

10. RURAL YALDHURST AREA – PROPOSED NIGHT-TIME RESTRICTION FOR VEHICLES

General Manager responsible:	General Manager City Environment, DDI 941 8608
Officer responsible:	Transport and Greenspace Manage
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PURPOSE OF REPORT

1. The purpose of this report is to seek the Board's recommendation that the Council prohibit motor vehicles weighing less than 3,500 kilograms from stopping, entering and/or being used on the roads listed in paragraphs five and six below and as shown on the plan **Attachment 1**.

EXECUTIVE SUMMARY

2. At the Board meeting on 18 August 2009, a deputation by several residents living in the rural area of Yaldhurst sought measures to be implemented to curb anti-social driver (boy racer) activities and behaviour in their community.
3. The delegation outlined their experiences and concerns regarding the safety for road users and for local residents and they described the wilful damage occurring to private and public property, the litter being generated, the intimidation and fear arising from the activities, and the pollution resulting from fuel deposits and tyre burnouts.
4. In the past two years, Police have responded to numerous callouts (refer to paragraph 19 below) from residents related to the illegal activities as detailed in paragraph three above.
5. Following the deputation, the Board decided that staff be requested to investigate whether Clause 68A ("*Prohibition Times on Roads*") of the **Traffic and Parking Bylaw 1991** can be extended to include the Streets below:
 - (a) Ryans Road (from Russley Road to Guys Road)
 - (b) Grays Road (from Avonhead Road to Ryans Road)
 - (c) Pound Road (from Yaldhurst Road to McLeans Island Road)
 - (d) Guys Road (from School Road to Conservators Road)
 - (e) School Road (from Yaldhurst Road)
 - (f) Savills Road
 - (g) Conservators Road
 - (h) Coringa Road.
6. During investigations, it has been noted that the following roads are not among the roads listed above but they are linked, and have the potential to attract undesirable anti-social driver activities (refer Attachment 1):
 - (a) **Jessons Road** – this is a local no-exit road which runs east off the north end of Pound Road near its existing intersection with McLeans Island Road. Police records show that anti-social driver activities have taken place in this location.
 - (b) **Avonhead Road** – this is the 1270 metre long section at the west end of Avonhead Road, linking Russley Road with the north end of Grays Road.
 - (c) **Hasketts Road** – this is the 200 metre long section at the north end of Hasketts Road providing access to School Road from West Coast Road.
 - (d) access (no road name) to School Road from West Coast Road – this is the 80 metre long access road near the east end of School Road.

7. Given the potential to attract anti-social driver activities, it is recommended that the roads listed in paragraph six above should also be considered for appropriate prohibition to curb these activities.
8. Note that Clause 68A (*"Prohibition Times on Roads"*) of the **Traffic and Parking Bylaw 1991** referred to in paragraph five above has been superseded by Clause 15 (*"Prohibited Times on Roads"*) in Part 2 of the current **Traffic and Parking Bylaw 2008**.
9. At its 22 April 2010 meeting, the Council resolved the following **additions** and **amendments** to council's *"Prohibited Times on Roads"* policy:
 - (a) that the following be added as a second and third paragraph of the Scope and Definitions section of the *"Prohibited Times on Roads"* policy (**Attachment 2** to the agenda):
 - (i) *Where a "Prohibited Times on Roads" request is for well-defined industrial areas with no through function, the prohibition should be seven days a week, from 10 pm to 5 am the following morning.*
 - (ii) *Where a "Prohibited Times on Roads" request is for an area where people live or where the roads have a through function then the prohibition is to apply only during limited times, in particular: – Thursday to Friday 10 pm - 5 am; Friday to Saturday 10 pm – 5 am; Saturday to Sunday 10 pm – 5 am; Sunday to Monday 10 pm – 5 am; and from 10 pm on the day preceding any public holiday until 5 am on that statutory holiday; and from 10 pm on the public holiday to 5 am the following morning.*
 - (b) That the issues to be considered section of the flowchart (Attachment 2 to the agenda) in the *"Prohibited Times on Roads"* policy be amended so that the second bullet point reads *"The problem has persisted for a considerable period of time, even though other enforcement has been carried out."*
 - (c) That the issues to be considered section of the flowchart in the *"Prohibited Times on Roads"* policy be amended so that the fourth bullet point reads *"No arterial roads, or collector roads, are included."*
 - (d) That the existing *"Prohibited Times on Roads"* be reassessed into the two categories and a report be presented to the Council to align the days and times of the prohibitions on the existing roads with (a)(i) and (ii) above.
10. Prior to the prohibition time regime and "days of the week" regime resolved by the Council at their meeting on 22 April 2010, several different time regimes and "days of the week" regimes existed for several areas of prohibition around the city. The Police had indicated that the inconsistencies would cause issues for enforcement, and could cause confusion over what days and times existed when a callout came in, therefore requiring Police to check the details on the signs on arrival would not provide effective enforcement.
11. The *Prohibited Times on Roads* recommended in this report are consistent with the above amended council's *"Prohibited Times on Roads"* policy.
12. All the roads covered in this report are located in the sparsely populated rural area of Yaldhurst and Harewood west and south of Christchurch International Airport, where the properties are mainly farms and lifestyle blocks. The rural setting of this area attracts anti-social driver behaviour at night.
13. Apart from Pound Road which is a collector road, all the other roads (including the additional roads listed in paragraph six) are classified as local roads.

14. The current speed limit is 50 kilometres per hour on School Road east of Hasketts Road, and on the access road to School Road from West Coast Road. On all the other roads under consideration, the current speed limit is 100 kilometres per hour. However, the following roads are listed on Council's current Speed Limit Review:
 - (a) Pound Road, from Yaldhurst Road to Ryans Road
 - (b) Guys Road, from School Road to Ryans Road
 - (c) Hasketts Road, from West Coast Road to School Road
 - (d) School Road, from Hasketts Road to west end.
15. Currently there are plans to stop and close off the section of Pound Road, from a point approximately 1120 metres north of Ryans Road, to its intersection with McLeans Island Road north of Jessons Road. This is to facilitate the provision of a protection area extension of the Christchurch International Airport east-west runway, as required by New Zealand Civil Aviation Authority. The plan includes re-aligning Pound Road to re-join McLeans Island Road at a point approximately 1660 metres west of the existing McLeans Island Road/Pound Road intersection (see Attachment 1). The re-alignment work is planned to be completed by October 2011, after which the road stopping of Pound Road (as described above) will be implemented.
16. Apart from approximately 330 metres of existing No Stopping restrictions (No Stopping broken yellow lines) on Pound Road along the Airport boundary at the west end of the airport east-west runway, there are no other restrictions on the other roads. **Note:** the section of Pound Road with No Stopping restrictions is in the section to be stopped and closed, as discussed in paragraph 15 above.
17. The traffic survey carried out on Pound Road in May 2010 showed that traffic volumes were 3,950 vehicles per day.
18. On Guys Road and School Road, a traffic survey carried out in May 2008 showed that traffic volumes were recorded at approximately 236 vehicles a day and 313 vehicles a day, respectively. No traffic volume data are available for the other roads.
19. The following reported information on traffic incidents have been provided by Police (refer to **Attachment 2** copy of letter dated 20 July 2010 from Police):
 - (a) between July 2008 and June 2010, Police received 288 complaints regarding anti-social driver behaviour
 - (b) in that same period, Police received a further 192 complaints regarding general traffic offending, some of which could have been related to anti-social drivers
 - (c) although there are records of anti-social driver behaviour dating back to 1999, Police have noticed an increase in incidents involving such behaviour in the last five years
 - (d) Police records for the area show that anti-social drivers are most active on Pound Road, Ryans Road, Guys Road, Yaldhurst Road and West Coast Road, and to a lesser extent on School Road, Grays Road, Savills Road, Conservators Road, Jessons Road and Avonhead Road.
20. Based on the above information provided by Police, an average of between two to three Police complaints per week were laid. These do not include the 192 complaints in paragraph 19 (b) above.

21. The Police have powers to deal with offences relating to the lack of traction of vehicles and the speed of vehicles. However, this behaviour usually stopped by the time the Police arrived on the scene. It can start up again minutes after the Police leave. Prohibiting both the spectators and the participants from taking their cars on the affected roads will allow the Police to deal with this undesirable behaviour. The most effective way to achieve this is to prohibit those vehicles from using or parking on the road unless they are driven by residents or bona fide visitors of properties in that road.
22. Pound Road being a collector road should not be included on the "*Prohibited Times on Roads*" Register as this road is a designated traffic route and therefore the 'New Zealand Bill Of Rights' issues need to be considered. It is therefore more appropriate to install a night time parking restriction on this road, which would give the Police the power to stop anti-social drivers from gathering on Pound Road at night, which is an effective method of dealing with the problem.
23. Given the planned stopping, closing off and re-alignment of Pound Road as discussed in paragraph 15 above, the following options for this section of Pound Road were considered:

Option One:

- (a) Install appropriate signs on Pound Road, including in the section to be stopped and closed. Upon completion of the re-alignment of Pound Road, shift the affected signs to the newly re-aligned section of Pound Road.

Option Two:

- (b) Install appropriate signs on Pound Road, but not in the section to be stopped and closed. Upon completion of the re-alignment of Pound Road, installed the remaining signs in the newly re-aligned section of Pound Road.

24. Option two is the preferred option because it will not involve installing, removing and re-installing the affected signs. Even if anti-social driver activities take place on Pound Road before it is stopped, closed and re-aligned, the disturbance will be minimal given that the nearest dwelling is 240 metres away on Savills Road.

25. It is proposed that the following prohibitions be imposed:

- (a) the stopping of vehicles on Pound Road, from Yaldhurst Road to a point approximately 1120 metres north of the Pound Road/Ryans Road intersection, between 10pm and 5am on Thursdays, Fridays, Saturdays, Sundays, on the day preceding a public holiday, and on the public holiday from 10pm to 5am the following day.
- (b) the stopping of vehicles on Pound Road along its new alignment, from a point approximately 1120 metres north of the existing Pound Road/Ryans Road intersection to the new Pound Road/McLeans Island Road intersection approximately 1660 metres west of the current Pound Road/McLeans Island Road intersection, between 10pm and 5am on Thursdays, Fridays, Saturdays, Sundays, on the day preceding a public holiday, and on the public holiday from 10pm to 5am the following day.
- (c) the entry and/or use of vehicles weighing less than 3,500 kilograms on the roads listed below, between 10pm and 5am on Thursdays, Fridays, Saturdays, Sundays, on the day preceding a public holiday, and on the public holiday from 10pm to 5am the following day:
 - (i) Ryans Road (from Russley Road to Guys Road)
 - (ii) Grays Road (from Avonhead Road to Ryans Road)
 - (iii) Guys Road (from School Road to Conservators Road)
 - (iv) School Road (from Yaldhurst Road)
 - (v) Savills Road
 - (vi) Conservators Road
 - (vii) Coringa Road
 - (viii) Jessons Road (from Pound Road)

- (ix) Avonhead Road (from Russley Road to Grays Road)
 - (x) Hasketts Road (from West Coast Road to School Road)
 - (xi) access road near east end of School Road (from West Coast Road to School Road)
26. If adopted by the Council, the names of the roads affected by the *Prohibited Times on Roads* proposal will be added to the “*Prohibited Times on Roads*” Register.
 27. This will allow the Police to carry out effective enforcement.
 28. Police have also pointed out that “law abiding” members of the public regularly park in the area at night to observe aircraft movements (aircraft watching) at the airport. The vantage points for aircraft watching in the affected area are Pound Road, Grays Road and Avonhead Road.
 29. Current domestic flight schedules show that the first and last flight arrivals are at approximately 7.30am and 10.05pm respectively, while the first and last flight departures are at approximately 5.40am and 8.45pm respectively. The proposed prohibitions on the roads will only minimally affect aircraft watching of the arrival of the last domestic flight.
 30. International flight schedules for winter show that the first and last flight departures are at approximately 6.00am and 7.05pm respectively, so aircraft watching of departing international flights will not be affected by the proposed hours of prohibitions on the roads.
 31. The first and last international flight arrivals in winter are at approximately 12.25am and 11.55pm respectively. Of the 100 international weekly arrivals, 43 of these flights arrive between 10.25pm and 1.00am during the proposed hours of prohibition for the roads.
 32. Aircraft watching on Grays Road and Avonhead Road during the times of prohibition will not be possible if the proposed prohibition of vehicles weighing less than 3,500 kilograms entering and/or being used on the roads is imposed.
 33. Similarly, aircraft watching on Pound Road will not be possible if the proposed prohibition on stopping on the road by vehicles is imposed. However, when patrolling Pound Road, Police can exercise discretion if they encounter legitimate aircraft watchers who are not engaging in anti-social driver activities.
 34. Other than the Police, no consultations have been carried out due to the fact that residents in the area initiated the deputation to the Board.

FINANCIAL IMPLICATIONS

35. The estimated cost of this proposal is approximately \$55,000.

Do the Recommendations of this Report Align with 2009-19 LTCCP budgets?

36. The installation of traffic signs is within the LTCCP Transport and Greenspace Operational Budgets.

LEGAL CONSIDERATIONS

37. Complies with the provisions of the New Zealand Bill of Rights Act 1990.
38. Clause 15 (1) of the Christchurch City Council Traffic and Parking Bylaw 2008 provides that “The Council may by resolution specify any road or part of a road and the days and times during which motor vehicles weighing less than 3,500 kilograms are prohibited from being used on the road or part of that road or roads”.
39. The installation of any parking restriction signs and/or markings must comply with the Land Transport Rule: Traffic Control Devices 2004.

Have you considered the legal implications of the issue under consideration?

40. As above.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

41. Aligns with the Transport and Greenspace activities by contributing to the Council's Community Outcomes - Safety and Community.

Do the recommendations of this report support a level of service or project in the 2009-19 LTCCP?

42. This contributes to improve the level of service for safety and access.

ALIGNMENT WITH STRATEGIES

43. The recommendations align with the Council's Road Safety Strategy, Safer Christchurch Strategy and Litter Strategy.

Do the recommendations align with the Council's Strategies?

44. As above.

CONSULTATION FULFILMENT

45. The Police support this recommendation.

46. The request for the "*Prohibited Times on Road*" to be extended to the Yaldhurst area came from the Board during its meeting on 18 August 2009 following a deputation from area residents who outlined their experiences and concerns resulting from anti-social driver activities and behaviour in their community.

STAFF RECOMMENDATION

It is recommended that the Fendalton/Waimairi Community Board recommends to the Council:

- (a) to prohibit the stopping of vehicles on Pound Road, from Yaldhurst Road to a point approximately 1120 metres north of the Pound Road/Ryans Road intersection, between 10 pm and 5 am on Thursdays, Fridays, Saturdays, Sundays, on the day preceding a public holiday, and on the public holiday from 10 pm to 5 am the following day.
- (b) to prohibit the stopping of vehicles on Pound Road along its new alignment, from a point approximately 1120 metres north of the existing Pound Road/Ryans Road intersection to the new Pound Road/McLeans Island Road intersection approximately 1660 metres west of the current Pound Road/McLeans Island Road intersection, between 10pm and 5am on Thursdays, Fridays, Saturdays, Sundays, on the day preceding a public holiday, and on the public holiday from 10pm to 5am the following day.
- (c) that pursuant to the Clause 15 in Part 2 of the Christchurch City Council's **Traffic and Parking Bylaw 2008**, motor vehicles weighing less than 3,500 kilograms be prohibited from entering and/or being operated on the following roads between 10pm and 5am on Thursdays, Fridays, Saturdays, Sundays, on the day preceding a public holiday, and on the public holiday from 10pm to 5am the following day:
 - (i) Ryans Road (from Russley Road to Guys Road)
 - (ii) Grays Road (from Avonhead Road to Ryans Road)
 - (iii) Guys Road (from School Road to Conservators Road)
 - (iv) School Road (from Yaldhurst Road)
 - (v) Savills Road
 - (vi) Conservators Road

- (vii) Coringa Road
- (viii) Jessons Road (from Pound Road)
- (ix) Avonhead Road (from Russley Road to Grays Road)
- (x) Hasketts Road (from West Coast Road to School Road)
- (xi) access road near east end of School Road (from West Coast Road to School Road).