

From: s 9(2)(a)
To: Glenn Bunting
Subject: RE: Rainbow crossing
Date: Wednesday, 3 October 2018 8:14:16 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

I'll discuss here and get back to you.

Cheers

From: Glenn Bunting s 9(2)(a)
Sent: Wednesday, 3 October 2018 8:10 a.m.
To: s 9(2)(a)
Subject: RE: Rainbow crossing

Hi s 9(2) – we are gearing up to send a letter forbidding them to do this work - we have been trying to work with them for the past 18 months, however we got notification on the 25th September that they were going their own way. So if the letter passes its final hurdles, it will say something like this:

This letter is notification to the Wellington City Council that under the Land Transport Rule: Traffic Control Devices 2004 (the Rule) clause 3.2(3), the Agency prohibits the installation of the proposed rainbow pedestrian crossing at the intersection of Cuba Street and Dixon Streets, Wellington.

Should the Council proceed to install the markings, the Agency will direct their removal under clause 13.8(1) of the Rule, and ask the NZ Police to prevent their installation and remove the markings under clause 13.9(1) of the Rule.

You indicated way back that Police preferred a negotiated result, but that is not now possible. The Rule provides that only the Police, not the Agency, can remove the TCD. Our legal advice is that "Remove" simply means to take something away so that could mean while it's being installed i.e. rather than waiting for the crossing to be installed (which they have said will take about 4 days – they have signs up saying Dixon Street will be closed Friday through Monday this weekend), it would be preferred to have the Police go there and stop the contractor activities, on the basis that what they are installing is illegal and forbidden.

s 9(2)(g)(i)

Cheers, Glenn

Glenn Bunting / Manager Network Safety
Safety and Environment

s [redacted] [redacted]

From: s 9(2)(a)
Sent: Wednesday, 3 October 2018 7:58 AM
To: Glenn Bunting s 9(2)(a)
Subject: RE: Rainbow crossing

Hi Glenn,

s 9(2)(g)(i)
[redacted]
[redacted]
[redacted]

My view is that any issues regarding the legality of the road markings falls within the NZTA arena to take up with Council.

I agree there is a potential increased road safety outcome risk with this set-up, with some pedestrians perhaps treating this as a normal pedestrian crossing, stepping out and expecting

vehicles to stop. From that perspective, the Council should ensure all pedestrians (24/7) are very clearly informed that the rainbow crossing does not give pedestrians right of way. We will discuss this further with the Council.

Regards

s
s 9(2)(a)

National Road Policing Centre



From: Glenn Bunting s 9(2)(a)

Sent: Tuesday, 2 October 2018 5:53 p.m.

To: s 9(2)(a)

Subject: Fwd: Rainbow crossing

Hi s - s 9(2)(g)(i)

Cheers, Glenn

Sent from my iPad

Begin forwarded message:

From: Angela Duncan s 9(2)(a)
Date: 2 October 2018 at 5:45:51 PM NZDT
To: Glenn Bunting s 9(2)(a), Richard Bean s 9(2)(a)
Cc: Andrew Allen s 9(2)(a)
Subject: Rainbow crossing

Spotted by Andrew in today's Dom under *Capital Chatter*:

@BucketFountain

The World Famous Bucket Fountain looks forward to welcoming its new neighbour the Wellington Rainbow Crossing!"

And Andrew has seen signs up saying the road is to be closed for work. So looks like it's all go! Was everything resolved in the end?

Angela

Angela Duncan / Managing Counsel (Rules)
Legal Services Team
Corporate Services

s
g(
s 9(2)(a)
w www.nzta.govt.nz



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