



Christchurch City Council

SUBMISSIONS PANEL AGENDA

TUESDAY 14 OCTOBER 2008

AT 2.15 PM

IN THE COUNCIL CHAMBERS, CIVIC OFFICES

Panel: Councillors Sue Wells (Chairperson), Bob Shearing, Mike Wall, and Chrissie Williams

General Manager:
Michael Theelen
PH: 941-8281

General Manager:
Peter Mitchell
PH: 941-8462

Committee Adviser:
Sean Rainey
PH: 941-8536

1. APOLOGIES

2. DRAFT COUNCIL SUBMISSIONS

- 1) **DRAFT LAND TRANSPORT RULE: LAND TRANSPORT (ROAD USER) AMENDMENT RULE (2009)** (Circulated Separately)

Presenters: Stuart Woods, Shane Bruyns, Clive Morris, Vivienne Wilson, and Susan Cambridge

- 2) **NATIONAL ALCOHOL ACTION PLAN: CONSULTATION DOCUMENT**

Presenters: Paul Rogers and Siobhan Storey

2.1 DRAFT LAND TRANSPORT RULE: LAND TRANSPORT (ROAD USER) AMENDMENT RULE (2009)

Circulated separately

2.2 NATIONAL ALCOHOL ACTION PLAN: CONSULTATION DOCUMENT

General Manager responsible:	General Manager Regulation and Democracy Services. DDI 941- 8549
Officer responsible:	Inspections and Enforcement Manager
Authors:	Paul Rogers and Siobhan Storey

PURPOSE OF REPORT

1. To report to the Committee on the Consultation Document on the draft National Alcohol Action Plan and the proposed submission for the Council to make on that document.

EXECUTIVE SUMMARY

2. The Inter Agency Committee on Drugs seeks feedback from interested stakeholders on the proposed approach, priorities and actions in the draft National Alcohol Action Plan. A consultation document has been published by the Ministry of Health (MOH) and submissions are required by 7 November 2008.
3. The Inter Agency Committee on Drugs consulted a range of topic experts and stakeholders (including researchers and young people) to identify the main alcohol-related harms and the actions we should be undertaking to address these harms. The result of this work is this draft National Alcohol Action Plan. The next step in the consultation process is to seek feedback from the broader community about the draft plan.
4. The purpose of the draft National Alcohol Action Plan is:
 - To prevent and reduce alcohol-related harm in New Zealand. It articulates a strategic direction to draw together existing plans, policies, activities and interventions across many different settings in New Zealand, and to inform future work. Most importantly, it outlines the actions proposed to reduce alcohol-related harm and identifies who is responsible for leading and contributing to their implementation.
5. The Council and communities of Christchurch and Banks Peninsula are concerned about the abuse of alcohol and the alcohol related harm and crime that occurs. The Council is a District Licensing Agency on behalf of the Liquor Licensing Authority and discharges those duties with the assistance of the Liquor Licensing team. The DLA has delegated authority to issue non contested special, on and off licenses. The DLA has led New Zealand in several initiatives such as the Alcohol Accord.
6. Alcohol abuse is a major community problem requiring national and local initiatives. The MOH acknowledge Territorial Authorities have a significant role to play to prevent and reduce alcohol related harm in their communities.
7. The Inter Agency Committee on Drugs' extensive consultation documentation outlines considerable research, discussion and options. The document can be viewed at <http://www.ndp.govt.nz/>
8. The draft submission attached is being made on the form provided by the MOH and includes additional information and comment from a local and national perspective.

FINANCIAL IMPLICATIONS

9. No financial implications in making this submission, but some of the options identified in the discussion document or proposed by the Council, if proceeded with, could have financial implications for the Council. Our submission includes a recommendation there should be central funding for any new initiatives.

Do the Recommendations of this Report Align with 2006-16 LTCCP budgets?

10. Not applicable.

LEGAL CONSIDERATIONS

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

11. Legal considerations have been taken into account in drafting this submission, but at this stage there is no detail as to the extent and content of possible implications.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

12. The National Alcohol Action Plan aligns with the following Community Outcomes: A Safe City and A Healthy City.

Do the recommendations of this report support a level of service or project in the 2006-16 LTCCP?

13. No.

ALIGNMENT WITH STRATEGIES

Do the recommendations align with the Council's strategies?

14. The recommendations are aligned with the following Council strategies: Road Safety Strategy, the Safer Christchurch Strategy and the Strengthening Communities Strategy.

CONSULTATION FULFILMENT

15. Internal consultation has been carried out between the Inspections and Enforcement Unit, Strategy and Planning Group and Legal Services Unit.

STAFF RECOMMENDATION

It is recommended that the Committee consider and approve the draft submission.

Submission Form

DRAFT

Making a submission

The purpose of the National Alcohol Action Plan is to find out what you think we should be doing to prevent and reduce alcohol-related harm in New Zealand. We would particularly welcome your comments on:

- where efforts should be focused over the next five years to make the biggest difference in reducing alcohol-related harm;
- whether the actions currently identified should have the highest priority; and
- what gaps you see in what is currently proposed and your ideas for addressing these gaps.

How to make a submission

We would like you to make a submission on this draft National Alcohol Action Plan.

This submission form focuses on Part 1 of the National Alcohol Action Plan. However, you are welcome to comment on anything you consider relevant to the development of the action plan, as well as the information provided in Part 2.

Where to send your submission

Send your completed submission to:

NDP@moh.govt.nz *or*

National Alcohol Action Plan Consultation Feedback
Ministry of Health
PO Box 5013
Attention: National Drug Policy Team

Deadline for submissions

The Ministry of Health must receive your submission by **5 pm Friday 7 November 2008**.

Submission Form for the Draft National Alcohol Action Plan

The questions in this form are designed to help you to focus your response and make it easier for us to analyse submissions. However, you don't have to answer every question and may add additional comments.

The form is also available from the National Drug Policy website (<http://www.ndp.govt.nz>).

If you answer any of the questions below, please give detailed reasons and explanations whenever you can. If there is insufficient space, attach extra pages.

Please note that you do not have to provide personal information if you would prefer not to.

Submissions close 5 pm, Friday 7 November 2008.

Send one copy of your submission to: NDP@moh.govt.nz

This submission was completed by:

Names: *Paul Rogers and Siobhan Storey*

Address: *Christchurch City Council, PO Box 237, Christchurch*

Email: *paul.rogers@ccc.govt.nz; siobhan.storey@ccc.govt.nz*

Organisation: *Christchurch City Council*

Positions: *Liquor Licensing Team Leader; Senior Policy Analyst*

You are making this submission:

On behalf of the Christchurch City Council . The Council passed a resolution in support of this submission on 30 October 2008.

Please indicate which sector or sectors your submission represents:

Local government

Please note that your submission and all correspondence you have with the Ministry of Health may be the subject of requests under the Official Information Act 1982. If there is any part of your submission or correspondence that you consider could properly be withheld under the Act, please include a comment to this effect along with the reasons why you want the information withheld. If you are writing this submission as an individual (rather than on behalf of an organisation), the Ministry of Health will omit your personal details from the submission if you include the following statement at the front of your submission and sign it:

General questions

1. What is your interest in alcohol policy in New Zealand?
As a Territorial Authority the Christchurch City Council is actively involved with consulting with and representing the views of the community on alcohol issues; through our Alcohol Policy, Safer Christchurch initiatives and Crime Reduction and Injury Reduction Policies. We have an Alcohol Policy and Liquor Control Bylaw sub-committee to consider the communities views. We look forward to the passing of the newly announced Sale and Supply of Liquor and Liquor Enforcement Bill to support our Alcohol Policy with the aim of reducing liquor abuse.

2. What do you consider are the issues a National Alcohol Action Plan should address?
The Council has addressed the issues under specific headings under Part 1. of this submission,
3. Would you use this National Alcohol Action Plan?
Yes – to inform bylaw review and CCC policy review and advice. Also to inform Councillors and the community..

Part 1: Actions

4. Do you think the proposed vision of the National Alcohol Action Plan (page 3) is appropriate?
Yes in general
The Council believes that the Vision and the five Goals should be on page 1 of the document, not located in a flow chart on page 3. It is our view that the Vision should have a position of prominence in the document.
5. Do you agree with the long-term aim of the National Alcohol Action Plan as outlined on page 3?
Yes
The Council agrees strongly with the vision but suggests that Abstinence in the Framework for Action could create a negative response from general members of the population who read the document.
6. Do you agree with the proposed theme ‘change social norms, cultures, and environments around alcohol’ (as described on page 2)?
Yes
Because there are clearly issues for different demographics in New Zealand. Council would like to see the issues around different population groups in New Zealand: Māori, Pacific People, Young Persons and the “General Population” treated in a different manner. See paragraph 32 below.
7. Do you agree with the proposed theme ‘recognise potential and reduce inequalities’ (as described on page 2)?
Yes
Council agrees with “reduce inequalities” but finds “recognise potential” somewhat vague. The theme needs more words like leadership, collective approach, accessible, culturally appropriate.
8. Do you consider that separate action plans should be developed to address group-specific alcohol-related issues (i.e., for Māori, Pacific people, and young people)?
Yes
One size does not fit all – the National Alcohol Action Plan is an umbrella Plan; specific actions in separate plans are needed to suit different groups. The Council submission on Question 6 in part answers this question but the Council would like to see strategies and supporting statistics for individual groups including the “General Population”

9. Do you agree with the proposed action framework for the National Alcohol Action Plan as set out on page 3?

Yes

10. Do you agree with the five goals and sub-goals to achieve the overarching vision and aim of the National Alcohol Action Plan (as described on pages 4, 8, 11, 14, & 16)?

Yes

11. Should any other goals or sub-goals be included?

Yes

Council would like to see a further sub-goal for Goal 2: Raising the level of public disapproval of excessive alcohol consumption. A campaign similar to the campaign against tobacco could be developed.

12. Would you add further actions under Goal 1, 'Empower and support individuals and families and whānau to manage alcohol in their lives and receive help when they need it' (pages 4-8)?

Yes

The Council supports the view that the most important person in the fight against alcohol abuse is the individual and more emphasis should be given to individual responsibilities and action in the Plan.

13. Would you add any further actions under Goal 2, 'Enhance public wellbeing and safety in environments affected by alcohol or where alcohol is used' (pages 8 -11)?

Yes

See paragraph 27 below.

14. Would you add further actions under Goal 3, 'Maintain and develop capacity and supportive networks for an effective workforce that contributes to reducing alcohol-related harm' (pages 11-14)?

Yes

Council would like to see the Plan advocate for the workplace testing for drugs.

15. Would you add further actions under Goal 4, 'Ensure legislative and regulatory environments are responsive and address the harms caused by alcohol misuse' (pages 14-16)?

No

16. Would you add further actions under Goal 5, 'Improve the collection and communication of data, information and research on alcohol consumption and alcohol-related harm' (pages 16-19)?

Yes

The Council supports the setting up of a Statistical Monitoring Agency to collect up-to-date New Zealand statistics on drugs and alcohol which can be collected, collated and published so problems can be identified at an early stage.

17. Where do you feel that efforts should be focused in the next five years to make the biggest difference in reducing alcohol-related harm?

The Council advocates focusing on young people through social marketing and education and to reduce opening hours for clubs. The Council also advocates the raising of the drinking age to 20 years of age for persons purchasing alcohol from Off-Licenses and the installation of alcohol sensors fitted to the vehicles of persons convicted of alcohol related offences for a period of 12 months to prevent those persons driving when they have alcohol on their breath.

18. Are there actions currently identified that you feel should be given the highest priority?

Yes

Council considers the action that should be given the highest priority is encouraging, informing and supporting personal responsibility for individuals to reduce their alcohol level to a point where they are no longer abusing alcohol.

19. Are there gaps you see in what actions are currently proposed? If so, what are your ideas for addressing these gaps?

Yes

The Council applauds the emphasis of the Plan on the groups identified but does feel that the "General Population" (i.e. excluding the targeted groups) needs to have their needs identified. That is, all demographic groups should be clearly and honestly reported not grouped together as others under the title of "General Population."

20. Do you have any examples of best practice that you would like to see included in the National Alcohol Action Plan?

No

Monitoring and review

21. Do you agree with the method for monitoring and reviewing actions planned as part of the National Alcohol Action Plan (pages 20-21)?

Yes

The Council would like to see improved data capture, especially around injury statistics related to alcohol, and the collection of data from the Liquor Industry on a regional basis from licensed premises as they are often the first to see changes in drinking patterns.

22. Do you think the National Alcohol Action Plan should have a set time-frame? If so, when do you think the National Alcohol Action Plan should be reviewed?

Yes

The Council believes this should be at five years, as any shorter period would not be meaningful. If it were not reviewed for a longer period, such as 10 years, trends could become established before the Plan could be reviewed and revised.

Part 2: Background and rationale

25. Does the 'Background' section (pages 26-32) provide a fair overview of alcohol consumption patterns and trends, alcohol-related harms, and the international context?

Yes

However the Council questions how effective a plan can be if the causes of alcohol consumption and abuse are not investigated.

26. Do you consider that the frameworks for intervention (pages 38-40) provide a useful context for considering the actions?

Yes

Anything else?

24. Is the format, language, and content of the National Alcohol Action Plan appropriate?

Yes, but with the proviso that the Council considers this very much a overarching government agency plan and consideration should be given to two action plans: one for government agencies and another for the individual, family, whanau and community.

Please note any further comments you have.

25. *The information in Appendix 1 is unclear – it should be entitled Additional Actions and the actions should be numbered in the way they are in the body of the paper ie 1.1.1, 1.2.1 etc.*
26. *Action 1.2.5 – Council considers youth specific services should be included.*
27. *The Council strongly supports the thrust of Goal 2 (Community and Environment) and in the context of the new Sale and Supply of Liquor and the Liquor Enforcement Bill is looking forward, via the Alcohol Policy, to having an impact on a local level on local problems. It is only by involving the communities, as pointed out in the Plan that we get the best results.*
28. *Through the District Licensing Agency (DLA) the Council has been proactive in giving training to all prospective General Managers at Liquor Controller Qualification courses and is currently undertaking training for selected bar staff. The Council would like to see all bar staff trained in intoxication issues and how to spot signs of alcohol abuse.*
29. *The Council supports the Harm Minimisation framework and the three groups in the National Drug Policy. The supply control strategy is seen as a key area where the Council can have input in the form of the Alcohol Policy. Demand reduction is an area where the Council could assist in the form of advertising on Council properties to raise the awareness of alcohol harm.*
30. *The Council wishes to make the point that in the Plan, page 30 paragraph 4, there is the comment "Alcohol use is also correlated with youth offending". In this case the use of the word "offending" needs to be identified, because it is too broad - often alcohol is the symptom not the cause.*

31. *Under International Context, page 32 paragraph 4, there is a comment that international jurisdictions have developed national strategies and while structures and philosophies can differ, they all have a similar overall focus of **Supply Control, Demand Reduction, Problem Limitation**. The Council believes this should be the cornerstone of the Plan as the terms are simple and can be understood by anyone. The five goals should underpin these three simple statements.*
32. *The Council would like to see some statistics in the Plan on the “General Population” with the Māori, Pacific People and Young People taken out of the equation. To avoid looking at this breakdown is to gloss over the problem. While there is a risk of minimizing the problems the general population are entitled to ask what is the problem when they look around their own family, friends and whanau.*
33. *It is the opinion of this Council that there is little in the Plan dealing with the roles of schools and the impact they can have in identifying at risk young people from primary school through to when they leave high school.*
34. *Table 6 - Actions suggested by the Youth Advisory Group. Under National Frameworks, it is suggested developing a robust school-based information on alcohol use and abuse to ensure a consistent approach to alcohol education in schools. There also needs to be an Alcohol Intervention Program to identify young person(s) who are at risk either because of their use of alcohol or the use of alcohol in the home. Education Services need to take a far stronger role in this Plan given their role in the development of young people.*
35. *Enforcement of Liquor ByLaw The Christchurch Police have advised an infringement regime would be a valuable tool for enforcing offences under the Liquor Control ByLaw. Currently their options are pouring the alcohol out (no deterrent) or arresting the offenders and prosecute (resource intensive). There is provision for an infringement regime in the Local Government Act 2002 , however at present no regulations have been made under section 259 and therefore it is not possible to use this easier and more practical regime to enforce breaches of the Council’s bylaws. The Council would like the Minister to recommend to the Governor-General that breaches of Liquor Control Bylaws be made infringement offences under the section 259 of the LGA 02.*
36. *Council recommends that central funding or increased revenue through the licensing regime be provided for any cost implications arising from the final plan.*

Christchurch City Council

Draft Submission

To

New Zealand Transport Agency

On

**Draft Land Transport Rule: Land Transport
(Road User) Amendment Rule [2009] (Rule
61001/4)**



CHRISTCHURCH

CITY COUNCIL · YOUR PEOPLE · YOUR CITY

October 2008

Draft Land Transport Rule: Land Transport (Road User) Amendment Rule [2009] Rule 61001/4

Introduction

1. Christchurch City Council ("the Council") wishes to take this opportunity to submit its views on the Draft Land Transport Rule: Land Transport Road User) Amendment Rule [2009]. Thank you for the opportunity to contribute to the development of the proposed changes to the above Land Transport Rule through this submission process. The Council sees this as a key development in achieving the objectives of the New Zealand Transport Strategy, particularly the safety objective, and is pleased to be able to participate.
2. Should there be the opportunity, the Council does wish to be heard in support of its submission at any hearings on this Rule. Should this be possible, please contact via Judith Cheyne, Solicitor, Legal Services Unit, ph. 03 941 8649, email: Judith.cheyne@ccc.govt.nz or Stuart Woods, Principal Transport Planner, Strategy and Planning Group, ph. 03 941 8615, email: stuart.woods@ccc.govt.nz. The Council is also interested to take any other, additional opportunities to provide input.
3. It is appreciated that the amendment Rule attempts to improve safety of road users and to clarify existing requirements.
4. In general the Council's submission is broadly supportive of the amendment Rule and will therefore make it clear where it actively supports the proposed changes, where it seeks change and where it believes more clarity would be useful.
5. In this submission, italicised headings reference the proposed new or modified clauses as set out in the Land Transport (Road User) Amendment Rule [2009] Rule 61001/4.

Comments on Proposed New or amended Clauses

1. Limit the Use of Hand-held mobile phones while driving (New Clause 7.3A)

6. This amendment seeks to ban the use of hand held mobile devices while driving (with exceptions set out in proposed clause 7.3A (1) and (2)). Council notes that some studies have concluded that the use of hands-free mobile devices is as equally distracting as hand held devices. However, Council accepts the difficulties in extending the proposed ban to hands-free sets such as the need to exercise police powers of search, difficulty in enforcement and inconsistencies with other in-vehicle distractions. Over the last 5 year period there has been 118 reported crashes in Christchurch related to the use of a cellphone/communication or navigation devices. Council is therefore of the view that minimising the use of such devices whilst driving can enhance road safety.
7. It is noted that Clause 7.3A(2)(a) allows for enforcement officers to use a hand held mobile phone at any time. All drivers, irrespective of their authority or position, should be treated equally and especially enforcement officers, who should be setting an example for other drivers to follow.
8. Council recognises that banning of hand-held mobile devices only is a pragmatic approach to enhancing road safety and as such, **Council supports the new clause 7.3A.**

2. Clarify the distance for which a driver may use a lane that is otherwise not available to vehicles. (new sub clause 2.3(4A))

9. Under the current Rule, sub clause 2.3(3) specifies circumstances in which a driver may use a lane that is not otherwise available to their vehicle (eg. when a driver crosses a bus

lane or cycle lane in order to make a left turn.) The current rule also stipulates that drivers are required to keep the use of the lane to a minimum necessary to complete their manoeuvre. The proposed amendment to this rule seeks to impose a maximum allowable length of use of the lane to 100m.

10. Whilst Council recognises that the Rules stipulate that drivers must keep their use of the lane to a minimum, the differing interpretations of minimum can result in difficulties in enforcement. In addition to this, Christchurch's dominant grid system of roads means that it has and will have many priority bus lanes that are less than 100 metres in length. Council is concerned that the proposed minimum allowable use of 100 m in length would in many instances defeat the purpose of the bus lane. It should also be noted that in all instances in Christchurch, bus lanes terminate some distance from intersections thus allowing drivers to undertake a turning manoeuvre without encroaching on the bus lane.

11. The overview document that provides the reasons and background to support the proposed amendments cite the existing Australian Road Rules. In relation to the length of cycle lane that drivers are permitted to use to undertake a turning manoeuvre, 50 m is stipulated. Council is of the view that a 50 m minimum use of both a cycle lane and a bus lane has road safety benefits as well as enhancing the efficiency of the bus lane.

12. **Council therefore recommends that the proposed sub clause is amended** as follows:

"(4A) However, the total distance travelled to complete a driver's manoeuvre under subclause (4) must not exceed 50 m."

3. Cyclists be allowed to do a 'hook turn' (New Clause 2.5A).

13. Council recognises the safety benefits to cyclists at particular sites in allowing a hook right turn manoeuvre. There are cyclists who use such a manoeuvre at some intersections, typically rural, where traffic speeds are high and where it is difficult to see if there are any following vehicles to allow moving across to the right. The use of a 'hook turn' in these situations does allow for providing a better view of approaching traffic. **Council supports this proposed amendment.**

4. Use of Motor Vehicles on Footpath (New subclause 2.13 (2))

14. This amendment allows for mopeds and motorcycles to be ridden on the footpath that are adjacent to 70 kph roads or where the road controlling authority has authorised the use of footpaths for that purpose in the course of delivering newspapers, mail etc. and subject to conditions 2(b) and 2(c) of that clause.

15. From contact with NZ Post, Council is aware that there is a high incidence of crashes associated with cyclists riding on footpaths delivering mail being run into by vehicles coming out of driveways. Over the last 5 years there have been 48 crashes in Christchurch associated with vehicles being ridden or driven on the footpath. Whilst recognising that proposed subclause 2.13(2)(b) restricts moped and motorcycle speeds to 10 kph, such vehicles may travel faster than pedal cycles, and would therefore be at even greater risk. Many footpaths are at the minimum width and further constrained by poles or street furniture. As mopeds and motorcycles are generally bigger and less manoeuvrable than bicycles, pedestrians may be forced onto the road and thereby put at risk. Alongside roads with a speed limit of 70km/h, there may be joggers and runners on the footpath. They would be especially likely to be forced onto the road. A speed of 10km/h is much faster than walking pace. It will also make use of the footpath unpleasant for pedestrians and will therefore not be consistent with the objective 7.5 of the Christchurch City Council City Plan which seeks to provide for the safe movement of pedestrians in a pleasant environment.

16. **Council is therefore not in support of the new subclause 2.13 (2),** and recommends not adopting this proposal.

5. Duties relating to the use of mobility devices and wheeled recreational devices at traffic signals. (amends clauses 3.2(1)(b)(ii), 3.2(2), 3.2(4)(b), 3.2(5)(b), 3.3(1)(b), 3.3(2)(b), 3.3(3)(b))

17. This proposed amendment seeks to address an omission in the above clauses with regard to the obligation of drivers to give way to people at signals using a mobility device or wheeled recreation device that are lawfully using the footpath and crossing (as do pedestrians) from one footpath to the other. **Council supports this amendment**

6. Signalling requirements for cyclists at roundabouts (new sub clause 3.10 (8))

18. This amendment seeks to clarify an exception from arm signalling requirements at roundabouts where signalling is not practical as it applies for cyclists.

19. The existing Road Rule defines a driver as ' a person driving a vehicle, and includes the rider of an all terrain vehicle, a motorcycle, a moped, a cycle, a mobility device, or a wheeled recreational device.' And provides for exceptions to the need to signal at roundabouts under conditions stipulated in clause 3.10 (7)(a) and clause 3.10(7)(b).

7. It is not a breach of this clause if—

(a) arm signals are not practicable or clearly visible because of the construction, equipment, or loading of the vehicle; and

(b) the vehicle is not required to be fitted with the relevant approved signalling device and is not fitted with the device.

20. The existing clause (and exceptions) refers to drivers and as such applies equally to cyclists, based on the definition set out in the Road Rules. Council is therefore of the view that the existing clause is sufficient and as such **does not support the proposed amendment.**

7. Giving way on a road where one direction has priority (new subclause 4.1(3))

21. It is proposed that drivers approaching a section of road suitable for travel in one direction only, and controlled by a one-way, give-way sign at or near the section of road, be required to yield to vehicles within or approaching that section of road as indicated by the sign.

22. This proposal brings into law the need to adhere to the one-direction priority sign. This enhances road safety and as such **Council supports this proposed amendment**

8. Clarify the give-way rules at Traffic signals (revoke and replace clause 4.3)

23. Council agrees that the existing clause is inconsistent with the general right-turn give-way rule and the amended clause provides more clarity. Council does not support the principle of the right-turn give-way rule in general (see comment 28). However until such time as the right-turn give-way rule is revoked, **Council supports the proposed amendment.**

9. Set a maximum speed for towing a vehicle normally propelled by mechanical power (amendment to clause 5.4)

24. Council recognises the road safety benefits associated with the proposed amendment and as such supports the principle of the proposed amendment but suggests that the proposed wording is changed to better align with the type of wording used in the proposed clause 5.6(A) (since the focus is on the relevant speed rather than the road) and should read as follows:

" A driver must not drive a vehicle that is being used to tow (using a non-rigid towing system) a vehicle that is normally powered by mechanical power at a speed exceeding 50 km an hour."

10. Set a maximum speed for mopeds (new clause 5.6A)

25. Council recognises the road safety benefits associated with the proposed amendment and as such **supports the principle** of the amendment.

11. Parking a vehicle off-roadway (revoke and replace with new Clause 6.2)

26. This proposed amendment effectively means that unless the Council indicates otherwise by means of signs or markings, a driver or person in charge of a vehicle must not stop, stand, or park a motor vehicle on a grassed area or other cultivation forming part of a road that is within an urban traffic area where an urban traffic area is defined as an area which is subject to a speed limit of 50km per hour. These proposed clauses aligns with the vision and policies as set out in the Council's Parking Strategy 2003 particularly in achieving the aim of minimising the impact of parking on the natural and physical environment and support the sustainable use of resources. Removing the need for signage relating to the prohibition of parking on grass berms and verges will minimise the visual impact on the environment, reduce Council costs and support Christchurch's Garden City values. However, the Council considers that the speed limit proposed is too low, as there are many roads in Christchurch to which this rule should apply which have 60 kph speed limits, such as Yaldhurst Road or Halswell Junction Road.

27. **Council therefore supports the new clause, with a recommended amendment** to apply to urban areas with speed limits of 60 kph or lower.

12. Parking contrary to notice, traffic sign, or marking (amended clause 6.4(1))

28. This amendment does not affect Christchurch City directly but **Council supports the removal of duplication** between Land Transport Rule: Traffic Control Devices 2004 and the Land Transport (Road User) Rule 2004.

13. Buses permitted to stop at bus stops (revoke and replace subclause 6.8(1))

29. **Council supports the principle** of this amendment but suggests that the word 'in' is deleted so that the clause reads:

"A driver or person in charge of a vehicle must not park and (except if the vehicle is a bus) stop or stand within 6m of a bus stop."

30. The Council would also query whether 6m either side of a bus stop sign is sufficient as many urban buses are now longer than 12 metres, so not only is there no manoeuvring room to access the bus stop, they physically can not occupy it if other vehicles are parked at the 6 metre limits.

14. Marking of stopping or standing places (amend clause 6.15(1)(c))

31. This amendment allows a roading authority to mark stopping or standing places for any class of vehicle to be marked only if practicable. This amendment assists Council in undertaking its parking enforcement parking duties as well as supporting assisting in achieving its aim of minimising the impact of parking on the natural and physical environment. **Council supports the amendment.**

15. Requirement to wear seat belts properly (amendment to clause 7.8)

31. This proposed amendment seeks to ensure that seat belts are worn correctly. This is recognised as an enhancement to road safety in line with the City Plan Transport Safety Objectives and the Council's Road Safety Strategy. As such **Council supports the amended clause.**

16. Exceptions for bus drivers in relation to child restraints and seat belt wearing (revoke and replace subclause 7.11 (4))

32. The current Rule requires that a driver must ensure that young passengers are restrained appropriately. Council agrees that the application of this rule to bus drivers is not practical and as such **supports the proposed amendment.**

17. Use of trailer safety chains (revoke and replace subclause 7.11 (4))

33. Council recognises the road safety benefits associated with the proposed amendment and as such **supports the principle** of the amendment.

18. Updating of reference to police (amend clause 7.21(2)(c))

34. This amendment does not have a significant impact on the business of Christchurch City Council but Council agrees with the proposed amendment.

19. Child Safety locks in taxis (new clause 7.23)

35. Council welcomes this amendment which provides a method that clearly indicates to taxi passengers that child locks are available for their use should they wish to activate them. The clause also allows passengers opportunity to be able to choose to exit a taxi should they wish to. **Council therefore supports the amended clause.**

20. Use of motorcycle and moped lights during daylight hours. (amended clause 8.3)

36. Christchurch City Council motor cycle fleet users are currently instructed to switch on headlights throughout the day to increase their visibility to other road users as a safety enhancement. **Council therefore supports the proposed clause.**

21. Use of Blue beacons by officials with the statutory power to stop vehicles (amended clause 8.5(1)(aa))

37. This amendment does not impact significantly on the business of the City Council. However Council recognises that the proposed amendment would assist certain officers with statutory power to stop drivers in their duties to have blue beacons installed on vehicles they use in their official duties. **Council supports this amendment.**

22. Rules for Passenger service vehicles stopping at level crossings (amended clause 9.4(1)(a))

39. This amendment recognises the conflict and poor driving decisions that are made by drivers that are behind a bus and who are unaware that passenger service vehicles are required to stop before entering a level crossing (including those where red flashing signals have been installed).

40. The amendment seeks to remove this requirement where the level crossing is accompanied by flashing red signals. Council recognises the contribution to driver safety as a result of the proposals and as such **support the proposed amendment.**

23. Categories of passenger service vehicle required to stop at level crossings (amended clause 9.5)

41. Council recognises that inclusion of smaller vehicles such as shuttles services and private hire vehicles to the passenger service fleet exacerbates the concerns raised in relation to clause 9.4(1)(a).

42. **Council is therefore in support** of the proposals to re-categorise the type of vehicle required to stop at level crossings.

24. Give-way to pedestrians waiting to cross a pedestrian crossing (amended clause 10.1(1)(a))

43. This proposed amendment seeks to enhance pedestrian safety by requiring drivers to give-way to pedestrians who are obviously waiting to cross at a pedestrian crossing. Council is of the view that this proposed amendment aligns with Christchurch City Plan objectives for Pedestrians and the Council's Pedestrian Strategy, and that it can contribute to achieving the following anticipated policy outcomes:

Improved access and safety for pedestrians moving throughout the City in general in addition to enhancing amenity for pedestrians and for the City in general. Council therefore supports the proposed amendment.

25. Use of shared pedestrian cycle paths

44. This amendment seeks to clarify the obligation of all users of shared pedestrian and cycle paths to use the paths in a careful and considerate manner that does not present a hazard or does not unreasonably impede the progress of any other user.

45. This amendment assists in achieving the objectives of the Christchurch City Council City Plan and the Council's Cycle and Pedestrian Strategies of providing for the safe movement of cyclists and actively encouraging cycling as a means of transport and for providing for the safe movement of pedestrians in a pleasant environment. **Council therefore supports the proposed amendment.**

26. Performance criteria for cycle headlamps (change of definition of headlamp)

46. This amendment seeks to change the definition of headlamp in recognition of the fact that many front cycle lights are not effective in illuminating the road ahead and as such currently fail to accord with the definition of a headlamp. The amendment corrects this inconsistency. The **Council supports** the proposed change.

Additional Issues for Consideration

27. Priority for buses when signalling to leave a stop

47. The Christchurch Metro Strategy 2006-2012 seeks to enhance bus priority as a method to achieve its vision of making public transport attractive, convenient and for providing a preferable alternative to many car trips. In seeking to deliver the aim of ensuring that passenger services arrive reliably and on time the strategy seeks to develop a requirement that other road users are required by law to give way to buses when they are pulling out of stops. This is a common practice in many countries where there is a strong emphasis on passenger transport e.g. Singapore, Hong Kong, and the UK among others.

48. Some safety concerns associated with priority for buses relate to cyclists concerns that a bus may pull away whilst a cyclist is committed to overtaking the bus. The UK model illustrated in the NZTA overview document states that a bus driver is required to signal but also to be aware that a vehicle may be so close that the bus would not be able to give way safely. Consequently, while the bus is given priority, some onus for assessing the situation still rests with the bus driver.

49. **Council would therefore support priority for buses** where some onus rests with the bus driver to assess the situation before pulling away.

28. Right-hand Give-Way Rule

50. Council would like to take the opportunity to highlight the fact that the right-hand give way rule has been a contributory factor in 25 road fatalities in New Zealand since it was introduced. Much supporting evidence and analysis has previously been presented to Land Transport Rules processes on this matter. **Council requests that consideration be given to amending the current right-hand give way rule** so that New Zealand rules are consistent with other right-hand drive nations.

29. Parking of Heavy vehicles in residential Streets

51. The effects of parking heavy vehicles on residential streets is not consistent with the vision and policies as set out in the Council's Parking Strategy 2003, particularly in achieving the aim of minimising the impact of parking on the natural and physical environment. Council suggests that removing the need for signage relating to the prohibition of certain types of parking (as proposed for parking on grass berms and verges should be extended to heavy vehicles parking in residential streets. **Council therefore suggests that a new subclause 6.2(3) is inserted** into the Road User Rule which states that:

"Unless a road controlling authority, by means of signs or markings, indicates otherwise, a driver or person in charge of a heavy vehicle must not park the heavy vehicle in a residential area."

30. Passing on the Right (clause 2.7)

52. Clause 2.7 of the Land Transport (Road User) Rule 2004 relates to passing on the right. Christchurch is experiencing serious problems with motorists using flush medians as traffic lanes. It is commonplace to observe motorists, intending to make a right hand turn at an intersection further up the road, using the flush median as a traffic lane in order to pass other traffic travelling in the same direction. Motorists are commonly seen travelling considerable distances and at considerable speeds along flush medians in order to reach right turn lanes ahead. This practice is unsafe and defeats the purposes of flush medians. Those purposes are set out on section 7.4(1) of the Traffic Control Devices Rule 2004. **Council suggests that clause 2.7(b)(i) is amended** to read as follows:

"intends to turn right within a distance of 50m from a road marked with the flush median into another road or vehicle entrance; or"

31. Obstructing vehicle entrances and exists (clause 6.9)

53. Clause 6.9 of the Rule prohibits a driver or person in charge of a vehicle from stopping, standing or parking a vehicle so as to obstruct entry or exit from a driveway. To assist in achieving policy objectives in relation to pedestrians and cyclists, **Council suggests that this rule should be amended** so that a similar restriction applies in respect of kerb crossings installed for pedestrians or cyclists.

32. Driver Responsibility and Occupant protection (Clause 7.6, 7.7, 7.8)

54. Council wishes to highlight the need for legislation on the use of booster seats. Recent New Zealand Research ' A recommendation for reducing injury for New Zealand children by increasing booster seat use' suggests that booster seats are necessary for passengers until they reach a specified height. **Council suggests that this should be recognised** in clause 7.7, 7.7 and 7.8 of the Road User Rule.

Concluding Remarks

54. Council again thanks the New Zealand Transport Agency for the opportunity to make a submission on the draft Land Transport (Road User) Rule [2009] Rule 61001/4.

55. If you require clarification on the points raised in this submission or additional information, please contact **(Contact person's name, position, phone number and email address)**

Yours faithfully

Bob Parker

MAYOR

Christchurch City Council