

Richard Mabon

Sent: Sunday, 14 May 2023 16:51
To: ADC Submissions
Subject: ACA submission to the Draft Transportation and Parking Bylaw - closing 5.00pm - Sunday 14 May

1. Do you agree or disagree with the changes to restrictions to heavy vehicle movements, one-way roads and turning restrictions?

O Agree with all **O Agree with some** **O Disagree with all**

Comments –

Appendix A – Map 1 – the map is somewhat confusing - needed to look at another map to find out road names, all three roads within the red circle are named Lake Hood Drive.

Assuming one way relates to the GREY LINE – which is not fully within the red circle. If all roads have been vested to Council and are now under Council control, no concerns with making a section one way. However, it seems that at Lake Hood, this is an anomaly and will be setting a precedent. This also then makes us wonder why Council are not involved earlier at the development stage.

Ashburton Citizens Association have observed many roading changes at Lake Hood and would prefer to see roading planned and locked in earlier and permanently.

Appendix A – Map 2 – THE MALL – agree with One Way Restriction. While Google clearly shows THE MALL as a road, never considered it a road, as it feels more like a car parking space.

As this is currently a road, does that mean it can be driven at 50km per hour through THE MALL? Is that appropriate?

Alternatively, reduce speed for THE MALL and a shared One Way and pedestrian space – as in Ashburton on Tancred and Burnett Streets in Ashburton.

Appendix A – Map 3 – No Right Turn restriction at the Intersection of Saleyards Road and SH1, South Tinwald – can see on Goggle Maps that the roadworks have already been laid and this is just formalising it – So Agree. However, this does tie in with Key Change Four – **Decisions by Resolution** – ADC are Currently consulting on making this intersection No Right Turn – however the Roadworks are already laid – does that fit the intention of “A standard process that is clear, lawful, responsive, open and transparent?”

If Consulting on **No Right Turn**, would it not have been more open and transparent to lay the roadworks once the Consultation is completed and the Bylaw adopted in place?

Appendix A – Map 4 – Agree – that roads marked on the map with orange “Heavy Traffic permitted to travel on roads in urban areas – Agnes Street, Drovers Lane, McMurdo Street and Saleyards Road” - however two little words beneath the image raise concern.

Appendix A – Map 5 – Agree - however :-

(a) **Wills Street** - the image narrative states Willis Street – which should be **Wills Street**. There are a number of companies that require Heavy vehicles access in this area. Also, a number of Service providers to Heavy Vehicles. But how does Council propose a Heavy Traffic Vehicle reconnect to a permitted Heavy Vehicle route?

Via Cass Street (travelling from Wills to Victoria) – which has traffic calming islands, two pedestrian crossings, lots of onstreet parking used and many alfresco dining on the footpath

Via Wills Street (travelling from Cass to Victoria) – which has traffic calming island, one pedestrian crossing, lots of onstreet parking used and sharp left and right turns where Wills Street joins Victoria

Via Cass Street (travelling from Wills to Peter) – effectively meaning Heavy Vehicles will be doing a U Shape Tour Wills, Cass and Peter Streets.

- (b) **Tancred Street West** – Agree – this now covers HPMVs that deliver merchandise to New World Supermarket. We suggest that drivers are more inclined to exit New World Delivery area, then exit on Park Street, then SH77 – as this is probably the path of least interruption. We therefore propose that an additional HPMV route be added – **Park Street** – between Tancred Street West to SH.77. Or extend the proposed route of Park Street – SH.77 to Kermode Street, to instead read Park Street Tancred Street West to Kermode Street.
- New World has been in place for over a decade now and assume many HPMVs have delivered, outside of the Bylaw areas.
- So when new bylaws are in place, what assurance does the Community have that it will make any difference practises outside the Bylaw? Or be enforced?

The Tancred Street West change will accommodate large supermarket deliveries. Yet we see that Countdown North also has large delivery vehicles at their Peter Street loading area, but there is no permitted route for HPMVs. Also Neumann's have an undercover Truck Tyre changing area, many of which are large and accessed from Peter Street. Suggest for both companies, would be beneficial that HPMVs be granted permission to travel Peter Street between Cass and East Streets.

(c) **Broader comments on Map 5**

As we take a broader view of HPMVs permitted routes, it appears that West Ashburton has far less pathways – with less heavy vehicles through residential areas. Allens Road, Alford Forest Road, Oak Grove, Harrison Street, Farm Road – all in a fairly clear grid pattern. With developments afoot in Triangle and Baring Square East, we request that HPMVs route East Street – State Highway 1 (North intersection) to Havelock Street – cease at Wills Street – then looping back along Cass Street to Peter Street and back to East Street – Effectively, Heavy Vehicles travelling Westbound along Wakanui Road to Chalmers Avenue are then routed along Chalmers Avenue to South Street, Moore Street, Walnut Avenue or Seafield Road – which will be a similar layout to the West Side of Ashburton– where Heavy Vehicles can use Alford Forest Road, Harrison Street (rerouted North or South at Oak Grove), Racecourse Road.

Appendix A – Map 6, 7 and 8 – Agree with proposed changes

Appendix A – Map 9 – Agree – however, these are very wide roads and often used as overnight parking area for trailers – will there be some form of restriction to stop a proliferation of parking?

Appendix A – Map 10 – Agree – think no trucks and trailers overnight should be district wide. Why are Heavy Vehicles not parked in Freight Yards, rather than on residential streets? If this is being adopted for Tarbottons Road, should it also be adopted for other town boundaries areas e.g. Trevors Road.

Appendix A – Map 11 and 12 – Agree

2. **Do you agree or disagree with changes to align the Bylaw with current practices and changes in the transportation environment:**
☐ Agree with all ☒ Agree with some ☐ Disagree with all
Comments –

Transportation and Parking Bylaw – 2.2 Specific Purposes

2.2 (b) states (ii) twice – the second (ii) should be (iii)

Transportation and Parking Bylaw - 3. Related Documents

In 2020 – Ashburton District Council adopted the Walking & Cycling Strategy 2020 - 2030 – would seem a an appropriate document to be referenced under 3. Related Documents.

Transportation and Parking Bylaw - 6. Stopping, Standing and Parking

6.5 states – No person may park any vehicle in a parking place which is already occupied by another vehicle. However, up to six motorcycles (including motorcycles with sidecars attached) but no other vehicle, may occupy any parking place at the same time, (and such motorcycles must park at right angles to the kerb in the metered space).

The Ashburton District Council consultation document states “Council has progressively removed parking meters from the Ashburton CBD” – does that mean the term *in the metered space* at the end of 6.5 should be removed or amended?

6.7 states – No person may stop, stand or park a vehicle or vehicle combination on any lawn, garden, berm, or other cultivation adjacent to, or forming part of, a road.

The Land Transport (Road User) Rule 2004 (6.14), states that a driver or person in charge of a vehicle must not stop, stand or park the vehicle on a footpath. Parking on footpaths is, and has been for 17 years an offence. Section 128 E (1) (a) Land Transport Act 1998 provides Parking Wardens (Officers) with discretion (“may enforce”) in the enforcement of stationary vehicle offences.

Ashburton Citizens Association therefore request Council to reiterate this offence and incorporate the Law into section 6.7 of the Below and instead state **No person may stop, stand or park a vehicle or vehicle combination on any footpath, lawn, garden, berm, or other cultivation adjacent to, or forming part of, a road (see Appendix A and Appendix C)**

Please note, in Appendix C – have attached comprehensive Wellington City Council FAQs on Footpath Parking – particularly like their suggestion of a 3-month period of education and awareness-raising before illegally parked vehicles will be ticketed.

Transportation and Parking Bylaw - 7. Unlawful Parking

7.1 states – A person may not park any vehicle or vehicle combination in a parking place except as permitted by the provisions of this bylaw.

Transportation and Parking Bylaw - 10. Mobility parking and residents' parking

Should this section be retitled to **Permitted Parking** (including Mobility, Residents and Over 80s Parking permits). ADC website states:- Ashburton District Council is introducing special **parking permits** for drivers over 80 years old, allowing them to park longer in free parking spaces around the town centre. The permits will come into force in April and will need to be displayed where parking wardens can see them.

Suggest 10.6 - **parking permits** for drivers over 80 years old, allowing them to park longer in free parking spaces around the town centre. The permit needs to be displayed where parking wardens can see them.

Transportation and Parking Bylaw - 14. Safe movement on roads, footpaths and cycle tracks

14.1 – suggest you are missing a letter in the last line and should be **and in accordance**

Bicycles – suggest this section should instead be **Bicycles, E-Scooters and Mobility Scooters**. Alternatively 14.11 onwards could be two additional subsections – E-Scooters and Mobility Scooters. (see Appendix B)

14.9 - Excellent and appropriate, that Ashburton Bridge carriageways have been mentioned – (a) according to the Walking & Cycling Strategy 2020 - 2030, these carriageways were identified as Existing Shared path, so that will also include Mobility Scooters and E-Scooters – which could be remedied with a subsection and tweaking of 14.7 to 14.9. (b) While these two carriageways have been identified, the other existing cycleways, trails and Shared paths have not been included – should they? Or should at least the Walking & Cycling Strategy 2020 – 2030 be referenced.

Transportation and Parking Bylaw - 16. Traction Engines

16.1 – then jumps to 16.3 and 16.4 – 16.2 is missing – suggest renumbering.

16.3 – need a gap between **section 22 - of this**

Transportation and Parking Bylaw - 21. Horses, Stock and Dairy Cattle

21.1 – states that **No person may ride, lead or drive horses along any footpath or cycle track** – yet according to according to the Walking & Cycling Strategy 2020 – 2030 – Page 26 – Appendix D – Recreation Mountain Biking Trails – Ashburton / Hakatere River Trail “Is a wide two-way track open to bikers, walkers and horse riders 17km long (one way)” – **which is correct?** None of the other Bike Tracks mention horses – is it only the one track that horses are allowed on?

Name: Donna Favel - Secretary

Organisation: Ashburton Citizens Association

YES: - Ashburton Citizens Association would like to present to the hearing on **Friday 31 May 2023** – would like to present **In Person**

3. Do you have any other changes to the Bylaw that you like to suggest?

See comments in 2.

4. Do you have any other comments?

Anonymous Submissions – at the time of writing this submission, have read on the Ashburton District Council website that two Anonymous submissions have been received.

Anonymous No.1 - - states Q.1. – I agree with some changes and nothing more

Anonymous No.2 - - agrees with all of Q.1 and Q.2 – then writes of E-Scooters in Q.4

My recollection was that there had been a third Anonymous submission, which **agreed with everything and asked for full consideration of their submission**

– found that comment particularly interesting when they did not disclosed their name.

This seems to have been removed, but does highlight a potential glitch in the system.

If Council is to accept Anonymous Submissions, what policies and assurances can Council offer that Anonymous submissions **are not**

(a) multiple submissions by one individual or a group to influence decision makers?

(b) prepared by paid third parties / form fillers – which are becoming more prolific in the online environment.

Consultation Document –

- Question 1 – Aligns with Key Change One – Changes to restrictions on heavy vehicles, one-way roads, and turning restrictions

- Question 2 – Aligns with Key Change Two – Aligning the bylaw with current practices
- Question 3 – Aligns with Key Change Three – Making the bylaw easier to use
- Question 4 – **DOES NOT** Align with Key Change Four – Decisions by Resolution

Suggest that Question 4 should have been around – Decisions by Resolution and Question 5 introduced, asking for Other comments.

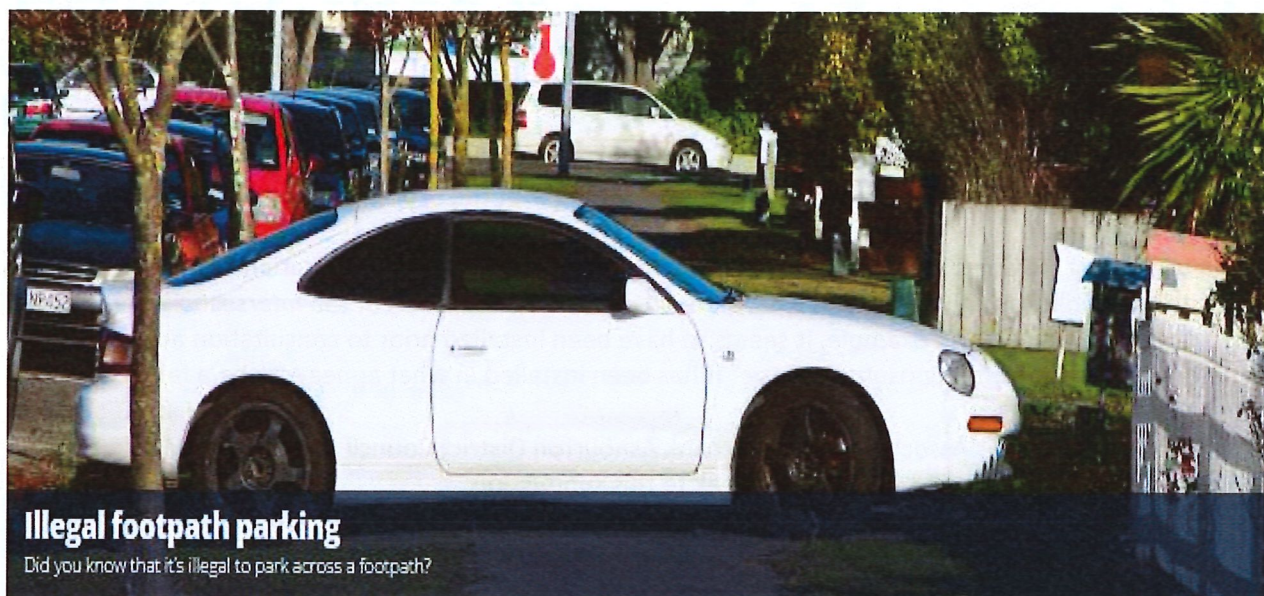
If there had been a Question on key change four – Decisions by Resolution – Ashburton Citizens Association would agree with the objectives of this change – particularly being clearer about the process.

However, Council suggest making changes to traffic restrictions following careful consideration and where necessary consultation with the public. Using *Appendix A – Map 3 – No Right Turn restriction at the Intersection of Saleyards Road and SH1, South Tinwald* – as an example, it seems to have been installed prior to consultation and one would assume consideration is made after consultation – yet it has been installed in what appears to be a fait accompli.

In closing that Ashburton Citizens Association wish to thank Ashburton District Council for the deadline time of Sunday 5.00pm and the opportunity to submit and speak to this submission

Donna Favel
Secretary of the Ashburton Citizens Association

Appendix A – from AA



For many people finding a footpath blocked by a car, van or even truck is at best an inconvenience. At worst, it can be a moderate danger if the vehicle forces them to walk on the road.

However, for children, people pushing prams, people using mobility aids such as wheelchairs or mobility scooters, anyone with a vision impairment or with compromised mental processing, it can create a much bigger danger.

"Parking on footpaths seems to be getting more common; we are running the risk of it becoming normalised," says Chris Teo-Sherrell of pedestrian advocacy group, [Living Streets Aotearoa](http://LivingStreetsAotearoa.org).

"Many people seem to have forgotten the law or don't think about how their parking affects pedestrians. "If you find your way blocked or partially blocked by a vehicle parked across a footpath, take a photo, including the registration plate if possible, and send it to parking@livingstreets.org.nz stating the location, time and date.



"In addition, let your council know about the problem. Many councils only patrol the inner-city area, but vehicles are often parked across footpaths in other places, too. Most councils will enforce the law, but only in response to complaints." Living Streets also suggests people use the free Snap, Send, Solve app - snapsendsolve.com

Reported for our AA Directions Spring 2021 issue

Appendix B – from Waka Kotahi Website

The maximum power output of electric motors, and the systems controlling them, is complex and can often be lower than the maximum rating of any of the systems physical components. The best way to determine a scooters maximum power output is to rely on the manufacturers stated power output or, if you have the facilities available, physically test the system on a dynamometer.

E-scooters can be used on the footpath or the road – except in [designated cycle lanes](#) that are part of the road (which were designed for the sole use of cyclists).

On the footpath the user must:

- operate the device in a careful and considerate manner
- operate the device at a speed that does not put other footpath users at risk
- give way to both pedestrians and drivers of mobility devices.

On the road, e-scooters must be operated as near as practicable to the edge of the roadway.

A helmet is not legally required to be worn when using an e-scooter, but is recommended.

Appendix C – from Wellington City Council

FAQs Footpath Parking

What is the problem?

What does the law say?

What was the Council position?

What's changed since 2005?

What has the Council decided?

What does 'to the parking wardens' discretion' mean? Will that create inconsistency?

What if there is an event on, and nowhere else to park?

Does this include parking on grass areas?

Why have a consultation when the footpath parking will be implemented regardless?

What next? How can I provide feedback?

Will this change further congest narrow roads and make it harder to find a parking space?

What is the problem?

Parking on footpaths is becoming more prevalent creating safety risks for footpath users who must go into the road to get around the parked cars.

When cars park on the street in narrow, winding roads, this causes access problems for emergency vehicles, waste operators and delivery vehicles. Property has been damaged because of fire emergency vehicles not being able to reach a burning property.

What does the law say?

Nationally, under the **Land Transport (Road User) Rule 2004 (6.14)**, a driver or person in charge of a vehicle must not stop, stand or park the vehicle on a footpath. Parking on footpaths is, and has been for 17 years, an offence.

Section 128 E (1) (a) **Land Transport Act 1998** provides Parking Wardens (Officers) with discretion (“may enforce”) in the enforcement of stationary vehicle offences.

What was the Council position?

At a Council meeting on 22 September 2005 the Strategy and Policy Committee agreed to guidelines to specifically target no footpath parking in the central area and suburban centres (as defined by the District Plan) and agreed that outside of these two areas, a ‘reasonable footpath space’ must be available for pedestrian thoroughfare. The enforcement practice was to allow one metre.

The Committee also agreed to no footpath parking by trucks or other large vehicles. The Committee noted that for some exceptional cases, reasonable judgement by both drivers and enforcement officers will be required, and noting that, at all times, parking on the footpath is an offence.

What’s changed since 2005?

- Car ownership rates have not decreased but the City population has increased resulting in more vehicles parking in the city
- Popular vehicle models are typically longer or wider than the standard size parking space (5.5m long, width 2.5m). There are more trade vehicles operating in the city that require more street space^[1].
- More and more drivers are choosing to park their vehicles on footpaths – reasons for this include convenience, the desire to protect their vehicle from damage, and on narrow streets, wanting to ensure access is maintained on the road.
- There are new types of users of footpaths, such as e-scooters and other types of micro-mobility, together with the population increase, this is adding to footpath congestion in some places. This in turn is causing more accessibility challenges and risks for footpath users.
- Fire and Emergency New Zealand have reported increasing accessibility challenges across Wellington’s streets due to vehicles parked on both sides of narrow, winding streets. They have provided the Council with a list of problem streets.
- The Council adopted a new Parking Policy in August 2020 that
 1. prioritises the safe and efficient movement of people,
 2. prioritises active and public transport over private vehicles and
 3. introduced a parking space hierarchy to prioritise the use of public road space.

[1] Toyota Highlander, Ford Ranger 5.4-6.5m long

What has the Council decided?

On 22 April 2021, the Council has agreed to revoke the September 2005 parking on footpath guideline. This returns the ability for Parking Officers to apply judgement and some level of discretion on all cases of footpath parking that occur outside of the central area and a suburban centre and more closely follow the parking space hierarchy which prioritises the safe movement of people on footpaths over the parking of vehicles.

What does 'to the parking wardens' discretion' mean? Will that create inconsistency?

The Land Transport Act 1998 section 128 E (1)(a) provides Parking Wardens (Officers) the powers to enforce stationary vehicle offences (illegal parking). The legislation wording says Parking Wardens **may** enforce..... Parking Officers are trained and experienced to apply good judgement based on the specific situation that they encounter.

No, following the Council decision to revoke the current footpath parking guideline, we will be updating the Parking Officer Enforcement Manual that guides the day-to-day Parking officer activity.

What if there is an event on, and nowhere else to park?

All public events, particularly large ones or those involving road closures, must produce a traffic management plan that includes consideration of parking. For Council events, we always provide information on how to attend an event using other forms of transport and Greater Wellington Regional Council are responsive to putting on additional public transport services for big events.

If you are unable to get to an event by active or public transport there are off-street parking buildings available in the central city.

Does this include parking on grass areas?

It is currently an offence under the traffic bylaw to park on the grass/berm and this is not proposed to change. Parking on the grass/berm causes damage and creates access issues, such as blocking sightlines so people can safely cross the road or manoeuvre in or out of a driveway/intersection.

Why have a consultation when the footpath parking will be implemented regardless?

The Council is consulting on a proposed new traffic bylaw and encourages people to have their say.

The Council decision on footpath parking guidelines is not part of the traffic bylaw. Nationally, under the **Land Transport (Road User) Rule 2004 (6.14)**, a driver or person in charge of a vehicle must not stop, stand or park the vehicle on a footpath. Parking on footpaths is, and has been for 17 years, an offence.

This is an internal enforcement practice decision of a stationary vehicle offence under national legislation that the Council does not have to publicly consult on.

What next? How can I provide feedback?

The Council has not consulted on whether to revoke the September 2005 footpath parking guideline. This is an internal enforcement practice decision of a stationary vehicle offence under national legislation.

However, we are seeking suggestions on

- how could the Council best manage pedestrian and vehicle access and parking on narrow streets where parking on the footpath has been commonplace?

The submission period will open to the public on **10 May 2021 and close on Friday 11 June 2021**

This will be followed by at least a 3-month period of education and awareness-raising before illegally parked vehicles will be ticketed – except in those situations where the parking is considered inconsiderate or a hazard to road-users (as is the current practice) or we are responding to a public complaint.

Will this change further congest narrow roads and make it harder to find a parking space?

Yes, until there is a reduction in private car ownership and private vehicle use. The Council will need to balance the safety of footpath users with the need to keep narrow roads accessible to motor vehicles, especially emergency and service vehicles.

On narrow streets where emergency vehicles and access by service/delivery vehicles is compromised and footpath parking is currently prevalent the Council could:

- install broken yellow lines to direct people not to park on one or both sides of the road
- install signs reminding drivers that it is an offence to park on the footpath
- make some parts of a street one-way or prioritise traffic movement in one direction to ensure safe movement of vehicles
- remove footpaths that do not provide access to properties or other services where there remains an adequate and suitable footpath on the opposite side of the road
- add new parking management, such as time restrictions or designated parking, in nearby locations to ensure certain users have priority parking (in line with the parking space hierarchy)
- work with Greater Wellington Regional Council to improve public transport options to popular destinations with limited off-street or safe on-street parking – such as a seasonal weekend “beach” bus