

# **CHRISTCHURCH CITY COUNCIL AGENDA**

**THURSDAY 23 JULY 2009**

**9.30AM**

**COUNCIL CHAMBER, CIVIC OFFICES**

## CHRISTCHURCH CITY COUNCIL

**Thursday 23 July 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.

- | ITEM NO | DESCRIPTION   |
|---------|---|
| 1.      | APOLOGIES   |
| 2.      | CONFIRMATION OF MINUTES - COUNCIL MEETINGS OF 25.6.2009, 25-30.6.2009 AND 9.7.2009  |
| 3.      | DEPUTATIONS BY APPOINTMENT  |
| 4.      | PRESENTATION OF PETITIONS   |
| 5.      | CHRISTCHURCH CITY HOLDINGS UPDATE TO COUNCIL  |
| 6.      | WORLD BUSKERS FESTIVAL - ESTABLISHMENT OF CHARITABLE TRUST  |
| 7.      | WORKING PARTY RECOMMENDATION ON RATES FUNDED GRANTS REDUCTION   |
| 8.      | NEW REGENT STREET PEDESTRIAN MALL – VARIATION TO THE SPECIAL ORDER  |
| 9.      | OXFORD TERRACE, CASHEL STREET AND HIGH STREET - PROPOSED CHANGES TO TRAFFIC MOVEMENTS   |
| 10.     | GREATER CHRISTCHURCH TRAVEL DEMAND MANAGEMENT STRATEGY AND ACTION PLAN – COUNCIL ADOPTION   |
| 11.     | REPORT OF THE REGULATORY AND PLANNING COMMITTEE - MEETING OF 2 JULY 2009 <ol style="list-style-type: none"><li>1. Request for Change to City Plan – Maddison Park</li><li>2. Review of the Christchurch City Council Brothels (Location and Signage) Bylaw 2004</li><li>3. Consultation of Draft Regional Policy Statement Chapters on Soils and Beds of Rivers</li><li>4. Planning Administration Monthly Report (November 2008 to May 2009)</li></ol> |
| 12.     | NOTICES OF MOTION   |
| 13.     | RESOLUTION TO EXCLUDE THE PUBLIC  |

**1. APOLOGIES**

**2. CONFIRMATION OF MINUTES**

(a) **COUNCIL MEETING OF 25.6.2009**

Attached.

(b) **COUNCIL MEETING OF 25-30.6.2009**

To be separately circulated.

(c) **COUNCIL MEETING OF 9.7.2009**

Attached.

**3. DEPUTATIONS BY APPOINTMENT**

**4. PRESENTATION OF PETITIONS**

**5. CHRISTCHURCH CITY HOLDINGS UPDATE TO COUNCIL**

<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 update the Council on a variety of Christchurch City Holdings Ltd (CCHL) activities.

**EXECUTIVE SUMMARY**

2. **Attachment A** is a report from CCHL updating the Council on the following activities:
  - CCHL Final Statement of Intent.
  - Subsidiary Company Statements of Intent.
  - CCHL Dividends.
  - Change of name of Shelf Company.
  - CCHL - further equity contribution.
  - Purchase of LPC shares.
  - Cruise Ship Warf.
  - Christchurch Internal Airport Integrated Terminal Development Project Funding.
  - Directors Fees.

**STAFF RECOMMENDATION**

It is recommended that the Council accept the update report from Christchurch City Holdings Ltd.

**6. WORLD BUSKERS FESTIVAL - ESTABLISHMENT OF CHARITABLE TRUST**

<b>General Manager responsible:</b>	General Manager Regulation and Democracy Services DDI 941-8462
<b>Officer responsible:</b>	Legal Services Manager
<b>Author:</b>	Robert O'Connor, Solicitor, Legal Services Unit

**PURPOSE OF REPORT**

1. The purpose of this report is to request that the Council adopts, in accordance with section 56 of the Local Government Act 2002, the special consultative procedure to consult with the public on the proposal to establish a charitable trust as part of the legal and financial structure to operate the World Buskers Festival ("the Buskers Festival").

**EXECUTIVE SUMMARY**

2. At the Council meeting held on 19 December 2008 the Council authorised the purchase of the Buskers Festival from the Festival City Trust and settlement of the purchase of the Buskers Festival by the Council was completed on 12 May 2009.
3. In the report considered by the Council at the 19 December 2008 meeting staff advised that the previous owner operated the Buskers Festival through the medium of a charitable trust with the profits (if any) being applied to specified charitable objects. The reason for this arrangement is that 87 per cent of the revenue generated by the Buskers Festival takes the form of grants, sponsorship and other donated support which would not be available unless the operator was a charitable trust.
4. At its meeting of 19 December 2008 the Council specifically resolved, inter alia:
  - "4 That ... the Chief Executive be authorised to take the appropriate steps to establish a trust or such other entity, as he shall consider necessary or appropriate for the purpose of ensuring that outside funding sources can be obtained.
  - 5 That the Chief Executive be authorised to establish and put in place the financial and legal structures that he considers appropriate for the establishment and operation of the World Buskers Festival by the Council."
5. The Council has received advice from Kerry Ayers of the law firm of Helmore Ayers on the appropriate legal structure to adopt in relation to the Buskers Festival. Mr Ayers is a legal practitioner with substantial experience in the trusts law area and is currently a government appointee to the Charities Commission. Mr Ayers assisted the Council in the recent formation of the Gardens Event Trust which forms part of the operating structure of the Ellerslie International Flower Show.
6. It has been determined that, to ensure that the Buskers Festival continues to be eligible to receive the 87 per cent of its revenue received from grants, sponsorship and other donated support, a charitable trust be established to operate the Buskers Festival. This would replicate the operating structure adopted by the previous owner, the Festival City Trust.
7. As the proposed charitable trust will constitute a Council controlled organisation, to implement the Council's resolution of 19 December 2008 it will be necessary to comply with the consultation requirements of the Local Government Act 2002. It is therefore necessary for the Council to adopt the special consultative procedure before the Council formally makes its decision to establish the proposed charitable trust.
8. The name of the proposed Trust is proposed to be the 'World Buskers Festival Trust', subject to formal approval of that name by the Registrar of Charitable Trusts and subject to formal Council adoption of that proposal following completion of the special consultative procedure. At that time, the Council will also be asked to approve the appointment of the first trustees of the Trust.
9. Until a new trust can be formed, the Council has licensed the previous owner/operator of the World Buskers Festival, the Festival City Trust, to use the Council owned intellectual property and related assets to continue to operate the Festival up to 31 March 2010. It is expected that the Council will then licence the new charitable trust to operate the World Buskers Festival using the Council owner intellectual property and other related assets from 1 April 2010.

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**FINANCIAL IMPLICATIONS**

10. The establishment of the proposed charitable trust will ensure that the Buskers Festival remains eligible to source external funding which would not otherwise be available to the Council. As 87 per cent of the revenue generated by the Buskers Festival takes the form of grants, sponsorship and other donated support it is essential that the Buskers Festival remains eligible for this support.
11. As it will be necessary for the proposed Trust to operate the Buskers Festival, and as the Trust will be a stand-alone charitable trust, any profit that it may make will not be able to returned to the Council, but will, subject to retaining sufficient reserves, need to be distributed to specified charitable beneficiaries. My Ayers has advised that it will be necessary, in order to maintain the Trust's charitable status, that at reasonably regular intervals a trading surplus is applied by the Trust to clearly charitable objects. These charitable objects need to be specified in the Trust Deed.

**Do the Recommendations of this Report Align with 2009-2019 LTCCP budgets?**

12. Yes. The establishment of the Trust will have no effect on current LTCCP budgets. The Buskers Festival budget aims to at least break even, with no funding additional to that currently committed being required from the Council's Events and Festivals Fund.

**LEGAL CONSIDERATIONS**

13. Until a new trust can be formed, the Council has licensed the previous owner/operator of the World Buskers Festival, the Festival City Trust, to use the Council owned intellectual property and related assets to continue to operate the Festival up to 31 March 2010. It is expected that the Council will licence the new charitable trust to operate the World Buskers Festival using the Council owner intellectual property and other related assets from 1 April 2010.
14. Mr Ayers has advised that, subject to a "need to produce at reasonably regular intervals, a trading surplus that is applied to clearly charitable objects ... then a charitable trust could be set up which would run the Buskers Festival for the purpose of producing a surplus to be distributed for clearly charitable purposes".
15. Establishing a charitable trust to operate the Buskers Festival is expressly authorised by the resolution of the Council at its meeting of 19 December 2008 as detailed in paragraph 4 above.
16. As it is proposed that the Council will have the right to appoint the trustees, the proposed charitable trust will be a Council controlled organisation in terms of Section 6 and Part 5 of the Local Government Act 2002. This will enable the Council an element of control to ensure that the charitable trust functions, as far as is legally possible, in concert with the Council's objective to ensure the continued operation of the Buskers Festival in Christchurch.
17. The draft Deed of Trust for the proposed Trust has been prepared by Mr Ayers.
18. As a charitable trust, any profit that it may make will not be able to returned to the Council, but will, subject to retaining sufficient reserves, need to be distributed to specified charitable beneficiaries. Mr Ayers has advised that it will be necessary, in order to maintain the Trust's charitable status, that at reasonably regular intervals a trading surplus is applied by the Trust to clearly charitable objects. These charitable objects need to be specified in the Trust Deed. The draft Trust Deed **attached** to this report describes the proposed charitable beneficiaries in a very generalised way in order to allow the trustees flexibility as to which entities to benefit from time to time.
19. Mr Ayers has advised the Council that the draft Deed of Trust will meet the necessary statutory requirements to enable the proposed Trust, if formed, to be registered under the Charitable Trusts Act 1957 and the Charities Act 2005.

## 6 Cont'd

20. Section 56 of the Local Government Act 2002 requires the Council to adopt the special consultative procedure before it can make a decision on whether or not to establish a Council controlled organisation. A Statement of Proposal and a Summary of Information has been prepared and are **attached** to this report.

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

21. Yes – see above.

### **ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

22. The Buskers Festival is aligned with the current Events and Festivals Activity Management Plan and the draft 2009 – 2019 Events and Festivals Activity Management Plan and the 2009-2019 LTCCP. The Buskers Festival aligns with the following key community outcomes:

- A City of Inclusive and Diverse Communities
- A Prosperous City
- A City for Recreation, Fun and Creativity

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

23. Yes. The Buskers Festival fits well into the Council's objective specified in the 2009-2019 LTCCP – that is to ensure that events and festivals contribute to the enjoyment of living in Christchurch. The Council's strategic direction is to provide and support a year round programme of events that:

- Attracts visitors and generates economic activity
- Strengthens the distinctive identity and lifestyle qualities of Christchurch
- Provides multiple and lasting benefits to the city
- Celebrates and promotes Christchurch's culture and diversity.

### **ALIGNMENT WITH STRATEGIES**

24. The Council's Events Strategy 2007 - 2017 was adopted in December 2007. The Buskers Festival delivers on several goals of the Events Strategy:

- Goal One: Events attract visitors and strengthen the distinctive identities and lifestyle qualities of Christchurch.
- Goal Two: A vibrant calendar of events that enhance Christchurch as a place to live and visit.

### **Do the recommendations align with the Council's strategies?**

25. Yes.

### **CONSULTATION FULFILMENT**

26. The adoption of the staff recommendation will meet the Council's consultation obligations.

### **STAFF RECOMMENDATION**

It is recommended that the Council resolves to:

- (a) Approve the Statement of Proposal and the Summary of Information attached to this report.
- (b) Adopt the special consultative procedure for consulting with the public on the proposal to establish a charitable trust to operate the World Buskers Festival.
- (c) Appoint a hearings panel of three Councillors [to be identified as part of the resolution] to consider any oral submissions that may be received in respect of the proposal.

## 7. WORKING PARTY RECOMMENDATION ON RATES FUNDED GRANTS REDUCTION

<b>General Manager responsible:</b>	General Manager Community Services, DDI 941 8607
<b>Officer responsible:</b>	Community Support Manager
<b>Author:</b>	Matthew Pratt, Team Leader Community Grants Funding

### PURPOSE OF REPORT

1. The purpose of this report is to recommend that the Council adopt the recommendation of the Grants Funding Working Party with regard to the \$750,000 reduction of funds for the Council's rates funded discretionary grants in the 2009-10 year.

### EXECUTIVE SUMMARY

2. The 2009-19 Long Term Council-Community Plan (LTCCP) includes a reduction of \$750,000 from the total rates funded discretionary grants in the 2009-10 year and a further reduction of \$750,000 in the 2010-11 year and for the balance of the term of the 2009-19 LTCCP.
3. The Council-established Grants Funding Working Party was tasked with identifying and reporting back on where a saving of \$750,000 could be made in year one of the 2009-19 LTCCP (2009-10) and a further \$750,000 saving in year 2 (2010-11). This report makes a recommendation with regards to the year one saving.
4. The Grants Funding Working Party recommend that Council adopt Option Two, as described in paragraph 11.

### GRANTS FUNDING WORKING PARTY RECOMMENDATION

5. As detailed in the LTCCP Grants Schedule, in 2009-10, Council will make grants from rates of \$26.026m.
6. Due to commitments and statutory obligations, of this \$26.026m, the reduction of \$750,000 can be made from the following sources:

#### Rates-funded Discretionary Grants

Strengthening Communities	\$8,258,000
Events	\$1,674,000
Heritage	\$995,000
<u>Other 'Strengthening Community Type' Grants</u>	<u>\$154,000</u>
<b>Total Rates-funded Discretionary Grants</b>	<b>\$ 11,081,000</b>

The areas where reductions can be made exclude those areas which are deemed to be statutory in nature and/or contractually committed, such as the Canterbury Museum Trust Board, Riccarton Bush Trust, Canterbury Development Corporation and Christchurch & Canterbury Tourism.

7. The Grants Working Party identified the below sources where an initial reduction of \$105,000 can be made:

	<b>Savings</b>
○ David Close Awards (from \$54,000 to \$4,000)	<b>\$50,000</b>
○ Character Heritage Housing Grants (from \$100,000 to \$50,000)	<b>\$50,000</b>
○ Ngaio Marsh Interest Grant (from \$5,000 to \$0)	<b>\$5,000</b>
○ <b>Total Saving</b>	<b>\$105,000</b>



## 7 Cont'd

8. In order to achieve a saving of \$750,000, an additional reduction of \$645,000 is required. Two options were considered by the Working Party.

9. **Option One:**

	<b>Savings</b>
○ Initial reduction of \$105,000 (as detailed in paragraph 8. above)	<b>\$105,000</b>
○ 5.91% reduction to Metropolitan Strengthening Communities Fund (from \$5,060,000 to \$4,710,145)	<b>\$295,855</b>
○ 5.91% reduction to Community Board Strengthening Communities Fund (from \$1,760,000 to \$1,655,984)	<b>\$104,016</b>
○ 5.91% reduction to Metropolitan Small Grants Fund (from \$400,000 to \$376,360)	<b>\$23,640</b>
○ 5.91% reduction to Community Board Small Grants Fund (from \$532,000 to \$500,599)	<b>\$31,441</b>
○ 5.91% reduction to Metropolitan Discretionary Response Fund (from \$170,000 to \$159,953)	<b>\$10,047</b>
○ 5.91% reduction to Community Board Discretionary Response Fund (from \$390,000 to \$366,951)	<b>\$23,049</b>
○ 5.91% reduction to Mayoral Project Grants (from \$50,000 to \$47,045)	<b>\$2,955</b>
○ 5.91% reduction to Deputy Mayor Project Grants (from \$5,000 to \$4,705)	<b>\$296</b>
○ 5.91% reduction to Growing Sport Fund (from \$40,000 to \$37,636)	<b>\$2,364</b>
○ 5.91% reduction to Major Events Fund (from \$605,000 to \$569,245)	<b>\$35,756</b>
○ 5.91% reduction to Metropolitan Community Events (from \$759,000 to \$714,143)	<b>\$44,857</b>
○ 5.91% reduction to Events Development Discretionary (from \$75,000 to \$70,568)	<b>\$4,433</b>
○ 5.91% reduction to Sports Support & Promotion (from \$235,000 to \$221,112)	<b>\$13,889</b>
○ 0% reduction to Character Housing Maintenance (No reduction due to \$50,000 saving already applied)	<b>\$0</b>
○ 5.91% reduction to Heritage Incentive Grants (from \$895,000 to \$842,106)	<b>\$52,895</b>
○ <b>Total Savings</b>	<b>\$750,493</b>

## 7 Cont'd

- | 10. Option Two:  | Savings          |
|--|------------------|
| ○ Initial reduction of \$105,000 (as detailed in paragraph 8. above)                             | <b>\$105,000</b> |
| ○ 5% reduction to Metropolitan Strengthening Communities Fund<br>(from \$5,060,000 to 4,755,700) | <b>\$250,300</b> |
| ○ 0% reduction to Community Board Strengthening Communities Fund                                 | <b>\$0</b>       |
| ○ 25% reduction to Metropolitan Small Grants Fund<br>(from \$400,000 to \$300,000)               | <b>\$100,000</b> |
| ○ 0% reduction to Community Board Small Grants Fund  | <b>\$0</b>       |
| ○ 11.8% reduction to Metropolitan Discretionary Response Fund<br>(from \$170,000 to \$150,000)   | <b>\$20,000</b>  |
| ○ 0% reduction to Community Board Discretionary Response Fund                                    | <b>\$0</b>       |
| ○ 20% reduction to Mayoral Projects<br>(from \$50,000 to \$40,000)                               | <b>\$10,000</b>  |
| ○ 0% reduction to Deputy Mayor Project Grants  | <b>\$0</b>       |
| ○ 25% reduction to Growing Sport Fund<br>(from \$40,000 to \$30,000)                             | <b>\$10,000</b>  |
| ○ 5% reduction to Major Events Fund<br>(from \$605,000 to \$574,750)                             | <b>\$30,250</b>  |
| ○ 5% reduction to Metropolitan Community Events<br>(from \$759,000 to \$721,050)                 | <b>\$37,950</b>  |
| ○ 5% reduction to Events Development Discretionary<br>(from \$75,000 to \$71,250)                | <b>\$3,750</b>   |
| ○ 5% reduction to Sports Support & Promotion<br>(from \$235,000 to \$223,250)                    | <b>\$11,750</b>  |
| ○ 20% reduction to Character Housing Maintenance<br>(from \$50,000 to \$40,000)                  | <b>\$10,000</b>  |
| ○ 18% reduction to Heritage Incentive Grants<br>(from \$895,000 to \$734,000)                    | <b>\$161,000</b> |
| ○ <b>Total Savings</b>   | <b>\$750,000</b> |
11. The Grants Working Party recommends that the Council adopt Option Two as the means to achieve a \$750,000 reduction for the 2009-10 year.

7 Cont'd

**FINANCIAL IMPLICATIONS**

12. The reduction of \$750,000 is consistent with the LTCCP and the reductions to specific funds will mean less money available to grant from each fund.

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

13. Yes, the 2009-19 LTCCP budgets include a \$750,000 reduction. However, budgets of individual lines will change due to savings made.

**LEGAL CONSIDERATIONS**

14. The Council resolved in its 2009-19 LTCCP to reduce the Council's grants funding by \$1.5m with the reduction to be phased in over a two year period. A reduction of \$750,000 is required to be identified and implemented in year one (2009/10) and an additional \$750,000 is to found and implemented in year two (2010/11) with the total reduction of \$1.5m per annum being applied to the balance of the 2009-19 LTCCP term.
15. The Council resolved that the identification of the areas and the associated amounts to implement its resolution to reduce Council's grants funding is to be a task of the Grants Funding Working Party with its recommendations to be reported back to the Council for its consideration and resolution.
16. The Council's Grants Working Party in its deliberations has been advised of those areas where statutory and contractual obligations exist with respect to Council's grants funding.

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

17. Yes.

**ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

18. Yes.

**Do the recommendations of this report support a level of service or project in the 2009-19 LTCCP?**

19. Yes.

**ALIGNMENT WITH STRATEGIES**

20. The reduction in grants aligns with Council's strategies and with the LTCCP.

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

21. Yes.

**CONSULTATION FULFILMENT**

22. Consultation was initially undertaken through the LTCCP public submission process.
23. Following concerns raised by a number of submitters on the lack of clarity in the initial public submission process of the proposed \$1.5m reduction in Council grant funding, the Council undertook a Special Consultative Process (SCP) with a Statement of Proposal clarifying the proposed reduction of the \$1.5m in Council grants funding in the 2009-19 draft LTCCP. The Statement of Proposal also proposed that the proposed \$1.5m reduction be staged over a two year period, with \$750,000 being reduced in year one (2009/10) of the draft 2009-19 LTCCP and the remaining \$750,000 reduction being made in year two (2010/11) with the total reduction of \$1.5m per annum then being effected for each financial year thereafter for the life of the 2009-19 draft LTCCP.

**7 Cont'd**

24. After considering the submissions received as a result of the SCP the Council resolved to:
  - (a) *Limit the proposed reduction in grants funding to \$750,000 in the 2009/10 year.*
  - (b) *Reduce grants funding by a further \$750,000 in the 2010/11 year applied for the balance of the term of the 2009-19 LTCCP.*
25. The Council ratified the 2009-19 LTCCP on 30 June 2009.
26. The Council established Grants Funding Working Party was tasked with identifying and reporting back to the Council on those areas where a saving of \$750,000 could be made in year one of the 2009-19 LTCCP (2009/10 FY) and a further saving of \$750,000 in year 2 (2010/11 FY), giving a total reduction of \$1.5m.
27. The Grants Funding Working Party met on 1 July, 2009 and considered the areas of reducing the Council's grants funding for the 2009/10 FY by the resolved amount of \$750,000.
28. The Grants Funding Working Party determined two options for recommendation back to the Council. Option Two is the preferred option of the Grants Funding Working Party to implement the reduction of the required \$750,000 in grants funding for the 2009/10 year.

**WORKING PARTY RECOMMENDATION**

It is the Grants Funding Working Party's recommendation that the Council adopt and implement Option Two as the means to achieve the \$750,000 reduction in Council's grants funding for the 2009/10 financial year.

**8. NEW REGENT STREET PEDESTRIAN MALL – VARIATION TO THE SPECIAL ORDER**

<b>General Manager responsible:</b>	General Manager City Environment DDI 941-8608
<b>Officer responsible:</b>	Transport and Greenspace Manager
<b>Authors:</b>	Christine Toner, Consultation Leader and Barry Cook, Team Leader Network Operations and Traffic Systems

**PURPOSE OF REPORT**

1. The purpose of this report is to seek the Council's support for the proposal to restrict the hours that goods service vehicles are permitted in the mall and to amend clause (c) in the declaration in relation to its reference to approval by the traffic manager or parking operations manager. The report also requests that the Council approve the commencement of the legal requirements necessary to make these changes to the declaration of a variation to the New Regent Street Pedestrian Mall Special Order.
2. This matter will also be presented to the Hagley/Ferrymead Community Board on 15 July 2009 and the consideration and recommendations of the Board will be provided to the Council by way of memorandum from the Community Board Adviser.

**EXECUTIVE SUMMARY**

3. The Council has received a request from the tram operators, Christchurch Tramway Ltd, to restrict the access and parking of private vehicles at night in New Regent Street Pedestrian Mall.
4. The pedestrian only street is used by vehicles for parking in the evening even though this is banned by the declaration. It is a convenient place for patrons of the nearby restaurants to park. The parked vehicles are generally private motor cars that on a regular basis obstruct access for the tram. This has restricted the restaurant tram from completing its circuit. Delays of up to one hour have been experienced.
5. On 28 July 1994 the Council resolved to make a Special Order that New Regent Street (Armagh Street to Gloucester Street) be declared a pedestrian mall. The Special Order conditions prohibit the driving, riding or parking of any vehicle or the riding of any bicycle or the riding of any animal at all times subject to the following exceptions and conditions:
  - (a) Trams;
  - (b) Goods Service Vehicles are permitted in the Mall for the purpose of loading and unloading at any time other than between 10am and 4pm each day;
  - (c) Trade and other vehicles (including those operated by service authorities) of any class may enter the Mall at specified times if authorised to do so by the Traffic Manager or Parking Operations Manager;
  - (d) Street cleaning and rubbish collection vehicles operated by the Christchurch City Council or its nominated contractor may enter the Mall at any time;
  - (e) Any vehicle or specified class of vehicle that has entered the Mall under any section of this order must not be parked for a longer period than is necessary for its driver to carry out his or her business or for the period of any emergency;
  - (f) Nothing in this Special Order shall be deemed to prohibit or restrict the use of the Mall by any fire appliance, ambulance, or other vehicle to enter the Mall or portion thereof for the protection of human life or of property.
6. The power to declare New Regent Street a pedestrian mall is contained in section 336 of the Local Government Act 1974. That section also gives the Council the power to revoke or vary a declaration creating a pedestrian mall by using the special consultative procedure. There is a right of appeal to the Environment Court against any decision made by the Council.

**8 Cont'd**

7. As specified in the First Schedule (One Way Streets) of the Traffic and Parking Bylaw 2008, New Regent Street is a one-way street (north to south).
8. Currently motorists are informed of the restrictions in New Regent Street by way of signage. These signs will be amended to show the new times if approved.
9. It is proposed to change the existing time that goods vehicles are allowed to enter the street for delivery purposes. The special order currently allows access, for goods vehicles at any time from 4pm one day through to 10am the following day. The proposal is alter this to allow access for goods service vehicles between 5am-10am and 4pm-11pm each day (ie to add a night time ban from 11pm to 5am). Outside of these times no vehicles will be allowed in New Regent Street except for those that are exempt in the declaration. Special arrangements that are already in place under (c) of the special order to allow business owners and operators access to their businesses will continue.
  - (a) The new declaration would then read:
    - (i) Clause (b) Goods Service Vehicles are permitted in the Mall for the purpose of loading and unloading only between 5am-10am and 4pm-11pm each day;
    - (ii) Clause (c) Trade and other vehicles (including those operated by service authorities) of any class may enter the Mall at specified times if authorised to do so by the Council officer that holds the position of asset owner at that time.
10. These proposed changes to the pedestrian mall declaration will be indicated on the signage at the entrance to the Mall so Police or Parking Enforcement Officers can carry out enforcement.
11. Consultation has been carried out previously with all business operators in New Regent Street. The Christchurch Tramway Limited has also been contacted. Parking Enforcement endorses this proposal. The Special Consultation Procedure will ensure that all affected parties will have the opportunity to present their feedback.

**FINANCIAL IMPLICATIONS**

12. The cost for changing the signage is estimated to be \$1200.

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

13. The installation of signs is within the LTCCP Street and Transport Operational Budgets.

**LEGAL CONSIDERATIONS**

14. Section 336(1) of the Local Government Act 1974 provides that a Council "*may, by using the special consultative procedure (a) declare a specified road or part of a specified road to be a pedestrian mall and (b) prohibit or restrict the driving, riding, or parking of any vehicle, or the riding of any animal, on all or any portion of the pedestrian mall*" either generally or during particular hours. Section 336(8) states that any declaration "*may be revoked or varied by a subsequent declaration using the procedure in subsection (1), and that subsection applies with all necessary modifications*". This means that to vary the special order for New Regent Street, made by the Council in 1994, the Council must apply both sections 336(8) and 336(1), and carry out a special consultative procedure.
15. Any declaration of the Council under s336(1) may include exemptions and conditions but does not take effect until the time for appealing a declaration has expired or any appeal has been determined. Any person can appeal the making of the declaration to the Environment Court (they must do so within one month of the declaration). When a special consultative procedure is carried out under s336(1) (or 336(8)), the public notice required by section 83(1)(e) of the Local Government Act 2002 must explain the right of appeal. Once a declaration has been made it is an offence under section 336(7) to drive, ride, or park any vehicle or ride any animal, or causes or permits any vehicle to be driven, ridden, or parked or any animal to be ridden, in contravention of the declaration.

## 8 Cont'd

16. Sections 83, 87 and 89 of the Local Government Act 2002, are all relevant in relation to the special consultative procedure that is required to vary the mall declaration. Section 83 requires the preparation of a statement of proposal and a summary of the information in the proposal. The statement of proposal must be included in the agenda for a meeting of the local authority and must be made available for public inspection. The summary is circulated for consultation in accordance with s 89.
17. As noted, public notice must be given of the consultation being undertaken. In addition to explaining the right of appeal it must advise where people can view copies of the summary and the full proposal, and set out the time for submissions, which must not be less than one month from the date of the first public notice. Persons who make a submission must be sent written acknowledgement of their submission and be given a reasonable opportunity to be heard.
18. Section 87 specifies that where a special consultative procedure is required for any other purpose than consulting on the LTCCP, annual plan or a bylaw then the statement of proposal must include a detailed statement of the proposal including:
  - “(a) a statement of the reasons for the proposal; and*
  - (b) an analysis of the reasonably practicable options, including the proposal, identified under section 77(1); and*
  - (c) any other information that the local authority identifies as relevant.”*
19. Section 89 relates to the summary of information that must be prepared and specifies that it must be a fair representation of the major matters in the statement of proposal. It must also indicate where the statement of proposal can be inspected and where a copy can be obtained, and must state the period within which submissions may be made. The Council must determine what form it will be in and it must be distributed as widely as reasonably practicable (in such manner as is determined appropriate by the Council, having regard to the matter to which the proposal relates) as a basis for general consultation.

*Analysis of reasonably practicable options considered by the Council*

20. The following options exist for the Council:
  - (a) Status Quo ie: Do Nothing. This option is not preferred as it does not address the request from businesses and the Christchurch Tramway Limited to address vehicle access and evening parking of private vehicles in the Mall outside the restricted hours.
  - (b) Vary the time restrictions in the New Regent Street Pedestrian Mall Special Order. This is option will address the businesses and the Christchurch Tramway Limited request and align the time restrictions in the New Regent Street Pedestrian Mall with the time restrictions proposed throughout the inner city pedestrian precincts, making enforcement by Parking Unit Officers more manageable. Option (b) is the preferred option.

**ADDITIONAL CONSIDERATIONS**

21. In the decision in *Pool v New Plymouth City Council* [1977] 6 NZTPA 201, the Town and Country Planning Appeal Board adopted some 'considerations' in examining a decision to declare part of a city street a mall. Those considerations were:
  - (a) Whether the closure of a street to traffic would be to the advantage of the community in general;
  - (b) Whether there were disadvantages to the community in general which balanced or outweighed the advantages;
  - (c) Whether there was detriment to property owners or business operators which was unreasonable given the absence of compensation;
  - (d) Whether the closure adversely affected other property owners or business operations who may depend on the flow of traffic along the street.

8 Cont'd

22. These 'tests' were reframed in the context of the principles of the Resource Management Act 1991 in *Bain v Waimakariri District Council*, C111/08, Environment Court Christchurch, 20/10/08, as follows:
- (a) whether aspects of the public interest would be enabled by the creation of the pedestrian mall;
  - (b) whether aspects of the public interest would be disenabled by the creation of the pedestrian mall;
  - (c) whether individuals would benefit from the creation of the pedestrian mall;
  - (d) whether individuals would be disadvantaged by the creation of the pedestrian mall; and overall
  - (e) whether the pedestrian mall would better achieve the sustainable management of the physical resources of the district.
23. These considerations/tests from the above cases are also relevant, so far as they may be applicable, in relation to a variation of a mall declaration, and have been considered in analysing the options in this case.
24. Social Considerations:  
The current situation in which vehicles are parked in New Regent Street pedestrian mall during the evenings causes risk to pedestrians and sometimes obstructs the tram. Following requests from local businesses and the Christchurch Tramway Ltd, in March 2008 the Council consulted with the business operators in New Regent Street and the Christchurch Tramway Limited about possible changes to the hours of restriction for Goods Service Vehicles, signage to be installed at each end of New Regent Street to enforce the time restrictions, and the possible installation of bollards. Responses were supportive and included suggestions for alterations to the "Letter of Authorisation" scheme for business owner's access and the possibility of providing disability access during the day time restrictions.
25. Environmental Considerations  
The proposal for varying the Special Order declaration creating the pedestrian mall in New Regent Street will not have an impact on the environment. This area already operates with access for the tram and Goods Services Vehicles. The changes to the hours that Good Services Vehicles are permitted in the mall are minor and the impact on the businesses in the Mall is expected to be insignificant.
26. Cultural Considerations  
The Council is not aware of any cultural issues that should be taken into account in respect of the proposal contained in this statement.
27. Economic Considerations  
The Council is not aware of any economic issues that should be taken into account in respect of the proposal contained in this statement. The changes to the hours that goods service vehicles are permitted in the mall are minor and the impact is anticipated to be insignificant.

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

28. As above.

**ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

29. Aligns with the Streets and Transport activities by contributing to the Council's Community outcomes - Community and Safety.

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

30. This contributes to improve the level of service for parking and safety.



8 Cont'd

**ALIGNMENT WITH STRATEGIES**

31. The recommendations align with the Council's Parking Strategy 2003.

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

32. As above.

**CONSULTATION FULFILMENT**

33. Preliminary consultation has been carried out with all business operators in New Regent Street. The Christchurch Tramway Limited has also been contacted. Parking Enforcement also endorses this proposal.

**STAFF RECOMMENDATION**

It is recommended that the Council resolves:

- (a) To adopt for consultation through the special consultative procedure the proposed changes to New Regent Street Mall declaration as detailed in the attached Statement of Proposal.
- (b) To approve the Statement of Proposal (**Attachments 1 and 3**) and Summary of Information (**Attachment 2**) in respect of the proposed declaration to vary the New Regent Street Pedestrian Mall Special Order.
- (c) To adopt the dates for publicly notifying the Statement of Proposal and the Summary of Information (6 August 2009 to 9 September 2009).
- (d) To determine that the Summary of Information be distributed to all properties and businesses along New Regent Street and nearby properties in adjacent streets and any absentee owners identified within the distribution area, as well as to other relevant stakeholder groups, including Spokes, Taxi Federation, Transport Groups, and any Resident and Business Groups in the distribution area.
- (e) To determine that the Statement of Proposal and Summary of Information be made available for public inspection at all Council Service Centres, Council libraries and on the Council's website.
- (f) That public notice of the proposal be published in a newspaper having a wide circulation in the Council's district; and that this explains the right of appeal in relation to this proposal, and advises where people can view copies of the summary of information and the statement of proposal, and the time within which submissions can be made.
- (g) To appoint a hearings panel to hear any submissions on the proposal.

## 9. OXFORD TERRACE, CASHEL STREET AND HIGH STREET - PROPOSED CHANGES TO TRAFFIC MOVEMENTS

<b>General Manager responsible:</b>	General Manager City Environment, DDI 941 8608
<b>Officer responsible:</b>	Unit Manager Transport and Greenspace
<b>Author:</b>	Christine Toner, Consultation Leader and Barry Cook, Network Operations and Transport Systems Team Leader

### PURPOSE OF REPORT

1. The purpose of this report is to recommend that the Council approve the commencement of a statutory special consultative procedure for three inter-dependent proposals that will result in a series of legally enforceable one way sections of road from Hereford Street, along Oxford Terrace and through City Mall back to Hereford Street in the same direction as the proposed tram route, and the coordinated night time closure of this route to vehicles in support of work being carried out by the NZ Police, and bar owners and operators, to improve safety for pedestrians and modify the behaviour of bar patrons.
2. This matter will also be presented to the Hagley/Ferrymead Community Board on 15 July 2009 and the Board's consideration and recommendations will be provided to the Council by way of memorandum from the Community Board Adviser.

### EXECUTIVE SUMMARY

3. This report and its attachments detail three inter-dependent proposals as follows:
  - (a) **Proposal A** - Amendments to Schedule 1 (One Way Streets) of the Traffic and Parking Bylaw 2008 to:
    - (i) change the one way in Oxford Terrace from Cashel Street to Lichfield Street to two way;
    - (ii) change the one way direction in Oxford Terrace between Hereford Street and Cashel Street from a northerly to a southerly direction;
    - (iii) make City Mall (Cashel Street from Oxford Terrace to High Street) one way in an easterly direction, and City Mall (High Street from Cashel Street to Hereford Street) one way in a north-westerly direction.
  - (b) **Proposal B** - Declaration of a new part time pedestrian mall in Oxford Terrace between Hereford Street and Cashel Street every night from 11pm to 5am the following day.
  - (c) **Proposal C** - A variation to the existing Special Order for City Mall to ban goods services vehicles in City Mall from 11pm to 5am and to extend the day time ban to between 10am and 4pm (currently 11am start), and make other minor changes.
4. The aim of all the proposals is to improve safety for motorists and pedestrians and to assist the New Zealand Police who have for at least two years asked the Council to close Oxford Terrace between Lichfield Street and Hereford Street (initially only on Thursday, Fridays and Saturday nights) to facilitate their management of disorderly behaviour among bar patrons on "The Strip". Council objectives are:
  - (a) To provide a safer environment for the public;
  - (b) To remove potential conflict between pedestrians and vehicles;
  - (c) To align the timing of access restrictions throughout the City Mall and Oxford Terrace.
5. After several temporary trial closures and initial consultation among property owners and occupiers, including bar operators, in the area, the current proposed 'part time pedestrian mall' option was developed, and this proposal is for traffic to be excluded every night from 11pm to 5am.

**9 Cont'd**

6. This option is compatible with the proposal to introduce the tram extension in Oxford Terrace and City Mall, which requires the reversal of the one way direction in Oxford Terrace from Hereford Street to Cashel Street. To effect this change safely as well as enabling owners and tenants 24/7 access to underground and rear parking between Cashel Street and Lichfield Street, it has been necessary to propose the change to two way of this section of Oxford Terrace.
7. At the same time it is proposed to include a variation to the conditions of the City Mall Special Order to exclude goods services vehicles traffic from 11pm to 5am to match the exclusion created by the part time pedestrian mall declaration in Oxford Terrace; and to extend the daytime access restriction for goods service vehicles to match the times in New Regent Street, for consistency and to help ensure that the City Mall is clear of vehicles before the lunchtime period.
8. In addition traffic in Cashel Street (from Oxford Terrace to High Street) and High Street (from Cashel Street to Hereford Street) ie City Mall currently flows in an easterly and north westerly direction respectively, but there have not, to date, been any legal changes made to enable enforcement of this one way direction (although this was part of the City Mall revitalisation and tram proposal which was subject to a special consultative procedure and adopted by the Council in June 2008).

**FINANCIAL CONSIDERATIONS**

9. The financial implications are as follows:
  - (a) There is budget of \$264,463 provided for the works associated with the Oxford Terrace improvement. The processes outlined in this report will be funded from this budget.

**Proposal A - Oxford Terrace, Cashel Street and High Street one way street bylaw amendments**

10. To implement the two way section and reverse the one way section the estimate is \$250,000. This includes kerb works, new traffic islands, road markings and signs, altered traffic signals and services relocations.
11. The signs required in the City Mall to formalise the "one way" flow in the service lane is part of the Mall revitalisation project.

**Proposal B - Oxford Terrace part time pedestrian mall 11pm to 5am daily**

12. The cost of the proposed signage and the installation of four pop up bollards is estimated at \$20,000 and is within the LTCCP Street and Transport Operational Budgets.

**Proposal C - City Mall (Cashel Street and High Street) – to add a further restriction to the hours of access for goods and service vehicles**

13. The cost of the proposed signage and the installation of two fixed bollards is estimated at \$3,500 and is within the LTCCP Street and Transport Operational Budgets.

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

14. The installation of road markings, signs and bollards is within the LTCCP Streets and Transport budget.

9 Cont'd

**LEGAL CONSIDERATIONS**

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

15. The proposed changes require an amendment to the Traffic and Parking Bylaw Schedule One, variations to the City Mall Special Order, and the declaration of a part time pedestrian mall in Oxford Terrace.

**Proposal A - Oxford Terrace, Cashel Street and Hereford Street one way street/bylaw amendment**

16. Section 155 considerations:
- (a) Under section 72(1)(ia) of the Transport Act 1962 the Council must create and amend one way streets by way of a bylaw. The Christchurch City Council Traffic and Parking Bylaw 2008 is the bylaw the Council uses to provide for one way streets (see clause 12 and the First Schedule). This bylaw was made pursuant to the Local Government Act 1974, the Local Government Act 2002 and the Transport Act 1962.
  - (b) Section 155 of the Local Government Act 2002 requires the Council to determine whether the making or amending of a bylaw made under that Act is "*the most appropriate way to address the perceived problem*". The Council is also required to determine whether the bylaw is in the most appropriate form and that there are no inconsistencies with the New Zealand Bill of Rights Act 1990 (NZBORA).
17. Appropriate way to address problem:
- (a) The proposed changes to the First Schedule (One Way Streets) has been identified as necessary for changing the direction of travel in Oxford Terrace, Cashel Street and High Street. It is considered necessary to change the direction of travel so that traffic will flow in the same direction as the proposed tram route and remove possible vehicle conflict.
18. Analysis of Options considered by the Council:
- (a) The following options exist for the Council in relation to managing direction of travel on sections of Oxford Terrace:
    - (i) Status quo. ie: Do nothing. Make no specific provision for direction of travel on Oxford Terrace between Hereford Street and Cashel Street and between Lichfield Street and Cashel Street. The revitalisation of the City Mall has resulted in the construction of a service lane to ensure the majority of the mall is car free at all times. This service lane is only wide enough for traffic in one direction. A two way flow in the service lane would not work.

This option is not preferred because it does not support the Council's desire for the extension to the tram route and the revitalisation of the inner city, and does not support the proposed creation of a part time pedestrian mall in the adjacent section of Oxford Terrace between Cashel Street and Hereford Street. With the extension of the tram route this option will create potential for conflict between the trams and other vehicles and would not provide access for permitted vehicles to Cashel Street (City Mall).
    - (ii) Revoke the existing one way (south to north) on that section of Oxford Terrace between Lichfield Street and Cashel Street to result in a two way street there; and create a one way street running in a southerly direction on the section of Oxford Terrace between Hereford Street and Cashel Street to remove potential conflict between trams and other vehicles. The service lane would function effectively and there would be no conflict with the future tram proposal.

## 9 Cont'd

This option is not preferred because it does not support the Council's desire for the extension to the tram route and the revitalisation of the inner city, and does not support the proposed creation of a part time pedestrian mall in the adjacent section of Oxford Terrace between Cashel Street and Hereford Street. With the extension of the tram route this option will create potential for conflict between the trams and other vehicles and would not provide access for permitted vehicles to Cashel Street (City Mall).

- (ii) Revoke the existing one way (south to north) on that section of Oxford Terrace between Lichfield Street and Cashel Street to result in a two way street there; and create a one way street running in a southerly direction on the section of Oxford Terrace between Hereford Street and Cashel Street to remove potential conflict between trams and other vehicles.

This is the preferred option. This option is aligned to and meets the objectives the Council has for extending the tram route and revitalising the inner city. It removes conflict situations that could occur along the proposed tram route extension and retains access to the properties along that section of Oxford Terrace between Cashel Street and Lichfield Street.

- (b) The following options exist for the Council in relation to managing direction of travel on the sections of Cashel Street and Hereford Street that form City Mall:

- (i) Do nothing: ie: Make no specific provision for direction of travel on Hereford Street and Cashel Street. The current direction of flow in the completed sections of the revitalised City Mall is one way, directed by temporary construction signage, which works effectively except that the restriction cannot be legally enforced. This direction of flow is necessary to accommodate the tram in future, and has been discussed at length in previous Council meetings. Doing nothing would not be an acceptable long term option as it does not support the enforcement of one way traffic in City Mall. Letting vehicles travel in both directions would impose risk to life and property.
- (ii) Restrict travel to one way in City Mall. This option enables the tram to travel in a west-east direction in the section of Cashel Street between Oxford Terrace and High Street; and in a southeast to northwest direction in the section of High Street from Cashel Street to Hereford Street, to avoid any conflict with other vehicles.

- (c) Both these options require an amendment to the First Schedule (One Way Streets) of the Traffic and Parking Bylaw 2008. The Local Government Act 2002 prescribes that any alterations or additions to a Bylaw may only be undertaken using the Special Consultative Procedure.

- (d) There is no other way of creating a legally enforceable one way street, therefore the bylaw amendment is the most appropriate way of addressing this problem.

## 19. Appropriate form of bylaw:

- (a) The form in which the proposed amendment to the First Schedule of the Bylaw has been drafted is considered appropriate, in specifying the road which is to become one way, and the location (between intersections) in that road.

## 20. New Zealand Bill of Rights Act 1990:

- (a) The only provision of the NZBORA which has a bearing on the proposed amendment to the Bylaw is section 18, which provides that everyone lawfully in New Zealand has the right to freedom of movement. Creating one way streets provides a limitation on this right, but the limitation is considered to be a reasonable restriction in a free and democratic society, in accordance with section 5 of the NZBORA. Persons can still move around the city. Therefore there are no inconsistencies between the draft amended bylaw and the NZBORA.

9 Cont'd

21. Proposed Bylaw amendments:

- (a) The amendments proposed to the Traffic and Parking Bylaw 2008 are set out in the attached Amendment Bylaw.

**Proposal B - Declaration of Oxford Terrace part time pedestrian mall 11pm to 5am daily**

22. Prior to July 2004 section 336 of the Local Government Act 1974 provided that Councils declared a pedestrian mall by using the Special Order procedure. Section 336 now provides that the special consultative procedure be used to:

*“ ... (i) declare a specified road or part of a specified road to be a pedestrian mall, and*

*(ii) prohibit or restrict the driving, riding or parking of any vehicle, or the riding of any animal, on all or any portion of the pedestrian mall either*

*(i) generally; or*

*(ii) during particular hours.*

(b) A declaration—

*(i) may include exemptions and conditions; and*

*(ii) does not take effect until—*

*(i) the time for appealing under subsection (3) has expired; and*

*(ii) any appeals have been determined under subsection (4).*

*...”*

- (c) Section 336(3) provides that anyone may within 1 month after the making of a declaration, or within such further time as the Environment Court may allow, appeal to the Environment Court against the declaration made by the Council. The public notice required as part of the special consultative procedure (by section 83(1)(e)) of the Local Government Act 2002 must explain this right of appeal.

**Analysis of reasonably practicable options considered by the Council:**

23. The following options exist for the Council in relation to Proposal B:

- (a) Status quo. ie: Do nothing. Leave Oxford Terrace open to all traffic at all hours. This option is not preferred because it does not address the safety issues arising during the hours of 11pm to 5am and it does not support the endeavours of the New Zealand Police to deal with problems of alcohol and drug induced behaviour.
- (b) Close Oxford Terrace to all traffic except taxis. This option is not preferred because of the difficulty of enforcing a taxi only zone. It does not address the safety issues of vehicles driving through a road where there are often large numbers of intoxicated people wandering across the road, throwing bottles or using broken bottles to scare vehicles as they pass. There is also the potential for confusion and the subsequent danger to pedestrians who think that vehicles are banned and who may therefore wander out onto the road into the path of oncoming vehicles.
- (c) Close the length of Oxford Terrace from Lichfield Street to Hereford Street. This option is not preferred because it does not enable access to the business car parking underneath and behind commercial buildings in Oxford Terrace between Lichfield Street and Cashel Street (City Mall). These businesses have been consulted and have indicated that they need access to the car parking at all times. This option would also eliminate the taxi stands in this area which are seen as essential for the safe transport of intoxicated people away from the area.

9 Cont'd

- (d) Create a part time pedestrian mall in Oxford Terrace between Hereford Street and Cashel Street (City Mall) from 11pm to 5am daily. This option will address the safety issues for pedestrians and vehicles that arise during the hours of 11pm to 5am and support the endeavours of the New Zealand Police to deal with problems of alcohol and drug induced behaviour. With changes to the direction of permitted traffic in City Mall and the revocation of the one way street in Oxford Terrace between Lichfield Street and Cashel Street (City Mall) at the same time, the issue of access to the car parking described in Option (iii) will be addressed. The car park behind "The Strip" bars on Oxford Terrace between Hereford Street and Cashel Street can also be accessed from Hereford Street. This option also provides for taxi stands.
- (e) Option (iv) is the preferred option. It is aligned to and meets the project objectives.

**Proposal C City Mall (Cashel Street and High Street) – to add restrictions to the hours of access for goods services vehicles**

- 24. The City Mall was declared to be a pedestrian mall under section 336 of the Local Government Act 1974 (LGA74), using the Special Order procedure. It was varied last year to add that trams may also use the City Mall. Section 336(8) gives Council the power to revoke or vary a previous declaration for a mall also by using the Special Consultative Procedure in the Local Government Act 2002.
  - (a) There is a right of appeal to the Environment Court against any decision made by the Council, as noted above.

**Analysis of reasonably practicable options considered by the Council:**

- 25. The following options exist for the Council in relation to Proposal B
  - (a) Status quo ie do nothing. The Council could choose to do nothing in this case and not provide a night time ban on, or extend the daytime access restriction for goods service vehicles in City Mall. This is not an acceptable option as does not help create a safer central city nor assist the police with their enforcement of law and order in the area.
  - (b) Amend the City Mall Special Order declaration as described in this proposal. This enhances the work of the New Zealand Police as above, and aligns with the part time closure of Oxford Terrace between Hereford Street and Cashel Street during the same hours.

**ADDITIONAL CONSIDERATIONS – PROPOSALS B AND C**

- 26. In the decision in *Pool v New Plymouth City Council* [1977] 6 NZTPA 201, the Town and Country Planning Appeal Board adopted some 'considerations' in examining a decision to declare part of a city street a mall. Those considerations were:
  - (a) Whether the closure of a street to traffic would be to the advantage of the community in general.
  - (b) Whether there were disadvantages to the community in general which balanced or outweighed the advantages.
  - (c) Whether there was detriment to property owners or business operators which was unreasonable given the absence of compensation.
  - (d) Whether the closure adversely affected other property owners or business operations who may depend on the flow of traffic along the street.

9 Cont'd

- (e) These 'tests' were reframed in the context of the principles of the Resource Management Act 1991 in *Bain v Waimakariri District Council*, C111/08, Environment Court Christchurch, 20/10/08, as follows:
- (i) Whether aspects of the public interest would be enabled by the creation of the pedestrian mall;
  - (ii) Whether aspects of the public interest would be disenabled by the creation of the pedestrian mall;
  - (iii) Whether individuals would benefit from the creation of the pedestrian mall;
  - (iv) Whether individuals would be disadvantaged by the creation of the pedestrian mall and overall;
  - (v) Whether the pedestrian mall would better achieve the sustainable management of the physical resources of the district.
- (f) These considerations/tests from the above cases are discussed in relation to Proposals B and C below, and also serve as consideration of social and environmental matters arising from the proposals.
- (g) There will be significant safety improvements for the public (patrons of the bars and other businesses in the area as well as other pedestrians) as a result of the creation of the part time pedestrian mall in Oxford Terrace and banning vehicles in City Mall between 11pm and 5am daily.
- (h) For motorists, their exclusion from the area between 11pm and 5am will be a safety improvement, removing them from a possible conflict situation, and although it will mean a detour, the increased trip distance is not great.
- (i) In their feedback to preliminary community consultation, several businesses in Oxford Terrace between Cashel Street (City Mall) and Lichfield Street identified some disadvantages to the proposal at that time and indicated their needs to access their underground or rear car parking 24 hours daily, for business and social purposes. There are also some residential tenants in one of the buildings in that area with access requirements. The proposal to change this section of Oxford Terrace to two way traffic aims to provide these people with unlimited access even when the part time pedestrian mall is imposed (11pm to 5am) in the adjoining section of Oxford Terrace.
- (j) Another disadvantage raised by several respondents is the inconvenience caused by the banning of the left turn from Oxford Terrace (west) into Oxford Terrace (The Strip). For some this will mean a longer drive to their destination. A property owner with professional offices, retail premises and client parking in the immediate vicinity of the intersection said that their tenants will have less exposure to passing traffic. Council staff and their technical advisers have considered this issue and estimate that the change in travel direction will mean there will still be traffic passing the shop fronts in the opposite direction. It is important to note here that the function of this road is 'local' and hence access rather than movement, particularly in the central city where the focus should be pedestrian focused.
- (k) Access from Oxford Terrace (west – from the hospital end) into Oxford Terrace (north of Lichfield Street ie the area known as The Strip) at the Lichfield Street intersection will be restricted to cycles only as the conversion to two way flow in the Cashel Street to Lichfield Street section of Oxford Terrace means that the intersection of Durham Street/Lichfield Street/Oxford Terrace must be re-designed. Accommodating the left turn from Oxford Terrace (west of Durham Street) would create safety issues (particularly for pedestrians) and lower the operating efficiency of the intersection. The design of the intersection also future proofs the road layout for the proposed Christchurch Transport Interchange, which will be located a short distance east off Lichfield Street.



**9 Cont'd**

- (l) The required intersection redesign will result in access for motor vehicles turning into this section of Oxford Terrace (Lichfield Street to Cashel Street) from Durham Street (any time) and from Hereford Street (between 5am and 11pm). Vehicular traffic can exit from this section of Oxford Terrace by turning left into Lichfield Street. In addition, goods service vehicles may exit via Cashel Street (City Mall) during permitted hours. The proposed changes will thus maintain the access function of this local road at all time.
- (m) This respondent also said that their clients who come from the eastern areas of the city will be inconvenienced by the longer route required to reach their office. Council staff and their technical advisers estimate that a driver coming from the east will have the improved option of using Hereford Street, then turning left into Oxford Terrace and approaching the respondent's car park from the north, which is likely to be shorter than their current trip via St Asaph Street, Montreal Street and Lichfield Street. Likewise, a driver coming from the west will select Montreal Street, Cashel Street then Durham Street, or Montreal Street, Hereford Street and Oxford Terrace, potentially extending their journey by a few minutes. The benefits of having two way traffic in this section of Oxford Terrace, and the left turn egress directly to Lichfield Street, will make the area much more convenient for shoppers and many of the visitors.
- (n) Another disadvantage may arise for drivers who park their vehicles behind 'The Bog Irish Bar' at 82 Cashel Street, who have to drive along City Mall (illegally now) to access the car parking area. While currently they have the option to come and go via Oxford Terrace, meaning a short traverse of City Mall at the western end, with City Mall being made one way they will need to enter via Oxford Terrace from Lichfield Street and leave via City Mall to Colombo Street. For the proposed part time pedestrian mall in Oxford Terrace to work safely, it is proposed to install bollards at Hereford Street and at Cashel Street just in case members of the public are tempted to drive down this one way section in the wrong direction. This will mean that people wishing to use the car park behind "The Bog" would have to enter before 11pm.
- (o) Extending the start time by one hour for the access restriction for goods service vehicles brings consistency for both City Mall and New Regent Street; and helps to ensure that City Mall is free of vehicles by the lunchtime period. This is in line with feedback from respondents to earlier City Mall consultation.
- (p) The benefits of safety and efficiency are considered to outweigh the relatively small disadvantages for a small number of drivers.

**CULTURAL CONSIDERATIONS**

- 27. The Council is not aware of any cultural issues that should be taken into account in respect of the proposal contained in this statement.

**ECONOMIC CONSIDERATIONS**

- 28. With the change to two way traffic on Oxford Terrace between Cashel Street (City Mall) and Lichfield Street taxi services can operate from their usual ranks in this section of the street at all times including when the part time pedestrian mall is imposed (11pm to 5am).
  - (a) Some business and property owners in Oxford Terrace between Cashel Street and Lichfield Street have expressed concern that the banning of the left turn from Oxford Terrace (west) into Oxford Terrace (at the Lichfield Street intersection) will require their clients and customers to make a longer trip and may result in them not visiting the business. The left turn ban is necessary to align with future development of the Transport Interchange and while technically this turning ban is not related to the creation of the pedestrian mall, there are safety implications associated with vehicles entering Oxford Terrace (Lichfield Street to Cashel Street) from Oxford Terrace west.

9 Cont'd

**ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

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

29. Funding for the work within Oxford Terrace works is included in 2006-16 LTCCP.

**ALIGNMENT WITH STRATEGIES**

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

30. The changes to the one way directions of Oxford Terrace and City Mall are consistent with the Central City Revitalisation Strategy, Greater Christchurch Urban Development Strategy and the Christchurch Visitor Strategy as they facilitate the extension of the tram route.
31. Making Oxford Terrace two way between Cashel Street and Lichfield Street and creating a part time pedestrian mall between Hereford Street and Cashel Street from 11pm to 5am are consistent with the Central City Revitalisation Strategy, Greater Christchurch Urban Development Strategy, the safer Christchurch Strategy and the Christchurch Visitor Strategy as they make the area safer for bar patrons and passers by, as well as for motorists. The recommendations also align with the Council Strategies including the Parking Strategy 2003, Pedestrian Strategy 2001, Road Safety Strategy 2004.

**CONSULTATION FULFILMENT**

32. Initial issues consultation on the part time pedestrian mall in Oxford Terrace carried out in 2008 included the distribution of a Public Information Leaflet to all property owners and all occupiers in Oxford Terrace between the hospital and Worcester Street. The mailed, emailed and phoned responses provided feedback and local information that was vital to the modification of the original plan in order to meet the needs of the local property owners and occupiers and their clients. All responders' to the earlier distribution and all owners and occupiers between Lichfield Street and Hereford Street were invited to attend a meeting to discuss these modifications and further minor changes were made to the design.
33. In 2007 and 2008 the revitalisation of City Mall and the introduction of the tram to City Mall were subject to the special consultative procedure, including the issues now being ratified in the bylaw and declaration within this report.
34. The requirement for changes to the hours of access to City Mall and the addition of the streets in City Mall to be added to the First Schedule of the Traffic and Parking Bylaw have been discussed with staff and consultants involved with the City Mall revitalisation, the tram extensions, the Transport Interchange, and the Hereford Street upgrade (Manchester Street to Oxford Terrace).

**STAFF RECOMMENDATION**

It is recommended that the Council resolve:

- (a) That the proposed Traffic and Parking Amendment (Oxford Terrace, Cashel Street, and High Street) Bylaw 2009 attachment, amending the First Schedule of the Christchurch City Council Traffic and Parking Bylaw 2008, is the most appropriate way to address the problems identified in paragraph 11 of this report;
- (b) That there are no inconsistencies between the amendments proposed and the New Zealand Bill of Rights Act 1990, and that the draft amendments are in the most appropriate form;

**9 Cont'd**

- (c) To adopt for consultation through the special consultative procedure the proposed changes to Oxford Terrace, Cashel Street and High Street as detailed in Proposals A, B and C herewith, by approving the Statement of Proposal and Summary of Information (**Attachments 1** (which will also include **Attachments 3, 4 and 5 and 2**));
- (d) To adopt the dates for publicly notifying the Statement of Proposal and the Summary of Information (6 August 2009 to 9 September 2009);
- (e) To determine that the Summary of Information be distributed to all properties and businesses along Oxford Terrace from Lichfield Street to Hereford Street, Cashel Street from Oxford Terrace to High Street, and High Street from Cashel Street to Hereford Street; and to nearby properties in adjacent streets and any absentee owners identified within the distribution area, as well as to other relevant stakeholder groups, including Spokes, Taxi Federation, Transport Groups, and any Resident and Business Groups in the distribution area;
- (f) To determine that the Statement of Proposal and the Summary of Information be made available for public inspection at all Council Service Centres, Council libraries and on the Council's website;
- (g) That public notice of the proposal be published in a newspaper having a wide circulation in the Council's district; and that this explains the right of appeal in relation to this proposal, and advises where people can view copies of the summary of information and the statement of proposal, and the time within which submissions can be made;
- (h) To appoint a hearings panel to hear any submissions on the proposal.

9 Cont'd

**BACKGROUND (THE ISSUES)**

**Oxford Terrace**

35. These proposals for Oxford Terrace originated in a request in 2007 from the New Zealand Police to close Oxford Terrace between Lichfield Street and Hereford Street on Thursday, Fridays and Saturday nights to facilitate their management of disorderly behaviour among bar patrons on "The Strip", who were endangered as pedestrians but also disrupting traffic by lying down on the road and walking out in front of passing vehicles. Several trial closures during 2007 and 2008 resulted in improved behaviour and the police advised that this was often due to reduced crowding on the footpath because the pedestrians could use the roadway.
36. Several options were investigated and a concept plan (that proposed closing Oxford Terrace at Lichfield Street between 7pm and 7am on Thursday, Friday and Saturday nights) was distributed for consultation in the area in October 2008. Feedback from property owners and occupants in the main supported the concept of closure but some business owners and residents objected strongly to the loss of access to underground and rear parking areas near the corner of Oxford Terrace and Cashel Street (City Mall) and also to the banning of the left turn from Oxford Terrace (west – from the hospital end) into Oxford Terrace (The Strip). The plan was modified and discussed at a meeting of owners and occupiers in December 2008, at which the modified concept was received well, but there were still concerns about the banned left turn.
37. Further modifications were made to the plan to address concerns of property owners and occupiers, and taxi companies.
38. Features of the proposal include:
  - (a) A pedestrian only area on Oxford Terrace (The Strip) between Hereford Street and Cashel Street between 11pm and 5am.
  - (b) Conversion of Oxford Terrace between Lichfield Street and Cashel Street to a two way road to maintain access to this area at all times.
  - (c) Altering the direction of travel between Hereford Street and Cashel Street from north-south to south-north so that the proposed tram extension can be accommodated
  - (d) Providing additional taxi stands, in Hereford Street and in Oxford Terrace south of the Bridge of Remembrance during 11pm and 5am.
  - (e) Banning the left turn from Oxford Terrace (west) into Oxford Terrace to align with future development of the Transport Interchange.
  - (f) Installation of "pop-up" bollards at the Cashel Street and Hereford Street intersections of Oxford Terrace (the Strip) to prevent entry to this section of Oxford Terrace during the closure hours. During the closure period vehicles that have parked earlier in parking areas behind shop fronts in City Mall will be allowed to leave. The bollards will be operated by the duty engineer, and emergency services will have a phone number to contact for the bollards to be retracted allowing access.

**Cashel Street and High Street (City Mall)**

39. Traffic in Cashel Street (from Oxford Terrace to High Street) and High Street (from Cashel Street to Hereford Street) ie City Mall currently flows in an easterly and north westerly direction respectively.
40. At its meeting on 9 August 2007 the Council resolved to rescind an earlier resolution that staff be authorised to commence the necessary special consultative procedure to give effect to installation of a one-way slow road in the City Mall. The Council noted that issues relating to the tram and other aspects of the mall development were to be referred to the Council for a decision.

9 Cont'd

41. At its meeting on 25 June 2008 (Minutes Clause 3(1)(e)(i)) the Council resolved to introduce the tram to City Mall, and adopted the reversal of one way traffic flow in Oxford Terrace between Hereford Street and Cashel Street ie in a southerly direction to enable the tram to travel south into City Mall, but there is no evidence of a bylaw change to effect this.
42. The City Mall Special Order made by Council in February 1981 declaring it to be a pedestrian mall was amended at the same Council meeting on 25 June 2008. That declaration (Minutes Clause 3(1)(a)) includes trams as one of the vehicles listed as an exception to the list of vehicles prohibited from entering the mall.
43. Therefore at present the City Mall is subject to a Special Order that provides that in those parts of Cashel Street and High Street comprising the mall, the driving, riding or parking of any vehicle, bicycle or animal is prohibited at any time except for:
  - (a) Goods service vehicles other than between 11am and 4pm each day;
  - (b) Trade and other vehicles if authorised to enter the City Mall;
  - (c) Street cleaning and rubbish collection vehicles operated by the Council;
  - (d) Goods service vehicles servicing the existing business of Whitcoulls;
  - (e) Any fire appliance, ambulance or other vehicle where it is necessary to enter the mall for the protection of human life or of property;
  - (f) Trams.
44. This proposal includes:
  - (a) The addition to Schedule 1 (One way streets) of the Traffic and Parking Bylaw 2008 to require any permitted traffic in Cashel Street from Oxford Terrace to High Street to travel one way in an easterly direction, and in High Street from Cashel Street to Hereford Street to travel one way in a north-westerly direction;
  - (b) A variation to the existing City Mall declaration (formerly known as the "Special Order") banning all goods and services vehicles in City Mall from 11pm to 5am (to match the night time pedestrian mall being created in Oxford Terrace) and extending the daytime ban from between 11am and 4pm, to between 10am and 4pm (for consistency with the closure times in New Regent Street).
45. Oxford Terrace between Lichfield Street and Hereford Street is identified in the City Plan as a local road. The purpose of the designation 'local road' is to give access for traffic, as opposed to the designation of 'arterial road', which has movement of traffic as its primary purpose. At present traffic travels along this one way street from south (Lichfield Street) to north (Hereford Street). The section of Oxford Terrace from Lichfield Street to Cashel Street is a 9 metre wide carriageway and angle parking along its western side. The section from Cashel Street to Hereford Street is 3.5 metres wide and caters for a single lane of traffic only.

## 10. GREATER CHRISTCHURCH TRAVEL DEMAND MANAGEMENT STRATEGY AND ACTION PLAN – COUNCIL ADOPTION

<b>General Manager responsible:</b>	General Manager Strategy and Planning, DDI 941 8281
<b>Officer responsible:</b>	Programme Manager
<b>Author:</b>	Philip Hendon, Principal Adviser, Transport

### PURPOSE OF REPORT

1. The purpose of the report is for the Council to adopt the Greater Christchurch Travel Demand Management (TDM) Strategy and Action Plan (refer **attached**).

### EXECUTIVE SUMMARY

2. The Greater Christchurch TDM Strategy and Action Plan has been prepared in partnership with the Greater Christchurch Urban Development Strategy (UDS) partners (Environment Canterbury, New Zealand Transport Agency, Selwyn District Council, Waimakariri District Council). The Strategy and Action plan was accepted by the UDS Implementation Committee (UDSIC) on Monday 22 June 2009. To ensure consistency amongst the partners the UDSIC recommended that each council adopt the Strategy and Action Plan. This report recommends that the Council follow this recommendation and adopt the Strategy and Action Plan.
3. The Greater Christchurch TDM Strategy and Action plan sets a travel demand management policy direction, targets and actions to achieve a more sustainable transport system in the UDS area. The strategy explains what TDM is, the need for TDM, and the benefits of TDM initiatives. The strategy includes six policies that each partner should incorporate into their own strategic and operational planning. The action plan contains a number of activities categorised into three approaches:
  - (a) Influencing travel choices,
  - (b) Reducing the need to travel by car
  - (c) Support the efficient movement of freight

### What is it?

4. TDM can mean different things for different people. For this strategy, TDM focuses on methods and programmes that can change travel behaviour (how, when and where people travel). This can be as simple as getting people to walk to the dairy to buy the paper, or encouraging people to avoid the peak travel times when they drive. A TDM programme seeks to influence a range of people's travel behaviours so that we maximise the efficiency of the existing transport system. It doesn't suggest that all motor vehicle usage is bad but encourages people to think about what the most efficient mode would be.

### The Need for TDM

5. The costs of building and maintaining roads is substantial. As Christchurch grows the demand for extra road capacity will increase unless there are policies and initiatives to constrain that demand. The costs and impacts of a road based approach is not practical. TDM is therefore one mechanism that enables growth without necessarily needing to build expensive road capacity. Internationally there have been substantial successes with TDM in achieving changes to people's travel behaviours.

### FINANCIAL IMPLICATIONS

6. The action plan identifies both actions that are already being undertaken (ongoing work) by the Council and recommended new actions. The 2009-19 LTCCP does make provision for both ongoing work and new work. Implementing the Greater Christchurch TDM Strategy is a long term goal and in preparing the 2012-2022 LTCCP the Council will need to consider where additional funding might best be targeted to work towards the strategy's targets.

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

7. Yes, see above.

10 Cont'd

**LEGAL CONSIDERATIONS**

8. There are no specific legal considerations with the adoption of this strategy. The strategy is however aligned, in terms of its objectives, with national legislation including the Land Transport Management Act (affordable, integrated, safe, responsive and sustainable land transport system) and the Local Government Act (which seeks a sustainable approach promoting the four well-beings; social, environmental, economic, cultural).

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

9. As above.

**ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

10. The Greater Christchurch TDM Strategy and Action Plan will contribute to three of the four activities (active travel, parking, road network) within streets and transport services. The successful implementation of TDM will also positively contribute to a number of other strategic issues highlighted in the LTCCP, namely: educational achievement and socio-economic disadvantage, supporting communities, health, economic development, climate change, energy, urban growth, central city revitalisation and infrastructure investment.

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

11. Yes. The Greater Christchurch TDM Strategy and Action Plan will assist in achieving a number of community and Council outcomes under the LTCCP, in particular the community outcomes it will help contribute to are:

Security, Community, Environment, Prosperous, Healthy, Recreation and Development. Specific targets/Levels of service in the LTCCP (2009-2019) which this strategy will support include:

- (a) Levels of walking (mode share)
- (b) Levels of cycling (mode share)
- (c) Primary schools with 'Cycle Safe' programme
- (d) School Travel Plans
- (e) Public Transport Levels (mode share)
- (f) Public Transport trips
- (g) Peak travel times
- (h) Inter-peak travel times
- (i) Level of motor vehicle use (mode share)

**ALIGNMENT WITH STRATEGIES**

12. The Greater Christchurch TDM Strategy was identified as a fundamental requirement of transport planning in the *Greater Christchurch Urban Development Strategy*. The planning and implementation of the Christchurch transport system is guided by the *New Zealand Transport Strategy 2008*, the *Government Policy Statement for transport*, the *Canterbury Regional Land Transport Strategy* and the individual transport strategies of Christchurch City Council. The Greater Christchurch TDM Strategy is well aligned with all of these strategies and is an important element of transport planning if we are to achieve the objectives and targets set out in these strategies.

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

13. Yes, as above.

**10 Cont'd**

**CONSULTATION FULFILMENT**

14. The Greater Christchurch TDM Strategy's development has been guided by the UDS Implementation Committee (UDSIC). Community consultation was undertaken from 16 February to 13 March 2009. Information on the draft strategy was made available at respective Council offices, libraries and service centres and on the Council's website. Information was directly sent to 244 stakeholder groups/individuals, and community boards or advisory boards. Sixty three responses were received from 18 organisations and 45 individuals. A Hearings Panel comprising of members of the UDS IC; Alec Neill, Lindsay Philps, David Ayers and chaired by Bill Wasley heard presentations from five submitters on 27 April 2009. The Hearings Panel has subsequently deliberated on submissions and the strategy has been updated.
15. The Hearings Panel recommended that the final strategy be adopted by UDS partners by resolution of their council or board following the UDS Implementation Committee 22 June 2009 meeting.

**STAFF RECOMMENDATION**

It is recommended that the Council adopt the Greater Christchurch Travel Demand Management Strategy and Action Plan.



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**11. REPORT OF THE REGULATORY AND PLANNING COMMITTEE - MEETING OF 2 JULY 2009**

Attached.

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12. NOTICES OF MOTION

13. RESOLUTION TO EXCLUDE THE PUBLIC

Attached.

THURSDAY 23 JULY 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 14, 15, 16 and 17.

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
14. CONFIRMATION OF MINUTES - ) COUNCIL MEETINGS OF 25.6.2009 ) AND 9.7.2009 )		
15. TRANSPORT INTERCHANGE: ) DELEGATION TO EXTEND ) CONTRACT OF CONSULTANT )	GOOD REASON TO ) WITHHOLD EXISTS )	SECTION 48(1)(a)
16. BOARD APPOINTMENT TO ) CHRISTCHURCH INTERNATIONAL ) AIRPORT LIMITED )	UNDER SECTION 7 )	
17. RE-APPOINTMENT OF TWO ) DIRECTORS TO CHRISTCHURCH ) CITY HOLDINGS LTD )		

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 14	Conduct of Negotiations	(Section 7(2)(i))
Item 14	Protection of Privacy of Natural Persons	(Section 7(2)(a))
Item 14	Prevention of Improper Advantage	(Section 7(2)(j))
Item 14	Maintain Legal Professional Privilege	(Section 7(2)(g))
Item 15	Commercial Activities	(Section 7(2)(h))
Item 16	Protection of Privacy of Natural Persons	(Section 7(2)(a))
Item 17	Protection of Privacy of Natural Persons	(Section 7(2)(a))

**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."