Christchurch City Council

SPECIAL VEHICLE LANES (CYCLE LANES)

BARBADOES STREET

MADRAS STREET:
MOORHOUSE AVENUE TO CASHEL STREET

MADRAS STREET:
KILMORE STREET TO SALISBURY STREET

AND

THE PROPOSED CHRISTCHURCH CITY COUNCIL SPEED LIMIT BYLAW 2010

HEARINGS PANEL AGENDA

THURSDAY 3 DECEMBER 2009

AT 10.15AM

IN THE COUNCIL CHAMBER, CIVIC OFFICES

Panel: Councillors David Cox, Gail Sheriff, Mike Wall

Principal Adviser	**Committee Adviser**
Jane Parfitt	Warren Brixton
Ph: 941 8608	Ph: 941 8439

1. **APOLOGIES**

2. **ELECTION OF CHAIRPERSON**

3. **HEARING OF SUBMISSIONS**

    Written submissions (**separately circulated**) and a timetable for hearings for:
    - The Proposed Barbadoes Street Cycle Lane and The Christchurch City Council Traffic and Parking Amendment (Barbadoes Street) Bylaw 2009
    - The Proposed Madras Street - Moorhouse Avenue to Cashel Street Cycle Lane and The Christchurch City Council Traffic and Parking Amendment (Madras Street, Moorhouse Avenue to Cashel Street) Bylaw 2009
    - The Proposed Madras Street – Kilmore Street to Salisbury Street Cycle Lane and The Christchurch City Council Traffic and Parking Amendment (Madras Street, Kilmore Street to Salisbury Street) Bylaw 2009

4. **CONSIDERATION OF SUBMISSIONS**

    It is recommended that the Hearings Panel receive all written submissions.

    Note: Staff comments on the submissions are attached to the Submissions Volume and **separately circulated**.

5. **HEARINGS PANEL CONSIDERATION**

    Consideration of the Proposed Christchurch City Council Speed Limit Bylaw 2010 is **attached**.

6. **DELIBERATIONS**

PROPOSED

CHRISTCHURCH CITY COUNCIL SPEED LIMITS BYLAW 2010

Pursuant to section 684(13) of the Local Government Act 1974 and section 145 of the Local Government Act 2002, and in accordance with the Land Transport Rule: Setting of Speed Limits 2003 (Rule 54001), the Christchurch City Council makes this Bylaw.

1.   SHORT TITLE

This Bylaw is the Christchurch City Council Speed Limits Bylaw 2010.

2.   COMMENCEMENT

This Bylaw comes into force on 1 January 2010.

3.   INTERPRETATION

In this Bylaw, unless the context otherwise requires:

"**COUNCIL**"	Means the Christchurch City Council and includes any person authorised by the Council to act on its behalf.
"**DESIGNATED LOCATION**"	Means, in accordance with section 4.1(2) of the Rule, a designated location is any of the following: car park; an educational or scientific institution; an industrial facility; a health facility; a residential facility; a camping ground; a sports facility or other recreational area; a botanical garden; a port or wharf area; an airport; a beach; a cemetery; a facility operated by the New Zealand Defence Force; any other location approved by the New Zealand Transport Agency.
"**ROAD**"	In accordance with Part 2 Land Transport Rule: Setting of Speed Limits 2003 (Rule 54001), includes: a street; and a motorway; and a beach; and a place to which the public have access, whether as of right or not; and all bridges, culverts, ferries and fords forming part of a road or street or motorway, and all sites at which vehicles may be weighed for the purposes of the Land Transport Act 1998 or any other enactment; and includes a section of a road.
"**RULE**"	Means the Land Transport Rule: Setting of Speed Limits 2003 (Rule 54001)
"**SPEED LIMIT**"	Means, in accordance with part 2 of the Rule : (a) the maximum speed at which a vehicle may legally be operated on a particular road, but does not mean the maximum permitted operating speed for classes or types of vehicle specified in any Act,

regulation or rule;

(b) for a minimum speed limit, the minimum speed at which a vehicle may legally be operated in a specified lane of a road;

(c) an urban, rural, permanent, holiday, temporary, variable or minimum speed limit.

"**URBAN TRAFFIC AREA**"   Means, in accordance with part 2 of the Rule, an area designated under the Rule that consists of one or more specified roads or a specified geographical area, to which the urban speed limit generally applies.

4.   4.   OBJECT

The purpose of this Bylaw is to provide the mechanism required by the Rule to enable the Council to set speed limits for all roads under the care, control and management of the Council.

5.   SPEED LIMITS

(1)   The Council may, by resolution

a) set speed limits or
b) designate urban traffic areas

for any roads under the Council's jurisdiction in accordance with Section 7.1 of the Rule.

(2)   The Council may, by resolution, set speed limits for roads in any designated location under the Council's jurisdiction in accordance with Section 4.1(4) of the Rule.

(3)   The Council may amend or revoke a resolution made under Clauses 5(1) or 5(2) at any time.

[The following note is explanatory and is not part of the Bylaw:

Section 7.3 of the Rule requires the Council to maintain a register of speed limits that records all speed limits, except temporary speed limits, and records all designated urban traffic areas for the roads under its jurisdiction. The register of speed limits must be available for inspection by members of the public. The Council's speed limits register including maps showing the designated urban traffic areas can be found on the Council website: http://www.ccc.govt.nz/Environment/SpeedRegister/.

In accordance with Section 2.2 of the Rule the Council may set speed limits of 10, 20, 30, 40, 50, 60, 70, 80, 90 or 100 km/h.]

6.   REVOCATIONS AND SAVINGS

(1)   The following Bylaws are revoked:
- Christchurch City Speed Limits Bylaw 2005
- Banks Peninsula District Speed Limit Bylaw November 2005.

(2)   The speed limits listed in the schedule of the Banks Peninsula District Speed Limit Bylaw November 2005 are not revoked, but are incorporated into the Christchurch City Register of Speed Limits.

(3)   Any act of authority which originated under any of the Bylaws revoked in sub clause 6(1) that is continuing at the commencement of this Bylaw, continues to have full force and effect for the purposes of this Bylaw, but is subject to the application of any relevant clauses in this Bylaw.

(4)   The revocation of any of the Bylaws under sub clause 6(1) does not prevent any legal proceedings being taken in relation to any speed limits set under those Bylaws and such proceedings continue to be dealt with and completed as if the Bylaws had not been revoked.

7.   CHRISTCHURCH CITY COUNCIL GENERAL BYLAW

The provisions of the Christchurch City Council General Bylaw 2008 and any bylaw passed in amendment or substitution are implied into and form part of this Bylaw.

The resolution to make this Bylaw was passed by the Christchurch City Council at a meeting of the Council held on 24 September 2009 and was confirmed by a resolution of the Council at a subsequent meeting of the Council on 10 December 2009, following completion of the special consultative procedure where no submissions were received.

[The following note is explanatory and is not part of the Bylaw:

Every person who exceeds any speed limit set in accordance with this Bylaw and the Rule breaches section 5 of the Land Transport (Road User) Rule 2004, which is an infringement offence against the Land Transport Act 1998, and may be liable to an infringement fee as specified in Schedule 1B of the Land Transport (Offences and Penalties) Regulations 1999]

SPECIAL VEHICLE LANES (CYCLE LANES)
BARBADOES STREET (KILMORE TO LICHFIELD);
MADRAS STREET (KILMORE TO SALISBURY);
MADRAS STREET (MOORHOUSE TO CASHEL)
WHO WISH TO BE HEARD

Time	Submission No	Submitter	Page No
10:20 AM		**Staff Presentation**	
10:40 AM	BS025 MKS013 MMC017	Alex Drysdale	**1**
11:00 AM	BS034 MKS021 MMC025	Living Streets Canterbury - Cindy Carmichael	**7**
11:20 AM	BS027	Urban Rooms Ltd - Mike Robinson	**15**
11:30 AM	MKS018 MMC022	Spokes - Robin Delamore	**17**
11:50 AM	MMC005	Tracktion - Carl Burger	**25**
12:00 PM	MMC020	Andy Dowgray	**27**
12:10 PM	MMC018	Canterbury District Health Board - Meg Christie	**29**
12:20 PM	**LUNCH**		
12:50 PM	MMC026	Rex Verity	**31**
1:00 PM	MMCLATESUB02	Roland Logan & Sharon Ng	**33**
1:10 PM	BS029 MKS017 MMC021	Richard Peebles	**35**
1:30 PM	BS020	Caroline Macguire	**41**
		Submitters now not wishing to be heard	
1:40 PM	MMC012	Phantom Billstickers Limited - Jamey Holloway & Robin McDonnell	**43**
	MKS016	Hilary Smith	**47**