

Open Meeting

To	Infrastructure Committee
From	Tim Harty General Manager Service Delivery
Date	2 August 2017
Prepared by	Chris Clarke Roading Manager
Chief Executive Approved	Y
Reference #	INF2017 (22/08/2017)
Report Title	Motor Vehicle Racing and Cruising on Public Roads

I. EXECUTIVE SUMMARY

The purpose of this report is to provide Councillors with an update on the racing of motor vehicles and associated activities that are causing a nuisance on various public roads around the Waikato District.

A number of options have been considered to control these activities following discussions with local residents, staff, Councillors and the NZ Police. These options include engineering solutions, installation of security cameras, and improved enforcement options.

With the support of the NZ Police it is recommended that discussions commence on developing a bylaw jointly with Hamilton City Council, and Waipa District Council. Should agreement not be reached on the need for a bylaw across the three Councils then the preparation of the bylaw will be undertaken by the willing parties. This will result in Council having the ability to restrict vehicles and cruising activities on certain roads and times.

Staff have investigated similar bylaw provisions in Christchurch City Council, Tauranga City Council and New Plymouth District Council. It is understood that there are several other Councils that have similar bylaw provisions. Most Councils report successful outcomes following a short time after the bylaws are in place.

2. RECOMMENDATION

THAT the report from the General Manager Service Delivery be received;

AND THAT the Infrastructure Committee recommends to Council that the preferred option is to develop a bylaw or bylaw provisions to increase enforcement options to control activities associated with racing motor vehicles on public roads in the Waikato District.

3. BACKGROUND

Staff have received a number of complaints relating to racing of motor vehicles on public roads (or boy racer) activities around the district. The most recent incident is occurring in the vicinity of Holmes and Onion Roads in the Newcastle Ward. Meetings have been held between staff, the Ward Councillor and the NZ Police on this site to discuss options. A public meeting was also arranged by local residents and held on site on Sunday 23 July at 2pm. This was in response to increasing boy racer activity in the area that was not only causing a nuisance but occurrences of threatening behaviour, intimidation, graffiti, and littering are also on the rise. The meeting was attended by approximately 150 residents and 20 representing boy racer groups.

The outcomes from the residents meetings is summarised below:

- There was support for Council to erect Close Circuit TV (CCTV) cameras to record illegal activities on the Onion/Holmes Roads intersection and outside the quarry on Bedford Road.
- Meeting attendees were in favour of the Police conducting sting operations when they can and when resources allow on illegal street racing in the Horotiu and Te Kowhai areas.
- There was support for Waikato District and Hamilton City Councils working with NZ Police and the NZ Justice system to implement bylaws which will prohibit illegal street racing on designated areas and give the Police the power to impose fines and confiscate vehicles.

Three representatives from the boy racer fraternity said they attended the meeting to hear residents' concerns. They commented that the effect on the residents was not acceptable putting responsibility for the majority of activity on a group of up to 1500 vehicles which come down from Auckland for a 'Hamilton Invasion' facilitated by a closed Facebook site and group texting. The group actively monitor and respond to Police communications with gatherings generally starting around 11pm and ending around 3am.

The group appealed for a site where they could undertake skids saying this would end illegal street racing.

Other instances staff are aware of include Tamahere Drive, Pickering Road and Woodlands/Middle Road intersections. Staff are also aware of feedback from the local community and Police relating to boy racer activity in the Hampton Downs area. Part of the bylaw development will include identifying other areas where boy racer activity is prevalent through discussions with the NZ Police and local feedback through community engagement.

Several Councils around the country have bylaws or bylaw provisions controlling boy racer activity. They are designed to keep light vehicles, typically under 3500kg, off nominated roads during specified days and times. There are exceptions for emergency, trade and local residents' vehicles. Most Councils also have restrictions controlling cruising of motor vehicles within restricted times. The bylaws have been in response to congregations of boy racers meeting in quiet areas to not only run drag races but also participate in other illegal behaviour including drug taking and instances of sexual assaults have occurred. Most councils report successful outcomes following a short time after the bylaws are in place.

The NZ Police have limited ability to control the congregation of motor vehicles and associated boy racer activity unless they observe illegal actions eg speeding etc. They are supportive of a bylaw that will provide them with more enforcement options. The Police are the body to enforce the bylaws and the officers are the ones to hand out tickets.

4. DISCUSSION AND ANALYSIS OF OPTIONS

4.1 DISCUSSION

At the meeting between staff, Councillors and the NZ Police a number of options were discussed in addition to the development of a bylaw.

Other options discussed include engineering solutions, security cameras, and extension of the Councils liquor ban.

Engineering solutions

Engineering solutions are expensive (approximately \$20,000 per traffic island) and need to offer other traffic safety benefits other than a focus of controlling boy racer behaviour. The installation of traffic control devices eg speed humps and traffic islands to restrict some boy racer activity is an example. Speed humps are only appropriate in lower speed environments such as those in urban areas. Most of the Waikato District complaints are in rural areas. Traffic islands may be useful in controlling some boy racer activity and may be a benefit for traffic safety as well. This will be considered on a case by case basis but is an expensive option to install such devices to control boy racer activity alone and will only result in the group finding another location. Marking of no stopping lines was another option discussed which again will be considered and are being installed at the Holmes/Onion Roas site.

Security cameras

Security cameras have limited effectiveness as they will identify vehicle registration numbers but potentially may not conclusively identify the driver. NZ Police suggested there had been instances where the registered owner was held accountable and not the driver concerned.

Extension of liquor ban

Discussions were also had around the possibility of extending the liquor ban to known areas frequented by boy racers. This could be incorporated in the review of the Liquor Control Bylaw 2009 that is scheduled for 2018.

4.2 OPTIONS

There are four options for consideration.

- Option 1:** Do nothing. The benefits are that there are no costs but the risks are that Council will continue to receive complaints about boy racer activity and criticism for not responding to ratepayer concern.
- Option 2:** Initiate engineering solutions at identified sites. The estimated costs are approximately \$20,000 per traffic island which is not sustainable if the activity increases and may not fully address the nuisance issues. Such solutions will be considered on a case by case basis if there are other traffic safety benefits.
- Option 3:** Install security cameras – these have limited benefit if drivers of the vehicles in questions cannot be identified.
- Option 4:** Develop a bylaw, or clauses, restricting vehicle usage during specified days and times. The bylaw should also cover restrictions on motor vehicle cruising activity. Christchurch City Council reported costs of \$340,000 for the installation of 1000 signs when they were developing their bylaw.

Option 4 is the recommended option. This has support from staff, Councillors and residents in attendance at the Holmes/Onion Road meeting.

5. CONSIDERATION

5.1 FINANCIAL

The costs should be shared between Waikato District Council, Hamilton City Council and Waipa District Council if agreement on a joint approach is reached. It is estimated the cost of undertaking a Special Consultative Procedure process is around \$5000. These are direct costs, ie printed material and public notices and does not include staff time.

Should Council wish to develop a bylaw or amend an existing bylaw, it is unknown exactly when this may be able to occur due to current staff resourcing and workloads however it may not be until the second half of 2018.

Costs for signage is not included in any existing Council budget. Funds would need to be allocated through the Long Term Plan process.

5.2 STRATEGY, PLANS, POLICY AND PARTNERSHIP ALIGNMENT

There is an opportunity to partner with Hamilton City Council and Waipa District Council should they also wish to develop a bylaw to manage boy racer activities using an agreed approach.

5.3 ASSESSMENT OF SIGNIFICANCE AND ENGAGEMENT POLICY AND OF EXTERNAL STAKEHOLDERS

Highest levels of engagement	Inform	Consult	Involve	Collaborate	Empower
	<input type="checkbox"/>	<input type="checkbox"/> ✓ X	<input type="checkbox"/> Y	<input type="checkbox"/>	<input type="checkbox"/>
<i>Tick the appropriate box/boxes and specify what it involves by providing a brief explanation of the tools which will be used to engage (refer to the project engagement plan if applicable).</i>	<p>Staff are already working with Councillors, NZ Police and local residents to develop an appropriate way to manage the issue.</p> <p>Should Council wish to develop a bylaw, or clauses within an existing bylaw, a SCP will be required in addition to a round of early engagement as is best practice and would provide an opportunity for the identification of additional areas where boy racer type activities need to be managed.</p>				

Planned	In Progress	Complete	
		X	Internal
X			Community Boards/Community Committees
X			Waikato-Tainui/Local iwi (provide evidence / description of engagement and response)
	X		Households
			Other Please Specify

6. CONCLUSION

There has been a noticeable increase in the incidence of boy racer activity in the rural areas of the Waikato district. The levels of nuisance and associated behaviour are intolerable to our ratepayers. The NZ Police have asked for more tools at their disposal to enforce known areas of boy racer activity.

A bylaw or bylaw provisions will provide them with such options.

There are other options available to control boy racer activity but are expensive or less effective than enforcement. Such options will be considered on a case by case basis.

It is suggested that staff commence discussion with Hamilton City Council and Waipa District Council to jointly prepare a bylaw that will restrict vehicles from certain areas and control motor vehicle cruising in known areas frequented by boy racers. Should agreement not be reached on the need for a bylaw across the three Councils then the preparation of the bylaw will be undertaken by the willing parties if Council resolve to do so.