

PROPOSED TDC CYCLEWAY BYLAW

PRIMARY EVALUATION QUESTIONS	Y/N	REMARKS
Is the bylaw a legal requirement?	NO	
Does the Council have the authority to prepare the bylaw?	YES	LGA
Will the bylaw give rise to any issues under the New Zealand Bill of Rights Act 1990? (Section 155(2)(b) - LGA 2002)	NO	
Is there existing legislation that covers the bylaw?	NO	Partial only Dog Bylaw
Will the bylaw prevent injury, damage, and nuisance to the public and/or goods? (Section 145 - LGA 2002)	YES	
Does the bylaw assist Council to meet its statutory obligations?	YES	
Is the bylaw consistent with Councils plans and policies?	YES	LTP Community Outcome 6

ALTERNATIVES TO A BYLAW (SECTION 155(1) - LGA2002)		
Could the issue be controlled PRIMARILY by:	Y/N	REMARKS
Education	NO	Partially as part of the bylaw process and enforcement
Providing services	N/A	
Providing Incentives	N/A	
Voluntary agreements	NO	Partially but too many stakeholders to be fully effective
Charges	N/A	
District Plan/Policies	NO	
Do nothing	NO	Use of the cycleway must have some level of control to prevent problems
Another organisations responsibility	NO	

EFFECTIVENESS OF THE BYLAW METHOD		
Effectiveness	Y/N	REMARKS
Will it deal with the main issues needing controlling?	YES	
Is the bylaw practically enforceable?	YES	May have cost implications for signage and enforcement

COST/BENEFIT ANALYSIS OF THE BYLAW OPTION		
Factor	C/B	REMARKS
Health effects	B	Encourages recreational activity and increase in health means less cost on the community
Economic Effects	B	Increase in health means less effect of sickness on the Community. Also will encourage use of local businesses adjacent to cycleway.
Environmental Effect	C/B	Will potentially introduce greater use of some areas where human activity was previously minor. Has the benefits of monitoring these areas passively (by public) and actively by TDC staff so early intervention is possible. May reduce use of motor vehicles.
Social Effect	B	Will allow access to new areas for general public giving extra options for recreation. This in turn could improve social conditions.
Cultural Effect	B	Opportunity to educate the public on cultural issues at specific points of the cycleway

CONCLUSION

Having considered the issues above it is concluded that the only effective option to allow the cycleway to exist without adverse effects is to have the bylaw in place.