

9. PART TIME SPEED LIMITS

General Manager responsible:	General Manager City Environment
Officer responsible:	Transport & City Streets Manager
Author:	Joy Kingsbury-Aitken, DDI 941-8299

PURPOSE OF REPORT

1. The purpose of this report is to recommend that the Council set five new variable speed limits of 40 km/h on certain roads in the vicinity of certain schools.

EXECUTIVE SUMMARY

2. The Council resolved on 1 July 2004 to impose variable speed limits of 40 km/h on roads outside Westburn School, Cobham Intermediate School, and Burwood School. This will involve setting four new variable speed limits of 40 km/h as Burwood School has two road frontages. In addition to this, it is now proposed to extend the existing variable speed limit of 40 km/h at Chisnallwood Intermediate School to include a second school entrance on Pembroke Street. This will result in the setting of five new variable speed limits in total.
3. Now that the Council has made the Christchurch City Speed Limits Bylaw 2005, it can by way of resolution made pursuant to Clause 5(1) of that Bylaw, set these new variable speed limits. The necessary infrastructure for these variable speed limits will be installed once the Council has set the variable speed limits in accordance with the Bylaw and the Land Transport Rule Setting of Speed Limits 2003 Rule 54001 ("the Rule").

FINANCIAL AND LEGAL CONSIDERATIONS

4. Owing to delays in obtaining the necessary approvals to install the 2004/05 programmed schools signage, the 2004/05 budget was used to procure the electronic signage in preparation. The 2005/06 budget would then be used to procure the static signs associated with the above and pay for the installation. In addition to the 2004/05 programmed schools, now carried over into the 2005/06 financial year, an additional electronic signage and the associated static signage would be procured and installed from the 2005/06 School Speed Zone budget. It is proposed to consult with the affected residents in and around Manning Intermediate School who will be affected by the position on new electronic and static signage and installed the new signage by the start on the new school year. This will be recommended in a later report to follow after the next round of consultation.
5. Before the Council may set a variable speed limit pursuant to Clause 5(1) of the Bylaw it must comply with the public consultation requirements set out in section 7.1 of the Rule. Section 7.1(2) provides that the persons that must be consulted before the Council sets a speed limit are:
 - (a) *road controlling authorities that are responsible for roads that join, or are near, the road on which the speed limit is to be set or changed; and*
 - (b) *a territorial authority that is affected by the existing or proposed speed limit; and*
 - (c) *any local community that the road controlling authority considers to be affected by the proposed speed limit; and*
 - (d) *the Commissioner; and*
 - (e) *the Chief Executive Officer of the New Zealand Automobile Association Incorporated; and*
 - (f) *the Chief Executive Officer of the Road Transport Forum New Zealand; and*

- (g) any other organisation or road user group that the road controlling authority considers to be affected by the proposed speed limit; and
- (h) the Director.”

Section 7.1(3) of the Rule provides:

“A road controlling authority must consult by writing to the persons in 7.1(2) advising them of the proposed speed limit and giving them a reasonable time, which must be specified in the letter, to make submissions on the proposal.”

6. In terms of Sections 7.1(2)(a) and 7.1(2)(b) there are no road controlling authorities or territorial authorities that are required to be consulted in respect of any of the proposed variable speed limits.
7. The term “any local community” is not defined for the purposes of Section 7.1(2)(c) the Rule. However, for the purposes of meeting the requirements of Section 7.1(2)(c), the proposal has been notified in writing by way of a letterbox drop to the occupiers of approximately 200 properties which have frontages onto those portions of roads where it is proposed that the variable speed limits will apply and to the occupiers of properties which have frontages onto portions of roads in the immediate vicinity. Attachment 1 to this report contains maps indicating the location of each of the proposed variable speed limits. Overlaid on those maps are the areas in which property occupiers were consulted for the purposes of section 7.1(2)(c). The Boards of each of the schools in question have been notified. Presentations were made to each Board at Board meetings.
8. The Commissioner of Police has been notified of the proposals, in accordance with Section 7.1(2)(d), plus the Chief Executive of the NZ Automobile Association (Section 7.1(2)(e)) and the Director of Land Transport Safety (Section 7.1(2)(h)).
9. In terms of Section 7.1(2)(g) it was considered that there were no other organisations or road user groups likely to be affected by any of the proposals.
10. All of the abovementioned persons who were consulted were informed of the proposed speed limit, the area in which it was proposed that the speed limit would apply and were given a reasonable time in which to make submissions on the respective proposals. In each case that time was between 14 and 21 days. Where it was proposed to erect speed limit signs outside a particular property the occupiers of those properties were advised of that proposal.
11. The submissions received from the property occupiers in respect of each proposed speed limit are set out in Attachment 2 to this report. Action taken to amend each proposal in light of those submissions are also recorded in that attachment.
12. Each of the school boards supported the proposals as they related to their particular schools. No submissions were received from any of the other persons consulted pursuant to Section 7.1(2) of the Rule.
13. Also, before the Council may set a variable speed limit it must obtain the approval of the Director of Land Transport Safety in accordance with Section 6.1(1) of the Rule. This is a separate exercise from consulting with the Director under Section 7.1(2) of the Rule. The Director may grant approval subject to any conditions that the Director sees fit to impose. The approval and any conditions must be notified in the *New Zealand Gazette*. The Council must, when setting a variable speed limit, comply with any such conditions.
14. In accordance with this requirement the Director has published a notice in the *Gazette* (2/6/2005, No. 86, p.2051) approving a variable speed limit of 40 km/h in school zones and setting out conditions for those speed limits. A copy of that notice is attached (Attachment 3). The five proposed variable speed limits comply with all of the conditions specified in the notice.

STAFF RECOMMENDATIONS

It is recommended that the Council resolve:

- (a) That it is satisfied that the consultation undertaken by the Council in respect of the proposals to set the five new variable speed limits of 40 km/h specified below meets the requirements of Section 7.1 of the Land Transport Setting of Speed Limits Rule 2003.
- (b) That pursuant to Clause 5(1) of the Christchurch City Speed Limits Bylaw 2005 a variable speed limit of 40 km/h apply on:
 - (i) Pembroke Street, outside Chisnallwood Intermediate School, for a distance of 244 metres, commencing from the intersection of Breezes Road and extending in the south-westerly direction to a point 144 metres south-west from the intersection of Horton Place; and
 - (ii) Waimairi Road, outside Westburn School, for a distance of 304 metres, commencing at a point 10 metres south of the intersection of Wentworth Street and extending in a north-westerly direction to a point 134 metres south-east from the intersection of Raxworthy Street; and
 - (iii) Ilam Road, outside Cobham Intermediate School, for a distance of 323 metres, commencing at a point 30 metres north east of Chateau Drive and extending in a north-easterly direction to a point 80 metres from the intersection of Aorangi Road; and
 - (iv) New Brighton Road, outside Burwood School, for a distance of 390 metres, commencing at a point 185 metres north-west from the intersection of Lake Terrace and extending in a north-easterly direction to a point 75 metres west from the intersection of Bassett Street; and
 - (v) Lake Terrace Road, outside Burwood School, for a distance of 125 metres, commencing from the intersection of New Brighton Road and extending in the north-westerly direction to a point 50 metres south-east from the intersection of Burwood Road -

when the steady state LED display 40km/h legend in the Part Time speed limit sign is illuminated on any school day during the following times:
 - (i) 35 minutes before the start of school until the start of school; and
 - (ii) 20 minutes at the end of school, beginning no earlier than five minutes before the end of school; and
 - (iii) 10 minutes at any other time when at least 50 children cross the road or enter or leave vehicles at the roadside.
- (c) That the abovementioned variable speed limits shall come into force on 10 October 2005.

BACKGROUND ON VARIABLE SPEED LIMITS

15. In 2000 the Council trialled the first 40 km/h variable speed limits in New Zealand outside five schools in the city. The trial was very successful. Since then further variable speed limits of 40 km/h have been imposed outside schools. Such speed limits now apply outside 15 different schools in the Council's district.
16. In the 2003/04 financial year the Council installed a 40 km/h variable speed limit on Breezes Road outside Avondale School and Chisnallwood Intermediate School. At the time it was not considered necessary to extend that variable speed limit on to Pembroke Street, where there is a secondary entrance to Chisnallwood Intermediate School. Static signs were installed at Breezes Road which were considered to provide adequate warning to drivers that they were entering an area where a variable speed limit applied at the times stated on the static signs. Further investigation, however, showed that an electronic sign should be installed further down Pembroke Street to alert drivers of the presence of school children before and after school, as the Pembroke Street entrance to the school is used by all the pupils who cycle to school. This technical assessment was further supported by a petition from the school to the Mayor asking for the installation of a 40 km/h variable speed limit on Pembroke Street.
17. The Council has a programme of installing variable speed limits outside schools in Christchurch where it is considered that a reduction of speed to 40 km/h before and after school would significantly improve the road safety of pupils. Through a prioritisation process, Westburn School, Cobham Intermediate and Burwood School have been identified as the next three schools to receive this treatment. On 1 July 2004 the Council approved a proposal to install variable speed limits outside these three schools.
18. Variable speed limits in school zones apply during the times authorised by the Council. In each the application of the variable speed limit is notified to road users by the illumination of the LED speed limit signs. These signs are manually activated by a supervisor approved by the principal of the school in question. The times during which the signs are illuminated are recorded for enforcement purposes.