

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

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<b>Officer responsible:</b>	Unit Manager Transport and Greenspace
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### 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.

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 Terrace, 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.

## 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.

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.

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.

- (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.

- (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.

- (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.



## **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;

- (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.

## **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.

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.