

6. CONSIDERATION OF REPORT

6.1 SUMMARY OF SUBMISSIONS – PROPOSED TRAFFIC AND PARKING BYLAW 2008

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PURPOSE OF REPORT

1. To summarise the proposed Traffic and Parking Bylaw 2008 and submissions received on the proposed Bylaw.

SUMMARY OF THE PROPOSED BYLAW

2. The proposed Traffic and Parking Bylaw would:
 - regulate and control **traffic and parking**:
 - managing the competing demands for parking.
 - it deals with parking on grass berms and grass verges.
 - heavy motor vehicles being parked on residential streets.
 - regulate and control **traffic movement restrictions**:
 - managing the competing demands on the road space.
 - car enthusiasts congregating on roads and causing a nuisance to other road users is an issue and is dealt with.
 - it deals with heavy motor vehicles using residential streets.
 - management of traffic and parking during **events**:
 - some events have significant impact on the road network which may include road closure, removing parking or restricting certain traffic manoeuvres.
 - an application is required to ensure that all matters are considered and catered for.
 - regulate **vehicle crossings**:
 - allows access to site by crossing the footpath provided that temporary measures are in place to protect the footpath.
 - the requirement for a traffic management plan will assist to ensure that any traffic hazards and considerations for other road users are identified.
 - regulate **machinery or equipment on roads**:
 - machinery or equipment on the road may be a hazard to other road users and a traffic management plan will assist to ensure that any traffic hazards and considerations for other road users are identified.
 - it also deals with vehicles which are parked on the road and effectively using the road as a storage facility, in particular businesses. This means that the parking spaces are not available to other users and it causes inconvenience to the general public especially in areas where there is a high parking demand.
 - regulate **stock control**:
 - there is a safety issue for both stock, drovers and other road users when stock are moved on the roads.
 - it also deals with effluent on roads. Effluent can be a nuisance as it sticks to vehicles. It also corrodes the road surface.
 - regulate **materials or debris left on roads**:
 - materials or debris left on roads are a traffic hazard.
 - damage may also be caused to passing road users with the materials being flicked up.
 - there are also environmental implications if materials are discharged into the waterways.
 - this provision will ensure that contractors would be more vigilant in the way they access a site and in their cleaning practices.
3. The bylaw only applies to roads that are under the care, control and management of the Council and does not include State Highways which are under the care, control and management of Transit New Zealand.
4. Most of the bylaw is based on existing provisions that are contained within the following current bylaws:
 - Banks Peninsular District Council (BPDC) Traffic and Parking Bylaw 1998
 - Christchurch City Council (CCC) Traffic and Parking Bylaw 1991
 - BPDC Stock Control Bylaw 1994
 - BPDC Licences for Vehicle Stands on Streets

5. There are several new provisions that were introduced in this bylaw. They are:
 - Clause 9 – Heavy vehicles parking on residential streets
 - Clause 17 – Heavy vehicles using residential streets
 - Clause 36 – Vehicle removal

In addition, there was a new provision added which requires a person who moves milking cows more than once per week along or across any road to obtain a stock permit.

6. The purpose of the proposed Bylaw is to regulate and control traffic, parking and the movement of stock in such a way as to balance the competing demands on the road space while maintaining a safe and efficient infrastructure.
7. The proposed bylaw provides for reasonable controls for the protection of the public from nuisance, the protection of health and safety, for managing, regulating against, or protecting from, damage, misuse, or loss, or for preventing the use of, the land, structures, or infrastructure associated with reserves, recreation grounds, or other land under the control of the Council. The power to make a bylaw for these purposes is provided for in sections 145(a), 145(b) and 146(b) of the Local Government Act 2002.
8. Section 72 of the Transport Act 1962 also has specific bylaw making powers relating to the use of roads. These powers relate to stock on roads, heavy traffic, one-way streets and various other traffic restrictions.
9. Section 591A of the Local Government Act 1974 also contains specific bylaw making powers in relation to parking places and transport stations.

SUMMARY OF SUBMISSIONS

10. The Council received 44 submissions on the proposed Traffic and Parking Bylaw 2008. Of these, 5 submissions were from Community Boards, 12 submissions received were on behalf of a group or organisation and 27 individual submissions.
11. The submissions were focussed on:
 - clause 4 – interpretation (10)
 - clause 5 – parking restrictions (3)
 - clause 7 – vehicles on grass berms (7)
 - clause 8 – vehicles on grass verges (7)
 - clause 9 – heavy vehicles parking on residential streets (22)
 - clause 13 – one way streets (2)
 - clause 14 – roads or traffic lanes restricted to specific classes of vehicles (1)
 - clause 16 – prohibited times on roads (5)
 - clause 17 – heavy vehicles using residential streets (10)
 - clause 23 – caravans (2)
 - clause 24 – immobilised/immobile vehicles (1)
 - clause 25 – displaying vehicles on street (3)
 - clause 28 – restriction on movement of livestock (7)
 - clause 29 – general conditions for droving of livestock (3)
 - clause 30 – removal of faecal matter from road (4)
 - clause 31 – animals or stock in a public place (1)
 - clause 32 – stock droving prohibited/restricted routes register (1)
 - clause 35 – materials/debris on roads and damage to roads (2)
 - clause 36 – vehicle removal (1)
 - clause 37 – exempted vehicle (1)
 - clause 39 – penalties (1)
 - general comments on the bylaw

12. A summary of the submissions which are to be heard are shown in **Attachment one**. **Attachment two** summarises the remaining submissions.
13. The submissions raise a number of issues and the analysis on the submissions are in **Attachment three**.
14. Some of issues raised from the submissions may require some amendments to the proposed bylaw and a summary of the possible changes are in **Attachment four**.

**Attachment one – Summary of submissions on the CCC Traffic and Parking Bylaw 2008
(to be heard)**

Submissions from those being heard:

- Colin David McMeeking (Submission ID 6299)
- Kennedys Bush Road Neighbourhood Association Inc (Submitted by Sylvia Lukey) (Submission ID 6351)
- Keith Vogan (Submission ID 6486)
- Riccarton/Wigram Community Board, submitted by Mike Mora (Submission ID 6485)
- Derek Erasmus, Canterbury Police (Submission ID 6227)
- Akaroa-Wairewa Community Board, Stewart Miller (Submission ID 6509)
- Tom Taylor (Submission ID 6484)
- Federated Farmers of NZ, submitted by Sonia Voldseth (Submission ID 6489)
- Kate Bovett and Peter Croft (ID 6500)
- Robin McCarthy (Submission ID 6505)
- NZ Trucking Association, submitted by Rodney Auton, (Submission ID 6507)
- NZ Road Transport Association Region 4, submitted by Peter Goodwin (Submission ID 6514)
- Central City Business Association, submitted by Antony Thomas Gough (Submission ID 6511)
- Mark Shadbolt (Submission ID 6501)
- Spokes, submitted by Matthew Cutler-Welsh (Submission ID 6513)
- Canterbury Freight Working Group (ECan), submitted by Simon Milner (Submission ID 6502)

Colin David McMeeking (Submission ID 6299)

Comments relate to clause 9 – Heavy vehicles parking on residential streets

- Agree with the contents of the proposed Bylaw, but would like to see it go further and prohibit the parking of heavy vehicles on specified residential streets at any time.
- Request that Bentley Street be included in the list of Streets where the parking of heavy vehicles is prohibited.
- Since the end of January 2008, have had to endure the parking of a "Hot Dog" vehicle, pulled by a large truck, on the road outside his home.
- Has occurred several times and the vehicles have been left there for varying times between twelve and 24 hours. The largest "Hot Dog" vehicle is as long as a Red Bus and over three metres high. It has a row of electric light bulbs running along the top (lengthwise) as well as a row of chimneys protruding from the roof. It has sign-writing all over it, such as "Hot Dogs" "Hot Chips" "Candyfloss" "Cold Drinks" etc.
- A notice on the rear states that the vehicle is available for hire. The vehicles never show lights at night. On one occasion there were two of these "Hot Dog" vehicles parked on the road, in daylight.
- Believe that the parking of such vehicles on the road in a residential area amounts to visual pollution, detract from the aesthetic values common in a residential area.
- Believe this is worse by day than at night. Deprived of the maximum enjoyment of his property, because when the "Hot Dog" vehicle is parked outside his property, it is all he can see from his lounge window.
- It is also very dangerous exiting his property in my car, due to the large vehicle obscuring his view of oncoming traffic.

Kennedys Bush Road Neighbourhood Association Inc (Submitted by Sylvia Lukey)
(Submission ID 6351)

Background

- Have a BSc in Psychology, am a Director of SmartNet and Lukey Training and a committee member of the Kennedys Bush Road Neighbourhood Association Inc .
- Submit on behalf of the Association in relation to the Draft proposed Christchurch City Council Traffic and Parking Bylaw 2008 and also on own's behalf.

Comments relate to clause 5 – Parking restrictions

- That the Council consult with local neighbourhoods and Neighbourhood Associations when amendments to the Traffic and Parking Bylaw 2008 are proposed.

Comments relate to clause 7 – Vehicles on grass berms (subclause 1)

- That this not apply in semi rural areas where it is in the safety interests of riders and horses and general traffic for horses and riders to use the berm as a means of travelling to designated riding areas, to pony club and for the general recreation of the horse rider.
- Horses should not be exercised as a general rule in their paddocks. Paddocks are for living and rest.
- Halswell area still has large areas of rural and semi rural land with many roadside areas which are reasonably wide.
- Halswell Pony Club is situated at the A & P showgrounds and access by pony can be achieved by riding along Halswell Road or Wigram Road.
- Verges or berms are often wide and it makes more practical sense to traverse the distance as far as possible using these as routes.
- Signs need to be placed in areas where horse riding is generally practiced to slow down speeding cars and for the protection of riders and horses.
- In many hill areas where rural land and larger blocks of land are interspersed with residential properties the sensible approach would be to allow riders and horses to use berms and verges where practical, as a means of travelling to destinations. The all pervading dominance of cars and lack of driving manners means riders need to have the right to travel the safest route.

Comments relate to clause 7 – Vehicles on grass berms (subclause 2)

- In areas that interspersed with rural land and larger properties it may be the only safe way of unloading a horse from a float by being parked on a berm or verge.
- In some hill areas around Christchurch eg. areas on Clifton, the only means of safely parking off the road is to park partly on the berm as the roads are narrow and twisty.
- In these cases parking should be allowed.

Comments relate to clause 8 – Vehicles on grass verges (subclause 1)

- Comments similar to those relating to clause 7 – vehicles on grass berms.
- Not apply in semi rural areas where it is in the safety interests of riders and horses and general traffic for horses and riders to use the berm as a means of travelling to designated riding areas, to pony club and for the general recreation of the horse rider.
- Horses should not be exercised as a general rule in their paddocks. Paddocks are for living and rest.
- Halswell area still has large areas of rural and semi rural land with many roadside areas which are reasonably wide.
- Halswell Pony Club is situated at the A & P showgrounds and access by pony can be achieved by riding along Halswell Road or Wigram Road.
- Verges or berms are often wide and it makes more practical sense to traverse the distance as far as possible using these as routes.
- Signs need to be placed in areas where horse riding is generally practiced to slow down speeding cars and for the protection of riders and horses.
- In many hill areas where rural land and larger blocks of land are interspersed with residential properties the sensible approach would be to allow riders and horses to use berms and verges where practical, as a means of travelling to destinations. The all pervading dominance of cars and lack of driving manners means riders need to have the right to travel the safest route.

Comments relate to clause 8 – Vehicles on grass verges (subclause 2)

- Parking be allowed in areas where there is a mix of the urban and rural and horse riding is an established practice. There is also a case for allowing parking on some hill sections of Christchurch where the roads are narrow and winding. Thus the carriageway can be less impeded than if cars were just parked on the seal. Clifton Hill would be an example.
- Cycling events are staged around old Tai Tapu Road and marshals and organisers park their cars on the wide verges while staging these events and practices.
- The wide verges around Halswell Quarry Park are often utilised for parking. At times when they have cross country events etc this means that there are less cars parked in the Quarry and thus less damage is done. Also it means that the adjacent hill area is not used – the flat parking being safer and preferred.

Comments relate to clause 8 – Vehicles on grass verges (subclause 3)

- This may allow for locals but will not be suitable for casual occurrences. Governance problems – unreasonable. Halswell Quarry Park is a City Wide Park and is thus used by people from all over Christchurch. It would be feasible to set up a register with local regular users but would be difficult in respect of people outside the area. Also, if the process is too bureaucratic people will just feel intimidated by the process. It would be better to allow existing use where that use is currently working well.

Comments relate to clause 8 – Vehicles on grass verges (subclause 4)

- This only be done in consultation with neighbours and Neighbourhood Associations.

Comments relate to clause 13 – One way streets

- Should be a notified process especially in respect of adding a road to the register.

Comments relate to clause 16 – Prohibited times on roads (subclause 1)

- Agree with this as it applies to Car 'Hoons' who destroy the peace of a neighbourhood and make residents lives a living hell.

Comments relate to clause 16 – Prohibited times on roads (subclause 2)

- Agree with this section as it applies to road 'hoons'.

Comments relate to clause 16 – Prohibited times on roads (subclause 5)

- Agree

Comments relate to clause 17 – Heavy vehicles using residential streets (subclause 1)

- Agree

Comments relate to clause 17 – Heavy vehicles using residential streets (subclause 3)

- Operations of heavy vehicles in residential streets should not be permitted before 7.30am during weekdays and later at weekends. The peace of their neighbourhood is continually shattered with the rumble of large Trucks and concrete mixers travelling up the hill at very early hours of the morning.
- Are aware that the Scotts forest in Hoon Hay valley will probably come to maturity in the next ten years or so. Would be totally opposed to any logging trucks travelling down Kennedys Bush Road and would like to be assured that logging trucks would be prohibited.

Comments relate to clause 35 – Materials/debris on roads and damage to roads

- Endorse this section and would suggest that when a development is approved that the condition of a road is inspected to ascertain the condition of the road before development starts. Developers need to be responsible for the damage done to access roads over and above the normal wear and tear. With some large developments there are many years of heavy traffic use by contractors vehicles during the building process and this continual use takes a big toll on the road surface. The cost of this wear and tear should not be borne by the general ratepayer but by the developer. Perhaps there needs to be some sort of bonding system to recoup funds for roading damage.

Keith Vogan (Submission ID 6486)

Background

- His supply no is 37616 and he milks up to 160 cows in this herd.

Comments relate to clause 30 – Removal of faecal matter from road

- The time of 30 minutes is impracticable in his case as it can take up to 40 minutes to drive a mob of milking cows up the "roadway" when it is impracticable and not reasonable to use internal farm tracks on his farm.
- The existing time frame of 2 hours is reasonable and is a policy he has abided by since its introduction in 1996.
- Believe a policy must have a workable time frame
- Suggest the current 2 hours be retained

Riccarton/Wigram Community Board, submitted by Mike Mora (Submission ID 6485)

Comments relate to clause 9 – Heavy vehicles parking on residential streets

- The Board supports this clause of the Bylaw.
- Is interested in the process for how applications will be made to have residential streets included on a Heavy Vehicles on Residential Streets – Parking Restrictions Register.
- Is aware of several streets within the Riccarton/Wigram ward where residents would be interested in this register.

Derek Erasmus, Canterbury Police (Submission ID 6227)

General comments

- Police support the proposed bylaw.

Comments relate to interpretation

- definition of hours of darkness under the proposed bylaw is different to that of the Land Transport (Road User) Rule 2004. The second part of the definition under the Rule covering any period when there is not 100 metres of clear visibility has not been included. I suggest this needs to be included.

Comments relate to clause 16 – Prohibited times on roads

- (3)(b) gives exemption for emergency vehicles on emergency service to enter a road at a prohibited time. This suggests that there would have to be an emergency for a Police vehicle to enter the road, thus excluding Police vehicles from patrolling the road to prevent unauthorised vehicles using it.
- suggest removing the words "on emergency service" and replacing them with "acting in the execution of duty".

Comments relate to clause 17 - Heavy vehicles using residential streets

- Police have received public comment that the current signs with a truck in a prohibition circle is confusing. The suggestion is that the sign needs to be more explicit setting out the ban on heavy motor vehicles weighing more than 3500kgs and that this weight limit needs to be on the sign.

Comments relate to clause 36 - Vehicle removal

- This point gives the ability of the Council (or enforcement Officer) to remove a vehicle parking in contravention of the bylaw with the ability of the Council to recover expenses incurred.
- Suggest there needs to be a further Authority included to make the vehicle or bin (as defined by Point 22, on page 17) safe. This covers the situation where a container or similar has been parked on the side of the road and causes a traffic hazard particularly at night because it is not lit (and probably does not have a traffic management plan).
- Rather than removing the bin it would be more appropriate to make it safe by installing correct lighting on the bin. This obviously will have a cost implication at night and I suggest the Council should have the ability to recover costs as set out for vehicle removals under Point 36, page 23.

- The ability to make an object safe and the cost of that to be recoverable could be achieved by adding the following new subclause. The wording is based upon s21 LTA 1998.

(5A) Notwithstanding clause 5, if a waste-taker bin or similar receptacle or shipping container or any other object is placed on the road and becomes a hazard to the safety of traffic, an enforcement officer or an authorised officer may take such steps as may be reasonably practicable to eliminate or reduce the hazard. The cost of taking such steps must be charged to the owner of the bin, receptacle, shipping container or object.

Comments relate to a suggested new clause

- Car window washers at intersections cause intermittent problems in the city. Transit New Zealand are dealing with persistent offenders on Blenheim Road and the Main South Road.
- This is a problem that is cyclical and while not a significant problem today, has caused safety concerns in past years and may well do so in the future.
- The current law only allows Police to prosecute a person causing a danger at intersections while window washing through a Traffic Offence Notice. This is a considerable disincentive for Police to take action as it requires the production of a full prosecution file and summons to the offender for them to appear in Court. The maximum sentence the Court can impose is \$35.
- This is seen as a waste of time and is rarely used. In consultation with Transit New Zealand about the introduction of a Transit bylaw making it illegal to carry out window washing activities at intersections. This would be based on an existing Transit bylaw covering Highways in Auckland or the Manakau City bylaw that outlaws the same. Both these offences can be prosecuted by way of Infringement Offence Notice (a ticket) with fines of \$750 and \$500 respectively.
- Would like to see the inclusion of such an offence in this bylaw. This would give consistency across all roads in Christchurch and would give Police the ability to immediately target this safety issue if it arose on city streets.

Akaroa-Wairewa Community Board, Stewart Miller (Submission ID 6509)

Comments relate to registers in clauses 8, 9, 13, 14, 16, 17, 31 and 33

- Concern about the process around the establishment and maintenance of the registers in this (and other) bylaws. It is stated that the registers may be established and amended by a resolution of the Council. It does not state whether there will be any criteria to initiate that process or whether there will be any consultation, particularly with affected parties. Similarly there is no reference to any criteria for deletions from the register.
- Notes that there is no reference in the bylaw as to how accessible these registers will be for members of the public. For instance will the registers be appended to the bylaw or will they have to be accessed through some other system?
- Believes that the Council needs to have an open and transparent process around the operation of these registers.

Comments relate to clause 4 – Interpretation – “Caravans”

- Noted that the definition of “Caravan” under the Interpretation clause differs to the definition in the Public Places Bylaw. “Caravan” is also referred to in the Proposed Parks and Reserves Bylaw, but not defined. The Board submits that the definitions should be consistent across the different bylaws, so as to avoid any confusion.

Comments relate to clauses 4, 7 and 8 – Interpretation, vehicles on grass berms and vehicles on grass verges

- Has huge concerns about the ambiguity and impracticality of the sections dealing with grass berms and verges.
- Feels that under the Interpretation section of the bylaw the definitions of “grass berms” and “grass verges” are not easily understood and have to be cross referenced with other definitions. The Board also envisages potential problems in the enforcement of the restrictions relating to berms and verges and therefore sees the restrictions in their present form, as being impractical.

Comments relate to clause 8 – Vehicles on grass verges

- This section is too restrictive and does not take account of the inconsistencies which can occur between different roads throughout the City – for example differences between urban and rural roads.

- In rural situations a vehicle such as a tractor or motor bike is often driven/ridden along the grass verge because it creates a safer road environment. This clause does not allow for those situations.
- A number of grass verges in Akaroa are used for parking, which is at a premium throughout the holiday periods. If vehicles were to be prohibited from parking on every grass verge it would seriously deplete the available parking in Akaroa.
- If the grass verges were to be included in the Vehicles on Grass Verges Register, (as verges on which vehicles may stop, stand or park) how would members of the public be aware of this? The Board questions whether it would be necessary for the Council to erect additional signage to inform the public that they were permitted to park on that particular grass verge.

Comments relate to clause 23 – Caravans (subclause 2)

- Refers to the Public Places Bylaw 2008.
- Believes the relevant section of that bylaw should be reproduced in this clause so that it is not necessary for the public to have to refer to two separate documents.

Comments relate to clause 28 – Restriction on movement of livestock

- It appears from this clause that it is not possible to move stock, or even obtain a stock movement permit to move stock, in any of the areas listed.
- Would preclude people from moving stock in the Akaroa urban area, and also on any section of State Highway 75, because it has an average daily traffic count of more than 2000 vehicles.
- Submits that a condition be added to this clause which will allow people to apply for a stock movement permit to move stock on the roads as listed Clause 28(1) (a) and (b).
- Numbering correction required.

Comments relate to clause 29 – General conditions for droving of livestock

- Submits that the word “fit” should be replaced with the word “reasonable”. Believes this provides a guide to the Council that it can apply conditions, but those conditions must be practicable.

Comments relate to a suggested new clause in part 6 – Stock control

- Suggest that a clause be included under this part of the bylaw which will allow for a Stock Control Hearing Committee to be convened. (Similar to what was previously included under the Banks Peninsula Stock Control Bylaw.)
 - A Stock Control Hearing Committee allows an applicant or any other person to lodge an objection to the refusal or granting of a permit, or to any conditions imposed, or any notice served.
 - The inclusion of such a clause allows for mediation when permits or notices are disputed.
-

Tom Taylor (Submission ID 6484)

Comments relate to clause 25 - Displaying vehicles on street, subclause 2

- Subclause 2, as currently proposed would make it a punishable offence to advertise any community or NGO event (such as school fairs, church fetes, community fund-raisers, meetings etc) via any means on a vehicle, subject only to the subjective test of reasonableness.
- It could thus have a widespread impact on community events to the detriment of both communities and the Council's own Strengthening Communities Strategy.
- Suggest the subclause should be modified to avoid such impacts by inserting wording allowing such events to be promoted. Failing that, justification must be provided as required by section 80 of the Local Government Act 2002.
- Subclause also contravenes section 14 of the Bill of Rights Act 1990, namely that "*Everyone has the right to freedom of expression, including the freedom to seek, receive, and impart information and opinions of any kind in any form*". For example, it would make it a punishable offence to park a vehicle with an electioneering message during an election or for an NGO to promote a campaign by such means even though such activities are allowed under section 14 of the Act.
- Subclause must be amended to bring it into line with the Bill of Rights Act 1990.

Federated Farmers of NZ, submitted by Sonia Voldseth (Submission ID 6489)

Background

- Federated Farmers of New Zealand is a primary sector organisation that represents farming and other rural businesses. Federated Farmers has a long and proud history of representing the needs and interests of New Zealand's farming communities, primary producers and agricultural exporters.
- The Federation aims to add value to its members' farming business. Our key strategic outcomes include the need for New Zealand to provide an economic and social environment within which:
 - Our members may operate their business in a fair and flexible commercial environment;
 - Our members' families and their staff have access to services essential to the needs of the rural community; and
 - Our members adopt responsible management and environmental practices.
- This submission has been developed in consultation with members of Federated Farmers within the boundaries of the Christchurch City Council's jurisdiction.
- Concerns and suggestions relate entirely to the "Stock Control" (and associated provisions) of the bylaw.

General comments

- Concerned that the cover to the bylaw gives no indication that stock movement is a part of it. In the interest of transparency and ensuring that affected parties have their say it would have been useful to include those words in the heading. Hope that they will be notified of any changes that are made to the bylaw by way of a brochure or similar document, including requirements that must be complied with such as points of contact for permitting, etc. The intent of the bylaw (to include movement of stock) should be made clear in the heading of the bylaw.
- The purpose of the bylaw should include the safety of stock, drovers and dogs as well as the obligation by other road users to use due care.
- Many farmers rely on the ability to use public roads in rural areas to move stock between different parts of their farming operations and clear, workable bylaws assist everyone in their application and use.
- Difficult to determine whether this bylaw relates directly to rural areas and where those areas are. It would be useful to outline the areas the bylaw applies to with either a map or a note of explanation.
- Federated Farmers appreciates the acknowledgement of competing demands in the purpose of the bylaw. Consistently submit that farmers have a common law right (as does any citizen) to use the road, and note that the Council has recognised that up front.
- Believe that it would be useful to include language that "no motorist may proceed without due care toward another road user, regardless of the motorist's right to use the road, or without regard for any hazard on the road". The Road Code recognises this by stating:
 - A driver must not operate a vehicle in a condition or manner that could cause:*
 - *injury to any person or animal*
 - *annoyance to any person*
 - *damage to any property*
 - *distraction to the driver*
- As areas become increasingly populated and the connection between urban and rural populations decreases, these simple propositions can be forgotten. We wish to ensure they do not.

Comments relate to clause 4 – Interpretation – "Animal"

- Concerned that if animal is meant to relate to stock for the purposes of stock movement that the definition is far too broad.

Comments relate to clause 4 – Interpretation – "Livestock or stock"

- The definitions of animal and livestock or stock should be clarified.
- Unsure of what livestock would be included in the definition of wild/feral animals.
- Farmers should not be held responsible for control of wild animals.

Comments relate to clause 4 – Interpretation – "Road"

- The definition of road should be clarified.

- It is unclear under this definition as to how far the road would actually extend and whether it covers the roadside verge. Although definitions are included for carriageway, grass berm and grass verge (which would seem to encompass those concerns) it may be more clear to use a simpler definition.
- Suggest the following:
Road means any land in the Christchurch City Council District under the control of Council used for vehicular traffic and includes all land lying within the defined road reserve.

Comments relate to clause 28 – Restrictions on movement of livestock

- Everyone has a right to use a road. Acknowledges the Council's right to regulate under a bylaw, however, do not believe that restricting the use of a road entirely is appropriate.
- Unsure whether all the restrictions listed in the bylaw are necessary or justified.
- Farmers generally try to move their stock safely and during times of least traffic on the road in order to promote safety both for their stock and other road users.
- Under Clause 28(1)(b) no stock can be moved on roads which accommodate over 2000 vehicles/day (even with a stock droving permit). There is at times a need to move stock on roads which may meet or exceed 2000 vehicle movements/day. If stock are moved at appropriate times and with appropriate conditions, we do not believe there is a safety issue. A more workable system would be to allow stock droving on those roads, but to ensure permits are obtained for any roads with high vehicle movements.
- No roads should be included in the bylaw unless adequate justification can be provided for the inclusion of the road. Federated Farmers therefore asks for more specific justification behind the inclusion of this provision in the bylaw, and seeks a permit process for those roads rather than a complete prohibition.
- There may be times that droving of stock through small settlements such as Akaroa or Diamond Harbour may be necessary in an emergency situation or during an adverse event.
- Suggest that provision be made to allow stock to be moved through restricted areas in the event of an emergency.
- Suggest that all roads that be adequately justified by the Council if it is to be included in a schedule (that has been through an appropriate consultation process). Any roads included in the schedule will require a permit. Such an approach will ensure that both farmers and the Council are very clear about the conditions for moving stock on those roads.
- Suggest a long term permitting system which could be issued either until the expiration of the bylaw, or indefinitely until the farm changes ownership. If in the interim significant safety concerns become an issue, Council should have the discretion to address those by re-evaluating a permit. In that instance, an appeals panel should also be available.
- It is not appropriate to restrict roads through a 'Stock Droving Prohibited/Restricted Routes Register' that no one has seen or had an opportunity to submit on.
- Suggest that either the Council develop a schedule of roads that they consider are unsuitable for stock droving (taking into account vehicle movements per day and any incidences of problems with stock movement) and re-notify the bylaw. Alternately a separate consultation process should be undertaken for any register linked to the bylaw. Under no circumstances should farmers be expected to have their rights restricted in a way that does not enable them to participate.
- The graph included as a measure of when a stock underpass is required was developed in the Waikato region, which has specific qualities and needs that are different to the Canterbury region. Therefore, instead of the graph suggest the following language (taken from Selwyn District Council's bylaw):
That a stock underpass be constructed (at the applicant's expense) to the Council's satisfaction if:
 - *Construction of an underpass is technically possible; and*
 - *Average daily traffic volume is greater than 1000 vehicles per day or the Council considers the benefit to other road users on any other road is more than minor;*
and
 - *Herd sizes are greater than 400 animals*
- Rather than defining the need for an underpass as moves more than once a week, it would be more helpful to provide a yearly figure of 25 to 30 times per year, which takes into account seasonal movements of stock.
- Federated Farmers is of the view that permits should not require an application fee either for stock crossing or stock droving. If a fee is required it should be set at a transparent level that truly reflects the recovery of actual costs.

- Further, if underpasses are required, the Council should be prepared to partially subsidise them. Understand that Transit NZ subsidises underpasses on state highways and believe the same approach could be used by the local council.

Comments relate to clause 29 – General conditions for droving of stock

- In general, believe the conditions for droving of stock are reasonable.
- Clause 29(g) does present a problem. Farmers on Banks Peninsula particularly are conscious of their farming (and other) neighbours and make every effort to let those neighbours know if a stock movement is going to take place. If so, and the neighbour wishes to have the gates shut that will be carried out by the drover. However, it is not appropriate to shut gates if the neighbour cannot be notified and/or does not wish to have the gate shut. In that event, every effort will be made to ensure that stock will be kept on the road and off adjoining property.
- In addition, in some cases adjoining properties do not have adequate gates and fences. In those situations the drover also should not be held responsible for stock getting onto adjoining property.
- Suggest amending the clause to ensure that drovers are not responsible for shutting gates in situations where the owner does not want that to occur, and in situations in which fences and gates (of adjoining properties) are not adequate.

Comments relate to clause 30 – Removal of faecal matter from road

- It is not reasonable to clean the carriageway within 30 minutes of the conclusion of milking. Many milking herds on Banks Peninsula are small and may only have one person milking. Also, if the carriageway must be cleaned within 30 minutes (and it is already dark) safety issues arise for the person cleaning the road.
- Suggest instead that the carriageway must be cleaned once a day during daylight hours.

Comments relate to clause 39 – Penalties

- Recognise that \$20,000 is the upper limit of the fine amount but it seems out of proportion to any breach that may occur.

Comments relate to a suggested new clause in part 6 – Stock control

- Believe it is appropriate for a hearing panel to be available in the event that a permit is refused. Suggest the following from the Banks Peninsula District Council Stock Bylaw.

STOCK CONTROL HEARING COMMITTEE

- The applicant for any consent or permit required from the Council under this Bylaw, or any person on whom a notice is served by the Council under this Bylaw, may lodge an objection to the refusal of such consent or permit, or to any conditions imposed, or to any notice served in accordance with this Clause.*
- Any other person may lodge an objection to the issuing of any consent or permit by the Council or any condition imposed under any consent or permit issued by the Council.*
- Any objection lodged under subclause (a) or (b) above or clause 18(b) shall be in writing and shall:*
 - Be served on the Council within 14 days of receipt of the Council decision or notice.*
 - Be addressed to the General Manager of the Council.*
 - State the grounds of objection.*
 - Record an address for service of the objector.*
 - Upon receipt of an objection the principal administration officer shall convene a Stock Hearing Committee.*
- The membership of the Stock Hearing Committee shall comprise 3 persons, one of whom shall be a Councillor nominated by the Council, one person nominated by the objector, and a Chairman to be nominated by agreement between the Council and the objector but if no such agreement can be reached within 7 days, the Council may nominate a Chairman who shall not be a Councillor or Council Officer. Where the objector is a road user (not the stock owner) the stock owner has the right to nominate an additional member to the committee.*
- The Stock Control Hearing Committee shall convene a hearing within 14 days from the date of receipt of the objection.*
- The costs of fees of the Chairman shall be met jointly by the objector and the Council but in all other respects each party shall bear their own costs in respect of the*

hearing. If any investigation by the Council is required prior to the hearing, the Council may recover the costs or part of the costs of that investigation from the objector.

- (h) The objector shall have the right to be heard personally or by the objector's representative. The Council may be represented by the relevant Council Officer. Each party shall so far as possible prepare written submissions and make these available to the Stock Control Hearing Committee and to the other party at least two days prior to the hearing.
 - (i) In determining the objection the Committee may uphold the objection wholly or partly and may abandon or modify the notice accordingly or may dismiss the objection. Every determination on an objection shall include reasons for the decision and shall be given in writing by the Committee as soon as practicable after such objection has been heard.
 - (j) The decision by the Stock Control Hearing Committee shall be transferable to the new owner of the land to which it relates on sale of that land PROVIDED THAT the Council may issue a further notice in the event of a change of circumstances other than change of ownership.
-

Kate Bovett and Peter Croft (ID 6500)

General comments

- The City has grown enormously as a result of planning changes. Many areas, once zoned Rural and which remain essentially rural in character are affected by Bylaws, that is being treated as the same way as say Colombo Street.
- The blanket application of a Bylaw may be OK for Colombo Street but is not acceptable or practical.

Comments relate to clauses 7 and 8 – Vehicles on grass berms and vehicles on grass verges

- Object to these clauses.
- The safety of horse traffic is compromised if forced onto the carriageway.
- The use of some ride-on mowers is made illegal.
- The safety of parking off the carriageway is removed.
- Suggest that if the Council have problem areas then those should be addressed by specific measures (by erecting signs around Hagley Park for instance).

Comments relate to clause 16 – Prohibited times on roads

- Obviously aimed at what are called Boy Racers
- There are other ways of controlling the current problem.
- If a vehicle is registered and warranted ie street legal then no access restrictions should apply.

Comments relate to clause 23 – Caravans

- Object to this clause
- It is totally unacceptable to restrict say a road registered and warranted VW camper, which is smaller than many 4 wheel drive vehicles being used to take children to school, from parking on the road, as proposed in this section

Comments relate to clause 24 – Immobilised/immobile vehicles

- Mechanically immobilised also includes locking and removing the mechanical device used to mobilise a vehicle, that is the Key.
- Suggest that this section needs rewording.
- Object to subclause 3

Comments relate to clause 25 – Displaying vehicles on street

- Every sign written vehicle is affected, these clauses should be deleted.
- Legally registered and warranted vehicles should not be subject to restrictions because of signwriting.

General comments relate to part 6 – Stock control

- The City has grown enormously as a result of planning changes. Many areas, once zoned Rural and which remain essentially rural in character are affected by Bylaws, that is being treated as the same way as say Colombo Street.

- The blanket application of a Bylaw may be OK for Colombo Street but is not acceptable or practical.

Comments relate to clause 28 – Restriction on movement of livestock

- Restriction of stock movements in areas of rural character unreasonable. The Council must not impose Colombo St rules on former Rural zoned areas that are still rural in character.
 - Object to the need to pay for permits to continue to carry out activities that have been previously unrestricted.
-

Robin McCarthy (Submission ID 6505)

Comments relate to clause 4 – Interpretation

- Suggest adding a definition of “STORING”
- Council issues infringement notices on a complaint when a vehicle is parked but deemed to be stored.

Comments relate to clause 15 – Turning (subclause 3)

- Most small passenger service vehicles are under 3,500 kgs, but provide public transport services
- suggest adding the following
15(6) (f) *the vehicle is a small passenger service vehicle.*

Comments relate to clause 25 – Displaying vehicles on street (subclause 3)

- Displaying is not defined. Many small vehicles used as commercial vehicles have no writing on them. Some have removable magnetic signs, others have Fringe Benefit Tax paid on them, but are not readily identifiable as commercial vehicles. The bylaw is very discriminatory for this reason.
 - Council has refused to issue infringement notices against its own vehicles parked (allegedly) stored on the same street he live on, ie. A council building inspectors council car emblazoned with sign-writing.
-

NZ Trucking Association, submitted by Rodney Auton, (Submission ID 6507)

General comments

- Industry is heavily regulated at a national, regional and local level and yet without trucks delivering goods this city would close down.
- Costs imposed on the industry by regulation will have to be passed onto Christchurch city ratepayers/consumers who are already reeling under increasing food, rental, mortgage and fuel costs. - ask that consideration be given to these issues when finalising the by-law.

Comments relate to clause 9 – Heavy vehicles parking on residential streets

- 83% of the heavy transport industry in NZ is made up of one -five truck operators.
- Their organisation has 152 single heavy vehicle operators domiciled in Christchurch. Their normal place of business is their home and the majority would park their vehicles at home up the driveway or on the street in front of their home.
- This provision would force those operators to find overnight storage for their vehicles. This has a number of implications:
 1. There will be cost to commercially store the vehicles overnight between \$10.00-\$12.50 per night.
 2. There will be a loss of income because driving to and from the storage will reduce the number of worktime hours that the operator is eligible by law to work.
 3. In many cases operators who are based outside Christchurch take advantage of sleeping in a bed instead of the truck and as there are no established truck parks in Christchurch, their only option is to park on the streets.

NZ Road Transport Association Region 4, submitted by Peter Goodwin (Submission ID 6514)

Background

- NZ Road Transport Association Region 4 is a constituent member of Road Transport Forum NZ, representing goods transport operators in the commercial hire and reward sector.
- Association represents more than 500 members, operating approximately 1800 trucks and commercial vehicles in the South Island north of the Waitaki River and including Nelson/Marlborough and the West Coast.
- Members service all sectors of the economy and operate fleets ranging from single vehicle owner operators to fleet operators with in excess of 100 trucks in multiple locations. Members service the region with intra and inter-regional operations and services. Many members offer multifaceted operations including road transport services, warehousing, import and export services, customs clearing, freight forwarding, container handling and storage.
- More than 260 members are located in and around Christchurch with 39% of those members operating one or two trucks. It is these members that most likely will be affected by the Parking provisions of the Bylaw.
- Association represents good service operators who carry for hire and reward. In addition there are many heavy vehicles that are owned and operated as an ancillary part of another business that do not carry goods for hire and reward, and are not represented by the Association.
- Met with staff in February and to discuss a range of issues arising from an early draft of the bylaw. Note that some of the issues raised have been addressed and have resulted in changes that resolved some of their concerns.
- This submission firstly considers issues of justification for the provisions affecting heavy vehicles and the creation and amendment of Registers.
- It will then address those bylaw clauses that affect parking and restrict use of roads by heavy vehicles and exemptions for emergency service vehicles.
- The Association undertook a survey of members in September 2007 to gauge the effect of the bylaw proposals on parking. The responses were mainly from owner drivers. The lack of responses from fleet operators was not unexpected as most fleets are parked in transport yards.
- 31% of the Association's Christchurch branch membership operate one truck representing 84 trucks. A similar number of single truck operators are members of the Combined Owner Driver Association (NZ Trucking), also a constituent member of Road Transport Forum NZ. It is estimated the 2 associations represent at least 80% of single truck operators in Christchurch that carry for hire and reward.
- It is noted in the report to the Council's Regulatory and Planning committee meeting of 7 February 2008 that it is claimed there are 1075 owner/operators residing in Christchurch. The source for this statistic is not known but it would indicate approximately 80% of trucks are not operated by carriers for hire and reward. These owners may be builders, drainlayers, landscapers, retailers, manufacturers, farmers, telecommunication services, power suppliers etc.
- This correlates with Road Transport Forum NZ data. The Forum states *of the heavier trucks, around 80% of the 82,000 weighing 4 tonnes or more, are owned and operated by individuals and organisations not primarily involved in road transport: tradespeople, developers and contractors, local councils, manufacturers and other businesses.*
- The Association's survey showed
 - 69% of owner drivers and employed drivers parked their vehicles in a transport yard
 - No respondents parked combinations (ie truck and trailers, semi trailers or B Trains) on residential streets or in residential areas out of working hours.
 - 13% of drivers always or usually parked on residential streets
 - 13% always or usually parked off-street on residential property.
- When this data is extrapolated the result is that as few as 30 trucks that carry for hire and reward are parked regularly on Christchurch residential streets.
- The survey also sought information on complaints about parking. Three respondents reported receiving a complaint. This indicates a very low level of complaint.
- They note the Council has no data on the number of complaints.

General comments

- Believe that the clauses on heavy vehicles are unnecessarily restrictive. They are specifically targeted at heavy vehicles without adequate justification or reason.

- There is neither evidence of a perceived safety issue nor any record of complaint. There is certainly no recorded evidence that the hire and reward sector is responsible for this perception but may however suffer significant penalty perhaps as a result of the actions of 80% of heavy vehicle owners who are not carrying for hire and reward.
- The effect will be to either force the drivers to park on their own properties or to find alternative parking places which the report acknowledges will result in increased freight cost which must be passed onto consumers.
- They have a strong opinion that the Council is taking an unnecessary and unjustified anti-truck stance and is using a sledgehammer to crack a non-existent nut.
- Concerned that the bylaws that restrict the use of heavy vehicles will result in a reduction of efficiency in the transport industry and result in increased cost to the local economy.
- No economic analysis of the effect of the bylaws has been undertaken. Note that it is a requirement that a cost benefit analysis be undertaken to support the development of road transport Rules by the Ministry of Transport. While the Council report considers some financial implications it does not consider the additional costs on the industry and the pass on costs to consumers.
- No consideration has been given to the environmental effects that may arise from the bylaws through the potential use of additional fuel, or the increased emission of greenhouse gas, and particularly Carbon Dioxide as a result of drivers having to travel to and from transport parks, or to take alternative routes to restricted roads.
- By banning heavy vehicles from local roads the bylaws have the potential to become highly restrictive and will inhibit the efficiency of transport in Christchurch.

General comments relate to registers

- There is no information provided with the bylaw about the roads that will be included on the registers. Consequently the Association is unable to quantify the effect they will have.
- There is no provision in the bylaw to carry any existing schedules or list of restricted roads into the new bylaw.
- The bylaws provide no criteria for the inclusion of any road on Registers.
- There must be full consultation and that the Council must demonstrate that the inclusion of roads will be to the benefit of the whole of Christchurch, and not simply deal with a local neighbourhood complaint.
- Concerned about the provisions for making registers and the complete lack of any requirement for consultation either when they are created or when they are amended. This is a very authoritarian approach. It is essential that before imposing restrictions there is collaboration and consultation to find solutions.
- The lack of consultation on amendments to the various registers is also of major concern. This is particularly so if the creation of Registers is done by transferring existing Schedules to the proposed bylaw.
- Amendments to all registers should be publicly notified providing the public and affected industries an opportunity to make submission to the Council.
- Suggest that it be a requirement of the bylaws that the transport industry be consulted on proposed amendments.
- Suggest the bylaw be amended to embrace this principle and establish criteria. Believe that better solutions can be developed collaboratively rather than being dictated without consultation.

General comments relate to consultation

- Any and every register created must in their view be publicly notified and consulted on before its creation or amendment. However there is no provision in the proposed bylaw for any consultation on the registers and this inequity is further exacerbated by the ability of the Council to amend the registers without public notification) thus ensuring that the registers are made and amended without any ability for interested or affected parties to have any say.
- However it is noted that under Clause 16 (Prohibited Times on Roads) there are requirements for public notification under sections 16 (1) and 16(2).
- It is completely anomalous that Clause 16, which is essentially aimed at curbing the lawless 'boy racer' element which has generated considerably more complaint of noise and safety and requires high levels of policing should be publicly notified when contrasted with clauses that will restrict the movement of commercial vehicles that are lawfully driven and parked on roads with no recorded complaints and require almost no policing and may be amended by stealth.
- Suggest that Clauses 8(3), 9 (1), 13 (1), 14 (1) and 17 (1) be amended by adding after the words 'by resolution establish' the words 'after public notification and consultation with interested parties'

- Suggest that Clauses 8 (4), 9 (2), 13 (2), 14 (2) and 17(2) be amended by adding after the words 'amend by resolution' the words 'after public notification and consultation with interested parties'.

Comments relate to clause 9 – Heavy vehicles parking on residential streets

- The Association's own survey indicated that a very insignificant number of trucks used for hire and reward carriage are parked on residential streets and only three complaints over a period of time had been received by members from either residents directly or from council staff.
- It is unclear what is the purpose of this clause. No clear justification is provided in the reports to the Council.
- The survey shows that of the trucks not parked in transport yards overnight half are parked on residential premises. These trucks are not affected by this clause and it is therefore ineffective if trying to deal with complaints of noise.
- The Council report cites a perceived safety issue without any evidence of any accidents as a result of trucks being legally parked. Existing remedies through road user rules and traffic regulations are sufficient to deal with any problems, which, as it is only a perceived issue, must be minor.
- There is no significant evidence of a problem that justifies the need for the new restrictions on heavy vehicle parking. The Council's own report is unable to quantify the number of complaints and provides weak justification.
- This bylaw virtually prevents trucks from using, at night, whatever streets are on the Register as it prevents them from stopping, standing or parking for any reason other than loading or unloading.
- This would prevent a driver, for example, from stopping to pick up or drop off a passenger, or to stop to change drivers at the end of a shift, or to stop a street on a street before it is taken in for maintenance.
- It should be noted that maintenance is often done after hours during a truck's downtime. Some businesses, eg seat upholsterers, signwriters etc are located in residential areas.
- Note that in an early draft of the bylaw there was provision for heavy vehicles to park for up to one hour but this was removed, as a result of moving to a total ban on parking between 9pm and 7am.
- Do not support a ban on heavy vehicle parking.
- Suggest a compromise be made and an amendment be made to change 'stop, stand, or park' and similar words where they occur in Cl 9 (1) and Cl. 9 (3) to read 'park for up to one hour'.

Comments relate to clause 14 – Roads or traffic lanes restricted to specific classes of vehicles

- Concerned that Clause 14 appears to be a catch-all clause that could be used to ban trucks, or any other class of vehicle from using roads or traffic lanes.
- It was explained that the purpose was to enable the creation of Special Vehicle Lanes or Bus Lanes etc with no intention to ban trucks or any other vehicles. If this is the sole purpose of this bylaw, it should be explicitly stated.
- Unless it is explicitly stated that this enables the creation of special vehicle lanes, it is believed that while the current Council might use it for only this purpose, the danger remains that future Councils might use the clause in other ways.
- This concern stems from the way in which the Council discovered and used various provisions in the Local Government Act to ban various 'boy racer' activities on a street by street basis.
- Clause 14 (1) enables the Council to specify roads that are restricted to buses and taxis 'or other classes or types of vehicles'. Clearly it could be used to include a wide range of classes of vehicles. It could also be used to **exclude** vehicles, such as trucks, by **not including** them in the specified class of vehicles.
- Suggest that the bylaw be amended to clarify its purpose and to make it explicit that its purpose is not to be used to restrict classes of vehicles that would not otherwise be restricted through other clauses of the bylaws.

Comments relate to clause 17 – Heavy vehicles using residential streets

- Clause 17 has an even wider effect than Clause 9 in that it enables the placement of permanent bans on streets at all times, not just at night.
- Consider that this clause is unnecessarily restrictive. The nature of the transport industry is such that operators use the most appropriate and efficient routes. These do not usually include using local streets unless delivering in the immediate area.
- A range of other measures are also used to encourage heavy vehicles to avoid using local roads, eg through city plan provisions, narrowing of residential streets, traffic calming etc.
- The restrictions would cause several effects including:
 - Adding cost to doing business in Christchurch

- Increasing environmental effects such as increased fuel use and increasing greenhouse gas emissions
- Reducing the efficiency of transport in the city.
- Furthermore this clause could provide a de facto' ban on drivers parking their trucks on their residential properties. This would prevent them from undertaking maintenance and safety work and may also have security implications.
- Suggest that where local concerns arise that the industry is consulted and efforts made to find acceptable solutions before invoking the heavy handed provisions of this bylaw. The bylaw does not make any provision for consultation before streets are banned.
- It is not known if the roads from which through use by HMs is currently banned will be included or whether roads will be added or deleted when the Registers are created.

Comments relate to clause 37 – Exempted vehicles

- Support this exemption clause but believe it is not adequate and that it should be widened.
- While it exempts vehicles used by NZ Fire Service the same exemption is not available to the Council's rural fire or to contractors with water tankers.
- A contractor may be forced to rely on the defences provided in Clause 37 but should not be placed in that position because the exemption clause is inadequate.
- Suggest that it be widened to exempt all vehicles being used in an emergency.

Central City Business Association, submitted by Antony Thomas Gough (Submission ID 6511)

General comments on first hour free

- Fully support the first hour free in certain council car parking buildings and believe the continuance of this is critical to the future rejuvenation of our central city.

General comments on automate off street parking

- Wish to see as many as practical of the council's off street parking sites and buildings to be automated so they run in a similar way to the airport parking. This will then allow extending the opening hours for these sites with minimal extra cost to council. By automating the payment away from the exit point better traffic flow is achieved and there is less opportunity for slippage of revenue.

General comments on competitive operating costs

- Do not consider the actual physical running of the council off street parking sites a core council activity.
- Setting prices, specials and parking policy is a core council activity but not necessarily running these sites.
- Wish Council to get comparative quotes to run the off street parking sites which would also have to include providing a full manned CCT security centre and mobile help vehicles to attend sites.

General comments on manned security centre

- With automating off street parking it will be necessary to create a professional CCT security centre.
- Should not only monitor and provide instant assistance to all automated parking sites but also pick up most street cameras for monitoring.
- Council will need to create this centre with automating off street parking and the substantial savings by automating off street parking will need to be directed to on going dedicated security. Additionally mobile patrols will be needed to provide assistance to any automated parking site.
- Wish council to draw up plans for a complete package in conjunction with the CCBA. Then this package should be quoted from within Council and also in the open market so Christchurch gets a professional system at a transparent fair price.

Mark Shadbolt (Submission ID 6501)**General comments**

- Support Federated Farmers' submission fully.
 - Their irregular droving of stock at various times of the year is done out of necessity. He wish to see their type of stock droving along the road or across the road addressed differently to that of a dairy farmer using the road on a daily basis.
 - Stock droving likes theirs is an unpaid tourist attraction and must continue. It is unique to NZ and has appeal to most tourists. Not uncommon to have 20 or 30 photo's taken during the event.
-

Spokes, submitted by Matthew Cutler-Welsh (Submission ID 6513)**Background**

- Spokes Canterbury is a local cycling advocacy group with approximately 900 members that is affiliated with the national Cycling Advocate's Network (CAN).
- Spokes is dedicated to including cycling as an everyday form of transport in the greater Christchurch area.

General comments

- Note that there do not currently appear to be any provisions to address the adverse effects of parking and some other related activities on the safety and convenience of cyclists.
- Ongoing issue for cyclists in Christchurch arising from problems with encroachment by parked vehicles and construction activities onto cycle lanes and other facilities.
- Specific situations that are affecting the cycling environment include:
 - Poorly and/or inconsiderately parked vehicles intruding into cycle lanes.
 - Parked vehicles that are over width for the parking zone they are occupying (e.g. wide trailers, vans, buses, and trucks) and that partially or completely block the adjoining cycle lane.
 - Parking of vehicles in places where the painted lines for parking zones taper into the curb, creating a pinch point through encroachment on the cycle lane.
 - Double parking on cycle lanes.
 - Placement of bins and containers on cycle lanes and the unnecessary utilisation of cycle lanes for storing construction materials and equipment and by warning and advisory signage.
 - Parking on off road cycle paths and across cycle transition entry and exit points (on road/ off road).
- Regulatory and enforcement action is required to address these activities, which collectively are impacting on the safety and integrity of the cycling network in Christchurch.
- Do not consider that the Land Transport (Road user) Rules 2004 can adequately address these matters in the local context.
- Consider that the most appropriate way to address them is through amendments to the Traffic and Parking Bylaw that will specifically addresses encroachment arising from parked vehicles and other activities on cycle facilities.

Comments relate to a suggested new clause

- Include a new section 9A under **Part 1 Traffic and Parking** in the bylaw, as follows:

9A PARKING AND CYCLING FACILITIES

(1) No person shall:

(a) Stand or park a vehicle, or cause a vehicle to be parked so that any part of that vehicle intrudes into or occupies a cycle lane; or

(b) double park over a cycle lane; or

(c) Stand or park on a cycle path (including an off road cycle path) or across the entrance or exit point to a cycle path; or

(d) utilise a cycle lane for the placement of waste-taker bins, similar receptacles or shipping containers or any other object that interferes with the use of a road, or the storing of construction materials and equipment or by warning and advisory signage; unless that person has obtained the prior consent of an authorised officer, or in an emergency situation.

Canterbury Freight Working Group (ECan), submitted by Simon Milner (Submission ID 6502)

Background

- Submission is from Simon Milner (Regional Transport Planner, Environment Canterbury) on behalf of the Canterbury Freight Working Group - a working committee of the Regional Land Transport Committee.
- Environment Canterbury provides logistical and resources support to the Freight Working Group and this is my role within the group.
- The Canterbury Regional Land Transport Freight Action Plan is a constituent part of the Canterbury Regional Land Transport Strategy 2005-2015. The Freight Action Plan, through the Canterbury Freight Working Group of the Regional Land Transport Committee, aims to provide for the effective movement of freight in ways that are efficient, safe and sustainable. It aims to achieve a highly connected network that is largely invisible, with objectives that amongst other things, aim 'to protect the operation of and access to key freight transport hubs' in the region.
- A specific action point for the Freight Action Plan in this area is to reduce heavy traffic impact on local communities through development and promotion of a strategic freight network for Canterbury, but also by supporting a 'solutions focused' approach to issues surrounding heavy vehicle impacts upon local roads.
- This 'solutions focused' approach is intended to facilitate dialogue between road controlling authorities, freight operators and communities to resolve problems associated with goods vehicles on local roads as and when they arise. The approach is intended to remove the need for blanket restrictions being imposed on the use of local roads by heavy goods vehicles where a problem does not exist for residents in the community in question. The guiding principle here is that that a bylaw should not unnecessarily result in inefficiencies that would be detrimental to the city and region's economic and environmental sustainability objectives.

Comments relate to clause 17 - Heavy Vehicles Using Residential Streets

- Does not appear, as written, to allow for this 'solutions focused' approach insofar as it seems to allow for a broad brush approach, even in circumstances where a problem has not been explicitly identified.
- May have the effect of reducing the efficiency of the transport network.
- Also of concern that the bylaw does not provide for consultation before adding to the register of prohibited streets.
- Urge Christchurch City Council to clarify the wording of the proposed Bylaw to ensure that a local road or part thereof is only added to the Heavy Vehicles on Residential Streets Register if informal negotiations between the road controlling authority, freight operators and communities have proved unsuccessful in resolving the issues.
- The Canterbury Freight Working Group fully supports reducing the impact of heavy traffic on local communities, but also has a responsibility to prevent undue restrictions being placed on the freight task within the region.
- Strongly believe that the 'solution-focused' approach should be the default stance, with Bylaw enforcement, as proposed in clause 17, a last resort when mediation / negotiation between the affected parties has failed.

**Attachment two – Summary of submissions on the CCC Traffic and Parking Bylaw 2008
(not to be heard)**

Submissions from those not being heard:

- Lee Armour (Submission ID 6221)
- Alan Tunnicliffe (Submission ID 6238)
- Bev Fisher (Submission ID 6270)
- Keri Hodgman (Submission ID 6285)
- Maxwell Owen (Submission ID 6287)
- Wayne Garraway (Submission ID 6297)
- Johann Hois (Submission ID 6329)
- Macarlla Ellmers (Submission ID 6331)
- Lawrence and Cassia Kiesanowski (Submission ID 6332)
- Marlene and Ken Owen (Submission ID 6335)
- Mrs L. J. Shaw (Submission ID 6345)
- The Association of Blind Citizens of NZ Inc., submitted by Gloria Weeks (Submission ID 6371)
- Burwood/Pegasus Community Board, submitted by David East (Submission ID 6372)
- Mr Macklin (Submission ID 6379)
- Edward John Radcliffe (ID 6380)
- Sandra Innes (Submission ID 6381)
- John Murray (Submission ID 6491)
- Pigeon Bay Road Users Group, submitted by E H Parry (Submission ID 6494)
- Stephen Shimmin (Submission ID 6495)
- Cliff Mitton (Submission ID 6497)
- Geoff Carter (Submission ID 6498)
- Pat and Russell McKenzie (Submission ID 6499)
- Fendalton/Waimairi Community Board, submitted by Val Carter (Submission ID 6503)
- P R Manson For Queenlea Farms Ltd (Submission ID 6504)
- Anna Thomas (Submission ID 6506)
- Lyttelton/Mt Herbert Community Board, submitted by Paula Smith (Submission ID 6510)
- Residents (29) on Warren Crescent, submitted by Annette and John Belcher (Submission ID 6515)
- Redbus Limited, submitted by Layne Sefton (Submission ID 6520)

Lee Armour (Submission ID 6221)

General comments

- Very pleased to see the council considering changing/enforcing the above bylaw

Comments relate to clause 9 – Heavy vehicles parking on residential streets

- Pleased that Council has introduced this clause.
- Live at 53 Farquhars Rd, Redwood and for the last 10 years, the residents at 54 Farquhars Rd (Vuleta Haulage) have, albeit not everyday, parked either a large truck and trailer unit or just the cab outside their address and then proceeded to start the truck in the very small hours of the morning which they have always found to be extremely inconsiderate and rude.
- Apart from that, the cab unit is parked on the grass verge, and the truck and trailer unit or the cab never has the safety light illuminated.

Alan Tunnicliffe (Submission ID 6238)

Comments relate to clause 4 – Interpretation – “Hours of Darkness”

- Suggest change "before sunrise on that day" to "before sunrise on the following day"

Bev Fisher (Submission ID 6270)

Comments relate to clause 9 – Heavy vehicles parking on residential streets

- Live in Maryhill Avenue and road narrows down as you make a right hand turn around the avenue soon after leaving Sparks Road.
- There is generally a company truck belonging to a Mr Grose parked very near the corner along with cars and a trailer. Understand that Mr Grose has been requested to park his vehicle off the road but he ignores the notice which is a real traffic hazard especially if the other vehicles and trailer are also parked there.
- Makes negotiating the corner very dangerous and would like to see this area free from any vehicle for at least several meters from the corner and for the truck to be parked elsewhere.
- Of course with the truck parked close to their neighbour's driveway, these people are not able to see when backing out which adds further to the problem.
- Many times with all this activity going on we are reduced to one lane approaching the corner.
- For the unwary it surely is only a matter of time before there is a serious accident on this corner.
- Those who live here know to slow right down so are able to stop in a hurry should something come the other way.

Keri Hodgman (Submission ID 6285)

General comments

- Happy with the proposed traffic and parking bylaw, however hold the belief that an amendment should be made to Section 9 (Heavy Vehicles Parking on Residential).

Comments relate to clause 9 – Heavy vehicles parking on residential streets

- Live in Warren Crescent, which is a residential street that has recently begun to have a lot of heavy vehicle traffic, a lot of which is parked on the kerbside on bends.
- Near to their property at #114 it is common for trucks to be parked opposite each other, which forces traffic from both directions in to the middle of the road (with trucks on each side, there is only room for one vehicle at a time). This has created a number of 'near miss' incidents as vehicles cannot see oncoming traffic past the trucks as this is on a bend. Even when one truck is parked on this street, which is not narrow by any stretch of the imagination, this creates the same issue.
- Heavy vehicles parked on residential streets provide a further risk to the owners of properties near to where the heavy vehicle is parked. Due to their size, it is impossible to see past or around them with respect to oncoming traffic when pulling out from driveways. Once again, this bears huge potential for accidents with vehicles attempting to pull out from driveways with traffic moving past the obstructive heavy vehicle.
- Propose that the restricted times to be outside working hours, that is, 5pm to 7am, rather than 9pm to 7am. Between the hours of 7am and 5pm, any works that require heavy vehicles to be in a residential street can be completed while the majority of residents are at work. This would cause minimal issues for heavy vehicle operators while providing improved safety for the general public who reside in these areas. The parking of heavy vehicles on residential streets is unnecessary due to the proliferation of yards in which these vehicles can be parked at night.
- The disruption to residents of truck brakes being released in the small hours of the morning and evening will be eliminated through this amendment.

Maxwell Owen (Submission ID 6287)**General comments**

- Support the proposed changes to the Traffic and Parking Bylaw.

Comments relate to clause 9 – Heavy vehicles parking on residential streets

- Would also like to see included tighter controls on small businesses operating from residential properties whom park their vehicles and equipment (including trailers) on the road outside their properties. Don't think they should be allowed to do this day or night. Some show no consideration for others especially in narrow roads and are often an eyesore.

Wayne Garraway (Submission ID 6297)**Comments relate to clause 9 – Heavy vehicles parking on residential streets**

- Have trucks (2), 1 usually a cab, the other a cab and 2 container trailers parking daily on their street (Warren Crescent).
- At times cars are reduced to one lane and it is very dangerous coming out of properties as can not see past the trucks.
- Dangerous for people trying to cross the road as you once again can not see until out on the road.
- These trucks also park overnight, starting early to leave.
- They rev their engines and pollute the air. They should not be able to park day or night in residential areas.
- Going on for a few months now and is totally unreasonable. The two trucks belong to the same house, not to mention a full size bus also.
- Why between 9pm and 7am?
- Believe that no heavy vehicle should be allowed to park, stop, at any time in a residential area, subject to 9(5).
- Suggest that it be changed from "between the times of 9pm and 7am" be changed to "AT ANY TIME".

Johann Hois (Submission ID 6329)**Comments relate to clause 9 – Heavy vehicles parking on residential streets**

- Oppose any parking of heavy commercial vehicle in residential street.

Macarlla Ellmers (Submission ID 6331)**Background**

- Live at 119 Warren Crescent, Hillmorton.
- Believe there are many issues with these heavy vehicles driving and parking in residential areas that I strongly support a bylaw to prevent heavy vehicles from entering our streets, especially those that do not lead to anywhere like Warren Crescent.
- Really enjoy living in Warren Crescent but never realised that it would become a trucking park-up.

General comments

- Could also be included in the cause relating to businesses using the road as a storage place for their vehicles and trailer units.

Comments relate to clause 9 – heavy vehicles parking on residential streets

- The truck and trailer units are parking illegally, inconsiderately and of most concern, very dangerously.
- As shown in the photos, in one instance the vehicles are parked opposite each other (one illegally), there is no room for two vehicles driving on the road to pass. (refer to submission ID 6331).
- Concerned for children on bicycles, as you cannot see them due to vision being obscured by these large trucks.

- Second photo shows the truck parked outside their home and in her opinion is blocking access to the fire hydrant.
- They now have to park their vehicles on the street to prevent trucks parking outside their home.

Comments relate to clause 17 – heavy vehicles using residential streets

- Home and family are experiencing large vibrations caused by truck and trailer units driving past their home.
 - Roading which is causing their home to vibrate is not designed to withstand heavy vehicles regularly driving over it.
 - Occurring on a very regular basis due to two freight companies employee's residing near our home.
 - Many of our Christchurch streets are not designed for heavy traffic use and incur an increasing costs to rate payers due to constant repairs.
-

Lawrence and Cassia Kiesanowski (Submission ID 6332)

Background

- Wish to support this bylaw review with references to file number 90108073, 90567454, 90147898 of the CCC Environment enforcement division.

Comments relate to clause 9 – Heavy vehicles parking on residential streets

- Object to heavy trade vehicles whether privately owned or commercial, parking and storing in residential streets causing an unsafe environment and visually out of place.
- Causing road damage.
- Narrowing the streets.
- Accidents (they have happened).
- Mechanical workshop and pollution of the waterways.
- Noise due to the nature of the heavy vehicles warming up in early hours (2am through to 7am and various other times).
- Devaluation of adjoining property.
- They don't belong in residential areas where families and kids should be allowed to enjoy their neighbourhood.
- Christchurch is a green garden city not a truck stop.

Comments relate to clause 17 – Heavy vehicles using residential streets

- Damage to older style property from vibrations.
-

Marlene and Ken Owen (Submission ID 6335)

General comments

- Agree with proposed Traffic and Parking Bylaw 2008.

Comments relate to clause 9 – Heavy vehicles parking on residential streets

- Believe that there should be no parking of heavy vehicles on residential streets at all times unless servicing a property in that street.
- All persons operating an industrial business based from their home in a residential area should not be allowed to park heavy vehicles on the road at any time.
- Live in Maryhill Avenue and have 3 people close by who have their business based at their homes.
- Have to put up not only at night but during the day, trucks, lge trailers, industrial portable concrete mixers and heavy vehicles parked on the street, sometimes never moved for days.
- Believe that this is degrading the properties around the residential area.
- Have not noticed anything in the Parking Bylaw regarding plant. Trailers, industrial portable concrete mixers etc parked on residential streets. This also should be no parking unless providing a service in the residential street.

Mrs L. J. Shaw (Submission ID 6345)

Comments relate to clauses 7 and 8 – Vehicles on grass berms and vehicles on grass verges

- Agree that no person should be permitted to use grass berms and verges to park any sort of vehicle whatsoever on these areas, including trailers of any description, diggers, caravans, concrete mixers, any hour of the day or night.

Comments relate to clause 9 – Heavy vehicles parking on residential streets

- Believe that no individual is to be permitted to park on the street at any hour of the day or night any vehicle pertaining to a heavy industrial business that they are running from their home. In other words, anyone who wishes to pursue this course of business must have an area from which they can operate the machinery part of their business, without infringement on other residents rights to enjoy their lifestyle.
- Live in Maryhill Avenue and there is a fairly sharp corner, and one side of this corner, there are two industrial businesses being run, one a bricklayer, and the other, a drainlayer. On the other side of the corner, is a concrete mixing business. They all, at times, park on the road, large vehicles and diggers and concrete mixers etc. etc., not to mention various very unsightly trailers which are usually parked well out from the kerb.
- Extremely dangerous, not to say, extremely unsightly for a pleasant residential street, as a lot of traffic comes around, especially as there are entrances to two schools in this street, with a large amount of traffic at certain times of the day.
- When she had bought the property, did not bargain for living in what amounts to a heavy industrial area.
- The embargo of 9pm to 7am is not acceptable, and must not be permitted, as this type of inconsiderate behaviour is downgrading the value of other residents* property.
- Nothing wrong with small quiet businesses being run from inside the residence, but any ugly heavy vehicles with vast amounts of advertising included, must not be permitted.

The Association of Blind Citizens of NZ Inc., submitted by Gloria Weeks (Submission ID 6371)

General comments

- Great deal of concern with the position of parking meters which is explained more thoroughly by a member.
- Believe that the parking authority in this city needs to take more care in the placement of its parking signs and parking meters as have found that these have in some places encroached into footpath areas and represent a serious hazard for blind and vision impaired people not to mention those in wheelchairs.
- An example of this issue can be found along the footpath in Bedford Row behind the new IRD building where parking meters and parking signs have been placed more than 12 inches in from the curb. When the member strike one of these with his cane, he tend to overcompensate by moving to the other side of the path which brings him into line with a series of large concrete supporting pillars for the IRD building, when he strike one of the pillars then he tend to step towards the signs and parking meters in question. Would prefer to use Bedford Row in order to avoid the Café on Cashel Street alongside the IRD building heading towards Manchester Street.
- Would seem that whichever way he goes, there are these kinds of hazards that the Council just allow to happen. It is issues like these that discourage many blind and vision impaired people from coming into the CBD which for many of them has now become a hostile environment and better avoided.
- Need to tell council that the parking unit or whoever should be placing their signs and meters at the curb so they can know their location with complete certainty at all times and maximising the amount of space available for pedestrians on the footpaths.
- More care needs to be taken in the placement of these things because while trying to avoid one such poorly placed obstacle it often brings them into line with another such as a sandwich board or a café table.
- Same issues with these parking meters also occur outside of the Age Concern building and parking spaces that run alongside the river.

- With a guide dog who is trained to walk on the footpath it means that the dog has to detour off onto the grass area which is contrary to their training simply to avoid the parking meter obstacles
 - Have walked into a meter and it is painful.
-

Burwood/Pegasus Community Board, submitted by David East (Submission ID 6372)

General comments

- The Board is generally supportive of what is contained in the proposed bylaw.

Comments relate to clause 7 – Vehicles on grass berms

- The Board endorses the intended restrictions and requirements

Comments relate to clause 8 – Vehicles on grass verges

- The Board endorses the intended restrictions and requirements

Comments relate to clause 9 – Heavy vehicles parking on residential streets

- The Board endorses the intended restrictions and requirements
-

Mr Macklin (Submission ID 6379)

General comments

- Feel that the proposed changes are good but would also like to see added tighter regulations in regards to the parking of commercial vehicles on residential streets and in particular, commercial businesses operating from residential properties whom park their vehicles and equipment on the street.

Comments relate to clause 9 – Heavy vehicles parking on residential streets

- Outside some residential properties it looks like a industrial area with all the commercial vehicles parked on the street.
 - Often these business operators show little consideration for other street users and in some narrow streets this causes problems for the normal flow of traffic and limits parking options for visitors to other properties nearby.
 - Feel that no commercial vehicle or equipment should be allow to be stored on residential streets at any time of the day or night.
 - Should also be some control over the number of commercial vehicles parked on residential property. One business parks all of its vehicles on the front lawn of the house they operate from. All the vehicles lined up look like a sale yard.
-

Edward John Radcliffe (ID 6380)

General comments

- Having read the proposed article, cannot find any reference to disabled parking areas as set aside for those with mobility problems.
 - Have multiple sclerosis, and can fortunately still drive but have very often had problems with being unable to park in the allocated space due to ignorant or lazy individuals stealing the space allocated for this.
 - He consider it is stealing as he has to pay for the privilege of using these spots.
 - While there are signs put up in prominent positions to warn of the possible consequences, there appears to be no attempt made to enforce the actual area concerned.
 - Aware that these spots (all over the city) are hard to police but would most certainly appreciate an effort being made to do so.
 - Suggest that the Council give some thought to this by either using traffic wardens or police or even giving supermarket senior staff training and power to tidy the situation up.
-

Sandra Innes (Submission ID 6381)

General comments

- Submission specifically relating to the Duvauchelle-Pigeon Bay Road, Akaroa area.

Comments relate to clause 29 – General conditions for droving of livestock

- The erection of temporary signs “stock ahead” should be enforced as cows are left to wander on this road for approximately 1.5 km after milking with no signage or front-droving person.

Comments relate to clause 30 – Removal of faecal matter from road

- Currently milking cows are using approximately 1.5 km of this road when there has been rain/drizzle.
- Road is then swept with a motorbike towing a large heavy sack which spreads the faecal matter across the entire carriageway. This makes the whole distance and width of the road very slippery for traffic and one cannot avoid any faecal matter.
- Travel this road twice daily for employment and the faecal matter has deteriorated the paint work and underside of her vehicle to the point that she is reluctant to travel this road with any vehicle other than an old car.
- The Christchurch City Council has recently spent a considerable amount of money and time preparing the entire length of this road and then resealing it, with a good layer of chip at present.
- Faecal matter in large quantities now would make this expenditure a pointless exercise
- Am conscious that the owner of the property has to have consideration allowed under extreme wet weather for the safety of animals walking on hill country.
- Would like to see this road (Duvauchelle-Pigeon Bay Road) added to the Stock Droving Routes Register, and enforcement of the law undertaken.

John Murray (Submission ID 6491)

Comments relate to clause 9 – Heavy vehicles parking on residential streets

- Live on Warren Crescent.
- Support this change to the bylaws but believe the parking restriction should apply 24 hours
- Heavy vehicles have no place in suburban streets.
- Over the past 4/5 months the street near his home has had two "B trains" [truck/tractor unit and two trailers - 32 wheels on the road each] a fifty seat bus and a twenty four seat bus, sometimes all at the same time.
- These vehicles are often parked for days at a time, blocking visibility for residents entering and exiting driveways and narrowing the street to one lane.
- In addition to safety concerns they are not an attractive addition to the streetscape.

Pigeon Bay Road Users Group, submitted by E H Parry (Submission ID 6494)

Background

- The issue of Stock Control and Movement, as it relates to Pigeon Bay Road between the Summit Road and State Highway 75 at Duvauchelle, has a history of over 15 years. The issue was brought into much greater public focus, concern - and distress - when the road was first sealed, circa 1993.
- Submissions made to the Banks Peninsula District Council and to Community Boards achieved little progress, mainly because the farmers in question simply ignored or flouted the bylaws.
- Despite numerous and repeated complaints from road users and the provisions of the existing bylaws, the farmers have never been prosecuted. Efforts to produce compliance with bylaws from these particular dairy farmers, or to encourage useful cooperation, have been largely fruitless.
- Pigeon Bay Road between the Summit Road and State Highway 75 at Duvauchelle is used regularly by commuters, school bus, also mail and passenger vehicles, and sees quite heavy traffic ie. 100+ vehicle crossings daily, even more during the peak summer tourist season.
- Numerous comments from irate and incredulous motorists and bus passengers have been noted by PBRUG members, and complaints logged with Council staff and Community Board members, for 14 years.

General comments

- Submitter commented on the current BPDC Stock Control Bylaw 1994.
- Submissions relate specifically to the movement of dairy cows belonging to Messrs K and H Vogan along a section of Pigeon Bay Road, a distance that can at times extend to as far as 1.7 km.
- These submissions refer in general or specifically to:
 1. the health and safety of motorists using the road
 2. the fouling of the road or parts thereof with cow manure twice daily during the milking season
 3. the damage caused to the sealed road surface by cow manure and urine
 4. the waste of public money on repairs to and resealing of the road only to have cows straight back on to the road, causing further damage
 5. the danger posed to motor vehicles, including school bus, mail and passenger bus, and heavy trucks, due to loss of traction on the sloping road fouled with cow manure [Clause 13 b (iii)]
 6. the failure of the farmers to clean the road as required under the provisions of the existing bylaws [Clause 13], or to put in place at the (two) permitted crossing points, removable, washable mats
 7. the failure of the farmers to provide adequate supervision and control of the movement of the dairy cows when cows are released from pasture or from milking shed yards ie. permitted to wander [Clause 4]
 8. the failure or refusal of the farmers to use existing farm tracks [Clauses 9a and 10]
 9. the danger posed to vehicular traffic by the very nature of the road ie. limited vision on numerous bends, and insufficient warning, when dairy cows are being moved [Clause 8]
 10. the public nuisance factor of the dairy cow movement, blocking the road, obstructing traffic flow [Clause 9b (i)]
 11. the public nuisance factor of cow manure splattered on vehicles, also on clothing worn by the drivers or passengers of vehicles, the stink of manure on vehicles parked in a confined space, plus the nuisance factor of vehicles needing to be washed as often as twice daily after being driven through cow manure on the road.
- The farmers in question own land on both sides of the road, but have insufficient, inadequate or poorly maintained farm tracks on which to move their dairy cows. They instead use the sealed road - paid for by ratepayers - as a farm race whenever possible.

Comments relate to clause 28 – Restriction on movement of livestock

- Suggest that the bylaw require the farmers to move their dairy cows on tracks on their own property at all times **except** in severe or extreme weather conditions, those conditions to be assessed and verified by an independent SCO.
- Suggest that the present approval/permission/right to traverse the road for the movement of dairy cows **be revoked**; and replaced with a conditional clause limiting the movement of dairy cows along (traversing) the road to severe or extreme weather conditions only, those conditions to be assessed and verified by an independent SCO.
- Suggest that the farmers be required to restrict the movement of their dairy cows on the road to **designated crossing points only**.
- Suggest that the farmers be required to move their dairy cows **across their own property** from the dairy yards to the designated Duvauchelle-Summit Rd stock route.

Comments relate to clause 30 – Removal of faecal matter from road

- Suggest that the farmers be required to place washable synthetic mats on the roadway at designated crossing points to facilitate the removal and cleaning of faecal matter on or within the boundaries of their own property.

Comments relate to clause 31 – Animals or stock in a public place

- Suggest that farmers and their control of stock be monitored closely by a resident Stock Control Officer (SCO).
 - There is a serious need for a SCO to be stationed in Duvauchelle as it is on that side of the Peninsula that most dairy farming activity occurs. A SCO in Little River is too far away from where dairying activity takes place; and it takes too long for that person to respond to stock movement incidents and complaints.
-

Stephen Shimmin (Submission ID 6495)

General comments

- Secretary of a residents group and would appreciate a final copy of the Bylaw to place extracts in our newsletter.

Comments relate to clause 7 – Vehicles on grass berms

- Buchanans Road has wide berms on the right hand side of the road and some of the residents park their vehicles on the berms.
- How will the Bylaw be applied?

Comments relate to clause 9 – Heavy vehicles parking on residential streets

- Adjacent to the Racecourse Hotel Racecourse Road, has up to ten heavy vehicles parked on the road overnight.
 - Noted no reference in the Bylaw re vehicles of working people parking their vehicles on the road because their employees do not provide off street parking. This is a problem in Buchanans Road with industry on one side of the road and residents on the other side.
-

Cliff Mitton (Submission ID 6497)

Comments relate to clause 7 – Vehicles on grass berms

- Live on Hulverstone Dr Avondale and would have a problem with Clause 7 not permitting vehicles to park on the grass berm at times.
 - The road is very narrow and when vehicles park on both sides of the road it is narrowed further.
 - Wing mirrors have been broken off parked cars by passing cars
 - Visitors and him find it safer to park on the grass berm at times
 - Wash his car on the berm to avoid detergent etc entering the storm water channel then into the Avon river
 - Should be some dispensation allowing parking on the grass berm
 - He maintains the grass berm at all times such as mowing and fertilizing plus cleaning, up litter..
 - As he looks after the grass berm outside his house, he does not want a city council employee coming along with a pen.
 - He does not want any yellow lines down this road should the council decide parking permitted on one side of the road only.
-

Geoff Carter (Submission ID 6498)

Comments relate to a suggested new clause

- Suggest part of the attached 'Proposed Hurunui District Council Livestock Movement' Bylaw be incorporated in the appropriate sections of the proposed CCC Traffic and Parking Bylaw 2008 (refer to submission ID 6498).
 - o The owner of any stock being moved is required to have public liability insurance of \$1,000,000.00;
 - o The owner of any stock being moved will be liable for costs incurred by the Council as a result of:
 - damage to either the road, road reserve or any other Council property;
 - permitting excrement or any other matter to remain on the road surface, and;

Comments relate to a clause 28 – Restriction on movement of livestock

- Suggest part of the attached 'Proposed Hurunui District Council Livestock Movement' Bylaw be incorporated in the appropriate sections of the proposed CCC Traffic and Parking Bylaw 2008 (refer to submission ID 6498).
-

Pat and Russell McKenzie (Submission ID 6499)

Background

- Bought in Warren Crescent 20 months ago as it appeared to be a quiet residential street
- The last six months have had many truck and trailer units driving around and parking on the street.
- Have contacted Mainfreight and Freightlines about these trucks parking and using the street, what a waste of time that was.

Comments relate to clause 9 – Heavy vehicles parking on residential streets

- Photos show truck and trailer unit on the inside of the bend blocking views of road users and directly opposite, there is a mainfreight truck parked illegally. (refer to submission ID 6499).
- There is also a big bus parked on the street in the same area.
- If they wanted to live in an industrial area or near a freight yard, they would have bought near one.
- Would like to see these particular sized trucks banned from this area unless they are doing deliveries.

Comments relate to clause 17 – Heavy vehicles using residential streets

- When these trucks go past they shake our house and our neighbours as well.
 - Would like to see these particular sized trucks banned from this area unless they are doing deliveries.
-

Fendalton/Waimairi Community Board, submitted by Val Carter (Submission ID 6503)

General comments

- Agrees with the Council proposal to revoke the current bylaw and replace it with a consolidated bylaw because of the problems identified in the proposal. The Board supports the comprehensive nature of the issues raised and the ability to use the proposed bylaw to deal with these matters.

Comments relate to clause 8 – Vehicles on grass verges

- Generally agrees with section for urban areas but is mindful that in rural areas (stock routes) vehicles need to be able to pull over without breaching the bylaw.

Comments relate to clause 9 – Heavy vehicles parking on residential streets

- Is interested in the process for how applications will be made to have residential streets included on a Heavy Vehicles on Residential Streets – Parking Restrictions Register.

Comments relate to clause 17 – Heavy vehicles using residential streets

- Supports this provision.
 - is aware of several streets in its ward where residents would be interested in this register.
-

P R Manson For Queenlea Farms Ltd (Submission ID 6504)

Comments relate to clause 28 – Restriction on Movement of Livestock (subclause 1)

- This clause prohibits any crossing of a road with 2000 vehicles per day or more, SH 75 exceeds this number so it will not be possible to access part of his property.
- Suggest adding an exception unless a permit has been obtained.

Comments relate to clause 28 – Restriction on Movement of Livestock (subclause 2)

- Suggest that rather than state once per week amend to more than 30 times per year.
- This will allow for less total crossings but take into account the seasonal nature of farming and is less than once per week (52 times).
- How is the Stock Droving routes register decided/approved there is no guidance or appeal process. There needs to be a consultative open process for adding or deleting roads/routes to it or an opportunity to be heard to support or oppose.

Comments relate to clause 28 – Restriction on Movement of Livestock (subclause 4)

- The graph is difficult to understand and does not appear to be mandatory. May I recommend that it only applies when more than 300 cows are moved. (*Selwyn DC is proposing 400 cows before an underpass is to be considered*).
- Suggest there needs to be some consistency between adjoining local authorities.

Comments relate to clause 28 – Restriction on Movement of Livestock (subclause 5)

- Object to this subclause
- Think this is unnecessarily bureaucratic and suggest something similar to Selwyn DC bylaw i.e. it can be reviewed at any time, this gives Council the ability to cancel or amend any permit if there have been complaints or damage is being caused

Selwyn DC wording

(a) is for no fixed term (L e. at the Council's pleasure); and

(b) is personal to the owner/operator of the farm or dairy unit to which the consent or dispensation relates. Upon the sale or transfer of such farm or dairy unit, the new owner/operator must apply for consent to transfer the permit to drove using the form set out in Schedule F. (A)

- Suggest the following possible wording:

Subject to the provisions of this Bylaw, a stock movement permit shall be valid for no fixed term (i.e. at the Council's pleasure); it is personal to the owner/operator of the farm to which the permit relates, the Council may review or cancel the permit at any time.

Comments relate to clause 32 – Stock droving prohibited/restricted routes register

- How is the Stock Droving routes register decided/approved there is no guidance or appeal process. There needs to be a consultative open process for adding or deleting roads/routes to it or an opportunity to be heard to support or oppose.

Comments relate to a suggested new clause

- Suggest that a Stock Control objection committee (see below) be included, it would be similar to the CCC committee that deals with objections to the classification of dogs in the Dog Control bylaw
- Would give any party the opportunity to object or support any additions/deletions to the proposed register or any conditions imposed in a permit.

SELWYN DC COMMITTEE a similar committee was in the previous BPDC bylaw

16. STOCK CONTROL OBJECTION COMMITTEE

- 16.1 The applicant or any affected party, for any consent, permit or dispensation under this bylaw, may lodge an objection to the refusal of such consent, permit or dispensation, or to any conditions imposed. (My suggested addition highlighted)*
- 16.2 Objections must be made in writing*
- 16.3 Upon receipt of an objection a Stock Control Objection Committee ("the Committee") will be appointed to consider and rule upon the objection. The decision of that Committee is final and binding upon both the Council and the objector.*
- 16.4 The Committee shall comprise the following 3 persons:*
- (a) A Councillor nominated by the Council;*
 - (b) A person, other than the objector, nominated by the objector;*
 - (c) A Chairman to be appointed by agreement between the Council and the objector,*

- but if no such agreement can be reached within 5 working days, a Chairman (who may not be a Councillor or Council Officer) appointed by the Council in writing.*
- 16.5 *The Committee will, after consultation with the Council and the objector, fix a hearing date, being a date not later than 10 working days after the date upon which the membership of the Committee is settled. If, on the hearing date, a member of the Committee is unavailable an alternate may be appointed or the hearing may be deferred by agreement between the Council and the objector.*
- 16.6 *The costs or fees of the Chairman shall be met jointly by the objector and the Council but in all other respects each party shall bear their own costs.*
- 16.7 *The objector has the right to be heard personally or by the objector's representative. The Council may be represented. To the extent that it is practicable to do so, each party shall prepare written submissions and make the same available to the Committee and to the other party at least 2 working days prior to the hearing.*
-

Anna Thomas (Submission ID 6506)

Comments relate to clause 5 – Parking restrictions

- That the Council consult with local neighbourhoods and Neighbourhood Associations when amendments to the Traffic and Parking Bylaw 2008 are proposed.

Comments relate to clause 7 – Vehicles on grass berms (subclause 1)

- That this not apply in semi rural areas where it is in the safety interests of riders and horses and general traffic for horses and riders to use the berm as a means of travelling to designated riding areas, to pony club and for the general recreation of the horse rider.
- Horses should not be exercised as a general rule in their paddocks. Paddocks are for living and rest.
- Halswell area still has large areas of rural and semi rural land with many roadside areas which are reasonably wide.
- Halswell Pony Club is situated at the A & P showgrounds and access by pony can be achieved by riding along Halswell Road or Wigram Road.
- Verges or berms are often wide and it makes more practical sense to traverse the distance as far as possible using these as routes.
- Signs need to be placed in areas where horse riding is generally practiced to slow down speeding cars and for the protection of riders and horses.
- In many hill areas where rural land and larger blocks of land are interspersed with residential properties the sensible approach would be to allow riders and horses to use berms and verges where practical, as a means of travelling to destinations. The all pervading dominance of cars and lack of driving manners means riders need to have the right to travel the safest route.

Comments relate to clause 7 – Vehicles on grass berms (subclause 2)

- In areas that interspersed with rural land and larger properties it may be the only safe way of unloading a horse from a float by being parked on a berm or verge.
- In some hill areas around Christchurch eg. areas on Clifton, the only means of safely parking off the road is to park partly on the berm as the roads are narrow and twisty.
- In these cases parking should be allowed.

Comments relate to clause 8 – Vehicles on grass verges (subclause 1)

- Comments similar to those relating to clause 7 – vehicles on grass berms.
- Not apply in semi rural areas where it is in the safety interests of riders and horses and general traffic for horses and riders to use the berm as a means of travelling to designated riding areas, to pony club and for the general recreation of the horse rider.
- Horses should not be exercised as a general rule in their paddocks. Paddocks are for living and rest.
- Halswell area still has large areas of rural and semi rural land with many roadside areas which are reasonably wide.
- Halswell Pony Club is situated at the A & P showgrounds and access by pony can be achieved by riding along Halswell Road or Wigram Road.
- Verges or berms are often wide and it makes more practical sense to traverse the distance as far as possible using these as routes.

- Signs need to be placed in areas where horse riding is generally practiced to slow down speeding cars and for the protection of riders and horses.
- In many hill areas where rural land and larger blocks of land are interspersed with residential properties the sensible approach would be to allow riders and horses to use berms and verges where practical, as a means of travelling to destinations. The all pervading dominance of cars and lack of driving manners means riders need to have the right to travel the safest route.

Comments relate to clause 8 – Vehicles on grass verges (subclause 2)

- Parking be allowed in areas where there is a mix of the urban and rural and horse riding is an established practice. There is also a case for allowing parking on some hill sections of Christchurch where the roads are narrow and winding. Thus the carriageway can be less impeded than if cars were just parked on the seal. Clifton Hill would be an example.
- Cycling events are staged around old Tai Tapu Road and marshals and organisers park their cars on the wide verges while staging these events and practices.
- The wide verges around Halswell Quarry Park are often utilised for parking. At times when they have cross country events etc this means that there are less cars parked in the Quarry and thus less damage is done. Also it means that the adjacent hill area is not used – the flat parking being safer and preferred.

Comments relate to clause 8 – Vehicles on grass verges (subclause 3)

- This may allow for locals but will not be suitable for casual occurrences. Governance problems – unreasonable. Halswell Quarry Park is a City Wide Park and is thus used by people from all over Christchurch. It would be feasible to set up a register with local regular users but would be difficult in respect of people outside the area. Also, if the process is too bureaucratic people will just feel intimidated by the process. It would be better to allow existing use where that use is currently working well.

Comments relate to clause 8 – Vehicles on grass verges (subclause 4)

- This only be done in consultation with neighbours and Neighbourhood Associations.

Comments relate to clause 13 – One way streets

- Should be a notified process especially in respect of adding a road to the register.

Comments relate to clause 16 – Prohibited times on roads (subclause 1)

- Agree with this as it applies to Car 'Hoons' who destroy the peace of a neighbourhood and make residents lives a living hell.

Comments relate to clause 16 – Prohibited times on roads (subclause 2)

- Agree with this section as it applies to road 'hoons'.

Comments relate to clause 16 – Prohibited times on roads (subclause 5)

- Agree

Comments relate to clause 17 – Heavy vehicles using residential streets (subclause 1)

- Agree

Comments relate to clause 17 – Heavy vehicles using residential streets (subclause 3)

- Operations of heavy vehicles in residential streets should not be permitted before 7.30am during weekdays and later at weekends. The peace of their neighbourhood is continually shattered with the rumble of large Trucks and concrete mixers travelling up the hill at very early hours of the morning.
- Are aware that the Scotts forest in Hoon Hay valley will probably come to maturity in the next ten years or so. Would be totally opposed to any logging trucks travelling down Kennedys Bush Road and would like to be assured that logging trucks would be prohibited.

Comments relate to clause 35 – Materials/debris on roads and damage to roads

- Endorse this section and would suggest that when a development is approved that the condition of a road is inspected to ascertain the condition of the road before development starts. Developers need to be responsible for the damage done to access roads over and above the normal wear and tear. With some large developments there are many years of heavy traffic use by contractors vehicles during the building process and this continual use takes a big toll on the road surface. The cost of this wear and tear should not be borne by the general ratepayer but by the developer. Perhaps there needs to be some sort of bonding system to recoup funds for road damage.

Lyttelton/Mt Herbert Community Board, submitted by Paula Smith (Submission ID 6510)

Comments relate to clause 4 – Interpretation

- Where an interpretation is based on a definition from the relevant legislation, the full definition should be included, instead of just the reference to the legislation.
- Feels that members of the public referring to the bylaw will not be familiar with, or easily able to access, the legislation, so it would be beneficial to include the full definition.
- For example, "VEHICLE" has the meaning given to that term in section 2(1) of the Land Transport Act 1998, should be replaced with:

"VEHICLE" has the meaning given to that term in section 2(1) of the Land Transport Act 1998, that is:

- (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*
- (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:*

Residents (29) on Warren Crescent, submitted by Annette and John Belcher (Submission ID 6515)

General comments

- Have experienced recent changes to their immediate neighbourhood, to which they object.

Comments relate to clause 9 – Heavy vehicles parking on residential streets

- Are concerned at the number of heavy vehicles, including articulated trucks and buses, parked in their street. They are very noisy on arrival and departure.
- Safety is a major concern for them. Large vehicles make it more difficult to safely enter and leave their driveway. These large vehicles also prevent drivers from clearly seeing young and older residents as they cross the road.
- Feel the character of our neighbourhood is changing from a residential area to an industrial area. Do not appreciate looking out of our windows at these large vehicles. Want to maintain the character as a residential area, not an industrial car park.
- Agree that the surface of the road is being damaged.
- requesting that the by-laws be amended to prevent heavy vehicles to be parked during the day and overnight.

Redbus Limited, submitted by Layne Sefton (Submission ID 6520)

Comments relate to clause 4 - Interpretation

- Add a definition for a Public Transport Vehicle and for defining a bus stop.

Comments relate to clause 5 – Parking restriction

- Add a bus stop.

Comments relate to clause 9 – Heavy vehicles parking on residential streets

- Council needs to consider special provisions for the parking of Public Transport vehicles outside of the hours specified.
- Currently services commence at approximately 0500 daily and finish (in some cases) past 0100 daily.
- Other bus services may also be affected by these restrictions when operating charter services and or special events transport (eg: the CC fireworks display).
- What provisions are included to permit the layover of buses operating on contracted public transport service routes within the city? There is a requirement for authorized bus services to layover in location such as Hornby, New Brighton and various other locations around the city for extended period of time prior to commencing the return trip into the city.
- Suggest exempting the following vehicles:
 - (d) *Public Transport vehicles operating on contracted urban timetable services.*
 - (e) *Public Transport vehicles operating on charter services*
 - (f) *City Contracted rubbish removal vehicles*

Comments relate to clause 17 – Heavy vehicles using residential streets (subclause 4).

- Suggest adding the following
 - (d) *Public Transport vehicles operating on contracted urban timetable services.*
 - (e) *Public Transport vehicles operating on charter services.*
 - (f) *City Contracted rubbish removal vehicles.*

Attachment three – Summary of submissions and analysis/comments on the CCC Traffic and Parking Bylaw 2008

Draft CCC Traffic and Parking Bylaw 2008	Summary of submissions	Analysis/Comments
<p>Clause 4 – Interpretation</p> <p>General comments</p>	<p><u>Lyttelton/Mt Herbert Community Board, submitted by Paula Smith (Submission ID 6510)</u></p> <ul style="list-style-type: none"> • Where an interpretation is based on a definition from the relevant legislation, the full definition should be included, instead of just the reference to the legislation. • Feels that members of the public referring to the bylaw will not be familiar with, or easily able to access, the legislation, so it would be beneficial to include the full definition. 	<ul style="list-style-type: none"> • Where an interpretation is based on a definition from the relevant legislation, reference is made to the definition in the legislation instead so that the if the definition in the relevant legislation is changed or updated, there does not need to be a changed to the Bylaw. • Ensures that the interpretation will always be consistent with the legislation. • Avoid duplication. • <i>The Council may wish to consider that where an interpretation is based on a definition from the relevant legislation that it remains in its current form.</i>
<p>Clause 4 – Interpretation</p> <p>New interpretation</p>	<p><u>Redbus Limited, submitted by Layne Sefton (Submission ID 6520)</u></p> <ul style="list-style-type: none"> • Suggest adding a definition for a “Public Transport Vehicle” • Suggest adding a definition for defining a “Bus stop”. 	<ul style="list-style-type: none"> • Public transport vehicle is not used in legislation. • Passenger service vehicle is however defined in the Land Transport Act 1998. <i>“Passenger service vehicle” has the meaning given to that term in section 2(1) of the Land Transport Act 1998.</i> • <i>A definition could be added in the interpretation for “passenger service vehicle” if the term is to be used in the document.</i>
<p>Clause 4 – Interpretation</p> <p>New interpretation</p>	<p><u>Robin McCarthy (Submission ID 6505)</u></p> <ul style="list-style-type: none"> • Council issues infringement notices on a complaint when a vehicle is parked but deemed to be stored. • Suggest adding a definition of “STORING” 	<ul style="list-style-type: none"> • No definition of storage is required as there is a case law on storage already. It’s based on the High Court Case <i>McCarthy v Christchurch City Council 2007</i>. • <i>The bylaw already deals with “storage” of vehicles.</i>

Draft CCC Traffic and Parking Bylaw 2008	Summary of submissions	Analysis/Comments
<p>Clause 4 – Interpretation “Animal”</p>	<p><u>Federated Farmers of NZ, submitted by Sonia Voldseth (Submission ID 6489)</u></p> <ul style="list-style-type: none"> Concerned that if animal is meant to relate to stock for the purposes of stock movement that the definition is far too broad. 	<ul style="list-style-type: none"> Animal does not relate to stock for the purposes of stock movement. Stock movement relates only specifically to stock and the definition of the term “stock” and “livestock” are defined separately. Definition of “animal” needs to be retained in the bylaw as it is referred to in clause 31 and there is specific reference to both “animal” and “stock”. <i>The definition of animal is broad to ensure all animals are captured under clause 31.</i>
<p>Clause 4 – Interpretation “Caravans”</p>	<p><u>Akaroa-Wairewa Community Board, Stewart Miller (Submission ID 6509)</u></p> <ul style="list-style-type: none"> Noted that the definition of “Caravan” under the Interpretation clause differs to the definition in the Public Places Bylaw. “Caravan” is also referred to in the Proposed Parks and Reserves Bylaw, but not defined. Suggest that the definitions should be consistent across the different bylaws, so as to avoid any confusion. 	<ul style="list-style-type: none"> Definition of “Caravan” was used in the Christchurch City Council Traffic and Parking Bylaw 1991 and the same definition has been used in this Bylaw. The Public Places Bylaw covers “Caravan” and “Motorhome” and they are defined separately whereas the definition “Caravan” in this bylaw includes motorhomes. <i>If the definition in this bylaw is to be consistent with the Public Places Bylaw, a definition of “motorhome” will need to be included in the interpretation section and consequential changes be made to the clauses referring to caravans.</i>
<p>Clause 4 – Interpretation “Grass berms”</p>	<p><u>Akaroa-Wairewa Community Board, Stewart Miller (Submission ID 6509)</u></p> <ul style="list-style-type: none"> Feels that the definitions of “grass berms” and “grass verges” are not easily understood and have to be cross referenced with other definitions. 	<ul style="list-style-type: none"> The definition describes grass berms well. <i>Retain as is.</i>
<p>Clause 4 – Interpretation “Grass verges”</p>	<p><u>Akaroa-Wairewa Community Board, Stewart Miller (Submission ID 6509)</u></p> <ul style="list-style-type: none"> Feels that the definitions of “grass berms” and “grass verges” are not easily understood and have to be cross referenced with other definitions. 	<ul style="list-style-type: none"> The definition describes grass verges well. <i>Retain as is.</i>
<p>Clause 4 – Interpretation “Hours of darkness”</p>	<p><u>Derek Erasmus, Canterbury Police (Submission ID 6227)</u></p> <ul style="list-style-type: none"> Definition is different to that of the Land Transport (Road User) Rule 2004. Suggest that it includes the second part of the definition under the Rule covering any period when there is not 100 metres of clear visibility. 	<ul style="list-style-type: none"> Agree. <i>The definition be changed to as follow: “Hours of darkness” has the meaning given to that term in Land</i>

Draft CCC Traffic and Parking Bylaw 2008	Summary of submissions	Analysis/Comments
	<p><u>Alan Tunncliffe (Submission ID 6238)</u></p> <ul style="list-style-type: none"> Suggest change "before sunrise on that day" to "before sunrise on the following day" 	<p><i>Transport (Road User) Rule 2004.</i></p>
<p>Clause 4 – Interpretation “Livestock or stock”</p>	<p><u>Federated Farmers of NZ, submitted by Sonia Voldseth (Submission ID 6489)</u></p> <ul style="list-style-type: none"> The definitions of animal and livestock or stock should be clarified. Unsure of what livestock would be included in the definition of wild/feral animals. Farmers should not be held responsible for control of wild animals. 	<ul style="list-style-type: none"> Definition of livestock or stock was adopted from the previous BPDC Stock Control Bylaw 1994. Animals such as emus/ostriches could be farmed however, they would not be considered as “domesticated”. Farmers should be responsible for their livestock/stock regardless of whether they are “tamed” or not. <i>Amend the interpretation of “Livestock” or “Stock” to as follow: “Livestock” or “Stock” means any horse, cattle, sheep, pig, goat, mule or any other animal, whether tamed or not, that are kept for use or profit.</i>
<p>Clause 4 – Interpretation “Road”</p>	<p><u>Federated Farmers of NZ, submitted by Sonia Voldseth (Submission ID 6489)</u></p> <ul style="list-style-type: none"> The definition of road should be clarified. It is unclear under this definition as to how far the road would actually extend and whether it covers the roadside verge. Although definitions are included for carriageway, grass berm and grass verge (which would seem to encompass those concerns) it may be more clear to use a simpler definition. Suggest the following: <i>Road means any land in the Christchurch City Council District under the control of Council used for vehicular traffic and includes all land lying within the defined road reserve.</i> 	<ul style="list-style-type: none"> The meaning suggested by the submitter is similar to the definition of “Road” as defined in the Local Government Act 1974. <i>Amend the interpretation of road as follows: “Road” has the same meaning given to that term in section 315(1) of the Local Government Act 1974.</i>
<p>Clause 5 – Parking restrictions</p>	<p><u>Kennedys Bush Road Neighbourhood Association Inc (Submitted by Sylvia Lukey) (Submission ID 6351)</u></p> <ul style="list-style-type: none"> Would like the Council to consult with local neighbourhoods and Neighbourhood Associations when amendments to the Traffic and Parking Bylaw 2008 are proposed. 	<ul style="list-style-type: none"> Although there are no specific mention of “consultation” within the Bylaw when any amendments are proposed, there is a requirement in the Local Government Act 2002 to give consideration to the views and preferences of persons likely to be affected by, or to have an interest in, the matter. The Board’s and Council’s report template has taken this requirement in the LGA 02 into account, and therefore has a “Consultation Fulfilment” section in the report.

Draft CCC Traffic and Parking Bylaw 2008	Summary of submissions	Analysis/Comments
	<p><u>Redbus Limited, submitted by Layne Sefton (Submission ID 6520)</u></p> <ul style="list-style-type: none"> • Add a bus stop. <hr/> <p><u>Anna Thomas (Submission ID 6506)</u></p> <ul style="list-style-type: none"> • Would like the Council to consult with local neighbourhoods and Neighbourhood Associations when amendments to the Traffic and Parking Bylaw 2008 are proposed. 	<ul style="list-style-type: none"> • Intention of this clause is to cover the stopping and standing as well as the parking of vehicles. • The definition of parking in the Land Transport (Road User) Rule 2004, and used for the purposes of a restricted parking area may not cover the stopping or standing or vehicles. • Want it beyond doubt that this clause will cover parking, stopping and standing. • No specific mention of bus stops will be made but will be allowed for. • <i>Amendment be made to clause 5 to also include stopping and standing restrictions, in addition to parking restrictions.</i> • <i>In addition, amend clause 4 to insert a new definition of “standing” which provides that “Standing” has the meaning assigned to that term in Part 2 of the Land Transport Rule: Traffic Control Devices 2004.</i>
<p>Clauses 7 – Vehicles on grass berms</p>	<p><u>Mrs L. J. Shaw (Submission ID 6345)</u></p> <ul style="list-style-type: none"> • Agree that no person should be permitted to use grass berms and verges to park any sort of vehicle whatsoever on these areas, including trailers of any description, diggers, caravans, concrete mixers, any hour of the day or night. 	<ul style="list-style-type: none"> • Submission ID 6351 and Submission ID 6506 are the same but from different submitters. • Four submissions either object to the clause or believe that the clause should not be apply to semi-rural areas (including the two

Draft CCC Traffic and Parking Bylaw 2008	Summary of submissions	Analysis/Comments
	<p><u>Kennedys Bush Road Neighbourhood Association Inc (Submitted by Sylvia Lukey) (Submission ID 6351)</u></p> <ul style="list-style-type: none"> • That this not apply in semi rural areas where it is in the safety interests of riders and horses and general traffic for horses and riders to use the berm as a means of travelling to designated riding areas, to pony club and for the general recreation of the horse rider. • Halswell area still has large areas of rural and semi rural land with many roadside areas which are reasonably wide. • Verges or berms are often wide and it makes more practical sense to traverse the distance as far as possible using these as routes. • Signs need to be placed in areas where horse riding is generally practiced to slow down speeding cars and for the protection of riders and horses. • In areas that interspersed with rural land and larger properties it may be the only safe way of unloading a horse from a float by being parked on a berm or verge. • In some hill areas around Christchurch eg. areas on Clifton, the only means of safely parking off the road is to park partly on the berm as the roads are narrow and twisty. • In these cases parking should be allowed. <p><u>Burwood/Pegasus Community Board, submitted by David East (Submission ID 6372)</u></p> <ul style="list-style-type: none"> • Endorses the intended restrictions and requirements. <p><u>Kate Bovett and Peter Croft (ID 6500)</u></p> <ul style="list-style-type: none"> • Object to this provision. • The safety of horse traffic is compromised if forced onto the carriageway. • The use of some ride-on mowers is made illegal. • The safety of parking off the carriageway is removed. • Suggest that if the Council have problem areas then those should be addressed by specific measures (by erecting signs around Hagley Park for instance). 	<p>submissions which are the same).</p> <ul style="list-style-type: none"> • Two submissions support the provision. • One submission is interested in how the provision will affect Buchanans Road. • This clause is based on a similar provision contained in the current Bylaw. Vehicles currently parking on the grass berms on Buchanans Road are doing so now illegally. This clause would not change that. • There were 325 infringement notices issued in a 12 month period for vehicles being parked on grass berm or verge. • Grass berms are normally areas that are purposefully planted with grass and horses have the potential to cause as much damage to the berm as vehicles. • Not appropriate for horses to be riding on the berm • There are also some areas where there are no footpaths provided and pedestrians will need to use the grass berm areas. If a vehicle were to be parked on the grass berm area, this may cause a safety issue for the pedestrian. • The grass berms are not constructed to the same standard as the roadway and there may be services under the grass berms which may be damaged if a vehicle were to be parked or travel on it. • There may likely also be damage to the kerb with vehicles mounting it. • The road width of Hulverstone Drive varies from 8 metres to 9 metres wide. • Broken yellow lines are generally installed on one side of the road if the road width is 7 metres or less. • There have been complaints in the past of vehicles speeding on Hulverstone Drive and with vehicles parked on the roadway, this will create a traffic calming effect.

Draft CCC Traffic and Parking Bylaw 2008	Summary of submissions	Analysis/Comments
<p>Clauses 7 – Vehicles on grass berms (cont.)</p>	<p><u>Anna Thomas (Submission ID 6506)</u></p> <ul style="list-style-type: none"> • That this not apply in semi rural areas where it is in the safety interests of riders and horses and general traffic for horses and riders to use the berm as a means of travelling to designated riding areas, to pony club and for the general recreation of the horse rider. • Halswell area still has large areas of rural and semi rural land with many roadside areas which are reasonably wide. • Verges or berms are often wide and it makes more practical sense to traverse the distance as far as possible using these as routes. • Signs need to be placed in areas where horse riding is generally practiced to slow down speeding cars and for the protection of riders and horses. • In areas that interspersed with rural land and larger properties it may be the only safe way of unloading a horse from a float by being parked on a berm or verge. • In some hill areas around Christchurch eg. areas on Clifton, the only means of safely parking off the road is to park partly on the berm as the roads are narrow and twisty. • In these cases parking should be allowed. 	<ul style="list-style-type: none"> • (comments above)
	<p><u>Stephen Shimmin (Submission ID 6495)</u></p> <ul style="list-style-type: none"> • Buchanans Road has wide berms on the right hand side of the road and some of the residents park their vehicles on the berms. • Is interested in how will the Bylaw will affect Buchanans Road 	
	<p><u>Cliff Mitton (Submission ID 6497)</u></p> <ul style="list-style-type: none"> • Live on Hulverstone Dr Avondale and would have a problem with Clause 7 not permitting vehicles to park on the grass berm at times. • The road is very narrow and when vehicles park on both sides of the road it is narrowed further. • Visitors and him find it safer to park on the grass berm at times. • Wash his car on the berm to avoid detergent etc entering the storm water channel then into the avon river. • He looks after the grass berm outside his house, he does not want a city council employee coming along with a pen. • He does not want any yellow lines down this road should the council decide parking permitted on one side of the road only. • Should be some dispensation allowing parking on the grass berm. 	

Draft CCC Traffic and Parking Bylaw 2008	Summary of submissions	Analysis/Comments
<p>Clause 8 – Vehicles on grass verges</p>	<p><u>Mrs L. J. Shaw (Submission ID 6345)</u></p> <ul style="list-style-type: none"> Agree that no person should be permitted to use grass berms and verges to park any sort of vehicle whatsoever on these areas, including trailers of any description, diggers, caravans, concrete mixers, any hour of the day or night. 	<ul style="list-style-type: none"> Seven submissions received on this clause. Submission ID 6351 and Submission ID 6506 are the same but from different submitters. This clause was adapted from a similar provision contained in the current Bylaw. There were 325 infringement notices issued in a 12 month period for vehicles being parked on grass berm or verge. Grass verges are generally present in the rural or higher speed environment and this was taken into account when developing the clause. Clause has allowed for horses to be ridden or led on grass verges. Allowances has also been made for vehicles parking on grass verges if the street is on the Vehicles on Grass Verges Register. Registers will be available to the public. These can be uploaded onto the Council's website. In addition, some sort of signage could be installed on verges where the Council have permitted parking on those grass verges. Provision would exclude ride-on mowers which are "licensed vehicles" but that was not the intention of the clause. <i>The Council may wish to amend the provision to exempt ride-on mowers.</i>

Draft CCC Traffic and Parking Bylaw 2008	Summary of submissions	Analysis/Comments
<p>Clause 8 – Vehicles on grass verges (cont.)</p>	<p><u>Kennedys Bush Road Neighbourhood Association Inc (Submitted by Sylvia Lukey) (Submission ID 6351)</u></p> <ul style="list-style-type: none"> • That this not apply in semi rural areas where it is in the safety interests of riders and horses and general traffic for horses and riders to use the berm as a means of travelling to designated riding areas, to pony club and for the general recreation of the horse rider. • Halswell area still has large areas of rural and semi rural land with many roadside areas which are reasonably wide. • Verges or berms are often wide and it makes more practical sense to traverse the distance as far as possible using these as routes. • Signs need to be placed in areas where horse riding is generally practiced to slow down speeding cars and for the protection of riders and horses. • Parking be allowed in areas where there is a mix of the urban and rural and horse riding is an established practice. There is also a case for allowing parking on some hill sections of Christchurch where the roads are narrow and winding. Thus the carriageway can be less impeded than if cars were just parked on the seal. Clifton Hill would be an example. • Cycling events are staged around old Tai Tapu Road and marshals and organisers park their cars on the wide verges while staging these events and practices. • The wide verges around Halswell Quarry Park are often utilised for parking. At times when they have cross country events etc this means that here are less cars parked in the Quarry and thus less damage is done. Also it means that the adjacent hill area is not used – the flat parking being safer and preferred. • It would be feasible to set up a register with local regular users but would be difficult in respect of people outside the area. Also, if the process is too bureaucratic people will just feel intimidated by the process. It would be better to allow existing use where that use is currently working well. Governance problems – unreasonable. Halswell Quarry Park is a City Wide Park and is thus used by people from all over Christchurch. • Any changes to the register be done only in consultation with neighbours and Neighbourhood Associations. <p><u>Burwood/Pegasus Community Board, submitted by David East (Submission ID 6372)</u></p> <ul style="list-style-type: none"> • Endorses the intended restrictions and requirements. 	<ul style="list-style-type: none"> • (comments above)

Draft CCC Traffic and Parking Bylaw 2008	Summary of submissions	Analysis/Comments
<p>Clause 8 – Vehicles on grass verges (cont.)</p>	<p><u>Kate Bovett and Peter Croft (ID 6500)</u></p> <ul style="list-style-type: none"> • Object to this provision. • The safety of horse traffic is compromised if forced onto the carriageway. • The use of some ride-on mowers is made illegal. • The safety of parking off the carriageway is removed. • Suggest that if the Council have problem areas then those should be addressed by specific measures (by erecting signs around Hagley Park for instance). 	<ul style="list-style-type: none"> • (comments above)
	<p><u>Fendalton/Waimairi Community Board, submitted by Val Carter (Submission ID 6503)</u></p> <ul style="list-style-type: none"> • Generally agrees with section for urban areas but is mindful that in rural areas (stock routes) vehicles need to be able to pull over without breaching the bylaw. 	
	<p><u>Akaroa-Wairewa Community Board, Stewart Miller (Submission ID 6509)</u></p> <ul style="list-style-type: none"> • This is too restrictive and does not take account of the inconsistencies which can occur between different roads throughout the City – for example differences between urban and rural roads. • In rural situations a vehicle such as a tractor or motor bike is often driven/ridden along the grass verge because it creates a safer road environment. This clause does not allow for those situations. • A number of grass verges in Akaroa are used for parking, which is at a premium throughout the holiday periods. If vehicles were to be prohibited from parking on every grass verge it would seriously deplete the available parking in Akaroa. • If the grass verges were to be included in the Vehicles on Grass Verges Register, (as verges on which vehicles may stop, stand or park) how would members of the public be aware of this? The Board questions whether it would be necessary for the Council to erect additional signage to inform the public that they were permitted to park on that particular grass verge. 	

Draft CCC Traffic and Parking Bylaw 2008	Summary of submissions	Analysis/Comments
<p>Clause 8 – Vehicles on grass verges (cont.)</p>	<p><u>Anna Thomas (Submission ID 6506)</u></p> <ul style="list-style-type: none"> • That this not apply in semi rural areas where it is in the safety interests of riders and horses and general traffic for horses and riders to use the berm as a means of travelling to designated riding areas, to pony club and for the general recreation of the horse rider. • Halswell area still has large areas of rural and semi rural land with many roadside areas which are reasonably wide. • Verges or berms are often wide and it makes more practical sense to traverse the distance as far as possible using these as routes. • Signs need to be placed in areas where horse riding is generally practiced to slow down speeding cars and for the protection of riders and horses. • Parking be allowed in areas where there is a mix of the urban and rural and horse riding is an established practice. There is also a case for allowing parking on some hill sections of Christchurch where the roads are narrow and winding. Thus the carriageway can be less impeded than if cars were just parked on the seal. Clifton Hill would be an example. • Cycling events are staged around old Tai Tapu Road and marshals and organisers park their cars on the wide verges while staging these events and practices. • The wide verges around Halswell Quarry Park are often utilised for parking. At times when they have cross country events etc this means that here are less cars parked in the Quarry and thus less damage is done. Also it means that the adjacent hill area is not used – the flat parking being safer and preferred. • It would be feasible to set up a register with local regular users but would be difficult in respect of people outside the area. Also, if the process is too bureaucratic people will just feel intimidated by the process. It would be better to allow existing use where that use is currently working well. Governance problems – unreasonable. Halswell Quarry Park is a City Wide Park and is thus used by people from all over Christchurch. • Any changes to the register be done only in consultation with neighbours and Neighbourhood Associations. 	<ul style="list-style-type: none"> • (comments above)

Draft CCC Traffic and Parking Bylaw 2008	Summary of submissions	Analysis/Comments
<p>Clause 9 – Heavy vehicles parking on residential streets</p>	<p><u>Bev Fisher (Submission ID 6270)</u></p> <ul style="list-style-type: none"> • Live in Maryhill Avenue and there is generally a truck parked very near the corner which is a real traffic hazard • Makes negotiating the corner very dangerous and would like to see this area free from any vehicles • With the truck parked close their neighbours driveway, they can't see when backing out • Would like the truck to be parked elsewhere 	<ul style="list-style-type: none"> • 22 submissions received on this clause. • Three submissions support this clause. • One submission suggest the hours which heavy vehicles are restricted from parking on residential streets be extended to 5pm to 7am. • 12 submissions either suggest the parking restriction be applied at all times or opposes any parking of heavy commercial vehicles in residential streets. • Three submissions does not state whether they support or object this clause. • Two submissions did not state their preference but are interested in the process for including streets onto the register. • One submission objects to this clause but suggest a compromise which allows heavy vehicles to park on residential streets for up to one hour. <ul style="list-style-type: none"> • The Parking Section receive between 200 and 250 calls a year regarding whether large heavy vehicles are allowed under the bylaws to be parked on residential streets in Christchurch. As it is not an offence to do so, no exact records have been kept of the numbers of phone calls received. • There are however, 29 request for services (RFS) logged from 2006 and 2007 for complaints relating to heavy vehicles parked on the street. • There are 15 other City Councils in New Zealand. 7 of those 15 have a "specific" bylaw prohibiting or limiting the parking of heavy vehicles in residential streets. <p>These are:</p> <ul style="list-style-type: none"> • North Shore, Auckland City, Manukau, Hamilton, Tauranga, Palmerston North, and Wellington City
	<p><u>Keri Hodgman (Submission ID 6285)</u></p> <ul style="list-style-type: none"> • Live in Warren Crescent and it is common near their property at #144 for trucks to be parked opposite each other • Has created a number of 'near miss' incidents as vehicles cannot see oncoming traffic past the trucks as they are parked on a bend. • A further risk is that due to their size, it is impossible to see past or around them of oncoming traffic when pulling out from driveways • The parking of heavy vehicles on residential streets is unnecessary due to the proliferation of yards in which these vehicles can be parked at night. • Propose that the restricted times to be outside working hours, ie. 5pm to 7am. 	

Draft CCC Traffic and Parking Bylaw 2008	Summary of submissions	Analysis/Comments
Clause 9 – Heavy vehicles parking on residential streets (cont.)	<p><u>Maxwell Owen (Submission ID 6287)</u></p> <ul style="list-style-type: none">• Would also like to see included tighter controls on small businesses operating from residential properties whom park their vehicles and equipment (including trailers) on the road outside their properties.• Some show no consideration for others especially in narrow roads• Are often an eyesore• Don't think they should be allowed to do this day or night.	

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	<p><u>Colin David McMeeking (Submission ID 6299)</u></p> <ul style="list-style-type: none"> • Request that Bentley Street be included in the list of Streets where the parking of heavy vehicles is prohibited. • Since the end of January 2008, have had to endure the parking of a “Hot Dog” vehicle, pulled by a large truck outside his home which has occurred several times. • Believe that the parking of such vehicles on the road in a residential area amounts to visual pollution, detract from the aesthetic values common in a residential area. • Believe this is worse by day than at night. • It is also very dangerous exiting his property in my car, due to the large vehicle obscuring his view of oncoming traffic. • Would like to prohibit the parking of heavy vehicles on specified residential streets at any time. <p><u>Marlene Owen (Submission ID 6335)</u></p> <ul style="list-style-type: none"> • Live in Maryhill Avenue and have 3 people close by who have their business based at their homes. • Have to put up not only at night but during the day, trucks, large trailers, industrial portable concrete mixers and heavy vehicles parked on the street, sometimes never moved for days. • Believe that this is degrading the properties around the residential area. • Believe that there should be no parking of heavy vehicles on residential streets at all times unless servicing a property in that street. • Have not noticed anything in the Bylaw regarding plant, trailers, industrial portable concrete mixers etc parked on residential streets. This also should be no parking unless providing a service in the residential street. 	<ul style="list-style-type: none"> • <i>The Council may wish to consider restricting the parking of heavy vehicles for up to one hours only and remove the need for a register. See possible option in attachment 4.</i> • <i>The Council may also wish to consider exempting passenger service vehicles operating on contracted urban timetable services or operating on charter services.</i>

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	<p><u>Mrs L. J. Shaw (Submission ID 6345)</u></p> <ul style="list-style-type: none"> • Live in Maryhill Avenue and there is a fairly sharp corner, and one side of this corner, there are two industrial businesses being run, one a bricklayer, and the other, a drainlayer. On the other side of the corner, is a concrete mixing business. • Extremely dangerous when large vehicles, diggers and concrete mixers etc. are parked on the road. • Extremely unsightly for a pleasant residential street, as a lot of traffic comes around, especially as there are entrances to two schools in this street, with a large amount of traffic at certain times of the day. • Did not bargain for living in what amounts to a heavy industrial area. • Anyone who wishes to run a heavy industrial business from home must have an area from which they can operate the machinery part of their business, without infringement on other residents rights to enjoy their lifestyle. • This type of inconsiderate behaviour is downgrading the value of other residents' property. • The embargo of 9 p.m. to 7 a.m is not acceptable, and must not be permitted. • Believe that no individual is to be permitted to park on the street at any hour of the day or night any vehicle pertaining to a heavy industrial business that they are running from their home. <p><u>Burwood/Pegasus Community Board, submitted by David East (Submission ID 6372)</u></p> <ul style="list-style-type: none"> • Endorses the intended restrictions and requirements. <p><u>Mr Macklin (Submission ID 6379)</u></p> <ul style="list-style-type: none"> • In some narrow streets this causes problems for the normal flow of traffic and limits parking options for visitors to other properties nearby. • Feel that no commercial vehicle or equipment should be allow to be stored on residential streets at any time of the day or night. • Should also be some control over the number of commercial vehicles parked on residential property. One business parks all of its vehicles on the front lawn of the house they operate from. All the vehicles lined up look like a sale yard. 	<ul style="list-style-type: none"> • (comments above)

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	<p><u>Macarlla Ellmers (Submission ID 6331)</u></p> <ul style="list-style-type: none"> • Live at 119 Warren Cres, Hillmorton. • Strongly support a bylaw to prevent heavy vehicles from entering our streets, especially those that do not lead to anywhere like Warren Crescent. • Really enjoy living in Warren Crescent but never realised that it would become a trucking park-up. • The truck and trailer units are parking illegally, inconsiderately and of most concern, very dangerously. • Vehicles parked opposite each other (one illegally), there is no room for two vehicles driving on the road to pass. • Concerned for children on bicycles, as you cannot see them due to vision being obscured by these large trucks. <p><u>The Riccarton Wigram Community Board, submitted by Mike Mora (Submission ID 6485)</u></p> <ul style="list-style-type: none"> • Interested in the process for how applications will be made to have residential streets included on a Heavy Vehicles on Residential Streets – Parking Restrictions Register. • Is aware of several streets within the Riccarton Wigram ward where residents would be interested in this register <p><u>Pat and Russell McKenzie (Submission ID 6499)</u></p> <ul style="list-style-type: none"> • Bought in Warren Crescent 20 months ago as it appeared to be a quiet residential street but the last six months have had many truck and trailer units driving around and parking on the street. • Have contacted Mainfreight and Freightlines about these trucks parking and using the street but have been of no use. • Their photos show truck and trailer unit on the inside of the bend blocking views of road users and directly opposite, there is a mainfreight truck parked illegally. • There is also a big bus parked on the street in the same area. • Would like to see these particular sized trucks banned from this area unless they are doing deliveries. <p><u>Fendalton/Waimairi Community Board, submitted by Val Carter (Submission ID 6503)</u></p> <ul style="list-style-type: none"> • Is interested in the process for how applications will be made to have residential streets included on a Heavy Vehicles on Residential Streets – Parking Restrictions Register. 	<ul style="list-style-type: none"> • (comments above)

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	<p><u>NZ Road Transport Association Region 4, submitted by Peter Goodwin (Submission ID 6514)</u></p> <ul style="list-style-type: none"> • The Association's own survey indicated that a very insignificant number of trucks used for hire and reward carriage are parked on residential streets and only three complaints over a period of time had been received by members from either residents directly or from council staff. • The survey shows that of the trucks not parked in transport yards overnight half are parked on residential premises. These trucks are not affected by this clause and it is therefore ineffective if trying to deal with complaints of noise. • There is no significant evidence of a problem that justifies the need for the new restrictions on heavy vehicle parking. The Council's own report is unable to quantify the number of complaints and provides weak justification. • This bylaw virtually prevents trucks from using, at night, whatever streets are on the Register as it prevents them from stopping, standing or parking for any reason other than loading or unloading. • This would prevent a driver, for example, from stopping to pick up or drop off a passenger, or to stop to change drivers at the end of a shift, or to stop a street on a street before it is taken in for maintenance. • It should be noted that maintenance is often done after hours during a truck's downtime. Some businesses, eg seat upholsterers, signwriters etc are located in residential areas. • They note that in an early draft of the bylaw there was provision for heavy vehicles to park for up to one hour but this was removed, as a result of moving to a total ban on parking between 9pm and 7am. • Do not support a ban on heavy vehicle parking. • Suggest a compromise be made and an amendment be made to change 'stop, stand, or park' and similar words where they occur in Cl 9 (1) and Cl. 9 (3) to read 'park for up to one hour'. 	<ul style="list-style-type: none"> • (comments above)

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	<p><u>Residents (29) on Warren Crescent, submitted by Annette and John Belcher (Submission ID 6515)</u></p> <ul style="list-style-type: none"> • Concerned at the number of heavy vehicles, including articulated trucks and buses, parked in their street. They are very noisy on arrival and departure. • Safety is a major concern. Large vehicles make it more difficult to safely enter and leave their driveway. These large vehicles also prevent drivers from clearly seeing young and older residents as they cross the road. • Feel the character of our neighbourhood is changing from a residential area to an industrial area. Do not appreciate looking out of our windows at these large vehicles. Want to maintain the character as a residential area, not an industrial car park. • Agree that the surface of the road is being damaged. • Suggest that the by-laws be amended to prevent heavy vehicles to be parked during the day and overnight. <p><u>REDBUS LIMITED, submitted by Layne Sefton (SUBMISSION ID 6520)</u></p> <ul style="list-style-type: none"> • Council needs to consider special provisions for the parking of Public Transport vehicles outside of the hours specified. • Bus services may be affected by these restrictions • What provisions are included to permit the layover of buses operating on contracted public transport service routes within the city? There is a requirement for authorized bus services to layover in location such as Hornby, New Brighton and various other locations around the city for extended period of time prior to commencing the return trip into the city. • Suggest exempting the following vehicles: <ul style="list-style-type: none"> (d) <i>Public Transport vehicles operating on contracted urban timetable services.</i> (e) <i>Public Transport vehicles operating on charter services</i> (f) <i>City Contracted rubbish removal vehicles</i> 	<ul style="list-style-type: none"> • (comments above)

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	<p><u>NZ Trucking Association, submitted by Rodney Auton, (Submission ID 6507)</u></p> <ul style="list-style-type: none"> • 83% of the heavy transport industry in NZ is made up of one-five truck operators. • Their organisation has 152 single heavy vehicle operators domiciled in Christchurch. Their normal place of business is their home and the majority would park their vehicles at home up the driveway or on the street in front of their home. • This provision would force those operators to find overnight storage for their vehicles. This has a number of implications: <ul style="list-style-type: none"> 1. There will be cost to commercially store the vehicles overnight between \$10.00-\$12.50 per night 2. There will be a loss of income because driving to and from the storage will reduce the number of worktime hours that the operator is eligible by law to work. 3. In many cases operators who are based outside Christchurch take advantage of sleeping in a bed instead of the truck and as there are no established truck parks in Christchurch, their only option is to park on the streets. <p><u>Lee Armour (Submission ID6221)</u></p> <ul style="list-style-type: none"> • Pleased that Council has introduced this clause. • Live at 53 Farquhars Rd, Redwood and for the last 10 years • Residents at 54 Farquhars Rd (Vuleta Haulage) have, albeit not everyday, parked either a large truck and trailer unit or just the cab outside their address and then proceeded to start the truck in the very small hours of the morning which they have always found to be extremely inconsiderate and rude. • Apart from that, the cab unit is parked on the grass verge, and the truck and trailer unit or the cab never has the safety light illuminated. <p><u>Stephen Shimmin (Submission ID 6495)</u></p> <ul style="list-style-type: none"> • Adjacent to the Racecourse Hotel Racecourse Road, has up to ten heavy vehicles parked on the road overnight. • Noted no reference in the Bylaw re vehicles of working people parking their vehicles on the road because their employees do not provide off street parking. This is a problem in Buchanans Road with industry on one side of the road and residents on the other side. 	<ul style="list-style-type: none"> • (comments above)

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	<p><u>John Murray (Submission ID 6491)</u></p> <ul style="list-style-type: none"> • Live on Warren Crescent. • Over the past 4/5 months the street near his home has had two "B trains" [truck/tractor unit and two trailers - 32 wheels on the road each] a fifty seat bus and a twenty four seat bus, sometimes all at the same time. • These vehicles are often parked for days at a time, blocking visibility for residents entering and exiting driveways and narrowing the street to one lane. • In addition to safety concerns they are not an attractive addition to the streetscape. • Believe the parking restriction should apply 24 hours. <hr/> <p><u>Lawrence and Cassia Kiesanowski (Submission ID 6332)</u></p> <ul style="list-style-type: none"> • Object to heavy trade vehicles whether privately owned or commercial, parking and storing in residential streets causing an unsafe environment and visually out of place. • Cause road damage. • Narrow the streets. • Noise due to the nature of the heavy vehicles warming up in early hours (2am through to 7am and various other times). • Devaluation of adjoining property. • They don't belong in residential areas where families and kids should be allowed to enjoy their neighbourhood. • Christchurch is a green garden city not a truck stop. <hr/> <p><u>Johann Hois (Submission ID 6329)</u></p> <ul style="list-style-type: none"> • Oppose any parking of heavy commercial vehicle in residential street. 	<ul style="list-style-type: none"> • (comments above)

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	<p><u>Wayne Garraway (Submission ID 6297)</u></p> <ul style="list-style-type: none"> • Have trucks (2), 1 usually a cab, the other a cab and 2 container trailers parking daily on their street (Warren Crescent). • At times cars are reduced to one lane and it is very dangerous coming out of properties as can not see past the trucks. • Dangerous for people trying to cross the road as you once again can not see until out on the road. • These trucks also park overnight, starting early to leave. • They rev their engines and pollute the air. They should <u>not</u> be able to park day <u>or</u> night in residential areas. • Believe that no heavy vehicle should be allowed to park, stop, at any time in a residential area, subject to 9(5). • Suggest that it be changed from "between the times of 9pm and 7am" be changed to "AT ANY TIME". 	
<p>Clause 13 – One way streets</p>	<p><u>Kennedys Bush Road Neighbourhood Association Inc (Submitted by Sylvia Lukey) (Submission ID 6351)</u></p> <ul style="list-style-type: none"> • Suggest that this be a notified process especially in respect of adding a road to the register. <p><u>Anna Thomas (Submission ID 6506)</u></p> <ul style="list-style-type: none"> • Suggest that this be a notified process especially in respect of adding a road to the register. 	<ul style="list-style-type: none"> • Although there are no specific mention of “consultation” within the Bylaw when any amendments are proposed, there is a requirement in the Local Government Act 2002 to give consideration to the views and preferences of persons likely to be affected by, or to have an interest in, the matter. • <i>There is existing legislation in place to ensure that Council consult, which may include notifying the community of any changes. Depending on the significance of the road that will be made one-way or changed and made two ways, it may also involve a special consultative procedure.</i>

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<p>Clause 14 – Roads or traffic lanes restricted to specific classes of vehicles</p>	<p><u>NZ Road Transport Association Region 4, submitted by Peter Goodwin (Submission ID 6514)</u></p> <ul style="list-style-type: none"> Concerned that Clause 14 appears to be a catch-all clause that could be used to ban trucks, or any other class of vehicle from using roads or traffic lanes. It was explained that the purpose was to enable the creation of Special Vehicle Lanes or Bus Lanes etc with no intention to ban trucks or any other vehicles. If this is the sole purpose of this bylaw, it should be explicitly stated. Unless it is explicitly stated that this enables the creation of special vehicle lanes, it is believed that while the current Council might use it for only this purpose, the danger remains that future Councils might use the clause in other ways. Clause 14 (1) enables the Council to specify roads that are restricted to buses and taxis 'or other classes or types of vehicles'. Clearly it could be used to include a wide range of classes of vehicles. It could also be used to exclude vehicles, such as trucks, by not including them in the specified class of vehicles. Suggest that the bylaw be amended to clarify its purpose and to make it explicit that its purpose is not to be used to restrict classes of vehicles that would not otherwise be restricted through other clauses of the bylaws. 	<ul style="list-style-type: none"> Section 72 of the Transport Act 1962 gives Council the power to make this bylaw which allows the creation of special vehicle lanes such as bus lanes, high occupancy lanes or cycle lanes etc. The wording of subclause (1) should be changed to the exact same wording as in Section 72(1)(kb) of the Transport Act 1962 to remove any concerns it may cause to as follow: <p style="text-align: center;"><i>The Council may by resolution establish the Restricted Vehicles on Specified Roads Register which specifies that on any road any traffic lane may be used or any turning movement may be made only by omnibuses, taxis or vehicles of other specified classes or vehicles carrying specified classes of loads.</i></p>
<p>Clause 16 – Prohibited times on roads</p>	<p><u>Derek Erasmus, Canterbury Police (Submission ID 6227)</u></p> <ul style="list-style-type: none"> Exemption for emergency vehicles on emergency service suggests that there would have to be an emergency for a Police vehicle to enter the road, thus excluding Police vehicles from patrolling the road to prevent unauthorised vehicles using it. Suggest removing the words "on emergency service" and replacing them with "acting in the execution of duty". <p><u>Kennedys Bush Road Neighbourhood Association Inc (Submitted by Sylvia Lukey) (Submission ID 6351)</u></p> <ul style="list-style-type: none"> Agree with this as it applies to Car 'Hoons' who destroy the peace of a neighbourhood and make residents lives a living hell. 	<ul style="list-style-type: none"> Five submissions received for this clause. Submission ID 6351 and Submission ID 6506 are the same but from different submitters. Two submissions support this clause. Two submissions suggest further exemptions. One submission does not support the clause and believe there are other ways of controlling the problem. This clause was included to prevent car enthusiasts congregating on roads and causing a nuisance to the adjacent residents.

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	<p><u>Kate Bovett and Peter Croft (ID 6500)</u></p> <ul style="list-style-type: none"> Obviously aimed at what are called Boy Racers . There are other ways of controlling the current problem If a vehicle is registered and warranted ie street legal then no access restrictions should apply. <p><u>Robin McCarthy (Submission ID 6505)</u></p> <ul style="list-style-type: none"> Most small passenger service vehicles are under 3,500 kgs, but provide public transport services Suggest adding the following: 15(6) (f) <i>the vehicle is a small passenger service vehicle.</i> <p><u>Anna Thomas (Submission ID 6506)</u></p> <ul style="list-style-type: none"> Agree with this as it applies to Car 'Hoons' who destroy the peace of a neighbourhood and make residents lives a living hell. 	<ul style="list-style-type: none"> There are existing legislations which the Police can use to deal with some of the problems caused by the "Boy Racers" however, often than not, the problems caused by the "Boy Racers" will cease when the Police arrive. This provision will be able to assist the Police in moving the "Boy Racers" on. Any passenger service vehicles would be exempt as it would be conveying the owner or occupier home. <i>The Council may wish to consider amending the clause to also exempt a vehicle operated by the police acting in the execution of duty.</i>
Clause 17 - Heavy vehicles using residential streets	<p><u>Derek Erasmus, Canterbury Police (Submission ID 6227)</u></p> <ul style="list-style-type: none"> Police have received public comment that the current signs with a truck in a prohibition circle is confusing. Suggest that the sign needs to be more explicit setting out the ban on heavy motor vehicles weighing more than 3500kgs and that this weight limit needs to be on the sign. 	<ul style="list-style-type: none"> 10 Submissions received on this clause. Submission ID 6351 and Submission ID 6506 are the same but from different submitters. Four submissions support this clause. Two submissions commented on restricting the hours of operation of trucks.
Clause 17 - Heavy vehicles using residential streets (cont.)	<p><u>Kennedys Bush Road Neighbourhood Association Inc (Submitted by Sylvia Lukey) (Submission ID 6351)</u></p> <ul style="list-style-type: none"> Operations of heavy vehicles in residential streets should not be permitted before 7.30am during weekdays and later at weekends. The peace of their neighbourhood is continually shattered with the rumble of large Trucks and concrete mixers travelling up the hill at very early hours of the morning. Are aware that the Scotts forest in Hoon Hay Valley will probably come to maturity in the next ten years or so. Would be totally opposed to any logging trucks travelling down Kennedys Bush Road and would like to be assured that logging trucks would be prohibited. 	<ul style="list-style-type: none"> Currently, there are a number of local streets which prohibit the use of heavy vehicles on the street except for heavy vehicles making deliveries by signs. Signs appear to have been erected under Section 70AA of the Transport Act 1962. The intention of this clause is to include in the register the roads which currently ban heavy vehicles. The exemption in Clause 17(3)(a) allow for drivers to park their trucks on their residential properties.

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	<p><u>Macarlla Ellmers (Submission ID 6331)</u></p> <ul style="list-style-type: none"> • Live at 119 Warren Cres, Hillmorton. • Believe there are many issues with these heavy vehicles driving and parking in residential areas that I strongly support a bylaw to prevent heavy vehicles from entering our streets, especially those that do not lead to anywhere like Warren Crescent. • Really enjoy living in Warren Crescent but never realised that it would become a trucking park-up. • Home and family are experiencing large vibrations caused by truck and trailer units driving past their home. • Occurring on a very regular basis due to two freight companies employee's residing near our home. • Believe that many of our Christchurch streets are not designed for heavy traffic use and incur an increasing costs to rate payers due to constant repairs. <p><u>Pat and Russell McKenzie (Submission ID 6499)</u></p> <ul style="list-style-type: none"> • Bought in Warren Crescent 20 months ago as it appeared to be a quiet residential street but the last six months have had many truck and trailer units driving around and parking on the street. • Have contacted Mainfreight and Freightlines about these trucks parking and using the street but have been of no use. • When these trucks go past they shake our house and our neighbours as well. • Would like to see these particular sized trucks banned from this area unless they are doing deliveries. 	<ul style="list-style-type: none"> • Staff could look at improving the signage by including the weight limit on the sign. • Restricting the hours of operation of trucks can not be dealt with through this Bylaw. • It should be noted that any roads which is to be included in the register will need to be justified and be tested against the New Zealand Bill of Rights Act. • It may likely be considered unreasonable if this restriction was to apply on an arterial road. Therefore, it is likely that only local roads would be affected. • It would not be appropriate to have an exemption for all passenger service vehicles operating on a charter service. Any passenger service vehicles operating on a charter service which has a need to be there will be exempt under clause 16(3)(a) as they would be conveying the occupier's bona fide visitors. • <i>The Council may wish to consider also exempting passenger service vehicles operating on contracted urban timetable services and city contracted rubbish removal vehicles.</i>

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<p>Clause 17 - Heavy vehicles using residential streets (cont.)</p>	<p><u>Canterbury Freight Working Group, submitted by Simon Milner (Submission ID 6502)</u></p> <ul style="list-style-type: none"> • Does not appear, as written, to allow for this 'solutions focused' approach insofar as it seems to allow for a broad brush approach, even in circumstances where a problem has not been explicitly identified. • May have the effect of reducing the efficiency of the transport network. • Concern that the bylaw does not provide for consultation before adding to the register of prohibited streets. • Urge Christchurch City Council to clarify the wording of the proposed Bylaw to ensure that a local road or part thereof is only added to the Heavy Vehicles on Residential Streets Register if informal negotiations between the road controlling authority, freight operators and communities have proved unsuccessful in resolving the issues. • The Canterbury Freight Working Group fully supports reducing the impact of heavy traffic on local communities, but also has a responsibility to prevent undue restrictions being placed on the freight task within the region. • Strongly believe that the 'solution-focused' approach should be the default stance, with Bylaw enforcement, as proposed in clause 17, a last resort when mediation / negotiation between the affected parties has failed. 	<ul style="list-style-type: none"> • (comments above)
	<p><u>Fendalton/Waimairi Community Board, submitted by Val Carter (Submission ID 6503)</u></p> <ul style="list-style-type: none"> • Supports this provision. • Is aware of several streets in its ward where residents would be interested in this register. 	

Draft CCC Traffic and Parking Bylaw 2008	Summary of submissions	Analysis/Comments
<p>Clause 17 - Heavy vehicles using residential streets (cont.)</p>	<p><u>NZ Road Transport Association Region 4, submitted by Peter Goodwin (Submission ID 6514)</u></p> <ul style="list-style-type: none"> Consider that this clause is unnecessarily restrictive. The nature of the transport industry is such that operators use the most appropriate and efficient routes. These do not usually include using local streets unless delivering in the immediate area. A range of other measures are also used to encourage heavy vehicles to avoid using local roads, eg through city plan provisions, narrowing of residential streets, traffic calming etc. The restrictions would cause several effects including: <ul style="list-style-type: none"> Adding cost to doing business in Christchurch Increasing environmental effects such as increased fuel use and increasing greenhouse gas emissions Reducing the efficiency of transport in the city. This clause could provide a de facto' ban on drivers parking their trucks on their residential properties. This would prevent them from undertaking maintenance and safety work and may also have security implications. Suggest that where local concerns arise that the industry is consulted and efforts made to find acceptable solutions before invoking the heavy handed provisions of this bylaw. The bylaw does not make any provision for consultation before streets are banned. It is not known if the roads from which through use by HMVs is currently banned will be included or whether roads will be added or deleted when the Registers are created. 	<ul style="list-style-type: none"> (comments above)
	<p><u>REDBUS LIMITED, submitted by Layne Sefton (SUBMISSION ID 6520)</u></p> <ul style="list-style-type: none"> Suggest adding the following <ul style="list-style-type: none"> <i>(d) Public Transport vehicles operating on contracted urban timetable services.</i> <i>(e) Public Transport vehicles operating on charter services.</i> <i>(f) City Contracted rubbish removal vehicles.</i> 	
	<p><u>Anna Thomas (Submission ID 6506)</u></p> <ul style="list-style-type: none"> Operations of heavy vehicles in residential streets should not be permitted before 7.30am during weekdays and later at weekends. The peace of their neighbourhood is continually shattered with the rumble of large Trucks and concrete mixers travelling up the hill at very early hours of the morning. Are aware that the Scotts forest in Hoon Hay Valley will probably come to maturity in the next ten years or so. Would be totally opposed to any logging trucks travelling down Kennedys Bush Road and would like to be assured that logging trucks would be prohibited. 	

Draft CCC Traffic and Parking Bylaw 2008	Summary of submissions	Analysis/Comments
Clause 17 - Heavy vehicles using residential streets (cont.)	<p><u>Lawrence and Cassia Kiesanowski (Submission ID 6332)</u></p> <ul style="list-style-type: none"> • Damage to older style property from vibrations. 	<ul style="list-style-type: none"> • (comments above)
Clause 22 – Use of waste-taker bins, receptacles, or any other object	<p><u>Derek Erasmus, Canterbury Police (Submission ID 6227)</u></p> <ul style="list-style-type: none"> • Suggest there needs to be a further Authority included to make the vehicle or bin safe. This covers the situation where a container or similar has been parked on the side of the road and causes a traffic hazard particularly at night because it is not lit (and probably does not have a traffic management plan). • Rather than removing the bin it would be more appropriate to make it safe by installing correct lighting on the bin. The Council should have the ability to recover costs as set out for vehicle removals under clause 36. • The ability to make an object safe and the cost of that to be recoverable could be achieved by adding the following new subclause. The wording is based upon section 21 of the Land Transport Act 1998. <i>(5A) Notwithstanding clause 5, if a waste-taker bin or similar receptacle or shipping container or any other object is placed on the road and becomes a hazard to the safety of traffic, an enforcement officer or an authorised officer may take such steps as may be reasonably practicable to eliminate or reduce the hazard. The cost of taking such steps must be charged to the owner of the bin, receptacle, shipping container or object.</i> 	<ul style="list-style-type: none"> • It would be more appropriate at times to ensure that the traffic hazard is made safe eg. by placing cones or installing lighting on the bin. • <i>The Council may wish to consider including the additional subclause as suggested.</i>
Clause 23 – Caravans	<p><u>Kate Bovett and Peter Croft (ID 6500)</u></p> <ul style="list-style-type: none"> • Object to this clause. • It is totally unacceptable to restrict say a road registered and warranted VW camper, which is smaller than many 4 wheel drive vehicles being used to take children to school, from parking on the road, as proposed in this section. <p><u>Akaroa-Wairewa Community Board, Stewart Miller (Submission ID 6509)</u></p> <ul style="list-style-type: none"> • Refers to the Public Places Bylaw 2008. • Believes the relevant section of that bylaw should be reproduced in this clause so that it is not necessary for the public to have to refer to two separate documents. 	<ul style="list-style-type: none"> • Two submissions received on this clause. • One submission objects to this clause. • This clause does not prohibit a caravan from parking on the road but limits the continuously period which it is parked on the road. • The existing Traffic and Parking Bylaw 1991 contains the same restriction on caravans prohibiting caravans to be parked on the road for a period not exceeding seven days. • <i>The relevant clause in the Public Places Bylaw may be removed so changes to this clause may be required.</i>

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<p>Clause 24 – Immobilised/immobile vehicles</p>	<p><u>Kate Bovett and Peter Croft (ID 6500)</u></p> <ul style="list-style-type: none"> • Mechanically immobilised also includes locking and removing the mechanical device used to mobilise a vehicle, that is the Key • Suggest that this section needs rewording • Object to this clause. 	<ul style="list-style-type: none"> • The intention of this clause is to prevent vehicles that are broken down and which can not be restarted or vehicles without wheels from being left on the road for an extended period of time. • The wording of this clause uses the wording in the current Traffic and Parking Bylaw 1991. • It is arguable whether a vehicle that is just parked is mechanically immobilised because it does not have a key. • <i>The Council may wish to reword this clause.</i>
<p>Clause 25 - Displaying vehicles on a street</p>	<p><u>Tom Taylor (Submission ID 6484)</u></p> <ul style="list-style-type: none"> • This provision make it a punishable offence to advertise any community or NGO event (such as school fairs, church fetes, community fund-raisers, meetings etc) via any means on a vehicle, subject only to the subjective test of reasonableness. • Possible impact on community events to the detriment of both communities and the Council's own Strengthening Communities Strategy. • Suggest the subclause should be modified to avoid such impacts by inserting wording allowing such events to be promoted. Failing that, justification must be provided as required by section 80 of the Local Government Act 2002. • Concern that it contravenes section 14 of the Bill of Rights Act 1990, namely that "<i>Everyone has the right to freedom of expression, including the freedom to seek, receive, and impart information and opinions of any kind in any form</i>". For example, it would make it a punishable offence to park a vehicle with an electioneering message during an election or for an NGO to promote a campaign by such means even though such activities are allowed under section 14 of the Act. • Suggest that provision must be amended to bring it into line with the Bill of Rights Act 1990. <p><u>Kate Bovett and Peter Croft (ID 6500)</u></p> <ul style="list-style-type: none"> • Every sign written vehicle is affected, these clauses should be deleted. • Legally registered and warranted vehicles should not be subject to restrictions because of signwriting. 	<ul style="list-style-type: none"> • Three submissions received on this clause. • All three submissions object to this clause. • The Public Places Bylaw deals with commercial activities in a public place and state that no person may undertake commercial activities in a public place, without the written permission of the Council. "Commercial activities" includes advertising goods, services or events. • The Public Places Bylaw may require a permit to be obtained for advertising any community event. • The Proposed Public Places Bylaw effectively deals with commercial advertising other than on business vehicles. • The intention of this clause is not to affect "advertising" or vehicles "displaying" materials that are sign-written. • It does however, need to cover businesses that store their vehicles or their customers' vehicles on the road and effectively using the road as an extension of their business. • It is considered reasonable if one business vehicle is parked on the street but if two or more business vehicles were parked on the street, then it is believed that a business is effectively using the road as an extension of their business. • <i>The Council may wish to consider removing subclause (2) relating to "advertising" on the vehicle and include a clause to allow one business vehicles to be parked on the street.</i>

Draft CCC Traffic and Parking Bylaw 2008	Summary of submissions	Analysis/Comments
<p>Clause 25 - Displaying vehicles on a street (cont.)</p>	<p><u>Robin McCarthy (Submission ID 6505)</u></p> <ul style="list-style-type: none"> • Displaying is not defined. Many small vehicles used as commercial vehicles have no writing on them. Some have removable magnetic signs, others have Fringe Benefit Tax paid on them, but are not readily identifiable as commercial vehicles. The bylaw is very discriminatory for this reason. • Council has refused to issue infringement notices against its own vehicles parked (allegedly) stored on the same street he live on, ie. A council building inspectors council car emblazoned with sign-writing. 	<ul style="list-style-type: none"> • (see comments above)
<p>Clause 28 – Restriction on movement of livestock</p>	<p><u>Kate Bovett and Peter Croft (ID 6500)</u></p> <ul style="list-style-type: none"> • Restriction of stock movements in areas of rural character unreasonable. The Council must not impose Colombo St rules on former Rural zoned areas that are still rural in character. • Object to the need to pay for permits to continue to carry out activities that have been previously unrestricted. <p><u>P R Manson For Queenlea Farms Ltd (Submission ID 6504)</u></p> <ul style="list-style-type: none"> • This clause prohibits any crossing of a road with 2000 vehicles per day or more, SH 75 exceeds this number so it will not be possible to access part of his property. • Suggest adding an exception unless a permit has been obtained. • Suggest that rather than state once per week amend to more than 30 times per year. This will allow for less total crossings but take into account the seasonal nature of farming and is less than once per week (52 times). • Is interested in how the Stock Droving routes register decided/approved there is no guidance or appeal process. There needs to be a consultative open process for adding or deleting roads/routes to it or an opportunity to be heard to support or oppose. • The graph is difficult to understand and does not appear to be mandatory. May I recommend that it only applies when more than 300 cows are moved. <i>(Selwyn DC is proposing 400 cows before an underpass is to be considered).</i> • Suggest there needs to be some consistency between adjoining local authorities. • Object to limiting the permit for a period of 2 years. • Suggest the following wording similar to Selwyn District Council bylaw. <i>Subject to the provisions of this Bylaw, a stock movement permit shall be valid for no fixed term (i.e. at the Council's pleasure); it is personal to the owner/operator of the farm to which the permit relates, the Council may review or cancel the permit at any time.</i> 	<ul style="list-style-type: none"> • Seven submissions received on this clause. • Many of the provisions relating to Stock Control are based on the current BPDC Stock Control Bylaw 1994. • This Bylaw only applies to road under the care, control and management of the Council and SH 75 is under the care, control and management of Transit New Zealand. The Council is not able to control and regulate roads that are not under its control. • An application fee is charge to recover the cost to administer and process the permit. This fee is prescribed by Council and may be set to zero. • Currently, the BPDC Stock Control Bylaw 1994 prohibits stock to be driven in the urban areas of Akaroa, Governors Bay, Diamond Harbour and Lyttelton except on stock droving routes, if any, except in the case of an emergency or where the stock are being moved from one part of a farm to another part of the same farm and no other suitable route is available. • There are currently no roads in the “Stock Droving Prohibited/Restricted Routes register”. There is a requirement in the Local Government Act 2002 to give consideration to the views and preferences of persons likely to be affected by, or to have an interest in, the matter. As part of that requirement, any roads that are to be included in a register will require a consultation process.

Draft CCC Traffic and Parking Bylaw 2008	Summary of submissions	Analysis/Comments
<p>Clause 28 – Restriction on movement of livestock (cont.)</p>	<p><u>Akaroa-Wairewa Community Board, Stewart Miller (Submission ID 6509)</u></p> <ul style="list-style-type: none"> • It appears from this clause that it is not possible to move stock, or even obtain a stock movement permit to move stock, in any of the areas listed. • It would preclude people from moving stock in the Akaroa urban area, and also on any section of State Highway 75, because it has an average daily traffic count of more than 2000 vehicles. • Suggest that a condition be added to this clause which will allow people to apply for a stock movement permit to move stock on the roads as listed Clause 28(1) (a) and (b). • Numbering correction required. 	<ul style="list-style-type: none"> • The issues raised on Pigeon Bay Road is an enforcement issue and the resourcing for a “Stock Control Officer” is a matter for the Inspections and Enforcement Unit. • <i>The Council may wish to consider not limiting the permit for a period of 2 years but rather be valid for no fixed term and allow the Council to review or cancel the permit at any time.</i> • <i>The Council may wish to amend the clause to allow stock to be moved in the case of an emergency or where the stock are being moved from one part of a farm to another part of the same farm and no other suitable route is available.</i> • <i>The Council may also consider applying a permit system for stock to be moved on roads where the daily traffic count is 2000 vehicles or more per day.</i> • <i>The Council may wish to consider adopting Selwyn District’s Stock Control bylaw when determining when a stock underpass is required.</i>
	<p><u>Federated Farmers of NZ, submitted by Sonia Voldseth (Submission ID 6489)</u></p> <ul style="list-style-type: none"> • Do not believe that restricting the use of a road entirely is appropriate. • Under Clause 28(1)(b) no stock can be moved on roads which accommodate over 2000 vehicles/day (even with a stock droving permit). A more workable system would be to allow stock droving on those roads, but to ensure permits are obtained for any roads with high vehicle movements. • Suggest that provision be made to allow stock to be moved through restricted areas in the event of an emergency. • Suggest that all roads that be adequately justified by the Council if it is to be included in a schedule (that has been through an appropriate consultation process). Any roads included in the schedule will require a permit. Such an approach will ensure that both farmers and the Council are very clear about the conditions for moving stock on those roads. • Suggest a long term permitting system which could be issued either until the expiration of the bylaw, or indefinitely until the farm changes ownership. If in the interim significant safety concerns become an issue, Council should have the discretion to address those by re-evaluating a permit. In that instance, an appeals panel should also be available. • It is not appropriate to restrict roads through a ‘Stock Droving Prohibited/Restricted Routes Register’ that no one has seen or had an opportunity to submit on. • Suggest that either the Council develop a schedule of roads that they consider are unsuitable for stock droving (taking into account vehicle movements per day and any incidences of problems with stock movement) and re-notify the bylaw. Alternately a separate consultation process should be undertaken for any register linked to the bylaw. Under no circumstances should farmers be expected to have their rights restricted in a way that does not enable them to participate. 	

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<p>Clause 28 – Restriction on movement of livestock (cont.)</p>	<p><u>Federated Farmers of NZ, submitted by Sonia Voldseth (Submission ID 6489)</u></p> <ul style="list-style-type: none"> • The graph included as a measure of when a stock underpass is required was developed in the Waikato region, which has specific qualities and needs that are different to the Canterbury region. Therefore, instead of the graph suggest the following language (taken from Selwyn District Council's bylaw): <ul style="list-style-type: none"> <i>That a stock underpass be constructed (at the applicant's expense) to the Council's satisfaction if:</i> <ul style="list-style-type: none"> - <i>Construction of an underpass is technically possible; and</i> - <i>Average daily traffic volume is greater than 1000 vehicles per day or the Council considers the benefit to other road users on any other road is more than minor; and</i> - <i>Herd sizes are greater than 400 animals</i> • Rather than defining the need for an underpass as moves more than once a week, it would be more helpful to provide a yearly figure of 25 to 30 times per year, which takes into account seasonal movements of stock. • Federated Farmers is of the view that permits should not require an application fee either for stock crossing or stock droving. If a fee is required it should be set at a transparent level that truly reflects the recovery of actual costs. • If underpasses are required, the Council should be prepared to partially subsidise them. Understand that Transit NZ subsidises underpasses on state highways and believe the same approach could be used by the local council. 	<ul style="list-style-type: none"> • (see comments above)

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<p>Clause 28 – Restriction on movement of livestock (cont.)</p>	<p><u>Pigeon Bay Road Users Group, submitted by E H Parry (Submission ID 6494)</u></p> <ul style="list-style-type: none"> • Suggest that the bylaw require the farmers to move their dairy cows on tracks on their own property at all times except in severe or extreme weather conditions, those conditions to be assessed and verified by an independent Stock Control Officer. • Suggest that the present approval/permission/right to traverse the road for the movement of dairy cows be revoked; and replaced with a conditional clause limiting the movement of dairy cows along (traversing) the road to severe or extreme weather conditions only, those conditions to be assessed and verified by an independent SCO. • Suggest that the farmers be required to restrict the movement of their dairy cows on the road to designated crossing points only. • Suggest that the farmers be required to move their dairy cows across their own property from the dairy yards to the designated Duvauchelle-Summit Rd stock route. 	<ul style="list-style-type: none"> • (see comments above)
	<p><u>Geoff Carter (Submission ID 6498)</u></p> <ul style="list-style-type: none"> • Suggest part of the attached 'Proposed Hurunui District Council Livestock Movement' Bylaw be incorporated in the appropriate sections of the proposed CCC Traffic and Parking Bylaw 2008 (refer to submission ID 6498). 	
<p>Clause 29 – General conditions for droving of livestock</p>	<p><u>Sandra Innes (Submission ID6381)</u></p> <ul style="list-style-type: none"> • Submission specifically relating to the Duvauchelle-Pigeon Bay Road, Akaroa area • The erection of temporary signs “stock ahead” should be enforced as cows are left to wander on this road for approximately 1.5 km after milking with no signage or front-droving person. 	<ul style="list-style-type: none"> • Three submissions received on this clause. • Enforcement to ensure compliance with the bylaw is a matter for the Inspections and Enforcement Unit. • The provision in subclause 29(1)(g) has been adopted from the current BPDC Stock Control Bylaw 1994. • If some properties do not have adequate gates or fences, the drover should be responsible to ensure that all reasonable steps are taken to ensure stock from getting onto adjoining properties.
	<p><u>Akaroa-Wairewa Community Board, Stewart Miller (Submission ID 6509)</u></p> <ul style="list-style-type: none"> • Suggest that the word “fit” should be replaced with the word “reasonable”. Believes this provides a guide to the Council that it can apply conditions, but those conditions must be practicable. 	

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<p>Clause 29 – General conditions for droving of livestock (cont.)</p>	<p><u>Federated Farmers of NZ, submitted by Sonia Voldseth (Submission ID 6489)</u></p> <ul style="list-style-type: none"> • Clause 29(g) is a problem. It is not appropriate to shut gates if the neighbour cannot be notified and/or does not wish to have the gate shut. In that event, every effort will be made to ensure that stock will kept on the road and off adjoining property. • In addition, in some cases adjoining properties do not have adequate gates and fences. In those situations the drover also should not be held responsible for stock getting onto adjoining property. • Suggest amending the clause to ensure that drovers are not responsible for shutting gates in situations where the owner does not want that to occur, and in situations in which fences and gates (of adjoining properties) are not adequate. 	<ul style="list-style-type: none"> • (see comments above)
<p>Clause 30 – Removal of faecal matter from road</p>	<p><u>Sandra Innes (Submission ID6381)</u></p> <ul style="list-style-type: none"> • Submission specifically relating to the Duvauchelle-Pigeon Bay Road, Akaroa area • Road is swept with a motorbike towing a large heavy sack which spreads the faecal matter across the entire carriageway. This makes the whole distance and width of the road very slippery for traffic and one cannot avoid any faecal matter. • The Christchurch City Council has recently spent a considerable amount of money and time preparing the entire length of this road and then resealing it, with a good layer of chip at present. • Faecal matter in large quantities now would make this expenditure a pointless exercise. • Would like to see this road (Duvauchelle-Pigeon Bay Road) added to the Stock Droving Routes Register, and enforcement of the law undertaken. <p><u>Keith Vogan (Submission ID 6486)</u></p> <ul style="list-style-type: none"> • The time of 30 minutes is impracticable in his case as it can take up to 40 minutes to drive a mob of milking cows up the "roadway" when it is impracticable and not reasonable to use internal farm tracks on his farm. • Believe a policy must have a workable time frame. • Suggest the current 2 hours be retained. 	<ul style="list-style-type: none"> • The bylaw states that all reasonable steps must be taken to clean the carriageway free of any faecal matter that is causing a nuisance of a safety issue as soon as practicable. • Whether those steps include placing washable synthetic mats on the roadway at designated crossing points to facilitate the removal and cleaning of faecal matter is not something that should be specified in case, there are better processes or aids in the future which better facilitates the removal and cleaning of faecal matter. • Resourcing of enforcement for this provision is a matter for the Inspections and Enforcement Unit. • <i>The Council may wish to increase the time which faecal matter must be cleaned off the carriageway in relation to milking cows to the current 2 hours.</i>

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<p>Clause 30 – Removal of faecal matter from road (cont.)</p>	<p><u>Federated Farmers of NZ, submitted by Sonia Voldseth (Submission ID 6489)</u></p> <ul style="list-style-type: none"> It is not reasonable to clean the carriageway within 30 minutes of the conclusion of milking. Many milking herds on Banks Peninsula are small and may only have one person milking. Also, if the carriageway must be cleaned within 30 minutes (and it is already dark) safety issues arise for the person cleaning the road. Suggest instead that the carriageway must be cleaned once a day during daylight hours. <p><u>Pigeon Bay Road Users Group, submitted by E H Parry (Submission ID 6494)</u></p> <ul style="list-style-type: none"> Suggest that the farmers be required to place washable synthetic mats on the roadway at designated crossing points to facilitate the removal and cleaning of faecal matter on or within the boundaries of their own property. 	<ul style="list-style-type: none"> (see comments above)
<p>Clause 31 – Animals or stock in a public place</p>	<p><u>Pigeon Bay Road Users Group, submitted by E H Parry (Submission ID 6494)</u></p> <ul style="list-style-type: none"> Suggest that farmers and their control of stock be monitored closely by a resident Stock Control Officer (SCO). There is a serious need for a SCO to be stationed in Duvauchelle as it is on that side of the Peninsula that most dairy farming activity occurs. A SCO in Little River is too far away from where dairying activity takes place; and it takes too long for that person to respond to stock movement incidents and complaints. 	<ul style="list-style-type: none"> There is currently no Stock Control Officers. Resourcing for a Stock Control Officer is a matter for the Inspections and Enforcement Unit.

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<p>Clause 32 – Stock droving routes register</p>	<p><u>P R Manson For Queenlea Farms Ltd (Submission ID 6504)</u></p> <ul style="list-style-type: none"> • Is interested in how the Stock Droving Routes Register decided/approved there is no guidance or appeal process. • Suggest that there needs to be a consultative open process for adding or deleting roads/routes to it or an opportunity to be heard to support or oppose. 	<ul style="list-style-type: none"> • Although there are no specific mention of “consultation” within the Bylaw when any amendments are proposed, there is a requirement in the Local Government Act 2002 to give consideration to the views and preferences of persons likely to be affected by, or to have an interest in, the matter. • Any roads that are to be included in the register will need to be resolved by the local Community Board or the Council and this involved presenting a report outlining all the issues. The Council’s report template contains a “Consultation Fulfilment” section which will also need to be considered. • Similar to any reports that are presented to the Council and Community Board, there is an opportunity for any member of the public to have speaking rights and be heard. • <i>There are existing legislation and process in place that ensures any affected parties are consulted.</i>
<p>Clause 35 – Materials/debris on roads and damage to roads</p>	<p><u>Kennedys Bush Road Neighbourhood Association Inc (Submitted by Sylvia Lukey) (Submission ID 6351)</u></p> <ul style="list-style-type: none"> • Endorse this section and would suggest that when a development is approved that the condition of a road is inspected to ascertain the condition of the road before development starts. • Developers need to be responsible for the damage done to access roads over and above the normal wear and tear. With some large developments there are many years of heavy traffic use by contractors vehicles during the building process and this continual use takes a big toll on the road surface. The cost of this wear and tear should not be borne by the general ratepayer but by the developer. • Suggest that perhaps there needs to be some sort of bonding system to recoup funds for roading damage. 	<ul style="list-style-type: none"> • Two submissions received on this clause. Submission ID 6351 and Submission ID 6506 are the same but from different submitters. • Both submissions support the clause. • A bonding system is an issue to be considered in the City Plan.

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	<p><u>Anna Thomas (Submission ID 6506)</u></p> <ul style="list-style-type: none"> • Endorse this section and would suggest that when a development is approved that the condition of a road is inspected to ascertain the condition of the road before development starts. • Developers need to be responsible for the damage done to access roads over and above the normal wear and tear. With some large developments there are many years of heavy traffic use by contractors vehicles during the building process and this continual use takes a big toll on the road surface. The cost of this wear and tear should not be borne by the general ratepayer but by the developer. • Suggest that perhaps there needs to be some sort of bonding system to recoup funds for roading damage. 	
<p>Clause 37 - Exempted vehicles</p>	<p><u>NZ Road Transport Association Region 4, submitted by Peter Goodwin (Submission ID 6514)</u></p> <ul style="list-style-type: none"> • Support this exemption clause but believe it is not adequate and that it should be widened. • While it exempts vehicles used by NZ Fire Service the same exemption is not available to the Council's rural fire or to contractors with water tankers. • A contractor may be forced to rely on the defences provided in Clause 37 but should not be placed in that position because the exemption clause is inadequate. • Suggest that it be widened to exempt all vehicles being used in an emergency. 	<ul style="list-style-type: none"> • It is too broad to exempt all vehicles being used in an emergency. • It would be difficult to enforce as some motorists may argue that the vehicle was being used in an emergency. • <i>Include an extra exclusion for the rural fire service of their contractors with water tankers on an emergency service.</i>
<p>Clause 39 – Penalties</p>	<p><u>Federated Farmers of NZ, submitted by Sonia Voldseth (Submission ID 6489)</u></p> <ul style="list-style-type: none"> • Recognise that \$20,000 is the upper limit of the fine amount but it seems out of proportion to any breach that may occur. 	<ul style="list-style-type: none"> • This is the maximum fine for breaching a bylaw as specified in the Act. • If a prosecution was to take place, the Judge would determine the appropriate level of fine. It is not a matter the Council can specify or control.

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<p>General comments relate to disabled parking and enforcement of disabled parking</p>	<p><u>Edward John Radcliffe (ID 6380)</u></p> <ul style="list-style-type: none"> • Cannot find any reference to disabled parking areas as set aside for those with mobility problems. • Aware that these spots (all over the city) are hard to police but would most certainly appreciate an effort being made to do so. • Suggest that the Council give some thought to this by either using traffic wardens or police or even giving supermarket senior staff training and power to tidy the situation up 	<ul style="list-style-type: none"> • The Parking Enforcement Officers are warranted and given authority to enforce parking legislation in the local authority's area and do. • The Council's Parking Enforcement Officers however, do not have legal authority to enforce breaches of parking on private property. • The management of supermarkets, malls etc. can tow vehicles that are parked in signposted disabled car parks without the valid permits. • The Commissioner may by warrant, appoint a person who is not a sworn member of the Police to be an enforcement officer as stated in section 208 of the Land Transport Act 1998. It is an issue that the management of the supermarkets, malls will need to follow up if they wish to give authority to their staff to enforce breaches of parking.
<p>General comments</p>	<p><u>Kate Bovett and Peter Croft (ID 6500)</u></p> <ul style="list-style-type: none"> • The City has grown enormously as a result of planning changes. Many areas, once zoned Rural and which remain essentially rural in character are affected by Bylaws, that is being treated as the same way as say Colombo St. • The blanket application of a Bylaw may be OK for Colombo St but is not acceptable or practical eg. Stock Control. 	<ul style="list-style-type: none"> • The purpose of a consolidated bylaw is to have a bylaw that can be applied to all the areas covered by Christchurch City Council. If there was a matter which needed to be treated differently due to the nature of the area, the bylaw has allowed for this. For example, stock droving is not permitted in the urban area of Christchurch City.
	<p><u>Central City Business Association, submitted by Antony Thomas Gough (Submission ID 6511)</u></p> <ul style="list-style-type: none"> • General comments received regarding the first hour free scheme, on automated off street parking, competitive operating cost and manned security centre. 	<ul style="list-style-type: none"> • The management and operation of off street parking is a matter for the Off-street Parking Team. • This is not part of the bylaw.
<p>General comments</p>	<p><u>The Association of Blind Citizens of NZ Inc., submitted by Gloria Weeks (Submission ID 6371)</u></p> <ul style="list-style-type: none"> • Concern with the position of parking meters and a detailed explanation is provided by one of their members. • Believe that the parking authority in this city needs to take more care in the placement of its parking signs and parking meters as have found that these have in some places encroached into footpath areas and represent a serious hazard for blind and vision impaired people not to mention those in wheelchairs. 	<ul style="list-style-type: none"> • This is not a matter for the bylaw.

Draft CCC Traffic and Parking Bylaw 2008	Summary of submissions	Analysis/Comments
<p>General comments on stock control</p>	<p><u>Federated Farmers of NZ, submitted by Sonia Voldseth (Submission ID 6489)</u></p> <ul style="list-style-type: none"> Concerned that the cover to the bylaw gives no indication that stock movement is a part of it. Suggest that the intent of the bylaw (to include movement of stock) should be made clear in the heading of the bylaw. The purpose of the bylaw should include the safety of stock, drovers and dogs as well as the obligation by other road users to use due care. Suggest that it would be useful to include language that <i>“no motorist may proceed without due care toward another road user, regardless of the motorist’s right to use the road, or without regard for any hazard on the road”</i>. Difficult to determine whether this bylaw relates directly to rural areas and where those areas are. It would be useful to outline the areas the bylaw applies to with either a map or a note of explanation. As areas become increasingly populated and the connection between urban and rural populations decreases, these simple propositions can be forgotten. We wish to ensure they do not. <p><u>Pigeon Bay Road Users Group, submitted by E H Parry (Submission ID 6494)</u></p> <ul style="list-style-type: none"> Submitter commented on the current BPDC Stock Control Bylaw 1994. Submissions relate specifically to the movement of dairy cows belonging to Messrs K and H Vogan along a section of Pigeon Bay Road, a distance that can at times extend to as far as 1.7 km. The farmers in question own land on both sides of the road, but have insufficient, inadequate or poorly maintained farm tracks on which to move their dairy cows. They instead use the sealed road - paid for by ratepayers - as a farm race whenever possible. 	<ul style="list-style-type: none"> The bylaw covers all the area managed by Christchurch City Council. The bylaw ensures that all stock droving are done in a safe manner for all road users. The bylaw does provide different restriction for dairy farmers.
<p>General comments on stock control</p>	<p><u>Mark Shadbolt (Submission ID 6501)</u></p> <ul style="list-style-type: none"> Support Federated Farmers’ submission fully. Their irregular droving of stock at various times of the year is done out of necessity. He wish to see their type of stock droving along the road or across the road addressed differently to that of a dairy farmer using the road on a daily basis. Stock droving likes theirs is an unpaid tourist attraction and must continue. It is unique to NZ and has appeal to most tourists. Not uncommon to have 20 or 30 photo’s taken during the event. 	<ul style="list-style-type: none"> (see comments above)

Draft CCC Traffic and Parking Bylaw 2008	Summary of submissions	Analysis/Comments
<p>General comments on heavy vehicles provision</p>	<p><u>NZ Trucking Association, submitted by Rodney Auton, (Submission ID 6507)</u></p> <ul style="list-style-type: none"> • Industry is heavily regulated at a national, regional and local level and yet without trucks delivering goods this city would close down. • Costs imposed on the industry by regulation will have to be passed onto Christchurch city ratepayers/consumers who are already reeling under increasing food, rental, mortgage and fuel costs. - ask that consideration be given to these issues when finalising the by-law. 	<ul style="list-style-type: none"> • Including provisions in the bylaw allowing Council to restrict parking of heavy vehicles in a residential area or banning heavy vehicles on residential streets, does not remove the need for Council to determine whether those restrictions are reasonable when assessing the streets which are to be included in the register.
<p>General comments on heavy vehicles provision</p>	<p><u>NZ Road Transport Association Region 4, submitted by Peter Goodwin (Submission ID 6514)</u></p> <ul style="list-style-type: none"> • Believe that the clauses on heavy vehicles are unnecessarily restrictive. They are specifically targeted at heavy vehicles without adequate justification or reason. • They have a strong opinion that the Council is taking an unnecessary and unjustified anti-truck stance and is using a sledgehammer to crack a non-existent nut. • Concerned that the bylaws that restrict the use of heavy vehicles will result in a reduction of efficiency in the transport industry and result in increased cost to the local economy. • No economic analysis of the effect of the bylaws has been undertaken. Note that it is a requirement that a cost benefit analysis be undertaken to support the development of road transport Rules by the Ministry of Transport. While the Council report considers some financial implications it does not consider the additional costs on the industry and the pass on costs to consumers. • No consideration has been given to the environmental effects that may arise from the bylaws through the potential use of additional fuel, or the increased emission of greenhouse gas, and particularly Carbon Dioxide as a result of drivers having to travel to and from transport parks, or to take alternative routes to restricted roads. • By banning heavy vehicles from local roads the bylaws have the potential to become highly restrictive and will inhibit the efficiency of transport in Christchurch. 	<ul style="list-style-type: none"> • (see comments above)

Draft CCC Traffic and Parking Bylaw 2008	Summary of submissions	Analysis/Comments
<p>General comments relate to registers</p>	<p><u>Akaroa-Wairewa Community Board, Stewart Miller (Submission ID 6509)</u></p> <ul style="list-style-type: none"> • Concern about the process around the establishment and maintenance of the registers in this (and other) bylaws. It is stated that the registers may be established and amended by a resolution of the Council. It does not state whether there will be any criteria to initiate that process or whether there will be any consultation, particularly with affected parties. Similarly there is no reference to any criteria for deletions from the register. • Note that there is no reference in the bylaw as to how accessible these registers will be for members of the public. For instance will the registers be appended to the bylaw or will they have to be accessed through some other system? • Believes that the Council needs to have an open and transparent process around the operation of these registers. 	<ul style="list-style-type: none"> • Although there are no specific mention of “consultation” within the Bylaw when any amendments are proposed, there is a requirement in the Local Government Act 2002 to give consideration to the views and preferences of persons likely to be affected by, or to have an interest in, the matter. • Any roads that are to be included in the register will need to be resolved by the local Community Board or the Council and this involved presenting a report outlining all the issues. The Council’s report template contains a “Consultation Fulfilment” section which will also need to be considered. • Registers will be available to the public. These can be uploaded onto the Council’s website.
<p>General comments relate to registers (cont.)</p>	<p><u>NZ Road Transport Association Region 4, submitted by Peter Goodwin (Submission ID 6514)</u></p> <ul style="list-style-type: none"> • There is no information provided with the bylaw about the roads that will be included on the registers. Consequently the Association is unable to quantify the effect they will have. • There is no provision in the bylaw to carry any existing schedules or list of restricted roads into the new bylaw. • The bylaws provide no criteria for the inclusion of any road on Registers. • There must be full consultation and that the Council must demonstrate that the inclusion of roads will be to the benefit of the whole of Christchurch, and not simply deal with a local neighbourhood complaint. • Concerned about the provisions for making registers and the complete lack of any requirement for consultation either when they are created or when they are amended. This is a very authoritarian approach. It is essential that before imposing restrictions there is collaboration and consultation to find solutions. • The lack of consultation on amendments to the various registers is also of major concern. This is particularly so if the creation of Registers is done by transferring existing Schedules to the proposed bylaw. • Amendments to all registers should be publicly notified providing the public and affected industries an opportunity to make submission to the Council. • Suggest that it be a requirement of the bylaws that the transport industry be consulted on proposed amendments. • Suggest the bylaw be amended to embrace this principle and establish criteria. Believe that better solutions can be developed collaboratively rather than being dictated without consultation. 	<ul style="list-style-type: none"> • At the Council meeting on 13 March 2008, the Council had resolved to transfer the existing schedules onto a register. • <i>There are existing legislation and processes in place to ensure that Council consult with affected parties.</i>

Draft CCC Traffic and Parking Bylaw 2008	Summary of submissions	Analysis/Comments
<p>General comments relate to consultation</p>	<p><u>NZ Road Transport Association Region 4, submitted by Peter Goodwin (Submission ID 6514)</u></p> <ul style="list-style-type: none"> Any and every register created must in their view be publicly notified and consulted on before its creation or amendment. However there is no provision in the proposed bylaw for any consultation on the registers and this inequity is further exacerbated by the ability of the Council to amend the registers without public notification) thus ensuring that the registers are made and amended without any ability for interested or affected parties to have any say. It is noted that under Clause 16 (Prohibited Times on Roads) there are requirements for public notification under sections 16 (1) and 16(2). Suggest that Clauses 8(3), 9 (1), 13 (1), 14 (1) and 17 (1) be amended by adding after the words 'by resolution establish' the words 'after public notification and consultation with interested parties' Suggest that Clauses 8 (4), 9 (2), 13 (2), 14 (2) and 17(2) be amended by adding after the words 'amend by resolution' the words 'after public notification and consultation with interested parties'. 	<ul style="list-style-type: none"> Although there are no specific mention of "consultation" within the Bylaw when any amendments are proposed, there is a requirement in the Local Government Act 2002 to give consideration to the views and preferences of persons likely to be affected by, or to have an interest in, the matter. <i>There are existing legislation and processes in place to ensure that Council consult with affected parties.</i>
<p>Suggested new clause relating to car window washers at intersection</p>	<p><u>Derek Erasmus, Canterbury Police (Submission ID 6227)</u></p> <ul style="list-style-type: none"> Car window washers at intersections cause intermittent problems in the city. Transit New Zealand are dealing with persistent offenders on Blenheim Road and the Main South Road. This is a problem that is cyclical and while not a significant problem today, has caused safety concerns in past years and may well do so in the future. The current law only allows Police to prosecute a person causing a danger at intersections while window washing through a Traffic Offence Notice. This is a considerable disincentive for Police to take action as it requires the production of a full prosecution file and summons to the offender for them to appear in Court. The maximum sentence the Court can impose is \$35. This is seen as a waste of time and is rarely used. In consultation with Transit New Zealand about the introduction of a Transit bylaw making it illegal to carry out window washing activities at intersections. This would be based on an existing Transit bylaw covering Highways in Auckland or the Manakau City bylaw that outlaws the same. Both these offences can be prosecuted by way of Infringement Offence Notice (a ticket) with fines of \$750 and \$500 respectively. Would like to see the inclusion of such an offence in this bylaw. This would give consistency across all roads in Christchurch and would give Police the ability to immediately target this safety issue if it arose on city streets. 	<ul style="list-style-type: none"> This could be included later and should be done in collaboration with Transit New Zealand and the Police to ensure consistency. Unable to include a new provision in this Bylaw as it has not been consulted on. A section 155 analysis would have to be undertaken to establish whether there was a significant problem and if so, is a bylaw the most appropriate way of addressing the problem. <i>The Bylaw can not achieve what is suggested.</i>

Draft CCC Traffic and Parking Bylaw 2008	Summary of submissions	Analysis/Comments
Suggested new clause relating to Stock Control Committee	<p><u>P R Manson For Queenlea Farms Ltd (Submission ID 6504)</u></p> <ul style="list-style-type: none"> Suggest that a Stock Control objection committee be included, it would be similar to the CCC committee that deals with objections to the classification of dogs in the Dog Control bylaw. Also similar to in the previous BPDC Stock Control Bylaw. It would give any party the opportunity to object or support any additions/deletions to the proposed register or any conditions imposed in a permit. 	<ul style="list-style-type: none"> <i>A Stock Control Hearing Committee can be included to deal with any objection or appeal.</i>
	<p><u>Akaroa-Wairewa Community Board, Stewart Miller (Submission ID 6509)</u></p> <ul style="list-style-type: none"> Suggest that a clause be included under this part of the bylaw which will allow for a Stock Control Hearing Committee to be convened. (Similar to what was previously included under the Banks Peninsula Stock Control Bylaw.) A Stock Control Hearing Committee allows an applicant or any other person to lodge an objection to the refusal or granting of a permit, or to any conditions imposed, or any notice served. The inclusion of such a clause allows for mediation when permits or notices are disputed. 	
	<p><u>Federated Farmers of NZ, submitted by Sonia Voldseth (Submission ID 6489)</u></p> <ul style="list-style-type: none"> Believe it is appropriate for a hearing panel to be available in the event that a permit is refused. Suggest the wording from the former Banks Peninsula District Council Stock Bylaw. 	
Comments relate to a suggested new clause in part 6 – Stock Control	<p><u>Geoff Carter (Submission ID 6498)</u></p> <ul style="list-style-type: none"> Suggest part of the attached 'Proposed Hurunui District Council Livestock Movement' Bylaw be incorporated in the appropriate sections of the proposed CCC Traffic and Parking Bylaw 2008 (refer to submission ID 6498). 	<ul style="list-style-type: none"> Some of the issues in the proposed Hurunui District Council Livestock Movement Bylaw has not been consulted on eg. requiring the owner of any stock being moved requiring a public liability insurance of \$1,000,000. Unable to include a new provision in this Bylaw as it has not been consulted on. A section 155 analysis would have to be undertaken to establish whether there was a significant problem and if so, is a bylaw the most appropriate way of addressing the problem. Would be able to however reduce the threshold which a permit is required for a stock crossing/droving to anything more than 12 days per calendar.

Draft CCC Traffic and Parking Bylaw 2008	Summary of submissions	Analysis/Comments
	<p><u>Spokes, submitted by Matthew Cutler-Welsh (Submission ID 6513)</u></p> <ul style="list-style-type: none"> Note that there do not currently appear to be any provisions to address the adverse effects of parking and some other related activities on the safety and convenience of cyclists. Ongoing issue for cyclists in Christchurch arising from problems with encroachment by parked vehicles and construction activities onto cycle lanes and other facilities. Regulatory and enforcement action is required to address these activities, which collectively are impacting on the safety and integrity of the cycling network in Christchurch. Do not consider that the Land Transport (Road user) Rules 2004 can adequately address these matters in the local context. Consider that the most appropriate way to address them is through amendments to the Traffic and Parking Bylaw that will specifically addresses encroachment arising from parked vehicles and other activities on cycle facilities. Suggest the following to be included: <p style="text-align: center;">9A PARKING AND CYCLING FACILITIES</p> <p><i>(1) No person shall:</i></p> <p><i>(a) Stand or park a vehicle, or cause a vehicle to be parked so that any part of that vehicle intrudes into or occupies a cycle lane; or</i></p> <p><i>(b) double park over a cycle lane; or</i></p> <p><i>(c) Stand or park on a cycle path (including an off road cycle path) or across the entrance or exit point to a cycle path; or</i></p> <p><i>(d) utilise a cycle lane for the placement of waste-taker bins, similar receptacles or shipping containers or any other object that interferes with the use of a road, or the storing of construction materials and equipment or by warning and advisory signage; unless that person has obtained the prior consent of an authorised officer, or in an emergency situation.</i></p>	<ul style="list-style-type: none"> The issues raised are covered by the Land Transport (Road User) Rules 2004. Any parking offences on cycle lanes are already being dealt with through the Parking Enforcement Team. Unable to include a new provision in this Bylaw as it has not been consulted on. A section 155 analysis would have to be undertaken to establish whether there was a significant problem and if so, is a bylaw the most appropriate way of addressing the problem. <i>The Bylaw can not achieve what is suggested.</i>

Attachment 4 – Summary of possible amendments to the Traffic and Parking Bylaw 2008

CLAUSE 4 – INTERPRETATION

New definitions proposed:

“Hours of darkness” has the meaning given to that term in Land Transport (Road User) Rule 2004

“Livestock” or “Stock” means any horse, cattle, sheep, pig, goat, mule or ass of whatever age or sex and includes any other animal farmed for profit.

“Passenger service vehicle” has the meaning given to that term in section 2(1) of the Land Transport Act 1998.

“Standing” has the meaning assigned to that term in Part 2 of the Land Transport Rule: Traffic Control Devices 2004.

“Road” has the same meaning given to that term in section 315(1) of the Local Government Act 1974

Clause 5 – Parking Restrictions

Replace clause 5 as follows:

5 Parking, stopping and standing restrictions

- (1) The Council may by resolution set aside any road, or part of any road, or any other area controlled by the Council, as a restricted parking area.
- (2) A restricted parking area may be subject to such conditions as the Council determines by resolution and, without limitation, may include -
 - (a) **the time period or time periods between which parking restrictions have effect:**
 - (b) **the number and situation of parking spaces within each restricted parking area:**
 - (c) **the maximum time allowed for parking in any parking space in a restricted parking area:**
 - (d) **whether a parking space in a restricted parking area is designated for a particular vehicle or mobile shop and the charges payable (if any) for that parking space:**
 - (e) **whether or not the restricted parking area is a Residents Parking Only area:**
 - (f) **whether or not the restricted parking area is a Pay and Display area:**
 - (g) **that parking is prohibited in that restricted parking area or parts of that restricted parking area.**
- (3) The Council may by resolution impose standing or stopping restrictions on any road or any part of any road or any other area controlled by the Council whether by way of a time restriction, a restriction to a specified class, classes or description of vehicle, a total prohibition or any combination of these.
- (4) The Council may by resolution –
 - (a) **prescribe the charges payable for parking in a restricted parking area; and**
 - (b) **prescribe the means by which parking charges may be paid including, by the use of parking meters, pay and display machines, parking coupons, attendant issued tickets, or otherwise.**

- (5) The Council may subsequently amend by resolution –
- (a) **any restricted parking area by adding any road or part of a road, or any other area controlled by the Council as a restricted parking area, or deleting or changing any road or part of a road, or other area previously so specified as a restricted parking area:**
 - (b) *any condition in relation to a restricted parking area, by adding, deleting or changing any such condition:*
 - (c) *any stopping or standing restrictions by adding, deleting, or changing any such restrictions*
- (6) The Council must clearly indicate any restricted parking area, stopping and standing restrictions by the use of signage and markings in accordance with the Land Transport Rule: Traffic Control Devices 2004.

Clause 8 – Vehicles on Grass Verges

Add a new subclause to exclude mowing machinery as follows:

- (5) *Nothing in this clause applies to the use of any lawnmower that is capable of being registered and licensed under section 5 of the Transport (Vehicle and Driver Registration and Licensing) Act 1986 on any grass verge.*

Clause 9 – Heavy Vehicles Parking on Residential Streets

Replace clause 9 to allow a heavy vehicle to park in a residential area for a period of no more than one hour as follows:

- 9 *Heavy vehicles parking on residential streets*
- (1) *Subject to subclause (3), no person may stop, stand or park a heavy motor vehicle for a period of more than one hour on any road in a residential area.*
 - (2) *For the purposes of subclause (2), residential area –*
 - (a) *means any land zoned "living" or "residential"; and*
 - (b) *includes any land that may not be zoned "living" or "residential" but has the following characteristics –*
 - (i) *continuous residential dwellings on one or both sides of the road; or*
 - (ii) *residential dwellings mixed with open spaces or local amenities such as hospitals, schools, clubrooms, medical centres and other similar activities.*
 - (3) *Any person may apply to the Council for written permission to park a heavy motor vehicle for a period exceeding one hour on any road in a residential area.*
 - (4) *A permit issued under this clause is subject to such terms and conditions that the Council thinks fit.*
 - (5) *Terms and conditions specified in a permit may include, without limitation, such matters as:*
 - (a) *the name of the permit holder;*
 - (b) *the duration of the permit;*
 - (c) *the heavy motor vehicle to which the permit relates;*
 - (d) *the location to which the permit relates.*
 - (6) *An application for a permit must be made in writing, and on the appropriate form provided by the Council (if any).*
 - (7) *Nothing in subclause (1) applies to a heavy motor vehicle –*
 - (a) *providing an emergency service on the road or in the immediate vicinity; or*
 - (b) *being loaded or unloaded in the course of trade; or*
 - (c) *being a passenger service vehicle which is operating on a contracted timetable service; or*
 - (d) *carrying out work as a network utility operator; or*
 - (e) *to which a permit issued under subclause (3) relates.*

If clause remains as is currently in the consultation draft, suggest the following change to include the extra exclusion for passenger service vehicles so that current clause 9(5) would now read as follows:

- (5) *Nothing in subclause (1) applies to a heavy motor vehicle –*
- (a) providing an emergency service on the road or in the immediate vicinity; or*
 - (b) being loaded or unloaded in the course of trade; or*
 - (c) being a passenger service vehicle which is*
 - (i) loading or unloading passengers; or*
 - (ii) operating on charter services; or*
 - (d) carrying out work as a network utility operator.*

Clause 17 – Heavy Vehicles Using Residential Streets

Replace subclause (4) to include the extra exclusion for passenger service vehicle and refuse collection vehicles as follows:

- (4) *Nothing in subclause (1) applies to a heavy motor vehicle –*
- (a) providing an emergency service on the road or in the immediate vicinity; or*
 - (b) being loaded or unloaded in the course of trade; or*
 - (c) being a passenger service vehicle which is operating on a contracted timetable service; or*
 - (d) carrying out work as a network utility operator; or*
 - (e) carrying out refuse collection work.*

Clause 25 – Displaying Vehicles on Street

Replace clause 25 as follows:

- 25 *Displaying, Storing Vehicles on Street*
- (1) Subject to subclause (3), no person may park a vehicle on any road or public place for the sole purpose of sale or exhibition in connection with any trade or business of that person.*
 - (2) No person may park two or more vehicles on any road or public place for the purpose of storage of those vehicles in connection with any trade or business of that person.*
 - (3) This clause does not apply to a resident of a property selling his or her private vehicle where that vehicle is parked within 50 metres of the address or residence of the registered vehicle owner (as listed in the Land Transport New Zealand Motor Vehicle Register) at the time of the vehicle being found so parked.*