

14. CONSULTATION ON ADDITIONAL ROADS FOR CRUISING BYLAW 2010

General Manager responsible:	General Manager Strategy and Planning, DDI 941-8281
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PURPOSE OF REPORT

1. To report on the consultation related to including a number of additional roads within the control of the provisions of the proposed Cruising Bylaw 2010 and determine whether the Council wants them included in the register provided for in clause 4 (6) of the bylaw.

EXECUTIVE SUMMARY

2. During the Special Consultative Procedure of the Proposed Christchurch City Council Cruising Bylaw 2010 a number of roads were identified by submitters as seen to need to be included within the cruising controls. These were the single lane portion of Deans Avenue, Manchester Street, Rossall Street and Helmores Lane.
3. The Panel, on the basis of legal advice, determined that best practice to add roads to the register should be by consulting with residents and homeowners adjacent to the roads for their views on the matter. This was undertaken as set out in the attached report on the analysis of the submissions. Seventy-three persons responded by making submissions. The majority supported the provisions of the bylaw being applied to the named roads.

FINANCIAL IMPLICATIONS

4. There are financial implications associated with the provision of signage on these roads as required under the Traffic Control Device Rule. Those rules require signs at the beginning of the road to which the prohibition applies, at each intersection, and at the end. In the case of the four roads it is likely that in the order of 40 signs will be required. An estimated cost per sign and post has been determined at \$340 hence for these roads the cost of signage could be approximately \$13,600 in total.

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

5. No financial provisions have been made specifically for the development of a cruising bylaw in the 2009-19 LTCCP including signage. The costs of implementing the bylaw, including providing signage will need to be included in the 2010-11 Annual Plan.

LEGAL CONSIDERATIONS

6. Section 22AB (3) of the Land Transport Act 1988 specifies that a cruising bylaw may leave any matter or thing to be regulated, controlled, or prohibited by the Council by resolution generally, for any specified classes of case, or in a particular case. The Select Committee, in its report, noted that the addition of this clause "would allow the authority to amend details of the roads affected, and the times at which the prohibition applied, once a bylaw has been made. It would also allow the exemption of an event from the provisions of the Act." The bylaw proposes that the Council can make resolutions to prohibit cruising on other roads in the future, in addition to multi-lane roads, after consulting with the persons listed in the bylaw. The legal view is that the consultation carried out meets the requirements of clause 4 (5) of the bylaw.

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

7. Yes. As above.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

8. The cruising bylaw aligns to a level of service Maintain Safe City accreditation every five years, next in July 2013, July 2018, July 2024 in the Strengthening Communities Activity Management Plan, and indirectly contributes to a level of service in the Roding Network Activity Management Plan that aims to reduce the number of fatal and serious road accidents in Christchurch.

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

9. As above.

ALIGNMENT WITH STRATEGIES

10. The recommendations align with the Road Safety Strategy 2004 and the Safer Christchurch Strategy 2005.

Do the recommendations align with the Council's strategies?

11. As above.

CONSULTATION

12. Consultation was undertaken through a public information leaflet drop to all residents and addresses in the named roads and organisations who submitted on the original proposed bylaw. The results of this consultation are included in the attached report on analysis of the submissions. The New Zealand Police and the New Zealand Transport Agency were also advised of the proposals.

STAFF RECOMMENDATION

It is recommended that the Council:

- (a) Adopt (or decline to adopt) the Hearing Panel recommendation to include the single lane portion of Deans Avenue, Manchester Street, Rossall Street, and Helmores Lane within the control of the Bylaw and resolve where adopted, to include the above roads in the register referred to in clause 4 (6) of the Bylaw.