

Bylaw Hearings Panel
Cruising and Prohibited Times on Roads Bylaw
MINUTES

Date: Wednesday 13 September 2023
Time: 9.36am
Venue: Cruising and Prohibited Times on Roads Bylaw
Committee Room 1, Level 2, Civic Offices,
53 Hereford Street, Christchurch

Present
Members
Councillor Tyla Harrison-Hunt
Councillor Sam MacDonald
Councillor Tim Scandrett

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The agenda was dealt with in the following order.

1. Apologies Ngā Whakapāha

Hearings Panel Decision

No apologies were received for the meeting.

2. Election of Chairperson Te Whakatū Poumua

Hearings Panel Resolved BHPCC/2023/00005

It was **decided** that Councillor Harrison-Hunt be appointed Chairperson of the Bylaw Hearings Panel .

Councillor Scandrett/Councillor MacDonald

Carried

The Chair opened with a karakia.

3. Declarations of Interest Ngā Whakapuaki Aronga

For transparency the Chair noted that he is a Councillor on the Waipuna Halswell-Hornby-Riccarton Community Board, and that that Board has made a submission and is speaking today.

Councillor Scandrett noted that he had brought a proposal to Council in 2018 for the complete overnight closure of the Summit Road.

5. Volume of Submissions - Proposed Replacement Cruising and Prohibited Times on Roads Bylaw 2023

Hearings Panel Resolved BHPCC/2023/00006

Officer Recommendation accepted without change

That the Bylaw Hearings Panel:

1. Receives the written submissions, including any late submissions, received on the proposed replacement Cruising and Prohibited Times on Roads Bylaw 2023 and associated documents.

Councillor MacDonald/Councillor Scandrett

Carried

4. Summary of submissions on the proposed replacement Cruising and Prohibited Times on Roads Bylaw

The following Council Officers joined the table to present the Officers report, and respond to questions from the Hearings Panel

- Teena Crocker, Senior Policy Analyst
- Andrew Hensley, Traffic Engineer

Hearings Panel Resolved BHPCC/2023/00007

Officer Recommendation accepted without change

That the Bylaw Hearings Panel:

1. Receive this report, including attachments, to support the hearings and deliberation process.
2. Notes that:
 - a. the Panel should consider feedback from submitters and staff on the roads proposed to be added or removed from the coverage of the bylaw;
 - b. if, based on consideration of feedback received, the Panel wishes to recommend new roads be added to the coverage of the bylaw, the Panel would need to recommend that the Council undertakes further work to assess the road(s) in accordance with the Prohibited Times on Roads Policy; and that
 - c. the Hearings Panel's report to Council will need to include a series of recommendations to comply with legislation, and to adopt the registers and policy associated with the bylaw.
 - d. based on consideration of feedback received, staff recommend no changes be made to the proposed bylaw or the proposed replacement policy.

Councillor Scandrett/Councillor MacDonald

Carried

6. Hearing of Submissions Ngā Tāpaetanga

The Hearings Panel received presentations from the following submitters:

- Helen Broughton - Waipuna Halswell-Hornby-Riccarton Community Board, Chairperson
- Paul McMahon - Waitai Coastal-Burwood-Linwood Community Board Submissions Committee
- Kieran Brewster (presentation attached)
- Marie Gray - Summit Road Society, Secretary
- Marc Duff

Attachments

- A Kieran Brewster presentation 

7. Consideration and Deliberation Ngā Whaiwhakaaro me Ngā Taukume o Ngā Kōrero

The Hearings Panel considered and deliberated on the written and verbal submissions received and additional information provided by submitters and Council Officers.

Council Officers Teena Crocker - Senior Policy Analyst, Andrew Hensley - Traffic Engineer, Kirstie Watts - Legal Counsel, Stephen Wright - Manager, Operations, Transport, returned to the table to respond to questions raised by the Hearings Panel on

- Bromley roads
- Summit Road
- Branston Street
- Enforcement measures and the potential use of security camera footage from private land
- Limitations of the Bylaw powers
- Effective antisocial driving behaviours deterrents

8. Hearings Panel Recommendations Ngā Tūtohu o Te Tira Tauaki

After deliberation, the Hearings Panel made the following recommendations:

Hearings Panel Resolved BHPCC/2023/00008

That the Council:

1. Note that public consultation on the following proposed replacement documents has been completed, and that submissions have been considered by the Hearings Panel:
 - a. Cruising and Prohibited Times on Roads Bylaw;
 - b. Register of Roads on which Cruising is Prohibited;
 - c. Prohibited Times on Roads Register; and
 - d. Prohibited Times on Roads Policy.
2. Does not change the proposed Bylaw or associated documents as a result of the consultation process
3. Adopt the Christchurch City Council Cruising and Prohibited Times on Road Bylaw 2023 in its final form (**Attachment A**);
4. Note that the Bylaw will revoke and replace the Christchurch City Council Cruising and Prohibited Times on Road Bylaw 2014;
5. Agree that, in accordance with section 155 of the Local Government Act 2002, the Council is satisfied that the Cruising and Prohibited Times on Road Bylaw 2023;
 - a. is the most appropriate way of addressing the perceived problems;
 - b. is the most appropriate form of bylaw; and
 - c. gives rise to some implications under the New Zealand Bill of Rights Act 1990, but none that are inconsistent with that Act (as is the required test);
6. Approve that the Bylaw comes into force on [date to be determined by Council], and that signs will be installed or removed to reflect the changes;

7. Notify the Minister of Transport that the Bylaw has been made (within one week of the Bylaw being made) to comply with section 22AB(4) of the Land Transport Act 1998;
8. Agree to revoke and replace the Register of Roads on which Cruising is Prohibited, effective from [date to be determined by Council] (**Attachment B**);
9. Resolve under clause 7 of the Cruising and Prohibited Times on Road Bylaw 2023 that access to the following roads or parts of roads is prohibited to vehicles weighing less than 3,500kg during the days and times listed:
 - a. Establishment Drive, Depot Street, Headquarters Place, Quadrant Drive, Aruhe Road and Mania Road (Hornby South) - 10pm to 5am, 7 days a week;
 - b. Part of Branston Street (Hornby) - section from Halswell Junction Road to Boston Avenue - 10pm to 5am, 7 days a week;
 - c. Watts Road (Sockburn) - 10pm to 5am, 7 days a week;
 - d. Weaver Place (Sockburn) - 10pm to 5am, Thursday to Monday, and public holidays;
 - e. Part of Pound Road (Yaldhurst) - branch of Pound Road east of the main alignment - 10pm to 5am, Thursday to Monday, and public holidays;
 - f. Aviation Drive (Yaldhurst) - 10pm to 5am, Thursday to Monday, and public holidays;
 - g. Part of Syd Bradley Road (Yaldhurst) - Russley Road to Ron Guthrey Road - 10pm to 5am, Thursday to Monday, and public holidays;
 - h. Jet Place (Harewood) - 10pm to 5am, 7 days a week;
 - i. Lakes Way, Outlook Place and Lakeside Place (Harewood) - 10pm to 5am, Thursday to Monday, and public holidays.
10. Agree to revoke and replace the Prohibited Times on Roads Register, effective from [date to be determined by Council] (**Attachment B**);
11. Agree to revoke and replace the Prohibited Times on Roads Policy, effective from [date to be determined by Council] (**Attachment C**);
12. Authorise staff to make any typographical changes or to correct minor errors or omissions as the case may be, before the bylaw, registers and policy come into force;
13. Delegate to the Chief Executive the authority to amend any explanatory notes in the Cruising and Prohibited Times on Roads Bylaw 2023, as the case may be, and that this power may be sub-delegated;
14. Give public notice of the Christchurch City Council Cruising and Prohibited Times on Road Bylaw 2023, that it comes into force on [date to be determined by Council], and that copies of the Bylaw may be inspected and obtained at the Council's offices or on its website, without payment, in accordance with section 157 of the Local Government Act 2002.
15. Notify the Canterbury Police District Commander of the adoption of the replacement Cruising and Prohibited Times on Roads Bylaw 2023, and the changes to the roads regulated by the bylaw.
16. Note that issues outside the scope of the Bylaw were raised by residents in and around Branston Street (including heavy vehicle routes, potential use of security camera footage from private businesses, and other tools to reduce vehicle noise at the residential end of Branston Street), and that staff will discuss these matters with the Waipuna Halswell-Hornby-Riccarton Community Board at the next available Traffic Operations Update.

Councillor Harrison-Hunt/Councillor MacDonald

Carried

Secretarial Note:

1. Attachments A, B and C above refers to Attachment A, B and C respectively in item 4 of the [agenda](#) for this meeting.
2. Proposed dates the Bylaw will come into force, and take effect, will be provided by staff for inclusion in the Hearings Panel report to Council.

The Chair closed the meeting with a Karakia.

Meeting concluded at 10.49am.

CONFIRMED THIS 15th DAY OF SEPTEMBER 2023

COUNCILLOR TYLA HARRISON-HUNT

CHAIRPERSON