

## 21. AVONSIDE DRIVE

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Corporate Plan Output: Transport Planning	

The purpose of this report is to inform the Committee about the resource consent for the required works along Avonside Drive.

### BACKGROUND

At the May 2000 meeting of the Council, approval was obtained to proceed with the resource consent application required for the proposed maintenance work needed along Avonside Drive. The application was changed from that initially notified to exclude 23 trees which had originally been proposed to be removed. The consent hearing took place in July before an independent commissioner and consent was granted subject to a number of conditions which were to provide protection to the Avon River and its environs. The Englefield Residents Association, which submitted against the initial application, subsequently appealed the decision to the Environment Court.

### DISCUSSION

A pre-hearing meeting was held at the Environment Court in December 2000 at which Judge Jackson instructed the Englefield Residents Association to clarify its grounds for appeal by mid-February 2001. The Association was also instructed to carefully consider whether the appeal could be resolved outside the Court through agreement between the parties. This resulted in a number of further meetings being held with representatives from the Englefield Residents Association and other interested parties to try to resolve some of the issues which were the grounds for the appeal. The results of these meetings and an on-site meeting with a number of the local residents were the changes to the original consent conditions listed below and the subsequent withdrawal of the appeal by the Englefield Residents Association. Changes to conditions were:

1. Changing the safety fence from a Brifen fence to a composite steel with wood cladding safety fence;
2. Changes to conditions regarding placement of fill and soil for the gabion wall to further protect the existing and proposed planting;
3. Changes to the construction method for the timber retaining wall to further protect adjacent trees;
4. A change in the type of timber preservative to be used on the retaining wall and safety fence to one which does not use chrome and other toxic chemicals;
5. The colour of the retaining wall to be decided in consultation with the residents (brown or green);
6. The Council arborist to consult with an arborist nominated by the residents regarding pruning required.

The proposed changes to the conditions have been approved by the Commissioner who heard the original application and these conditions are now with the Judge to be approved. When written approval has been received from the Court the work will be put out to tender and most of the proposed works can be undertaken. The period during which the gabion wall may be constructed, however, is restricted to between 1 December to the last day of February in the following year.

There was also agreement to install a landing stage and associated access (subject to any relevant resource consents and Council consents) and for the City Streets Unit to carry out, or have consultants carry out, such works as required to ensure that the Council resolution *“That the Committee (City Services) investigate options for reducing the usage of Avonside Drive between Linwood Avenue and Fitzgerald Avenue in the context of the road transport strategies currently being developed.”* is realised. To enable resident input to this latter process it is recommended that a steering group comprising of two local residents and two Council staff be formed. This group would meet at regular intervals (no less than three monthly) to review progress.

### CONCLUSIONS

The Englefield Residents Association has withdrawn the appeal regarding the proposed works on Avonside Drive subject to a number of changes to conditions as listed in the body of this report.

There is also agreement to provide access to the river and to undertake further investigation into the future function of Avonside Drive.

The work will be tendered when formal confirmation of the changes to the conditions are confirmed by the Environment Court Judge.

- Recommendation:**
1. That a consultant be employed to investigate options for reducing usage of Avonside Drive between Linwood Avenue and Fitzgerald Avenue.
  2. That a liaison group of two City Streets Unit staff and two Englefield Residents Association members be formed to regularly review the consultant's progress.

**Chairman's Recommendation:** That the above recommendation be adopted.