

# **CHRISTCHURCH CITY COUNCIL AGENDA**

**THURSDAY 27 AUGUST 2009**

**9.30AM**

**COUNCIL CHAMBER, CIVIC OFFICES**



## CHRISTCHURCH CITY COUNCIL

**Thursday 27 August 2009 at 9.30am  
in the Council Chamber, Civic Offices**

**Council:** The Mayor, Bob Parker (Chairperson).  
Councillors Helen Broughton, Sally Buck, Ngaire Button, Barry Corbett, David Cox, Yani Johanson,  
Claudia Reid, Bob Shearing, Gail Sheriff, Mike Wall, Sue Wells, Chrissie Williams and Norm Withers.

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**1. APOLOGIES**

**2. CONFIRMATION OF MINUTES - COUNCIL MEETINGS OF 23.7.2009, 29.7.2009 AND 13.8.2009**

Attached.

**3. DEPUTATIONS BY APPOINTMENT**

Bob Todd, Chairperson, Hagley/Ferrymead Community Board, and Rob Burrough, Principal, Linwood College, will address the Council regarding item 6 - Aldwins Road Speed Limit.

**4. PRESENTATION OF PETITIONS**

**5. CENTRAL PLAINS WATER TRUST - RE-APPOINTMENT OF TRUSTEE**

<b>General Manager responsible:</b>	General Manager Regulation and Democracy Services, DDI 941-8462
<b>Officer responsible:</b>	Peter Mitchell
<b>Author:</b>	Peter Mitchell

**PURPOSE OF REPORT**

1. The purpose of this report is to re-appoint Mr Richard Davison as a Trustee of Central Plains Water Trust (CPWT).

**EXECUTIVE SUMMARY**

2. CPWT is seeking confirmation from Christchurch City Council for the re-appointment of Richard Davison as a Trustee.
3. The Trustee has been a member of CPWT for a number of years and has confirmed his wish to stay as a member of the Trust for the foreseeable future.
4. The appointment of Mr Davison expired on 30 June 2009 and not 30 November 2009 as previously thought. The appointment of Trustees by the Council is normally for a term of three years.
5. Selwyn District Council have yet to consider this matter.
6. Accordingly it is recommended that Mr Davison be re-appointed for a three year term commencing 1 July 2009.

**STAFF RECOMMENDATION**

It is recommended that the Council re-appoint Mr Richard Davison as a trustee of Central Plains Waters Trust for a period of three years commencing 1 July 2009.

## 6. ALDWINS ROAD SPEED LIMIT

<b>General Manager responsible:</b>	General Manager of City Environment, DDI 941 8608
<b>Officer responsible:</b>	Transport and Greenspace Manager, DDI 941 8864
<b>Author:</b>	Malcolm Taylor, Traffic Engineer – Community, DDI 941 8604

### PURPOSE OF REPORT

1. The purpose of this report is to provide the Council with the information it requested, and to achieve a resolution on the appropriate speed limit on Aldwins Road.

### EXECUTIVE SUMMARY

2. Linwood College requested the Hagley/Ferrymead Community Board to consider reducing the 60 km/h speed limit on Aldwins Road to 50 km/h to improve the safety for students. The Hagley/Ferrymead Community Board recommended that Council reduce the speed limit along Aldwins Road between Ferry Road and Linwood Avenue to 50 km/h and support the installation of a barrier fence either side of the signalised crossing at its meeting of 12 September 2007.
3. The Council supported the Hagley/Ferrymead Community Board's request for the speed limit on Aldwins Road at the Linwood College to be reduced from 60 to 50 km/h and that a barrier fence be constructed in the Aldwins Road median along the Linwood College frontage, either side of the pedestrian signals.
4. The speed limit on Aldwins Road between Ferry Road and 100 metres south of Linwood Avenue was increased from 50 km/h to 60 km/h on 1 February 2004.
5. A speed camera is located on Aldwins Road facing south towards the signalised pedestrian crossing.
6. An independent consultant reviewed the existing speed limit on Aldwins Road using the Land Transport Rule, Setting of Speed Limits 2003 and determined that the appropriate speed using "The Rule" is 60 km/h. The consultants report recommended "retain the speed limit outside Linwood College at 60 km/h".
7. Comments on the Council's request to reduce the speed limit from 60 km/h to 50 km/h were requested from the Director of Land Transport NZ (now NZ Transport Agency) and the Commission of Police. If the Council proposed to change the speed limit, Section 7.1(2) of 'The Rule' states that the Commissioner and the Director "must be consulted in accordance with Section 7.1(1). Both support the retention of the existing 60 km/h speed limit on Aldwins Road. **(See letters attached 1 and 2).**
8. The New Zealand Transport Agency (NZTA) has confirmed that 60 km/h is seen as being appropriate.
9. The Police have also assessed the situation and have stated that the enforcement of speed limits can not be pursued if they are not installed in accordance with "The Rule".
10. The installation of a barrier fence along the median strip, either side of the school gate signalised crossing point, to prevent pedestrians crossing the roadway other than at the signals provided for them, has now been completed. The barrier fence now prevents this risky activity as reported to the Board in September 2007.
11. Further to this work and subject to endorsement by the Board/Council, the barrier fence will be extended towards the Aldwins Road/Harrow Street intersection.
12. It is proposed that a signalised crossing at the Aldwins Road/Harrow Street intersection for both cyclists and pedestrians will be installed. \$100,000 has been allocated for this additional work which will occur as part of the Linwood College "Cycle Bubble" project programmed for the 2009/10 financial year.

**6 Cont'd**

13. The fact that traffic signals stop traffic for students to cross the road and an additional signalised crossing facility is proposed means that there is no real safety improvement if the speed limit were to be lowered to 50 km/h.
14. This report therefore recommends that the 60 km/h speed limit remain and that further safety improvements be considered.

**FINANCIAL IMPLICATIONS**

15. The cost of the recommendations in this report is nil.

**Do the Recommendations of this Report Align with 2009-19 LTCCP budgets?**

16. As above.

**LEGAL CONSIDERATIONS**

17. As a Road Controlling Authority, the Christchurch City Council has the powers to set or review a speed limit in accordance with the Land Transport Rule, Setting of Speed Limits 2003. The requirements of 'The Rule' are set out in Legal Considerations later in this report.

**Have you considered the legal implications of the issue under consideration?**

18. As above.

**ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

19. Aligns with Transport and Greenspace activities by contributing to the Council's Community outcomes – Safety and Community.

**Do the recommendations of this report support a level of service or project in the 2009-2019 LTCCP?**

20. The recommendations contribute to improve the level of service for safety and access.

**ALIGNMENT WITH STRATEGIES**

21. Align with the Christchurch Road Safety Strategy and Safer Christchurch Strategy.

**Do the recommendations align with the Council's Strategies?**

22. The recommendations align with the Christchurch Road Safety and Safer Christchurch Strategies.

**CONSULTATION FULFILMENT**

23. Comments on the Council's request to reduce the speed limit from 60km/h to 50 km/h were requested from the Director of Land Transport NZ (now NZ Transport Agency) and the Commission of Police. If the Council proposed to change the speed limit, Section 7.1(2) of 'The Rule' states that the Commissioner and the Director "must be consulted in accordance with Section 7.1(1). Both support the retention of the existing 60 km/h speed limit on Aldwins Road. (see Attachment 1 and 2).
24. The New Zealand Transport Agency (NZTA) has confirmed that 60 km/h is seen as being appropriate.
25. The Police have also assessed the situation and have stated that the enforcement of speed limits can not be pursued if they are not installed in accordance with "The Rule".

**6 Cont'd**

**STAFF RECOMMENDATION**

It is recommended that the speed limit on Aldwins Road between Ferry Road and 100 metres south of Linwood Avenue remain at 60 km/h at this stage and therefore not to be included in the schedule of proposed new speed limits to be consulted on as presented in a separate report.

Note: This report was provided to the Hagley/Ferrymead Community Board on 5 August 2009 for its information. The Board's recommendation follows.

**HAGLEY/FERRYMEAD COMMUNITY BOARD RECOMMENDATION**

It is recommended that the Council reaffirm its decision of 11 October 2007, which was to reduce the speed limit on Aldwins Road between Ferry Road and Linwood Avenue to 50 km/h.

The Board also **resolved** to request a report from staff to investigate rephrasing the traffic lights to look at increasing pedestrian safety and reduce pedestrian waiting times.

## 6 Cont'd

### BACKGROUND

26. Linwood College requested the Hagley/Ferrymead Community Board to consider reducing the 60 km/h speed limit on Aldwins Road to 50 km/h to improve the safety for students. The Hagley/Ferrymead Community Board recommended that the Council reduce the speed limit along Aldwins Road between Ferry Road and Linwood Avenue to 50 km/h and support the installation of a barrier fence either side of the signalised crossing at its meeting, of 12 September 2007.
27. The Council supported the Hagley/Ferrymead Community Board's request for the speed limit on Aldwins Road at Linwood College to be reduced from 60 to 50 km/h and that a barrier fence be constructed in the Aldwins Road median along the Linwood College frontage, either side of the pedestrian signals.
28. An independent consultant (Facey Consultants Ltd) was engaged to review the existing speed limit on Aldwins Road and to obtain the information that is legally required for enabling speed limits to be changed, and to recommend changes if necessary.
29. The consultant recommended to, "retain the speed limit outside Linwood College at 60 km/h".
30. The speed limit on Aldwins Road between Ferry Road and 100 metres south of Linwood Avenue was increased from 50 km/h to 60 km/h on 1 February 2004.
31. Aldwins Road is defined in the roading hierarchy as a major arterial road. Buckleys Road to the north and Ensors Road to the south are also defined as major arterial roads and form a major arterial route between New Brighton and Brougham Street. Aldwins Road carries about 28,000 vehicles per day.
32. Aldwins Road has a raised median with four traffic lanes (two in each direction) and parking on each side of the road. Pedestrian traffic signals have been erected on Aldwins Road outside Linwood College. A speed camera is erected on Aldwins Road facing south towards the signalized pedestrian crossing.
33. Within the section from Ferry Road to Harrow Street, land uses are typically mixed. There are some small commercial premises near Harrow Street and Ferry Road but the majority is residential. Linwood College on the western side near Harrow Street is a major generator of traffic and pedestrians. Opposite Linwood College is the Parkwood Rest Home.
34. The Council has constructed a barrier fence along the median strip to prevent pedestrians crossing mid block between Linwood College and Harrow Street. This proposal was as a result of the previous report that was done to provide the information to go to the Hagley/Ferrymead Board meeting.

### LEGAL CONSIDERATIONS

35. The Land Transport Rule, Setting of Speed Limits 2003 sets out a number of criteria that a speed limit must meet.

#### **"Section 2.6 Role of road controlling authorities in reviewing and setting speed limits.**

36. A road controlling authority, for roads under its jurisdiction:
  - (a) must consider the safe and appropriate speed limit for a road with regard to the function, nature and use of the road, its environment, land use patterns and whether the road is in an urban traffic area or a rural area;
  - (b) must review speed limits in accordance with this rule.
37. As well as the quantitative requirements for setting a speed limit, there are also qualitative requirements outlined in 'The Rule'. These qualitative requirements indicate what a road in each speed limit should look like and how it should function. To quote from 'The Rule':



## 6 Cont'd

**Schedule 1, Speed limits New Zealand, clause 2.3 Arterial route speed limits**

*Speed limits of 60 and 80 km/h are primarily intended as limits for arterial routes. A 50-, 70- or 100-km/h speed limit may also be appropriate on an arterial route in some circumstances.*

*The geometric features and general appearance of the road and surrounding development should be consistent along the entire length of the arterial route speed limit.*

*On a long route (more than 3 km), where the level of development on a short section (less than 1 km) varies from the predominant development along the route, it may be appropriate to install a constant speed limit over the entire route. In this situation it is essential that the specified geometric design criteria are complied with and that traffic responds safely to the posted limit, despite the variation in development."*

and;

**"Schedule 1, Speed limits New Zealand, clause 2.5 60-km/h speed limit**

*A 60km/h speed limit is an arterial route limit that may apply to roads in urban areas meeting specific design requirements. This speed limit may be appropriate where the roadside is fully developed, if the road geometry and other design features can safely provide for the activity generated by the development, when the traffic is operating at the higher speed.*

*A 60km/h limit is only suitable on roads that primarily serve the needs of through traffic, (i.e., a high proportion of the traffic should travel along the road for a significant proportion of its length). The road should have consistent geometric features over the whole length of the restriction to reinforce its route function.*

*Examples of the necessary design features include solid or flush medians, multiple lanes, frontage service roads, well-spaced intersections, restrictions placed on turns at minor intersections, property boundaries set back and linking of signals to discourage higher or lower speeds.*

*If a proposed 60km/h speed limit will raise the existing speed limit, the road controlling authority should conduct a safety audit, as recommended in 3.6, to identify any deficiencies that require attention to provide a safe environment for all road users."*

38. Based on the qualitative criteria above, it is clear that consistency is considered important to meet the expectations of drivers. The route of Ensors Road/Aldwins Road/Buckleys Road is a major arterial route with generally consistent treatment that supports a higher speed limit. There are solid medians with turning restrictions, multiple traffic lanes, reasonably consistent roadside development and coordinated traffic signal control. The section of Aldwins Road around Linwood Avenue (Eastgate shopping centre) has had the speed limit reduced because it is a significant retail development with high pedestrian movement but the remainder of the route has a speed limit of 60km/h, but as noted above that meets the expectations of drivers and hence the qualitative criteria for the speed limit on Aldwins Road are met.
39. A speed limit rating survey was carried out to determine the appropriate speed limit. The average rating calculated between Harrow Street and Ferry Road was 17. This is sufficient to consider either 50 or 60 km/h under the speed limit rule. However, when applying other criteria in "The Rule" the appropriate calculated speed limit is 60 km/h which is explained below.
40. A legal opinion dated 11 July 2008 confirmed that the Council can alter or set a speed limit on any road that does not comply with the Land Transport Rule, Setting of Speed Limits 2003, Rule 3.2.5(a) provides only if the road or speed limit complies with Rule 3.2.5 (a) and (b) and 3.2.6.

*"Rule 3.2.5(a) Speed limits that differ from the calculated speed limit.*

*A road controlling authority may propose to set a speed limit that differs from the calculated speed limit but may set the proposed speed limit in accordance with Section 7, only if; (a) a speed limit different from the calculated speed limit is the safe and appropriate speed limit for a road with regard to the function, nature and use of the road, its environment, land use patterns and whether the road is in an urban traffic area or a rural area".*

**6 Cont'd**

Rule 3.2.5 (b) and 3.2.6 only apply where proposed speed limits are less than 50 km/h. The speed limit that is being proposed in this situation is 50 km/h.

41. When Land Transport NZ advisers became aware of this issue they emailed the Council to advise of an example in the North Canterbury Area where a council set a speed limit which did not comply with the guide lines of the Land Transport Rule, Setting of Speed Limits 2003. Land Transport deemed the speed limit was not legal and therefore the Police were unable to carry out any enforcement. The appropriate speed limit has now been installed.
42. As a Road Controlling Authority, the Christchurch City Council must comply with the Land Transport Rule, Setting of Speed Limits 2003.

**TRAFFIC SPEED RECORDS**

43. The Council has two sites on Aldwins Road where speed surveys are regularly conducted. These are south of Marlborough Street and south of Bass Street.
44. A long period of road works has prevented any new traffic data being obtained.
45. Limit signs were erected and are the "before" survey results. Subsequent surveys were taken after the signs were erected and are the "after" survey results.
46. The speed survey results are shown below. The speed surveys are based on free running vehicles and include only the first vehicle of any platoon that is driving along the road. This is achieved by excluding all vehicles that are less than 4 seconds behind the vehicle in front. Including all vehicles in the count would create an artificially low survey result by including vehicles that want to travel faster but can not because they are following a slower vehicle.

**SPEED SURVEY RESULTS**

Date	Speed Km/hr	Location of count	Direction	85%ile speed km/h	Mean speed km/h	Standard deviation
02/04	50	Aldwins south of Marlborough	Southbound	58.7	52.6	7.91
02/04	50	Aldwins south of Marlborough	Northbound	59.8	53.7	8.3
02/04	50	Aldwins south of Marlborough	Combined	59.4	53.2	8.13
07/05	60	Aldwins south of Marlborough	Southbound	61.6	56.1	7.18
07/05	60	Aldwins south of Marlborough	Northbound	59.8	53.3	8.61
07/05	60	Aldwins south of Marlborough	Combined	60.8	54.6	8.08
06/07	60	Aldwins south of Marlborough	Southbound	63.7	57.7	8.05
06/07	60	Aldwins south of Marlborough	Northbound	61.2	53.7	10.48
06/07	60	Aldwins south of Marlborough	Combined	62.6	55.6	9.6
02/04	50	Aldwins south of Bass	Southbound	57.6	51.8	7.03
02/04	50	Aldwins south of Bass	Northbound	58	52.1	6.96
02/04	50	Aldwins south of Bass	Combined	57.6	52	6.99
07/05	60	Aldwins south of Bass	Southbound	60.1	55	6.11
07/05	60	Aldwins south of Bass	Northbound	59.4	53.4	7.4
07/05	60	Aldwins south of Bass	Combined	60.1	54.6	6.5
06/07	60	Aldwins south of Bass	Southbound	60.8	55.1	6.87
06/07	60	Aldwins south of Bass	Northbound	59.4	53.6	7.39
06/07	60	Aldwins south of Bass	Combined	60.1	54.4	7.17
07/05	60	Buckleys north of Carnarvon	Southbound	63.4	57.6	7.22
07/05	60	Buckleys north of Carnarvon	Northbound	61.6	56.3	6.28
07/05	60	Buckleys north of Carnarvon	Combined	62.6	57	6.85
09/05	60	Ensors at rail crossing	Southbound	62.3	56	7.89
09/05	60	Ensors at rail crossing	Northbound	63.7	56.8	8.75
09/05	60	Ensors at rail crossing	Combined	63	56.4	8.37

**6 Cont'd**

47. The results of the speed surveys show that traffic speeds on Aldwins Road did increase as a result of the increase in speed limit. Note that south of Bass Street near Linwood College, traffic speeds did not increase as much as to the north. The presence of the speed camera may have had some effect on keeping the speed down in this section.
48. The results of the speed surveys for south of Bass Street are shown in the attached graphs (see Attachment 3 and 4).

**SPEED CAMERA SITE**

49. The Police operate a speed camera site in Aldwins Road opposite the Linwood College in front of the Parkwood Rest Home.

Following is a table showing the results of the camera operation over the last five years.

Fin Year	Vehicles	Average Speed km/h	Percentage 60+	85th Percentile
2003/04	22710	50.10	3.95%	56 to 60 km/h band
2004/05	124360	51.73	5.80%	56 to 60 km/h band
2005/06	105573	52.39	7.08%	56 to 60 km/h band
2006/07	118436	52.27	6.36%	56 to 60 km/h band
2007/08	40376	52.36	6.45%	56 to 60 km/h band

**CRASH RECORDS**

50. Crash records were sought from Land Transport New Zealand for Aldwins Road. The records were from 1998 to 2008. These records covered the period before and after the increase of the speed limit from 50 km/h to 60 km/h in February 2004.
51. Neglecting the crashes at the Ferry Road intersection and the Harrow Street intersection, there were 36 crashes in that period. Eight of these crashes occurred at the Edmond Street intersection. Nineteen of the crashes (6 injury crashes) were between 1998 and 1 February 2004, a period of 6 years and 1 month. Seventeen crashes (4 injury crashes) occurred after the speed limit increased, a period of 4 years and 6 months.
52. The total crash rate therefore increased from 3.1 crashes per year to 3.8 crashes per year after the speed limit increased. The injury crash rate reduced from 1 injury crash per year to 0.9 injury crashes per year.
53. On face value it would appear that the crash rate generally has increased since the speed limit was increased but the injury crash rate has reduced. However, under close examination it was found that two of the injury crashes since the speed limit was raised, were due to pedestrians crossing Aldwins Road heedless of the traffic. These crashes will be addressed by erection of the fence on the median and the injury crash rate will be significantly reduced.
54. Hence, it can be concluded that although the speed limit was raised and the total number of reported crashes increased, the number of injury crashes reduced and specific treatment of the causes of some of the injury crashes will further improve the crash rate. It should be noted that the reporting rate for non injury crashes is variable and has generally increased across the city in recent years and this may account for the increase in total crashes.

**PEDESTRIAN SURVEY**

55. A survey of pedestrians crossing Aldwins Road between Ferry Road and Harrow Street before and after school was undertaken by the Council. It should be noted that the survey was carried out during the recent long term road works on Aldwins Road and the results may not be fully representative of pedestrian usage. The survey also did not count the number of people crossing at the pedestrian signals but only those crossing mid block.

## 6 Cont'd

56. The survey showed that in the morning peak hour between 8.30 and 9.15 am, 27 pedestrians crossed between the pedestrian signals and Harrow Street. Four crossed between the pedestrian signals and Ferry Road.
57. In the afternoon between 2.30 and 3.05 pm, 30 pedestrians crossed between the pedestrian signals and Harrow Street and one between the pedestrian signals and Ferry Road.
58. It should be noted that two of the crashes after the speed limit increased and one crash before the speed limit change involved pedestrians crossing away from the traffic signals. To address these problems, the Council intends to install a fence on the median strip between the pedestrian signals and Harrow Street and also towards Bass Street. This fence will encourage pedestrians to cross using the pedestrian signals outside the school, which is the safest method of getting students to the school.

## DISCUSSION

59. The hierarchy and description of pedestrian crossing points are listed below:
  - (a) Grade separation. Pedestrian over bridge or underpass. Used for motorways and railways and some multi-lanes arterials.
  - (b) Signal controlled pedestrian crossing. Pedestrian controlled traffic signals. Used on high volume Arterial Roads. Used to stop traffic to allow people to cross the road. This is the ultimate at –grade crossing facility.
  - (c) 40 km/h School Zone. Part time speed limit outside schools. Variable speed limit signs operate before and after school to provide a safer environment for children crossing the road.
  - (d) Flashing yellow warning lights on approaches to pedestrian crossings. Warning device under trial in Christchurch and Auckland. Trial sights do not involve schools.
  - (e) School Patrol. 'Lollipop' signs controlled Kea or Zebra crossing. Patrol system used by schools to stop traffic when people are crossing the road. Used on Kea and Zebra pedestrian crossing points.
  - (f) Kea crossing. School patrol without a Zebra pedestrian crossing. Outside schools where the main pedestrian demand is before and after school.
  - (g) Zebra pedestrian crossing. Marked pedestrian crossing. A pedestrian crossing authorised by the road controlling authority. Motorists must yield right of way to pedestrians on any part of the crossing.
  - (h) Solid median with 'chicane' crossing point. Long median island or solid median. Where long median islands or solid medians are wide enough, a 'chicane' or 'staggered' pedestrian facility is provided to increase.
  - (i) Road narrowing with pedestrian island. Pedestrian island with kerb extensions. On Arterial and Collector Roads. Kerbside parking is normally prohibited by extending kerbs out into the carriageway whenever pedestrian islands are installed.
  - (j) Pedestrian island. Traffic island on road centreline. Traffic island specifically installed on Arterial and Collector Roads to assist people to cross the road. Normally used in conjunction with a Flush median.
  - (k) Flush median. Continuous painted median. On Arterial and Collector Roads.
  - (l) Road narrowing. Kerb extensions in parking lanes. To shorten the distance for people crossing the road. Reduces exposure to traffic and identifies the preferred crossing point.

**6 Cont'd**

60. A signal controlled pedestrian crossing facility as used in Aldwins Road at Linwood College is listed second in the hierarchy list, above a 40 km/h School Zone. It is important to note that a signal controlled pedestrian crossing "stops the flow of traffic" where as the 40 km/h School zone only "lowers the operating speed of vehicles". Therefore the signal controlled pedestrian crossing is considered to provide a safer crossing facility for both the students and for the residents of the Parkwood Rest Home.
61. The total number of reported crashes between Ferry Road and Harrow Street has increased since the speed limit was raised. The number of non injury crashes in particular has increased but the reporting rate is very variable and can be influenced by many external factors such as an increased willingness to report minor non injury crashes. The number of injury crashes has reduced since the speed limit was raised. Preventing pedestrians crossing Aldwins Road mid block by erecting a fence on the median will further enhance pedestrian safety. All pedestrians from Linwood College will be encouraged to cross Aldwins Road at the pedestrian signals. Two of the four injury crashes after the speed limit was raised were due to pedestrians crossing the road close to but not on the signalized pedestrian crossing. By addressing these crash types, the injury crash rate will reduce significantly.
62. Traffic speeds have increased as result of the speed limit increase but this has not lead to an increase in injury crashes. Mean speeds are still well below the posted speed limit and the graphs show that speeds during the hour when students arrive at school reduce even further. Speeds are also lower on Aldwins Road than on either Buckleys Road or Ensors Road suggesting that drivers have recognized the increased activity around the school and take more care.
63. If the section of Aldwins Road outside Linwood College was to have the speed limit reduced to 50 km/h, drivers could reasonably contest that the speed limit is inconsistent and that similar speed environments along the route should be treated with a similar speed limit. There is a clear difference in speed environment through the Eastgate shopping centre with the dense retail land uses compared to the speed environment at Linwood College where activity only occurs for short periods twice a day during school terms. The inconsistency would lead to drivers not respecting the speed limit. Drivers may not even be aware that the speed limit is reduced for that section because there is no clear distinction between the speed environment of the different sections and they are driving to the speed limit that prevails on the other similar sections of Ensors Road/Aldwins Road/Buckleys Road.
64. If the speed limit outside Linwood College was reduced to 50 km/h, it would require the speed limit between Linwood College and Linwood Avenue to also be reduced to 50 km/h. Leaving the speed limit at 60 km/h would be confusing to drivers to have such frequent changes in speed limit as would be created if only the speed limit outside Linwood College was reduced.
65. It is considered that reducing the speed limit outside Linwood College would not improve safety. It could lead to further changes in the speed profile and thus reduce safety outside Linwood College and on other parts of the road network. The issues of pedestrian safety are being addressed by the erection of a fence on the median to prevent pedestrians crossing mid block.

**CONCLUSION**

66. The speed limit in Aldwins Road outside Linwood College has been assessed under the Land Transport Rule, Setting of Speed Limits 2003 (The Rule) by an independent consultant familiar with the requirements.
67. It was found that the appropriate speed limit as calculated using "The Rule" is 60 km/h. Aldwins Road also fits the general criteria for a 60 km/h speed limit as defined in the "The Rule".
68. The New Zealand Transport Agency (NZTA) has confirmed that 60 km/h is seen as being appropriate.

**6 Cont'd**

69. The Police have also assessed the situation and have stated that the enforcement of speed limits can not be pursued if they are not installed in accordance with "The Rule".
70. The fact that traffic signals stop traffic for students to cross the road and an additional signalised crossing facility is proposed, means that *there is no real safety improvement* if the speed limit was to be lowered to 50 km/h.
71. Speed Limits must be reviewed in accordance with 'The Rule' (Section 2.6). The road controlling authority may set a speed limit that differs from the calculated speed limit in accordance with Section 7 and using other criteria specified in 'The Rule'. However, these have not been met in this case.
72. Therefore the speed limit in Aldwins Road should remain at 60 km/h.

**7. HEARINGS PANEL REPORT ON THE PROPOSED KILMORE STREET (MADRAS STREET TO FITZGERALD AVENUE) CYCLE LANE AND AMENDMENT TO SCHEDULE 2 OF THE TRAFFIC AND PARKING BYLAW 2008**

**PURPOSE OF REPORT**

1. The purpose of this report is to present the Hearings Panel recommendations for the Kilmore Street cycle lane and seek Council approval to adopt the Christchurch City Council Traffic and Parking Amendment (Kilmore Street) Bylaw 2009 as an amendment to Schedule 2 of the Christchurch City Council Traffic and Parking Bylaw 2008.
2. The report also contains a number of recommendations to implement parking restrictions associated with the proposed Kilmore Street cycle lane, if the proposal is approved.

**EXECUTIVE SUMMARY**

3. The Kilmore Street cycle lane project is located within a two way section of Kilmore Street between Madras Street and Fitzgerald Avenue. This part of Kilmore Street is classified as minor arterial and is part of a strategic cycling route that will allow connectivity from the eastern suburbs into the inner city. There are existing cycle facilities that this route will connect to at Avonside Drive and further planned cycle facilities along Fitzgerald Avenue and Madras Street.
4. The surrounding area is generally residential, including a mixture of apartment and rental buildings. There is a concentration of retail businesses at the Barbadoes Street/Kilmore Street intersection, and businesses clustered around the Kilmore Street/Fitzgerald Avenue intersection. Christchurch Central Fire Station and regional headquarters is located on the southern side between Madras Street and Oxford Terrace.
5. On 19 December 2008, the Council resolved to commence the special consultative procedure to undertake an amendment to Schedule 2 of the Christchurch City Council Traffic and Parking Bylaw 2008.
6. The proposal is to create a Special Vehicle Lane (cycle lane) on both sides of Kilmore Street between Madras Street and Fitzgerald Avenue. In order to do this it is necessary to amend Schedule 2 of the Christchurch City Council Traffic and Parking Bylaw 2008 (the Bylaw) which came into force on 1 July 2008. The proposal is in accordance with the Council's Cycling Strategy 2004 and the national strategies, the project also aims to balance the demands of all road users.
7. The amended plans (TP301301, Issue 9) showing the proposed road layout incorporating changes recommended by the Hearings Panel is shown in **Attachment 1**. The full Amendment Bylaw to be adopted by the Council is shown in **Attachment 2**. A summary of the submissions including staff comments and Hearings Panel's response is shown in **Attachment 3**.
8. The Council appointed a Hearings Panel comprising of Bob Todd (Chair), Councillors Sally Buck and Chrissie Williams, who deliberated on all written and oral submissions prior to confirming the Hearings Panel's recommendations on the proposed Kilmore Street cycle lane for the Council to consider.
9. Several changes to the original proposal were recommended by the Hearings Panel. The recommended changes are covered in more detail further on in the report under the section titled "Recommended changes to the plan".
10. A list of the key features of the proposed plan being recommended by the Hearings Panel is shown below:
  - (i) Provision of a continuous and marked cycle lane on both sides of Kilmore Street between Madras Street and Fitzgerald Avenue.
  - (ii) Reduction of Kilmore Street to a single west bound traffic lane between Dawson Street and the fire station.

**7 Cont'd**

- (iii) Improved street signage and road markings to provide clear and safe instructions for all traffic movements.
- (iv) Rationalisation of the parking layout and restrictions to maximise parking opportunities in the vicinity of the businesses
- (v) Complete construction within 2009/10 financial year.

**FINANCIAL IMPLICATIONS**

- 11. The proposed cycle lane works for Kilmore Street are included in the Transport and Greenspace Unit's capital programme for implementation in the 2009/2010 financial year.
- 12. Recent project cost estimates indicate that this project can be achieved within the allocated budget.

**CONSULTATION FULFILMENT**

- 13. The consultation period for the special consultative procedure took place from 12 January 2009 to 13 February 2009. The consultation documents were sent directly to a range of groups, organisations and individuals, and hand-delivered to all businesses on the route. Public notices appeared in relevant newspapers, and the consultation documents were made available at service centres, Council libraries and on-line via the Council's "Have Your Say" web page. A public information evening was also held in the project area on Thursday 22 January 2009 for interested people to drop-in and talk to project staff.
- 14. A meeting was held between Christchurch Central Fire Station management and project staff during the consultation period to clarify the concerns of the fire station in relation to the proposed pedestrian island on Kilmore Street. The Fire Service made written and verbal submissions on specific aspects of the proposal.
- 15. At the close of the consultation period a total of 19 submissions had been received. Five people requested to be heard by the Hearings Panel in support of their submissions. The hearings were held on 10 and 13 March 2009. The Panel deliberated and considered the submissions on 25 March 2009 and requested staff to amend the proposed plan in line with its recommended changes. The full summary of submissions, including staff comments and the Hearings Panel recommendation is shown in Attachment 3.
- 16. Of the 19 submissions received, three were on behalf of groups or organisations, five from businesses affected by the proposal, and 11 were from individual submitters. The majority of submissions focused on opposition to the proposed pedestrian island (seven submitters), loss of parking for businesses (six submitters), and opposition to the clearway (four submitters). Other issues raised related to signage and road marking, traffic flow and access, and cycle safety, particularly at intersections.
- 17. Of the five submitters who requested to be heard by the Hearings Panel, two represented their own local businesses, and three represented groups or organisations. One person who asked to be heard submitted individually but was heard as one of the three representatives of an organisation (in effect a total of four presentations were made to the Hearings Panel).

**RECOMMENDED CHANGES TO THE PLAN**

- 18. The original proposal included a parking clearway between 7am and 9am on the west-bound lane between Dawson Street and the fire station. This was proposed to maintain two westbound traffic lanes through this section at peak traffic times. The key recommendation of the Hearings Panel is to remove the proposed clearway and reduce that section of Kilmore Street to a single west bound traffic lane over that section. Traffic modelling, for current and future traffic volumes, has been completed and found that this reduction in traffic lanes had a minor impact on the overall network and caused only a small loss of service at the Kilmore Street/Barbadoes Street intersection. Removing the clearway has meant the cycle lane can be permanently marked throughout this section, the kerbside parking can be maintained at all times and the general road layout can be kept simpler, reducing the potential for confusion for drivers.



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19. The Hearings Panel recommend that the proposed physical pedestrian island is not included outside the Christchurch Central Fire Station, however, the proposed lane layout including painted flush median is retained. The primary reason for this recommendation is strong opposition to the physical island from the fire service and concerns that they will not be able to meet their safety requirements for official response times to call-outs and the need to travel up the centre of the road to the Madras Street intersection when traffic is backed up. Six other submissions also supported its removal from the plan, with reasons ranging from support for perceived safety and egress issues for the fire service, safety issues for pedestrians, and concerns that the island would block off turning traffic into Oxford Terrace.
20. In response to local business (Retropolitan, Dairy) concerns about the removal of parking outside their premises and the likelihood of all day parking encroaching on the remaining adjacent parking, it is recommended that parking restrictions outside 237 Kilmore Street be changed from P30 to P10.
21. In response to local business (Retropolitan, Dairy) concerns about the removal of parking outside their premises and the likelihood of all day parking encroaching on the remaining adjacent parking, it is recommended that unrestricted parking spaces outside 241 and 243 Kilmore Street be changed to P30.
22. In response to local business (Amala Hairdresser and Pug) concerns regarding potential long term parking outside their premises it is recommended that the unrestricted parking between numbers 234 and 242 Kilmore Street be changed to P30.
23. In response to concerns about the need for longer term parking for Amala hairdresser and general parking demand for businesses in this area, it is recommended that one additional restricted space be added on the east side of Barbadoes Street, south of the Kilmore Street intersection and these four spaces be restricted to P60.
24. In response to concerns from Foley Towers backpackers hostel concerning the loss of long term parking outside its premises, it is recommended that three P 120 parking spaces be provided opposite the Backpackers premises to replace the existing P60 parking.
25. In response to concerns about the need for an adequate parking space for buses and to allow for the pick-up and drop off of bus passengers from Foley Towers backpackers hostel, it is recommended that a P60 tour coach park be provided outside the Fire Fighters' Memorial in Kilmore Street.
26. The Hearings Panel also recommends that the cycle lanes are marked inline with the Cycle Lane Marking Guidelines 2006 to allow wider vehicles to park up to the dashed lines and to improve the paint/signage in some areas to make the entry and exit to cycle lanes better defined.

**LEGAL CONSIDERATIONS**

27. Public consultation has been completed via the special consultative procedures, as described above.
28. The Hearings Panel has no decision-making powers, but can make recommendations to the Council as a result of considering written and oral submissions. The Council can then accept or reject those recommendations, as it sees fit. However, the Local Government Act states that the views presented during consultation should be received by the Council with an open mind and should be given "due consideration in decision-making"<sup>1</sup>.
29. The Local Government Act<sup>2</sup> requires that the Council give public notice of the amendment of a bylaw as soon as practicable after the bylaw is made. This is covered in recommendation (c) providing the Council adopts the proposed bylaw amendment.

<sup>1</sup> Section 82(1)(e). This is also supported by the Council's Consultation Policy, which states: "we will receive presented views with an open mind and will give those views due consideration when making a decision".

<sup>2</sup> Section 157

**7 Cont'd**

30. The Legal Services Unit considers that the form of the bylaw, as proposed, is the most appropriate form, and that the bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990 (in accordance with section 155 of the Local Government 2002).

**HEARINGS PANEL RECOMMENDATIONS**

The Hearings Panel recommends that the Council:

- (a) Approve the proposed Kilmore Street Cycle Lane between Fitzgerald Ave and Madras Street, as shown on the attached plan (TP301301, Issue 9) in Attachment 1, to proceed to detailed design and construction.
- (b) Adopt the Christchurch City Council Traffic and Parking Amendment (Kilmore Street) Bylaw 2009 as an amendment to Schedule 2 of the Christchurch City Council Traffic and Parking Bylaw 2008, as shown in Attachment 2.
- (c) Give public notice as soon as practicable, that the Christchurch City Council Traffic and Parking Amendment (Kilmore Street) Bylaw 2009 has been made by the Council, and that it comes into effect on 1 December 2009 (but noting that it is expected that the cycle lanes will not be marked on the road until approximately February 2010), and that copies of the Bylaws will be made available.
- (d) Send a copy of the amended Bylaw to the Minister of Transport within one week of the Bylaw being made, as required by section 72(4) of the Transport Act 1962.
- (e) Send copies of the Bylaw and approved plan to those people or organisations that made submissions, advising them of the outcome.

**Revocation of existing parking restrictions to take effect following the completion of the cycle lane in Kilmore Street:**

- (f) That all existing no stopping resolutions and parking restrictions on the north side of Kilmore Street from Madras Street to Fitzgerald Avenue be revoked.
- (g) That all existing no stopping resolutions and parking restrictions on the south side of Kilmore Street from Madras Street to Fitzgerald Avenue be revoked.
- (h) That all existing no stopping resolutions on the east side of Oxford Terrace (133 metres east of the Madras Street intersection) from Kilmore Street and extending 40 metres in a northerly direction be revoked.
- (i) That all existing no stopping resolutions on the west side of Oxford Terrace (108 metres east of the Madras Street intersection) from Kilmore Street and extending 44 metres in a northerly direction be revoked.
- (j) That all existing no stopping resolutions on the east side of Oxford Terrace (77 metres east of the Madras Street intersection) from Kilmore Street and extending 16 metres in a southerly direction be revoked.
- (k) That all existing no stopping resolutions on the west side of Oxford Terrace (61 metres east of the Madras Street intersection) from Kilmore Street and extending 21 metres in a southerly direction be revoked.
- (l) That all existing no stopping resolutions on the east side of Oxford Terrace (27 metres west of the Fitzgerald Avenue intersection) from Kilmore Street and extending 16 metres in a northerly direction be revoked.
- (m) That all existing no stopping resolutions on the west side of Oxford Terrace (40 metres west of the Fitzgerald Avenue intersection) from Kilmore Street and extending 17 metres in a northerly direction be revoked.

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- (n) That all existing no stopping resolutions on the east side of Bangor Street from Kilmore Street and extending 15 metres in a northerly direction be revoked.
- (o) That all existing no stopping resolutions on the west side of Bangor Street from Kilmore Street and extending 10 metres in a northerly direction be revoked.
- (p) That all existing no stopping resolutions and parking restrictions on the east side of Barbadoes Street from Kilmore Street and extending 44 metres in a southerly direction be revoked.

**New No Stopping Restrictions to take effect following the completion of the cycle lane in Kilmore Street:**

**Kilmore Street**

- (q) That the stopping of vehicles be prohibited at any time on the south side of Kilmore Street at its intersection with Madras Street and extending 14 metres in an easterly direction.
- (r) That the stopping of vehicles be prohibited at any time on the north side of Kilmore Street at its intersection with Madras Street and extending 109 metres in an easterly direction.
- (s) That the stopping of vehicles be prohibited at any time on the north side of Kilmore Street at its intersection with Oxford Terrace (133 metres east of Madras Street) and extending 10 metres in an easterly direction.
- (t) That the stopping of vehicles be prohibited at any time on the south side of Kilmore Street at its intersection with Oxford Terrace (61 metres east of Madras Street) and extending 21 metres in a westerly direction.
- (u) That the stopping of vehicles be prohibited at any time on the south side of Kilmore Street at its intersection with Oxford Terrace (77m east of Madras Street) and extending 75 metres in an easterly direction.
- (v) That the stopping of vehicles be prohibited at any time on the north side of Kilmore Street at its intersection with Barbadoes Street and extending 42 metres in a westerly direction.
- (w) That the stopping of vehicles be prohibited at any time on the north side of Kilmore Street at its intersection with Barbadoes Street and extending 25 metres in an easterly direction.
- (x) That the stopping of vehicles be prohibited at any time on the south side of Kilmore Street at its intersection with Barbadoes Street and extending 4 metres in a westerly direction.
- (y) That the stopping of vehicles be prohibited at any time on the south side of Kilmore Street at its intersection with Barbadoes Street and extending 45 metres in an easterly direction.
- (z) That the stopping of vehicles be prohibited at any time on the south side of Kilmore Street commencing 140 metres east of its intersection with Barbadoes Street and extending 11 metres in an easterly direction.
- (aa) That the stopping of vehicles be prohibited at any time on the north side of Kilmore Street at its intersection with Bangor Street and extending 11 metres in a westerly direction.
- (ab) That the stopping of vehicles be prohibited at any time on the north side of Kilmore Street at its intersection with Bangor Street and extending 12 metres in an easterly direction.
- (ac) That the stopping of vehicles be prohibited at any time on the north side of Kilmore Street at its intersection with Oxford Terrace (40 metres west of Fitzgerald Avenue) and extending 12 metres in a westerly direction.
- (ad) That the stopping of vehicles be prohibited at any time on the north side of Kilmore Street at its intersection with Oxford Terrace (near Fitzgerald Avenue) and extending in an easterly direction to its intersection with Fitzgerald Avenue.

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- (ae) That the stopping of vehicles be prohibited at any time on the south side of Kilmore Street commencing at its intersection with Fitzgerald Avenue and extending 38 metres in an westerly direction.

**Oxford Terrace**

- (af) That the stopping of vehicles be prohibited at any time on the west side of Oxford Terrace at its intersection with Kilmore Street (near Madras Street) and extending 32 metres in a northerly direction.
- (ag) That the stopping of vehicles be prohibited at any time on the east side of Oxford Terrace at its intersection with Kilmore Street (near Madras Street) and extending 27 metres in a northerly direction.
- (ah) That the stopping of vehicles be prohibited at any time on the west side of Oxford Terrace at its intersection with Kilmore Street (near Madras Street) and extending 23 metres in a southerly direction.
- (ai) That the stopping of vehicles be prohibited at any time on the east side of Oxford Terrace at its intersection with Kilmore Street (near Madras Street) and extending 18 metres in a southerly direction.
- (aj) That the stopping of vehicles be prohibited at any time on the west side of Oxford Terrace at its intersection with Kilmore Street (near Fitzgerald Avenue) and extending 15 metres in a northerly direction.
- (ak) That the stopping of vehicles be prohibited at any time on the east side of Oxford Terrace at its intersection with Kilmore Street (near Fitzgerald Avenue) and extending 13 metres in a northerly direction.

**Bangor Street**

- (al) That the stopping of vehicles be prohibited at any time on the east side of Bangor Street at its intersection with Kilmore Street and extending 15 metres in a northerly direction.
- (am) That the stopping of vehicles be prohibited at any time on the west side of Bangor Street at its intersection with Kilmore Street and extending 9 metres in a northerly direction.

**Barbadoes Street**

- (an) That the stopping of vehicles be prohibited at any time on the east side of Barbadoes Street at its intersection with Kilmore Street and extending 13 metres in a southerly direction.

**New parking restrictions to take effect following the completion of the cycle lane in Kilmore Street:**

**Kilmore Street**

- (ao) That the parking of vehicles be restricted to a maximum of 15 minutes on the south side of Kilmore Street commencing at a point 14 metres east of the intersection of Madras Street and extending 9 metres in an easterly direction.
- (ap) That the parking of vehicles be restricted to a maximum of 30 minutes on the south side of Kilmore Street commencing at a point 68 metres west of the intersection with Barbadoes Street and extending 12 metres in a westerly direction.
- (aq) That the parking of vehicles be restricted to a maximum of 30 minutes on the south side of Kilmore Street commencing at a point 4 metres west of the intersection of Barbadoes Street and extending 41 metres in a westerly direction.
- (ar) That the parking of vehicles be restricted to a maximum of 120 minutes on the north side of Kilmore Street commencing at a point 42 metres west of the intersection of Barbadoes Street and extending 19 metres in a westerly direction.

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- (as) That the parking of vehicles be restricted to a maximum of 60 minutes on the north side of Kilmore Street commencing at a point 61 metres west of the intersection of Barbadoes Street and extending 25 metres in a westerly direction.
- (at) That the parking of vehicles be restricted to a maximum of 10 minutes on the north side of Kilmore Street commencing at a point 25 metres east of the intersection of Barbadoes Street and extending 11 metres in an easterly direction.
- (au) That the parking of vehicles be restricted to a maximum of 30 minutes on the north side of Kilmore Street commencing at a point 42 metres east of the intersection of Barbadoes Street and extending 6 metres in an easterly direction.
- (av) That the parking of vehicles be restricted to a maximum of 30 minutes on the north side of Kilmore Street commencing at a point 54 metres east of the intersection of Barbadoes Street and extending 17 metres in an easterly direction.
- (aw) That the parking of vehicles be restricted to a maximum of 30 minutes on the south side of Kilmore Street commencing at a point 45 metres east of the intersection of Barbadoes Street and extending 44 metres in an easterly direction.
- (ax) That the parking of vehicles be restricted to a maximum of 120 minutes on the south side of Kilmore Street commencing at a point 38 metres west of the intersection of Fitzgerald Avenue and extending 20 metres in a westerly direction.

**Barbadoes Street**

- (ay) That the parking of vehicles be restricted to a maximum of 60 minutes on the east side of Barbadoes Street commencing at a point 13 metres south of the intersection of Kilmore Street and extending 31 metres in a southerly direction.

**New loading zone restriction to take effect following the completion of the cycle lane in Kilmore Street:**

- (az) That a time limited Loading Zone (maximum period of 5 minutes) be installed on the south side of Kilmore Street commencing at a point 50 metres west of the intersection of Barbadoes Street and extending 6 metres in a westerly direction.

**New Tour Coach Stop restriction to take effect following the completion of the cycle lane in Kilmore Street:**

- (ba) That a Tour Coach Stop be installed and restricted to a maximum of 60 minutes on the south side of Kilmore Street commencing at a point 23 metres east from its intersection with Madras Street and extending in an easterly direction for a distance of 18 metres.

**Give way controlled Intersection:**

- (bb) That a give way sign be placed against Oxford Terrace (120 metres east of the Madras Street intersection) at its intersection with Kilmore Street (north side).

**8. HEARINGS PANEL REPORT ON THE PROPOSED STANMORE ROAD (AVONSIDE DRIVE TO NORTH AVON ROAD) CYCLE LANE AND AMENDMENT TO SCHEDULE 2 OF THE TRAFFIC AND PARKING BYLAW 2008**

<b>General Manager responsible:</b>	General Manager City Environment, DDI 941-8608
<b>Author:</b>	Special Vehicle Lanes Hearings Panel

**PURPOSE OF REPORT**

1. The purpose of this report is to present the Hearings Panel recommendations for the Stanmore Road cycle lane and seek the Council's approval to adopt the Christchurch City Council Traffic and Parking Amendment (Stanmore Road) Bylaw 2009 as an amendment to Schedule 2 of the Christchurch City Council Traffic and Parking Bylaw 2008.
2. The report also contains a number of recommendations to implement parking restrictions associated with the proposed Stanmore Road cycle lane, if the proposal is approved.

**EXECUTIVE SUMMARY**

3. The Stanmore Road cycle lane project is located between Avonside Drive and North Avon Road. This part of Stanmore Road is classified as a collector road and is part of a cycling route that will allow connectivity from the North Eastern suburbs onto Avonside Drive and into the central business area.
4. The surrounding area is a mixture of retail and residential areas with a local park in the middle.
5. On 19 December 2008, Council resolved to commence the special consultative procedure to undertake an amendment to Schedule 2 of the Christchurch City Council Traffic and Parking Bylaw 2008.
6. The proposal is to create a Special Vehicle Lane (cycle lane) on both sides of Stanmore Road between Avonside Drive and North Avon Road. In order to do this, it is necessary to amend Schedule 2 of the Christchurch City Council Traffic and Parking Bylaw 2008 (the Bylaw) which came into force on 1 July 2008. The proposal is in accordance with the Council's Cycling Strategy 2004 and the national strategies, the project also aims to balance the demands of all road users.
7. The amended plans (TP 305501, Issue 5 and TP 305502, Issue 5) showing the proposed road layout incorporating changes recommended by the Hearings Panel is shown in **Attachment 1**. The full Amendment Bylaw to be adopted by the Council is shown in **Attachment 2**. A summary of the submissions including staff comments and Hearings Panel's response is shown in **Attachment 3**.
8. The Council appointed a Hearings Panel comprising of Bob Todd (Chair), Sally Buck and Chrissie Williams, who deliberated on all written and verbal submissions prior to confirming the Hearings Panel's recommendations on the proposed Stanmore Road cycle lane for the Council to consider.
9. Changes to the original proposal were recommended by the Hearings Panel. These changes related to improvements in on-street parking, the retaining of two existing bus stops, installation of a signalised pedestrian crossing and a new traffic island, with associated changes in road marking and signage in various locations. The recommended changes are covered in more detail further on in the report under the section titled "Recommended changes to the plan"
10. Key features of the plan being recommended by the Hearings Panel are:
  - (i) Inclusion of cycle lanes on both sides of Stanmore Road between North Avon Road and Avonside Drive.
  - (ii) The additional of a signalised pedestrian crossing between Warwick and Vogel Street.
  - (iii) Renewal of the two other existing pedestrian islands along this section of road.

## 8 Cont'd

- (iv) An improved cycle and pedestrian crossing point at the River Road intersection.
- (v) A revised parking layout to maximise the on street parking, whilst achieving the cycle lane. This has resulted in the loss of approximately twenty four parking spaces along the route. The majority of the parking spaces lost are in lowly utilised parking areas.
- (vi) Commence construction in the 2009/10 financial year.

### FINANCIAL IMPLICATIONS

- 11. The proposed cycle lane works for Stanmore Road are included in the Transport and Greenspace Unit's capital programme for implementation in the 2009/2010 financial year.
- 12. Recent project cost estimates indicate that this project can be achieved within the allocated budget.

### CONSULTATION FULFILMENT

- 13. The period for the special consultative procedure took place from 12 January to 13 February 2009. The consultation documents were sent directly to a range of groups, organisations and individuals, and hand-delivered to all businesses on the route. Public notices appeared in relevant newspapers, and the consultation documents were made available at Service Centres, Council libraries and on line via the Council's "Have Your Say" web site. Additionally, an information session was held in the Methodist Hall at 311 Stanmore Road for interested people to drop-in and talk to project staff.
- 14. At the close of the consultation period a total of fifty-two (52) submissions had been received to the consultation plan. Twenty-one (21) people requested to be heard by the Hearings Panel in support of their submissions. The hearings were held on 10 and 13 March 2009 and the panel deliberated from 13 March to 5 August 2009. The full summary of submissions, including staff comments and the Hearings Panel's recommendation is shown in Attachment 3.
- 15. Of the 52 submissions received, 8 were on behalf of groups or organisations, 21 from businesses affected by the proposal, and 23 were from individual submitters. Fifteen were in general support, thirty-five were generally opposed (plus a petition), and two did not indicate if they supported or opposed the plan.
- 16. Those in support focused on the need for cycle lanes. Those in opposition focused on the loss of parking for businesses. Other issues raised related to loss of residential on-street parking, lack of provision for cyclists crossing Stanmore Road at River Road, request for pedestrian crossings rather than pedestrian islands, concern that cycle lanes will not protect cyclists from high density city and commercial traffic using the road, insufficient width in on-street parking bays to accommodate commercial vehicles, loss of two bus stops, insufficient colouring of the cycle lanes, and cycle safety (particularly at intersections).
- 17. The Hearings Panel reviewed all the submissions and requested that the original consultation plan be revised by project staff to reduce the loss of on-street parking.
- 18. A letter was then sent to all submitters together with a revised plan and parking summary. The letter requested further comments from submitters be made on this revised proposal. A project information session was also held on Wednesday 3<sup>rd</sup> June 2009 at the Methodist Church Hall, 311 Stanmore Road, and submitters were invited to attend. Nine submissions were received to the revised plan the majority of which supported the revised proposal.

**8 Cont'd****RECOMMENDED CHANGES TO THE PLAN**

19. The Hearings Panel has recommended changes to the plan that was delivered for consultation. These changes are detailed below:
- (i) An improved cycle crossing point at River Road. This is achieved by the addition of a traffic island in the median strip of Stanmore Road. It also includes a short section of shared cyclist/pedestrian footpath on River Road leading up to and away from Stanmore Road.
  - (ii) A change to the layout at the Swanns Road/Draper Street intersection. This provides four parking spaces (restricted to P30) on the west side of Stanmore Road immediately to the North of the intersection (i.e. it keeps the existing three parks and adds one more), and reduces the parking on the east side of Stanmore Road by two spaces outside #232 Stanmore Road, (seven of the existing parks are still available on this eastern side).
  - (iii) The addition of a signalised pedestrian crossing between Vogel Street and Warwick Street. This removes the existing pedestrian island, which removes the need to maintain the flush median through this section and allows for the kerbside parking to be kept on the eastern side of the road. This parking is proposed to be restricted to P30.
  - (iv) The existing bus stops outside # 272 and # 342 have been retained.
  - (v) Improved road marking to accommodate parking requirements for heavy vehicles and to better identify potential conflict points.

**LEGAL CONSIDERATIONS**

17. Public consultation has been completed via the special consultative procedures, as described above.
18. The Hearings Panel has no decision-making powers, but can make recommendations to Council as a result of considering written and oral submissions. The Council can then accept or reject those recommendations, as it sees fit. However, the Local Government Act states that the views presented during consultation should be received by the Council with an open mind and should be given "due consideration in decision-making"<sup>3</sup>.
19. The Local Government Act<sup>4</sup> requires that the Council give public notice of the amendment of a bylaw as soon as practicable after the bylaw is made. This is covered in recommendation (c) providing the Council adopts the proposed bylaw amendment.
20. The Legal Services Unit considers that the form of the bylaw, as proposed, is the most appropriate form, and that the bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990 (in accordance with section 155 of the Local Government 2002).

**HEARINGS PANEL RECOMMENDATIONS**

The Hearings Panel recommends that the Council:

- (a) Approve the proposed Stanmore Road Cycle Lane between Avonside Drive and North Avon Road, as shown on the attached plans (TP 305501, Issue 4 and TP 305502, Issue 4) in Attachment 1, to proceed to detailed design and construction.
- (b) Adopt the Christchurch City Council Traffic and Parking Amendment (Stanmore Road) Bylaw 2009 as an amendment to Schedule 2 of the Christchurch City Council Traffic and Parking Bylaw 2008, as shown in Attachment 2.

<sup>3</sup> Section 82(1) (e). This is also supported by the Council's Consultation Policy, which states: "we will receive presented views with an open mind and will give those views due consideration when making a decision".

<sup>4</sup> Section 157



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- (c) Give public notice as soon as practicable, that the Christchurch City Council Traffic and Parking Amendment (Stanmore Road) Bylaw 2009 has been made by the Council, and that it comes into effect on 1 December 2009 (but noting that it is expected that the cycle lanes will not be marked on the road until approximately February 2010), and that copies of the Bylaws will be made available;
- (d) Send a copy of the amended Bylaw to the Minister of Transport within one week of the Bylaw being made, as required by section 72(4) of the Transport Act 1962;
- (e) Sends copies of the Bylaw and approved plan to those people or organisations that made submissions, advising them of the outcome;

**General Revocation of the existing restrictions on Stanmore Road:**

- (f) That all no stopping, time parking and bus stop restrictions on the east and west sides of Stanmore Road commencing at its intersection with Avonside Drive and extending in a northerly direction to its intersection with North Avon Road, be revoked.

**New No Stopping restrictions to take effect following the completion of the cycle lane on Stanmore Road:**

**New no stopping restrictions (Stanmore Road)**

- (g) That the stopping of vehicles be prohibited at any time on the west side of Stanmore Road commencing at its intersection with Avonside Drive and extending in a northerly direction to its intersection with River Road.
- (h) That the stopping of vehicles be prohibited at any time on the east side of Stanmore Road commencing at its intersection with Avonside Drive and extending in a northerly direction to its intersection with River Road.
- (i) That the stopping of vehicles be prohibited at any time on the west side of Stanmore Road commencing at its intersection with River Road and extending in a northerly direction for a distance of 28 m.
- (j) That the stopping of vehicles be prohibited at any time on the east side of Stanmore Road commencing at its intersection with River Road and extending in a northerly direction for a distance of 40 m.
- (k) That the stopping of vehicles be prohibited at any time on the east side of Stanmore Road commencing at its intersection with Glade Avenue and extending in a southerly direction for a distance of 6 m.
- (l) That the stopping of vehicles be prohibited at any time on the east side of Stanmore Road commencing at its intersection with Glade Avenue and extending in a northerly direction for a distance of 6 m.
- (m) That the stopping of vehicles be prohibited at any time on the east side of Stanmore Road commencing at a point 29 m north of its intersection with Glade Avenue and extending in a northerly direction for a distance of 12 m.
- (n) That the stopping of vehicles be prohibited at any time on the east side of Stanmore Road commencing at its intersection with Swanns Road and extending in a southerly direction for a distance of 21 m.
- (o) That the stopping of vehicles be prohibited at any time on the east side of Stanmore Road commencing at its intersection with Swanns Road and extending in a northerly direction for a distance of 28 m.

**8 Cont'd**

- (p) That the stopping of vehicles be prohibited at any time on the west side of Stanmore Road commencing at its intersection with Draper Street and extending in a southerly direction for a distance of 28 m.
- (q) That the stopping of vehicles be prohibited at any time on the west side of Stanmore Road commencing at its intersection with Draper Street and extending in a northerly direction for a distance of 21 m.
- (r) That the stopping of vehicles be prohibited at any time on the west side of Stanmore Road commencing at a point 77 m south of its intersection with Alexandra Street and extending in a southerly direction for a distance of 7 m.
- (s) That the stopping of vehicles be prohibited at any time on the west side of Stanmore Road commencing at a point 59 m south of its intersection with Alexandra Street and extending in a southerly direction for a distance of 4 m.
- (t) That the stopping of vehicles be prohibited at any time on the west side of Stanmore Road commencing at its intersection with Alexandra Street and extending in a southerly direction for a distance of 12 m.
- (u) That the stopping of vehicles be prohibited at any time on the west side of Stanmore Road commencing at its intersection with Alexandra Street and extending in a northerly direction for a distance of 6 m.
- (v) That the stopping of vehicles be prohibited at any time on the east side of Stanmore Road commencing at its intersection with Vogel Street and extending in a southerly direction for a distance of 38 m.
- (w) That the stopping of vehicles be prohibited at any time on the east side of Stanmore Road commencing at its intersection with Vogel Street and extending in a northerly direction for a distance of 9 m.
- (x) That the stopping of vehicles be prohibited at any time on the west side of Stanmore Road commencing at a point 33 m north of its intersection with Alexandra Street and extending in a northerly direction for a distance of 25 m.
- (y) That the stopping of vehicles be prohibited at any time on the east side of Stanmore Road commencing at a point 29 m north of its intersection with Vogel Street and extending in a northerly direction for a distance of 25 m.
- (z) That the stopping of vehicles be prohibited at any time on the west side of Stanmore Road commencing at a point 121 m south of its intersection with London Street and extending in a southerly direction for a distance of 24 m.
- (aa) That the stopping of vehicles be prohibited at any time on the east side of Stanmore Road commencing at a point 50 m south of its intersection with Warwick Street and extending in a southerly direction for a distance of 4 m.
- (ab) That the stopping of vehicles be prohibited at any time on the east side of Stanmore Road commencing at its intersection with Warwick Street and extending in a southerly direction for a distance of 36 m.
- (ac) That the stopping of vehicles be prohibited at any time on the east side of Stanmore Road commencing at its intersection with Warwick Street and extending in a northerly direction for a distance of 107 m.
- (ad) That the stopping of vehicles be prohibited at any time on the west side of Stanmore Road commencing at a point 30 m south of its intersection with London Street and extending in a southerly direction for a distance of 17 m.

**8 Cont'd**

- (ae) That the stopping of vehicles be prohibited at any time on the west side of Stanmore Road commencing at its intersection with London Street and extending in a southerly direction for a distance of 16 m.
- (af) That the stopping of vehicles be prohibited at any time on the west side of Stanmore Road commencing at its intersection with London Street and extending in a northerly direction for a distance of 15 m.
- (ag) That the stopping of vehicles be prohibited at any time on the east side of Stanmore Road commencing at a point 121 m north of its intersection with Warwick Street and extending in a northerly direction for a distance of 8 m.
- (ah) That the stopping of vehicles be prohibited at any time on the east side of Stanmore Road commencing at a point 86 m south of its intersection with Sidal Place and extending in a southerly direction for a distance of 16 m.
- (ai) That the stopping of vehicles be prohibited at any time on the west side of Stanmore Road commencing at its intersection with Avalon Street and extending in a southerly direction for a distance of 15 m.
- (aj) That the stopping of vehicles be prohibited at any time on the west side of Stanmore Road commencing at its intersection with Avalon Street and extending in a northerly direction for a distance of 4 m.
- (ak) That the stopping of vehicles be prohibited at any time on the west side of Stanmore Road commencing at a point 13 m north of its intersection with Avalon Street and extending in a northerly direction for a distance of 20 m.
- (al) That the stopping of vehicles be prohibited at any time on the east side of Stanmore Road commencing at its intersection with Sidal Place and extending in a southerly direction for a distance of 15 m.
- (am) That the stopping of vehicles be prohibited at any time on the east side of Stanmore Road commencing at its intersection with Sidal Place and extending in a northerly direction for a distance of 33 m.
- (an) That the stopping of vehicles be prohibited at any time on the west side of Stanmore Road commencing at its intersection with North Avon Road and extending in a southerly direction for a distance of 56 m.
- (ao) That the stopping of vehicles be prohibited at any time on the east side of Stanmore Road commencing at its intersection with North Avon Road and extending in a southerly direction for a distance of 19 m.

**New no stopping restrictions (River Road)**

- (ap) That the stopping of vehicles be prohibited at any time on the north side of River Road commencing at its intersection with Stanmore Road and extending in an easterly direction for a distance of 13 m.
- (aq) That the stopping of vehicles be prohibited at any time on the south side of River Road commencing at its intersection with Stanmore Road and extending in an easterly direction for a distance of 13 m.
- (ar) That the stopping of vehicles be prohibited at any time on the north side of River Road commencing at its intersection with Stanmore Road and extending in a westerly direction for a distance of 13 m.
- (as) That the stopping of vehicles be prohibited at any time on the south side of River Road commencing at its intersection with Stanmore Road and extending in a westerly direction for a distance of 13 m.

**8 Cont'd**

**New no stopping restrictions (Glade Avenue)**

- (at) That the stopping of vehicles be prohibited at any time on the north side of Glade Avenue commencing at its intersection with Stanmore Road and extending in a easterly direction for a distance of 6 m.
- (au) That the stopping of vehicles be prohibited at any time on the south side of Glade Avenue commencing at its intersection with Stanmore Road and extending in a easterly direction for a distance of 6 m.

**New no stopping restrictions (Alexandra Street)**

- (av) That the stopping of vehicles be prohibited at any time on the north side of Alexandra Street commencing at its intersection with Stanmore Road and extending in a westerly direction for a distance of 6 m.
- (aw) That the stopping of vehicles be prohibited at any time on the south side of Alexandra Street commencing at its intersection with Stanmore Road and extending in a westerly direction for a distance of 6 m.

**New no stopping restrictions (Vogel Street)**

- (ax) That the stopping of vehicles be prohibited at any time on the south side of Vogel Street commencing at its intersection with Stanmore Road and extending in an easterly direction for a distance of 6 m.

**New no stopping restrictions (Forth Street)**

- (ay) That the stopping of vehicles be prohibited at any time on the south side of Forth Street commencing at its intersection with Stanmore Road and extending in an easterly direction for a distance of 13 m.
- (az) That the stopping of vehicles be prohibited at any time on the north side of Forth Street commencing at its intersection with Stanmore Road and extending in an easterly direction for a distance of 13 m.

**New parking restrictions to take effect following the completion of the cycle lane on Stanmore Road:**

**New parking restrictions (Stanmore Road)**

- (ba) That the parking of vehicles be restricted to a maximum period of 30 minutes on the east side of Stanmore Road, commencing at a point 28 m north of its intersection with Swanns Road and extending in a northerly direction for a distance of 58 m.
- (bb) That the parking of vehicles be restricted to a maximum period of 30 minutes on the west side of Stanmore Road, commencing at a point 21 m north of its intersection with Draper Street and extending in a northerly direction for a distance of 24 m.
- (bc) That the parking of vehicles be restricted to a maximum period of 30 minutes on the west side of Stanmore Road, commencing at a point 70 m north of its intersection with Draper Street and extending in a northerly direction for a distance of 46 m.
- (bd) That the parking of vehicles be restricted to a maximum period of 30 minutes on the east side of Stanmore Road, commencing at a point 9 m north of its intersection with Vogel Street and extending in a northerly direction for a distance of 20 m.
- (be) That the parking of vehicles be restricted to a maximum period of 30 minutes on the east side of Stanmore Road, commencing at a point 54 m north of its intersection with Vogel Street and extending in a northerly direction for a distance of 37 m.

**8 Cont'd**

- (bf) That the parking of vehicles be restricted to a maximum period of 30 minutes on the west side of Stanmore Road, commencing at a point 6 m north of its intersection with Alexandra Street and extending in a northerly direction for a distance of 27 m.
- (bg) That the parking of vehicles be restricted to a maximum period of 30 minutes on the west side of Stanmore Road, commencing at a point 74 m north of its intersection with Alexandra Street and extending in a northerly direction for a distance of 44 m.
- (bh) That the parking of vehicles be restricted to a maximum period of 30 minutes on the west side of Stanmore Road, commencing at a point 15 m south of its intersection with Avalon Street and extending in a southerly direction for a distance of 30 m.
- (bi) That the parking of vehicles be restricted to a maximum period of 10 minutes on the east side of Stanmore Road, commencing at a point 15 m south of its intersection with Sidal Place and extending in a southerly direction for a distance of 19 m.
- (bj) That the parking of vehicles be restricted to a maximum period of 10 minutes on the west side of Stanmore Road, commencing at a point 5 m north of its intersection with Avalon Street and extending in a northerly direction for a distance of 9 m.
- (bk) That the parking of vehicles be restricted to a maximum period of 30 minutes on the west side of Stanmore Road, commencing at a point 33 m north of its intersection with Avalon Street and extending in a northerly direction for a distance of 16 m.

**New Bus Stop restriction to take effect following the completion of the cycle lane on Stanmore Road:**

- (bl) That a bus stop be installed on the east side of Stanmore Road commencing 21 m south of its intersection with Swanns Road and extending in an southerly direction for a distance of 20 m.
- (bm) That a bus stop be installed on the west side of Stanmore Road commencing 52 metres north of its intersection with Draper Street and extending in an northerly direction for a distance of 14 m.
- (bn) That a bus stop be installed on the east side of Stanmore Road commencing 36 m south of its intersection with Warwick Street and extending in an southerly direction for a distance of 14 m.
- (bo) That a bus stop be installed on the west side of Stanmore Road commencing 16 m south of its intersection with London Street and extending in an northerly direction for a distance of 14 m.
- (bp) That a bus stop be installed on the east side of Stanmore Road commencing 59 m south of its intersection with Forth Street and extending in an southerly direction for a distance of 14 m.
- (bq) That a bus stop be installed on the east side of Stanmore Road commencing 19 m south of its intersection with North Avon Drive and extending in an southerly direction for a distance of 14 m.

**New Mobile Library Stop restriction to take effect following the completion of the cycle lane on Stanmore Road:**

- (br) That the parking of vehicles is limited to mobile libraries only between the hours of 10.30am to 11am on Tuesdays on the west side of Stanmore Road commencing 47 m south of its intersection with London Street and extending in a southerly direction for a distance of 17 m.

**8 Cont'd**

**New Taxi Stand restriction to take effect following the completion of the cycle lane on Stanmore Road:**

- (bs) That a taxi stand be installed on the west side of Stanmore Road commencing 64 m south of its intersection with London Street and extending in a southerly direction for a distance of 6 m.
- (bt) That a taxi stand, limited to operation outside the times of the mobile library, be installed on the west side of Stanmore Road commencing 47 m south of its intersection with London Street and extending in a southerly direction for a distance of 17 m.
- (bu) That a taxi stand be installed on the east side of Stanmore Road commencing 40 m south of its intersection with Sidal Place and extending in a southerly direction for a distance of 13 m.

**Give Way Controlled Intersections**

- (bv) That a Give Way Sign be placed against River Road at the western approach to its intersection with Stanmore Road.
- (bw) That a Give Way Sign be placed against River Road at the eastern approach to its intersection with Stanmore Road.
- (bx) That a Give Way Sign be placed against Glade Avenue at its intersection with Stanmore Road.
- (by) That a Give Way Sign be placed against Alexandra Street at its intersection with Stanmore Road.
- (bz) That a Give Way Sign be placed against Avalon Street at its intersection with Stanmore Road.
- (ca) That a Give Way Sign be placed against Sidal Place at its intersection with Stanmore Road.

**Signalised Pedestrian crossing**

- (cb) That the mid-block pedestrian road crossing facility on Stanmore Road located 38 m north of Vogel Street be controlled by traffic signals.

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**9. REPORT OF THE REGULATORY AND PLANNING COMMITTEE:  
MEETING OF 6 AUGUST 2009**

Attached.

## 10. CCC PERFORMANCE REPORT AS AT 30 JUNE 2009

<b>General Manager responsible:</b>	General Manager Corporate Services DDI 941 8528
<b>Officers responsible:</b>	Corporate Performance Manager, Corporate Finance Manager
<b>Author:</b>	Paul Anderson

**PURPOSE OF REPORT**

1. The purpose of this report is to update the Council on service delivery and financial performance results for the 12 months to 30 June 2009.

**EXECUTIVE SUMMARY**

2. **Attached** are appendices showing summaries of:
  - Performance against organisational targets as at 30 June 2009 (Appendix 1)
  - Financial performance as at 30 June 2009 (Appendix 2)
  - Significant capital projects (>\$250,000) as at 30 June 2009 (Appendix 3)
  - Housing development fund as at 30 June 2009 (Appendix 4)
  - Operational project carry forward requests from 2008/09 to 2009/10 (Appendix 5)
  - Capital project carry forward requests from 2008/09 to 2009/10 (Appendix 6)

**Performance Against Organisational Targets**

3. The attached report (Appendix 1) shows the Council's end of year performance against its key organisational targets:

In summary the results are:

**Customer:** The organisational target for 2008/09 was 85 per cent of Levels of Service delivered. Results for the year are 73.6 per cent. This is similar to the previous year.

**Capital Programme:** The organisational target for 2008/09 was 20 per cent budget carry-forward or less. The carry-forward for the year is 25.1 per cent.

**People:** The organisational target for 2008/09 was 49 per cent for overall staff engagement. The result is 55 per cent, up 10 per cent from the previous year.

4. Key areas where Levels of Service were not successful are included in Appendix 1.

**Financial Performance**

5. The key financials for the year are summarised in the table below:

\$m	Actual	Plan	Variance
Operational funding	-420.8	-417.3	-3.5
Operational costs	415.7	416.5	-0.8
<b>Ratepayer deficit (surplus)</b>	<b>-5.0</b>	<b>-0.8</b>	<b>-4.2</b>
Less proposed carry forwards (Schedule 5)			2.5
			<b>-1.8</b>
Capital Works programme	214.1	283.3	-69.2
Asset Sales	-4.7	-7.4	2.7
	209.4	275.9	-66.5
Less separately funded capital	-1.3	-3.1	1.8
Proposed carry forwards (Schedule 6)			66.5
Capital programme overspend			1.8
<b>Net surplus after funding capex overspend</b>			<b>0.0</b>



**10 Cont'd**

6. The operational surplus over plan of \$4.2m is largely due to the recognition of parking fines currently at court (\$2.7m, see 29), and extra tax subvention receipts of \$1.1m. This result is after a \$224,000 surplus from the Ellerslie International Flower Show was set aside for future investment in the show.

**Operational Funding**

7. Fees and charges revenue was \$6.2m higher than budget, driven mainly by fines (\$3.2m) and building consents/inspections (\$2.4m), but also as a result of higher than planned commercial rent revenues (\$0.9m); admittances (\$0.6m), mainly a result of higher than expected visitor numbers to the Ellerslie Flower Show; and product sales (\$0.6m), mainly due to the sale of excess electricity to the national grid. Partially offsetting this, however, is reduced housing rentals of \$2.4m.
8. Grants and subsidies revenue was \$2.1m less than plan of which \$1.8m relates to NZTA subsidy shortfall, mainly related to an underspend in the road network and passenger transport planning areas. This was largely due to diverting resource from normal maintenance to costs incurred from storm damage.
9. Interest revenue was \$4.1m less than budget, primarily due to lower interest rates. This is offset by reduced debt servicing costs (see 12).
10. Transfers to reserves were lower than planned primarily due to reduced interest earned and credited to special funds (\$0.8m) and the housing result (\$3.0m).

**Operational Costs**

11. Operating costs excluding debt servicing costs were over budget by \$3.9m. Contract and asset maintenance costs were over budget by \$5.5m and annual leave liability increased by \$1m. Partially offsetting this, grants and promotional costs were \$2.6m less than budget, although \$1.6m of this is requested to be carried forward.
12. Debt servicing costs were \$4.7m below budget due to a mix of lower interest rates and \$66.5m of net capital carry forwards. The gross capital carry forwards from 2008/09 to 2009/10 are proposed at \$71.0m, with \$3.6m being proposed to be brought back (negative carry forward) from 2009/10 to 2008/09 and \$1.0m in asset sales deferred until 2009/10 (see Appendix 6).

**Capital Programme**

13. The Capital Works Programme was \$69.2m behind budget at year end (as shown in Appendices 2 and 3). The main drivers of this variance are underspends on strategic land purchases within City Development (\$10.7m) with no major purchases identified, as well as various delays across the Streets & Transport (\$26.5m) and Wastewater Collection & Treatment areas (\$14.5m).
14. Financial details of significant capital projects are shown in Appendix 3. A separate schedule of proposed budget carry-forwards is detailed in Appendix 6. Capex carry forwards are generally the result of timing changes in projects. They include projects where funds are required to complete an agreed project in future years (ie a carry forward). They also include projects where work is started earlier than expected but was budgeted in a future year (ie a negative carry forward).
15. At the Wastewater Treatment Plant, digester 1 has recently been re-clad, with digesters 2-4 planned to be done in accordance with the 2009/19 LTCCP during 2010-13. However digester 4 has continued to deteriorate to the stage of becoming a safety issue with the risk of harm to staff in the event that the cladding collapses (brick clad). \$216,954 is required to be brought forward from 2010-12 to re-clad digester 4, and remove the risk of a cladding collapse, increased digester energy costs, safety issues, and consequential repair costs.

## 10 Cont'd

**Capital Funding**

16. Capital grants and subsidies were \$5.2m behind budget. \$5.7m relates to NZTA subsidies which were lower primarily due to delays in the capital programme. \$5.6m is being carried forward as a funding source for the delayed projects.
17. Transfers from reserves for capital were \$20.5m higher than planned, following the June draw down of \$18.3m from a number of reserves to fund the capital programme. This is reflected in the opening debt for the 2009/19 LTCCP.
18. The residual funding requirement for the 2008/09 capital programme is \$59.9m, of which \$33m has already been borrowed. The balance of \$26.9m, less \$1.8m funded from the operating surplus above, will be borrowed internally from existing special funds. Note that these funds are credited interest on amounts borrowed and are replenished with external debt when required.

**Activities**

19. City & Community Forward Planning – The main driver of the \$1.5m favourable variance is in strategic energy management, which was under-spent on consultants fees (\$0.8m) as implementation was not commenced. A \$0.7m carry forward request for this has been made. In addition, product sales were \$0.5m higher than planned due to extra revenue received for carbon credits.
20. Heritage Protection – This activity was \$1.3m under budget due to heritage grants not being paid out. A carry forward request of \$1.0m to 2009/10 has been made.
21. Housing – The High Court decision on the Council's 24 per cent rental increase had a major impact on housing's financial performance. The refund to tenants occurred during December and was approximately \$1.3m. The remainder of the variance is largely due to lower rentals for the remainder of the year.
22. Libraries – \$654,000 under budget, driven by lower than planned debt servicing and depreciation costs (\$332,000 and \$350,000 respectively).
23. Urban Parks – The \$1.6m variance to budget is predominantly in the local parks area, driven by unbudgeted legal costs, and an overspend on maintenance of \$1.1m (partly a catch-up on inventory, and cost fluctuations).
24. Parks & Open Spaces Capital Revenues – This variance relates to development contributions, which were \$1.6m less than budgeted for the year.
25. Pools and Leisure Centres – Under budget by \$1.2m, driven by lower than planned depreciation costs (\$1.1m) due to the June 2008 land and building revaluation results being lower than planned.
26. Events & Festivals – This activity was \$510,000 over budget. This relates to unplanned amortisation costs of \$339,000 relating to the Ellerslie Flower Show, and an overspend in city-wide activity largely due to being unable to obtain sponsors as in previous years due to economic conditions.
27. Black Bag Collection & Disposal – \$535,000 over budget for the year driven by higher waste tonnages being collected than had been budgeted for during the transition phase to the three bin system.
28. Refuse Transfer & Disposal – \$1.5m under budget result caused by a \$1.4m reduction in the provision for landfill costs.
29. Waste Minimisation – under budget \$911,000 for the year. Depreciation was \$231,000 under budget due to a later than expected completion date for the new composting plant. The balance relates to lower planning costs, lower recycling collection costs, and lower waste reduction programme uptakes.

## 10 Cont'd

30. Enforcement & Inspection – Revenue from parking fines was \$3.1m higher than budget, with \$2.7m of this relating to the recognition of previous and current year fines currently at Court at expected receipt value.
31. Streets – The \$1.5m favourable variance is driven by lower than budgeted debt servicing and depreciation costs (\$1.7m and \$1.3m respectively). However, this is partially offset by NZTA subsidy revenue also being \$1.7m lower than budget.
32. Streets & Transport Capital Revenues – \$4.9m below budget for the year. This variance is driven by NZTA subsidies and development contributions. NZTA capital subsidy was \$5.7m behind budget and largely relates to claims for the Transport Interchange and other streets capital works that need to be carried forward to next year.
33. Wastewater Treatment & Disposal – This activity is \$723,000 under budget, due to lower than planned debt servicing (\$196,000) and depreciation (\$174,000) costs, in addition to higher than planned revenue from trade waste charges and the sale of excess electricity to the national grid.
34. Wastewater Collection & Treatment Capital Revenues – This variance relates to development contributions, which were \$728,000 lower than budget for the year.
35. Water Supply – This activity is \$1.2m under budget, \$0.7m of which relates to debt servicing and depreciation costs. The remaining underspend is driven primarily by lower than planned contract costs across the whole water supply headworks programme.
36. Corporate Revenues & Expenses – Net Interest cost \$3.6m less than budget; Transwaste dividend \$0.9m less than budget; subvention receipts \$1.6m higher than budget; rates penalties \$0.7 higher than budget.

### FINANCIAL IMPLICATIONS

37. As above.

### Do the Recommendations of this Report Align with 2006-16 LTCCP budgets?

38. Yes.

### LEGAL CONSIDERATIONS

#### Have you considered the legal implications of the issue under consideration?

39. Yes – there are none.

### ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

40. Both service delivery and financial results are in direct alignment with the LTCCP and Activity Management Plans.

### Do the recommendations of this report support a level of service or project in the 2006-16 LTCCP?

41. As above.

### ALIGNMENT WITH STRATEGIES

42. Not applicable.

### CONSULTATION FULFILMENT

43. Not applicable.

**10 Cont'd**

**STAFF RECOMMENDATIONS**

It is recommended that the Council:

- (a) Receive the report.
- (b) Approve operational carry forward requests from 2008/09 of \$2.465m as detailed in Appendix 5, to enable completion of projects in 2009/10 which will be funded from the 2008/09 operational surplus.
- (c) Approve net capital carry forward requests from 2008/09 of \$66.474m as detailed in Appendix 6, and an NZTA capital subsidy carry forward of \$5.586m as detailed in Appendix 5, to enable completion of capital projects in 2009/10.
- (d) Allocate \$1.8m of the 2008/09 operational surplus to fund the overspend on the 2008/09 capital programme.
- (e) Approve bringing forward capital budget, and associated borrowing, of \$216,954 from years 2010/11 and 2011/12 of the 2009/19 LTCCP to allow required work on the recladding of digester 4 at the Christchurch Wastewater Treatment Plant to occur in 2009/10 to address safety issues.

**27. 8. 2009**

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**11. NOTICES OF MOTION**

**12. RESOLUTION TO EXCLUDE THE PUBLIC**

Attached.

THURSDAY 27 AUGUST 2009

COUNCIL

RESOLUTION TO EXCLUDE THE PUBLIC

*Section 48, Local Government Official Information and Meetings Act 1987.*

I move that the public be excluded from the following parts of the proceedings of this meeting, namely items 13 and 14.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED	REASON FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER	GROUND(S) UNDER SECTION 48(1) FOR THE PASSING OF THIS RESOLUTION
13. CONFIRMATION OF MINUTES - COUNCIL MEETINGS OF 23.7.2009, 29.7.2009 AND 13.8.2009	) ) GOOD REASON TO ) WITHHOLD EXISTS ) UNDER SECTION 7	SECTION 48(1)(a)
14. 711 JOHNS ROAD – FUTURE USE	)	

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public are as follows:

Item 13	Commercial Activities	(Section 7(2)(h))
Item 13	Protection of Privacy of Natural Persons	(Section 7(2)(a))
Item 13	Conduct of Negotiations	(Section 7(2)(i))
Item 13	Prejudice Commercial Position	(Section 7(2)(b)(ii))
Item 14	Protection of Privacy of Natural Persons	(Section 7(2)(a))
Item 14	Commercial Activities	(Section 7(2)(h))

**Chairman's**

**Recommendation:** That the foregoing motion be adopted.

**Note**

Section 48(4) of the Local Government Official Information and Meetings Act 1987 provides as follows:

“(4) Every resolution to exclude the public shall be put at a time when the meeting is open to the public, and the text of that resolution (or copies thereof):

- (a) Shall be available to any member of the public who is present; and
- (b) Shall form part of the minutes of the local authority.”