibit any motor vehicle having a gross vehicle mass less than 3,500kg from being operated on any road between any specified hours.
- (3) A person must not drive or permit a motor vehicle to be driven in contravention of a resolution made under subclause (2) unless:
- (a) the vehicle is being driven to visit a property with a frontage to a road specified in the resolution; or

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- (b) the vehicle is being used for the time being as a passenger service vehicle; or
- (c) prior written permission from the relevant authority has been obtained.

11 Engine braking

- (1) The relevant authority may by resolution prohibit or restrict engine braking on any road where the permanent speed limit does not exceed 70km/h.
- (2) In this clause, **engine braking** means braking a motor vehicle using engine compression.

12 Unformed roads

- (1) The relevant authority for an unformed legal road, may by resolution restrict the use of motor vehicles for the purposes of protecting:
 - (a) the environment;
 - (b) the road and the adjoining land;
 - (c) the safety of road users.
- (2) A person must not use a motor vehicle on a park, reserve, domain or recreational area under the ownership or control of Auckland Council except –
 - (a) in a place designed and constructed for the use of a motor vehicle (for example a roadway);
 - (b) on any grassed or open space area which the council authorises for the use of a motor vehicle (for example access to a special event); or
 - (c) on an unformed legal road not restricted in subclause (1).
- (3) Part 5 of this Bylaw also applies to unformed roads on beaches.

**Part 3
Stopping, standing and parking**

13 Prohibition on stopping, standing or parking

- (1) The relevant authority may by resolution prohibit the stopping, standing or parking of vehicles on any road.
- (2) The purpose of a prohibition under subclause (1) may include, without limitation, providing for or supporting:
 - (a) an additional traffic lane or to ensure the free-flowing movement of traffic in the adjacent lane (a clearway);
 - (b) a special vehicle lane;
 - (c) safe operation of an intersection;
 - (d) safe operation of the road;
 - (e) safe pedestrian access;
 - (f) safe turning of heavy motor vehicles;
 - (g) access to a fire hydrant;
 - (h) the avoidance of nuisance or danger to other road users.

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- (3) The relevant authority may prohibit the parking of heavy motor vehicles on any specified road during specified hours or for a period that exceeds a specified period.

14 Prohibition on parking in a shared zone

- (1) A driver or person in charge of a vehicle must not park on any part of a road in a shared zone unless the relevant authority has by resolution specified otherwise.
- (2) In this clause, **shared zone** has the same meaning as in [clause 1.6](#) of the Road User Rule.

Related information about Road User Rule definition of shared zone

A shared zone is a length of roadway intended to be used by pedestrians and vehicles.

15 Restriction on stopping, standing or parking

- (1) The relevant authority may by resolution restrict the stopping, standing or parking of vehicles, or any specified class of vehicle, on a road.
- (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 approved car share vehicles;
 - (v) parking for electric vehicles;
 - (vi) parking for vehicles holding specified approved permits;
 - (b) paid parking, in which case the relevant authority may prescribe:
 - (i) any charges to be paid for the parking; and
 - (ii) the manner by which parking charges must be paid and any conditions applying to that manner of payment;
 - (c) time restricted parking;
 - (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;
 - (g) parking at an angle to the roadway.
- (3) In this clause, **electric vehicle** and **loading zone** have the same meanings as in [clause 1.6](#) of the Land Transport (Road User) Rule 2004.

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16 Requirements for the use of parking places and transport stations

- (1) The relevant authority 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.
- (2) Where charges are to be paid for the use of the parking place or transport station, the relevant authority will display, in a location or locations sufficient to notify road users, the manner by which the parking charges can be paid.

Related information about parking charges

More information about where parking charges apply, cost and how to pay can be found by using the [AT Park app](#), on Auckland Transport's [parking webpage](#) or at the location as indicated by signage.

17 Parking zones

- (1) The relevant authority 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) the manner by which parking charges must be paid and any

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conditions applying to that manner of payment.

Example

A resolution could set requirements for parking in an area that establish:

- (a) a paid parking zone (where parking in the area is subject to the payment of a fee);
- (b) a time restricted parking zone;
- (c) a zone where parking is prohibited or restricted to a specified class or description of vehicle or road user;
- (d) a residential parking zone (see also clause 18 of the Bylaw);
- (e) a zone comprising of any combination of the above.

- (2) The parking controls in a parking zone do not apply to any area in the parking zone where a different stopping, standing or parking prohibition or restriction has been made under this Bylaw.

Example

A person is not allowed to park their vehicle on any part of a roadway within a parking zone that is marked by broken yellow "no stopping" lines.

18 Residential parking permit exemption to parking zone controls

- (1) This clause applies when the relevant authority has declared an area to be a residential parking zone (**RPZ**).
- (2) In setting requirements for parking in the RPZ under clause 17(1), the relevant authority may resolve that all or any of the requirements do not apply to vehicles holding and displaying a current residential parking permit (**RPP**) applicable in that RPZ and issued in accordance with this clause.
- (3) RPPs will only be issued to permanent residents of, or businesses situated within, the relevant RPZ.
- (4) The number of RPPs within an RPZ may be capped. Eligibility to apply for a RPP does not guarantee that the relevant authority will issue a permit.
- (5) Each RPP will be issued to a person or business in respect of a specified vehicle, identified by its registration number. The permit is only valid in respect of the specified vehicle.
- (6) Except where a RPP is not issued in a physical form, the permit must be displayed on the dashboard or windscreen of the vehicle so that the printed details of the RPZ and validity date are clearly visible from outside the vehicle or if the vehicle is a motorcycle or other vehicle without a secure dashboard the permit must be displayed in a secure location that is visible from the front of the vehicle.
- (7) Where a RPP is issued in electronic form, it is deemed to be 'displayed' whenever the vehicle it is issued to is lawfully parked within the RPZ, provided the permit remains valid.
- (8) Parking in the RPZ operates on a "first come, first served" basis. Holding a RPP does not guarantee the availability of any parking space.

