

**HAGLEY/FERRYMEAD COMMUNITY BOARD  
AGENDA**

**WEDNESDAY 15 JULY 2009**

**AT 3.00PM**

**IN THE BOARDROOM,  
LINWOOD SERVICE CENTRE,  
180 SMITH STREET, LINWOOD**

**Community Board:** Bob Todd (Chairperson), Rod Cameron, Tim Carter, David Cox, John Freeman, Yani Johanson, and Brenda Lowe-Johnson.

**Community Board Adviser**  
Jo Daly  
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1. **APOLOGIES**

2. **CONFIRMATION OF MEETING MINUTES - 1 JULY 2009**

The minutes of the Board's ordinary meeting of 1 July 2009 are **attached**.

**CHAIRPERSON'S RECOMMENDATION**

That the minutes of the Board's ordinary meeting of 1 July 2009 be confirmed.

3. **DEPUTATIONS BY APPOINTMENT**

4. **PRESENTATION OF PETITIONS**

5. **NOTICES OF MOTION**

6. **CORRESPONDENCE**

7. **BRIEFINGS**

15. 7. 2009

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ATTACHMENT TO CLAUSE 2

13. 8. 2009

**HAGLEY/FERRYMEAD COMMUNITY BOARD  
1 JULY 2009**

**Minutes of a meeting of the Hagley/Ferrymead Community Board  
held on Wednesday 1 July 2009 at 3.08pm in the Board Room,  
Linwood Service Centre, 180 Smith Street, Linwood.**

**PRESENT:** Bob Todd (Chairperson), Rod Cameron, John Freeman,  
Yani Johanson and Brenda Lowe-Johnson.

**APOLOGIES:** Apologies for absence were received and accepted from  
Tim Carter and David Cox.

The Board reports that:

**PART A - REPORTS REQUIRING A COUNCIL DECISION**

**1. FERRY ROAD - PROPOSED P60 AND P60 LOADING ZONE-GOODS VEHICLES ONLY PARKING RESTRICTIONS**

<b>General Manager responsible:</b>	General Manager City Environment DDI 941 8608
<b>Officer responsible:</b>	Transport and Greenspace Manager
<b>Author:</b>	Steve Hughes, Traffic Engineer - Community

**PURPOSE OF REPORT**

1. The purpose of this report is to recommend that the Council revoke an area of existing P60 parking on the north-east side of Ferry Road, and to install in its place two smaller areas of P60, one for all vehicles, and a separate P60 Loading Zone - Goods Vehicles only.

**EXECUTIVE SUMMARY**

2. The Network Operations section of the Council has received a request from the Christchurch Police to clarify an area of confused parking on the north-east side of Ferry Road between Barbadoes Street and St Asaph Street opposite the Christchurch Polytechnic Institute of Technology (refer **attached**).
3. Hi - Tech Sheetmetals has operated out of a building on the corner of Ferry Road and St Asaph Street for over 16 years. Prior to August 2006, a 30 metre P5 Loading Zone and a 16 metre P60 Loading Zone-Goods Vehicles Only were situated outside their Ferry Road frontage.
4. In August 2006, a review of the Central City Loading Zones was approved by the Council. As a result of this review the two separate areas of loading zone parking were resolved into a 46 metre length of P60 parking able to be used by any vehicle. This is the current situation as approved by this Community Board and the Council.

**ATTACHMENT TO CLAUSE 2 Cont'd**

5. Unfortunately, the P60 parking signs have been removed by an unknown person/s and in addition, the yellow road markings used to indicate the previous two loading zones have not been removed from the road surface. With the P60 parking signs missing and the road incorrectly marked for the current P60 parking restriction, this is causing confusion and aggravation for motorists and for Hi - Tech Sheetmetals. To improve this situation until this report has been presented to the Board, the missing P60 signs were re-installed several weeks ago.
6. Deliveries are made to and from Hi - Tech Sheetmetals by large trucks. Due to their size, most of these trucks cannot enter the building. Therefore the safest place for these large trucks to park while loading or unloading is in the present 46 metres of P60 parking on the north-east side of Ferry Road outside Hi - Tech Sheetmetals.
7. If no other vehicles are parked in this area, the trucks can use it to get as far off the road carriageway as possible. Forklifts are used to transfer the loads into or out of the building and can take over 30 minutes to unload and/or load a truck. However, if other vehicles are parked in the P60 parking area outside the premises, the loading and unloading is made considerably more difficult and may result in the delivery trucks having to double park and the forklifts having to use the carriageway to unload them. This causes safety issues for other vehicles using this section of road.
8. If no other parking is available, goods service vehicles have the legislative defence that they can double park in certain circumstances as long as they are not being inconsiderate to other road users. The nearby corner at the Ferry Road/St Asaph Street intersection restricts the view of the activities taking place and therefore it could be argued that by being double parked on the carriageway to load or unload they are in fact being inconsiderate. Other than this P60 parking area, there is no other suitable alternative area for trucks to park off the carriageway and allow the safe loading and unloading of large loads of metal products.
9. The proposed installation of 30 metres of a P60 Loading Zone-Goods Vehicles Only parking restriction will address the need for a medium to long term loading facility at this location and prevent road safety issues caused by the loading and unloading of large trucks double parked in the carriageway. While allowing 30 metres of Loading Zone-Goods Vehicle Only may seem excessive, there are two vehicle entrances into Hi - Tech Sheetmetals within this 30 metre area that reduces the available parking area to approximately 22 metres. This 22 metre area will allow room for one truck to be unloaded and for the forklift to be able to access one of the two vehicle entrances.
10. While the main beneficiary of the proposed changes will be Hi - Tech Sheetmetals, the P60 Loading Zone - Goods Vehicle Only can also be used by any other business in the area. The remaining 16 metres of existing P60 parking that is outside the south-east end of Hi - Tech Sheetmetals will remain as a P60 parking area that can be used by any vehicle.
11. Hi - Tech Sheetmetals have been consulted in regard to this proposal and support it. No other property is affected by this proposal.

**FINANCIAL IMPLICATIONS**

12. The estimated cost of this proposal is approximately \$400.

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

13. The installation of road markings and signs is within the LTCCP Streets and Transport Operational Budgets.

**LEGAL CONSIDERATIONS**

14. Part 1, Clause 5 of the Christchurch City Council Traffic and Parking Bylaw 2008 provides the Council with the authority to install parking restrictions by resolution.

**ATTACHMENT TO CLAUSE 2 Cont'd**

15. The installation of any parking restriction signs and/or markings must comply with the Land Transport Rule: Traffic Control Devices 2004.

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

16. As above.

**ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

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

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

18. As above.

**ALIGNMENT WITH STRATEGIES**

19. The recommendations align with the Council Strategies including the Parking Strategy 2003, Road Safety Strategy 2004, and the Safer Christchurch Strategy 2005.

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

20. As above.

**CONSULTATION FULFILMENT**

21. Hi - Tech Sheetmetals is the only property directly affected by this proposal. They have been consulted and various options discussed in regard to this proposal. They agree to the proposal outlined in this report.
22. There is no residents' association in this area.

**STAFF RECOMMENDATION**

It is recommended that the Council:

Revoke the following parking restrictions:

- (a) Revoke the existing P60 parking restrictions on the north-east side of Ferry Road commencing at a point 79.5 metres north-west of the intersection with Barbadoes Street and extending for 46 metres in a north-westerly direction.

Approve the following on Ferry Road:

- (b) That the parking of vehicles be restricted to a maximum period of 60 minutes on the north-east side of Ferry Road commencing at a point 79.5 metres north-west from its intersection with Barbadoes Street and extending in a north-westerly direction for a distance of 16 metres.
- (c) That a time limited Loading Zone-Goods Vehicles Only (maximum period of 60 minutes) be installed on the north-east side of Ferry Road commencing at a point 95.5 metres north-west from its intersection with Barbadoes Street and extending in a north-westerly direction for a distance of 30 metres. This restriction to apply at any time.

**BOARD RECOMMENDATION**

That the staff recommendation be adopted.

**PART B - REPORTS FOR INFORMATION**

**2. DEPUTATION BY APPOINTMENT**

Mr Bell, resident of Ormandy Place, addressed the Board regarding a eucalyptus tree located in Bromley Cemetery, adjacent to the eastern boundary of his property. He explained the scale of the nuisance caused by the debris and shading from the tree, and how this was impacting upon his quality of life.

The Chairperson thanked Mr Bell for his deputation to the Board.

This matter was considered during discussion on clause 12 of these minutes.

**3. PRESENTATION OF PETITIONS**

Nil.

**4. NOTICES OF MOTION**

Nil.

**5. CORRESPONDENCE**

Nil.

**6. BRIEFINGS**

Nil.

**7. KEEP NEW ZEALAND BEAUTIFUL CONFERENCE 2009 – BOARD MEMBER ATTENDANCE**

The Board considered a report seeking to appoint a Board member to attend the Keep New Zealand Beautiful Conference 2009 and Annual General Meeting in Rotorua from Friday 25 to Sunday 27 September 2009.

The Board **decided** to defer consideration of this report until the Board meeting of 15 July 2009.

**8. COMMUNITY BOARD ADVISER'S UPDATE**

The Board received updates from the Community Board Adviser on Board related activities. Specific mention was made of upcoming meetings, including an additional Board Seminar to be held on Tuesday 14 July 2009 at 3pm.

**9. BOARD MEMBERS' QUESTIONS**

Nil.

**10. BOARD MEMBERS' INFORMATION EXCHANGE**

- Martindales Road Closure at Railway Bridge. The Board discussed the safety concerns in this area. The Chairperson confirmed that the Heathcote Valley Residents' Association has been advised that the Board may consider supporting a submission to the New Zealand Transport Authority on this matter.
- Sumner Redcliffs Historical Society. The matter of a previous Board decision regarding a discretionary response fund allocation to the Historical Society was discussed. The Chairperson advised that a report on this matter will be presented to the Board in August 2009.

**PART C - REPORT ON DELEGATED DECISIONS TAKEN BY THE BOARD**

**11. CONFIRMATION OF MEETING MINUTES - 17 JUNE 2009**

The Board **resolved** that the minutes of the Board's ordinary meeting of 17 June 2009 be confirmed.

**12. BROMLEY CEMETERY EUCALYPTUS TREE - REQUEST FOR TREE REMOVAL**

The Board considered a report seeking to obtain a decision from regarding the retention or removal of a eucalyptus tree (*Eucalyptus fastigiata*) located on Bromley Cemetery, near the boundary of 6 Ormandy Place, clause 2 refers.

**STAFF RECOMMENDATION**

That the Hagley/Ferrymead Community Board decline the request to remove the eucalyptus tree from Bromley Cemetery because of debris and shade issues, and continue to maintain the tree to internationally recognised and accepted arboricultural practices, standards and procedures.

Staff provided advice on the information in the report and the deputation from Mr Bell. The Board considered that the eucalyptus tree in Bromley Cemetery is providing unreasonable nuisance to Mr Bell. A Board member requested it be noted that the Board was supportive of the proposed landscape plan and tree maintenance plan for Bromley Cemetery, and that if the Board's decision on this matter has implications on this, staff should consider a report to the Board for a financial contribution.

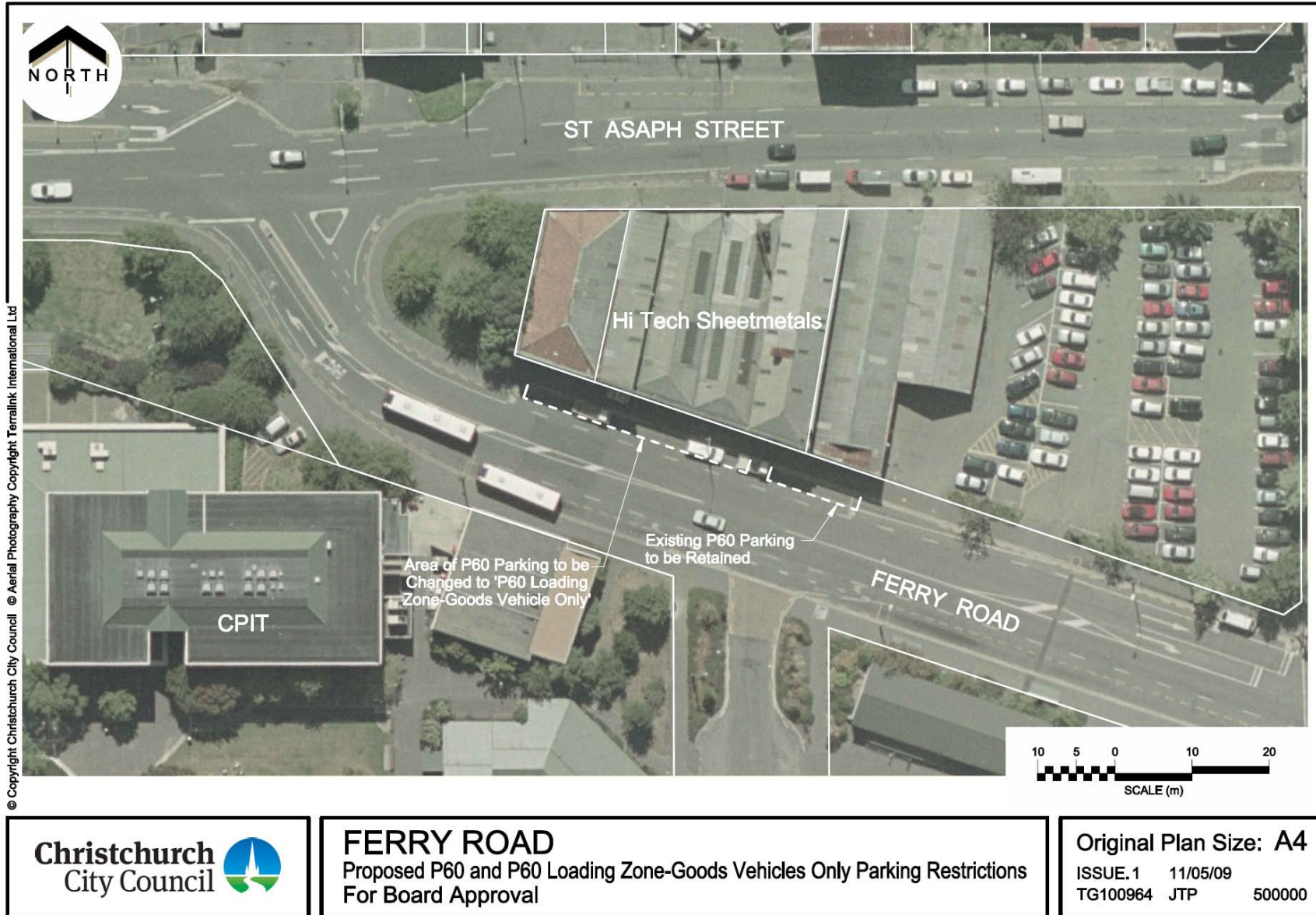
The Board **resolved** that the Council pay for the removal and replacement of the eucalyptus tree in Bromley Cemetery, adjacent to the eastern boundary of Mr Bell's Ormandy Place property.

The meeting concluded at 4.19pm.

**CONFIRMED THIS 15<sup>th</sup> DAY OF JULY 2009**

**BOB TODD  
CHAIRPERSON**







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

<b>General Manager responsible:</b>	General Manager Environment Group DDI 941 8608
<b>Officer responsible:</b>	Transport and Greenspace Unit Manager
<b>Author:</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 support of the Hagley/Ferrymead Community Board that the Council approve the commencement of a statutory special consultative procedure for three inter-dependent proposals. These proposals 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 New Zealand Police and bar owners and operators, to improve safety for pedestrians and modify the behaviour of bar patrons.
2. A report on this matter will also be presented to the Christchurch City Council Meeting on 23 July 2009 and the Hagley/Ferrymead Community 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 in addition to the day time ban between 11am and 4pm, 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.

**8 Cont'd**

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 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.
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 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.

8 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).

## 8 Cont'd

- (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.

**8 Cont'd**

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.

**8 Cont'd**

- (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 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.

## 8 Cont'd

## 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.



## 8 Cont'd

- (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) The benefits of safety and efficiency are considered to outweigh the relatively small disadvantages for a small number of drivers

**8 Cont'd**

**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.

**8 Cont'd**

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**

That the Hagley/Ferrymead Community Board recommend that the Council resolves:

- (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 (06 August 2009 to 09 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.

**CHAIRPERSON'S RECOMMENDATION**

That the staff recommendation be adopted.

**8 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.

8 Cont'd

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 in addition to the day time ban between 11am and 4pm, to match the night time pedestrian mall being created in Oxford Terrace.
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.

**STATEMENT OF PROPOSAL  
FOR PROPOSED CHANGES TO TRAFFIC MOVEMENTS IN  
OXFORD TERRACE, CASHEL STREET AND HIGH STREET**

**1. INTRODUCTION**

This Statement of Proposal document details three interdependent proposals as follows:

- (a) **Proposal A** - Amend the First Schedule (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 and
  - ii) change the one way direction in Oxford Terrace between Hereford Street and Cashel Street 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 Cashel Street and Hereford Street every night from 11pm to 5am
- (c) **Proposal C** - Changes to the existing Special Order declaration for City Mall to ban goods services vehicles in City Mall from 11pm to 5am in addition to the day time ban between 11am and 4pm, and makes other minor changes.

All three proposals are related and interdependent, and these changes 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 (limited to goods service and other authorised vehicles in City Mall but open to all traffic in Oxford Terrace). The coordinated night time closure of this route will support 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, as detailed later in this document.

**2. DETAILS OF THE PROPOSALS**

The objectives for the proposed changes are:

1. To provide a safer environment for the public;
2. To remove potential conflict between pedestrians and vehicles;
3. To align the timing of access restrictions throughout the City Mall and Oxford Terrace.

**Proposal A - Oxford Terrace, Cashel Street and High Street (City Mall) one way streets - Bylaw amendment**

The Council proposes the following change to the First Schedule (One Way Streets) of the Traffic and Parking Bylaw 2008:

- Revoking the one way direction (northerly) on Oxford Terrace from Lichfield Street to Hereford Street;
- Making Oxford Terrace a one way street in a southerly direction from its intersection with Hereford Street to its intersection with the south side of Cashel Street and leaving the remaining section between the south side of Cashel Street and the intersection of Oxford Terrace with the northern side of Lichfield Street, two way.
- Making Cashel Street from Oxford Terrace to High Street one way in an easterly direction, and High Street from Cashel Street to Hereford Street one way in a north - westerly direction.

**ATTACHMENT 1 TO CLAUSE 8 Cont'd**

Under section 72(1)(ia) of the Transport Act 1962 and the Local Government Act 2002 the Council has power to amend and create a one way street by way of a bylaw. This proposal can be achieved by amending one of the references to Oxford Terrace, and introducing Cashel Street and High Street (City Mall sections) in the First Schedule of the Traffic and Parking Bylaw 2008.

Under section 86 of the Local Government Act 2002, if the Council is to amend a bylaw then it must be by way of a Special Consultative Procedure.

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

The Council proposes to declare a new part time pedestrian mall in Oxford Terrace between Hereford Street and Cashel Street, every night from 11pm to 5am.

Under section 336 of the Local Government Act 1974, the declaration of a pedestrian mall must be done by way of a Special Consultative Procedure. A declaration can declare part of a road to be a pedestrian mall during particular hours and can include exemptions or conditions. There is a right of appeal to the Environment Court against any decision made by the Council under section 336.

**Proposal C - City Mall (Cashel Street and High Street) pedestrian mall amendment - add to the restrictions to the hours of access for goods services vehicles and make other minor changes**

The Council proposes to amend the City Mall Special Order declaration:

- to ban all goods services vehicles in City Mall from 11pm to 5am in addition to the day time ban for between 11am and 4pm
- make minor changes by including provisions regarding the name of mall, the appropriate positions within the Council who can authorise vehicles to be in the mall, and deleting the reference to the owner of Whitcoulls Ltd

Section 336 of the Local Government Act 1974 also gives the Council the power to revoke or vary a previous declaration made under section 336 by using the Special Consultative Procedure, and this is also subject to a right of appeal to the Environment Court.

**3. REASONS FOR THE PROPOSALS****Proposal A - Oxford Terrace, Cashel Street, and High Street - one way streets/bylaw amendment**

Oxford Terrace between Lichfield Street and Hereford Street is classed in the City Plan as a 'local road'. The purpose of a local road designation is to give access for traffic, as opposed to an arterial road designation, which has movement for 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.

With the proposed extension of the tram route south along Oxford Terrace from Worcester Street to Cashel Street and then east along Cashel Street and north west along High Street, the tram's direction of travel will be contrary to the direction of travel for other vehicles on the one way section of Oxford Terrace between Hereford Street and Cashel Street and the current two way direction for vehicles permitted in City Mall. To remove any vehicle/tram conflict from these streets the Council considers it is appropriate to change the one way direction of this section of Oxford Terrace (Hereford Street to Cashel Street) from south - north to north - south and make the parts of Cashel Street and High Street that are within the City Mall, one way streets).

**ATTACHMENT 1 TO CLAUSE 8 Cont'd**

It is also proposed to create a part time pedestrian mall on the section of Oxford Terrace between Hereford Street and Cashel Street, during the hours of 11pm and 5am. To create access to the businesses, underground car parks and taxi stands it is necessary to have two way traffic in the section of Oxford Terrace between Lichfield Street and Cashel Street.

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.

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, permitted vehicles may exit via Cashel Street (City Mall), in the appropriate one way direction, during permitted hours. The proposed changes will thus maintain the access function of this local road at all time.

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

The New Zealand Police have requested the prohibition of vehicular traffic at night time, on a permanent basis, after observing how violence in the street has reduced significantly when this section of Oxford Terrace (The Strip) was temporarily closed on occasions during the past year).

The crowded footpath causes people to bump into one another, and when there are heavily intoxicated people in this situation even a slight bump can provoke a violent response from another intoxicated person. In addition, the few vehicles that pass along Oxford Terrace in the early hours of the morning are often hit by bottles or have to stop when intoxicated people lie down in the road way or slide over the boot or bonnet of the vehicle.

Police are working with bar owners and business operators toward a reduction of alcohol and drug induced misbehaviour. It is their view that closing the street to vehicles at night will make it safer for patrons, drivers of vehicles, and for the police to do their job.

After consideration of a number of options, and preliminary consultation with property owners, tenants and other interested people, it is proposed to create a part time pedestrian mall on the section of Oxford Terrace between Hereford Street and Cashel Street during the hours of 11pm and 5am. To create access to the businesses, underground car parks and taxi stands in the section of Oxford Terrace between Lichfield Street and Cashel Street, this will not become part of the pedestrian mall, but its current one way status will be revoked to provide for two way traffic at all times.

**Proposal C - City Mall (Cashel Street and High Street) pedestrian mall amendment - add to the restrictions to the hours of access for goods services vehicles and make other minor changes**

Cashel Street between Oxford Terrace and High Street, and High Street between Cashel Street and Hereford Street are known as the City Mall. In 1981, the Council resolved a Special Order that declared this section of Cashel Street and High Street a pedestrian mall with exemptions for specified vehicles at specified times. A variation was made to this Special Order in 2008 to allow for trams to also use the City Mall.



**ATTACHMENT 1 TO CLAUSE 8 Cont'd**

The current Special Order prohibits the driving, riding or parking of any vehicle, bicycle or animal at any time except for:

- (a) Goods service vehicles for the purpose of loading and unloading 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 Whitcoulls;
- (e) Any fire appliance, ambulance or other vehicle where it is necessary to enter the Mall for the protection of human life or property;
- (f) Trams.

Any vehicle that has entered the City Mall under the Order must not be parked there for any longer period than is necessary for the driver to carry out his or her business or for the period of any emergency.

The Special Order does not indicate a direction of travel in the Mall. The refurbishment of the City Mall and the extension of the tram route dictate that vehicle access should be restricted to a west - east direction in this section of Cashel Street (Oxford Terrace to High Street) and to a southeast to northwest direction in the section of High Street from Cashel Street to Hereford Street, to avoid any conflict. This one way change is to be documented in the First Schedule (One Way Streets) of the Traffic and Parking Bylaw 2008 as detailed in proposal (a) above.

It is proposed to further restrict the hours of access to the Mall for goods service vehicles to include the hours between 11pm and 5am daily, in keeping with the proposed new Oxford Terrace part time pedestrian mall. Other minor changes to the declaration include using the proper name of mall, changing the positions within the Council who authorise vehicles to be in the mall, and deleting the reference to the owner of Whitcoulls Ltd

**4. KEY FEATURES OF THE PROPOSALS**

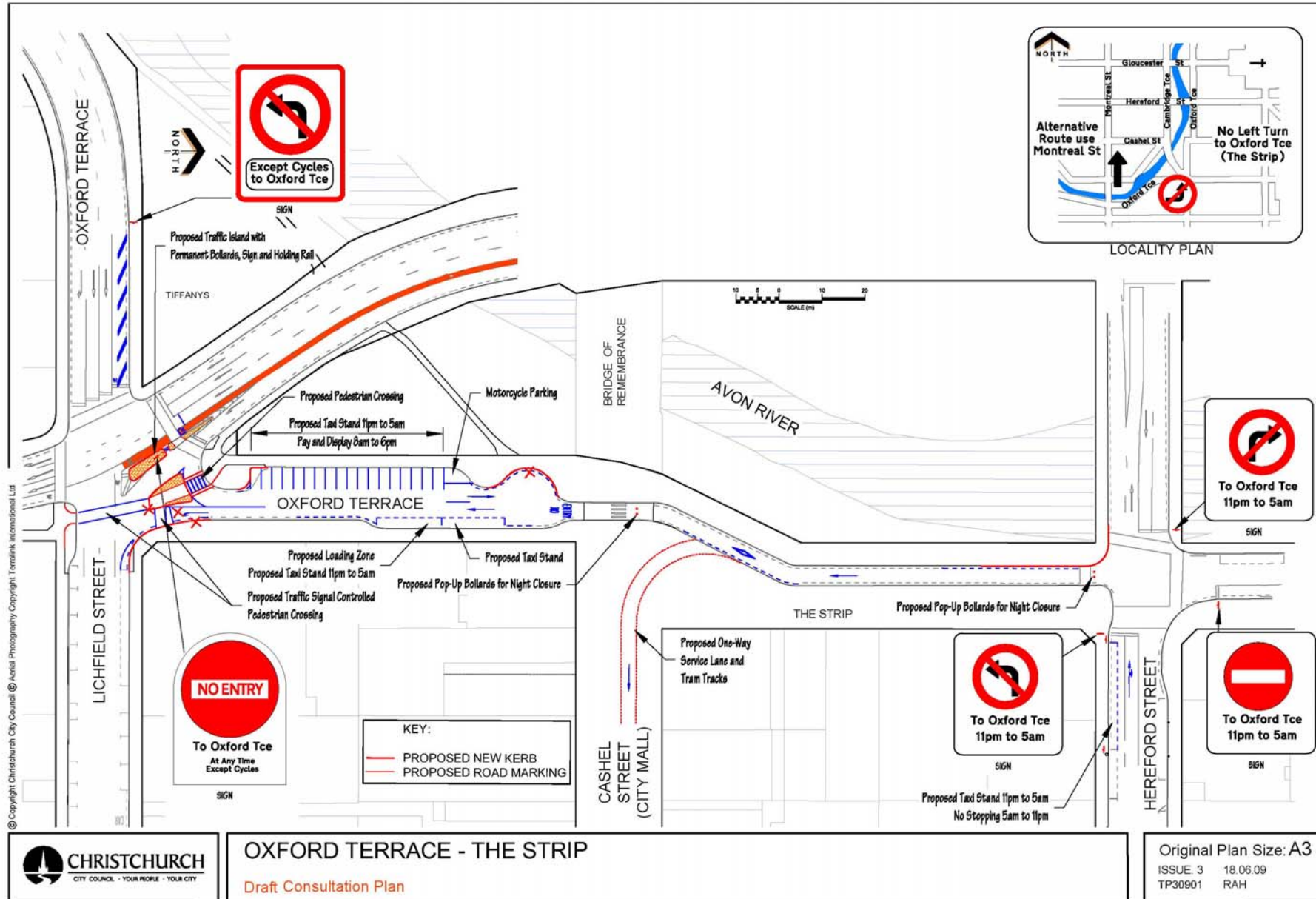
**Proposal A - Oxford Terrace, Cashel Street and High Street one way street/bylaw amendment and**

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

**Features include:**

- A pedestrian only area on Oxford Terrace (The Strip) between Hereford Street and Cashel Street between 11pm and 5am.
- Conversion of Oxford Terrace between Lichfield Street and Cashel Street to a two way road
- 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
- Providing additional taxi stands, in Hereford Street and in Oxford Terrace south of the Bridge of Remembrance during 11pm and 5am.
- Banning the left turn from Oxford Terrace (west) into Oxford Terrace.
- 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 manually lowered and raised at the end of the closure period. They can also be operated remotely by the on call engineer to cover the situations of emergency services requiring access.

The attached plan shows the proposed one way street and pedestrian mall in Oxford Terrace, including the two way section and turning changes.



## ATTACHMENT 1 TO CLAUSE 8 Cont'd

**Proposal C - City Mall (Cashel Street and High Street) pedestrian mall amendment - add to the restrictions to the hours of access for goods services vehicles and make other minor changes****Features include:**

- banning all goods services vehicles in City Mall from 11pm to 5am in addition to the day time ban between 11am and 4pm.
- making minor changes to the current declaration regarding the name of mall, the appropriate positions within the Council who can authorise vehicles to be in the mall, and deleting the reference to the owner of Whitcoulls Ltd.

**5. SECTION 155 REPORT FOR PROPOSAL A AND ANALYSIS OF REASONABLY PRACTICABLE OPTIONS FOR PROPOSALS B AND C****Proposal A - Oxford Terrace, Cashel Street, and Hereford Street one way street/bylaw amendment***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).

*Appropriate way to address problem*

- (c) The proposed changes to the First Schedule (One Way Streets) have been identified as necessary for changing the direction of travel in Oxford Terrace, and in the sections of Cashel Street and High Street that form City Mall. 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.

*Analysis of Options considered by the Council*

- (d) 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).

**ATTACHMENT 1 TO CLAUSE 8 Cont'd**

- (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 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.

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

- (i) Do nothing ie make no specific provision for direction of travel on High 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.

- (f) Both these options require an amendment to the First Schedule 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.

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.

*Appropriate form of bylaw*

- (g) 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.

*New Zealand Bill of Rights Act 1990*

- (h) 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.

*Proposed Bylaw amendments*

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

**ATTACHMENT 1 TO CLAUSE 8 Cont'd****Proposal B - Declaration of Oxford Terrace part time pedestrian mall 11pm to 5am daily**

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. Section 336(3) provides that anyone may within one 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.

*Analysis of reasonably practicable options considered by the Council*

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

- (i) 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.
- (ii) 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.
- (iii) 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.
- (iv) 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.
- (v) Option (iv) is the preferred option. It is aligned to and meets the project objectives.

**Proposal C - City Mall (Cashel Street and High Street) pedestrian mall amendment - add to the restrictions to the hours of access for goods services vehicles and make other minor changes***Analysis of reasonably practicable options considered by the Council*

- (i) Status quo, ie Do nothing. The Council could choose to do nothing in this case and not provide a night time ban on goods service vehicles in City Mall. This is not an acceptable option, as it does not help create a safer central city nor assist the police with their enforcement of law and order in the area.

## ATTACHMENT 1 TO CLAUSE 8 Cont'd

- (ii) 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**

The decisions in *Pool v New Plymouth City Council* [1977] 6 NZTPA 201 and *Bain v Waimakariri District Council*, C111/08, Environment Court Christchurch, 20/10/08 set out some matters that should be considered when making a decision to declare part of a street a pedestrian mall. The considerations concern whether the public interest is enabled or not in the creation of the mall and the advantages and disadvantages for any individuals in creating the mall, in addition to whether the mall better achieves the sustainable management of physical resources in the district. These matters have been considered by the Council, in assessing the options identified above, as follows (these matters also address social and environmental considerations):

- (a) 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.
- (b) 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.
- (c) 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.
- (d) 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.
- (e) 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.

**ATTACHMENT 1 TO CLAUSE 8 Cont'd**

- (f) 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.
- (g) 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.
- (h) 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. During the hours of closure, these vehicles will be able to leave, but not enter City Mall.
- (i) The benefits of safety and efficiency are considered to outweigh the relatively small disadvantages for a small number of drivers.

*Cultural Considerations*

- (j) 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*

- (k) 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).
- (l) 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.

## ATTACHMENT 1 TO CLAUSE 8 Cont'd

**6. CONSULTATION PROCESS**

Earlier consultation took place during the 2007 special consultative procedure related to the introduction of service lanes, in the revitalisation of City Mall, and in 2008 re the introduction of trams to City Mall. In Oxford Terrace, initial consultation took place during October to December 2007. The 2009 consultation process on all three proposals will be as follows:

- (a) The Council has resolved on the matters in section 155 of the Local Government Act 2002 (for the purposes of the part of this statement of proposal that relates to the Bylaw amendment) and has approved this statement of proposal and summary of information, which will be publicised, and has appointed a hearings panel to hear any submissions.
- (b) The special consultative procedure will be from 6 August to 9 September 2009.
- (c) An Information Session about these changes will be held at Our City, corner of Worcester Street and Oxford Terrace, on 19 August 2009 at 5.30pm.
- (d) Written submissions on these proposals may be made to the Council by 9 September 2009. The submissions may be sent either:
  - Through the Council's website ([www.ccc.govt.nz/Haveyoursay](http://www.ccc.govt.nz/Haveyoursay)), or
  - Sent by email to [oxfordandcitymall@ccc.govt.nz](mailto:oxfordandcitymall@ccc.govt.nz), or
  - In any other written form and posted to Oxford Terrace and City Mall Consultation, Christchurch City Council, PO Box 237, Christchurch.
- (e) Any person who makes a submission will have the opportunity to be heard by the Christchurch City Council Hearings Panel between 27 - 30 October 2009, but must make that request in their written submission.
- (f) The Local Government Act 2002 requires the Council to make all written submissions on this consultation available to the public; the requirement is subject to the provisions of the Local Government Official Information and Meetings Act 1987. Anyone wishing to withhold any information of a private or personal nature from their submissions should first contact the Christchurch City Council Customer Support Team on phone 941 8999.
- (g) The Council will receive a report from the hearings panel, will consider the recommendations of the panel and make a final determination on the amendments to the bylaw and on the pedestrian mall declarations and amendments.
- (h) In relation to the pedestrian mall declarations any person may appeal the declaration to the Environment Court within one month after the making of the declaration. The variations to the City Mall Special Order will take effect once the time for appealing has expired and any appeals have been determined.

**7. COPIES OF RELEVANT DOCUMENTS AND PERIOD FOR CONSULTATION**

The Christchurch City Council Traffic and Parking Bylaw 2008 is available on the Council web page <http://www.ccc.govt.nz/Bylaws/>. The Summary of Information of this Proposal and this Statement of Proposal are available as follows

- The "Have your Say" link on the following Council web page [www.ccc.govt.nz](http://www.ccc.govt.nz), or
- Council Service Centres, or
- Ringing the Council on 941 8999



## **SUMMARY OF INFORMATION**

**FOR THE STATEMENT OF PROPOSAL  
FOR PROPOSED CHANGES TO TRAFFIC MOVEMENTS IN  
OXFORD TERRACE, CASHEL STREET AND HIGH STREET**

This summary outlines three interdependent proposals for:

**(a) Proposal A - 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 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 Cashel Street and Hereford Street every night from 11pm to 5am

**(c) Proposal C -** Changes to the hours of access for goods services vehicles in City Mall - adding a ban between 11pm and 5am in addition to the day time ban between 11am and 4pm, and makes other minor changes.

**Details of and reasons for these proposals**

- (a) The objectives for the proposed changes are:
- (b) To provide a safer environment for the public;
- (c) To remove potential conflict between pedestrians and vehicles;
- (d) To align the timing of access restrictions throughout the City Mall and Oxford Terrace.

**Proposal A - Oxford Terrace, Cashel Street, and High Street - one way streets/bylaw amendment**

In Oxford Terrace between Lichfield Street and Hereford Street at present, traffic travels along the one way street from south (Lichfield Street) to north (Hereford Street).

To remove any vehicle/tram conflict from these streets the Council considers it is appropriate to change the one way direction of the section of Oxford Terrace between Hereford Street and Cashel Street from south - north to north - south and make the parts of Cashel Street and High Street that are within the City Mall, one way streets.

There will also be other changes made, as outlined on the attached plans, so that 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.

It will also result in access for motor vehicles turning into this section of Oxford Terrace (Lichfield Street to Cashel Street) from Durham Street at 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, permitted vehicles may exit via Cashel Street (City Mall), in the appropriate one way direction, during permitted hours.

**ATTACHMENT 2 TO CLAUSE 8 Cont'd**

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

The New Zealand Police have requested the prohibition of vehicular traffic at night time, on a permanent basis, after observing how violence in the street has reduced significantly when this section of Oxford Terrace (The Strip) was temporarily closed on occasions during the past year).

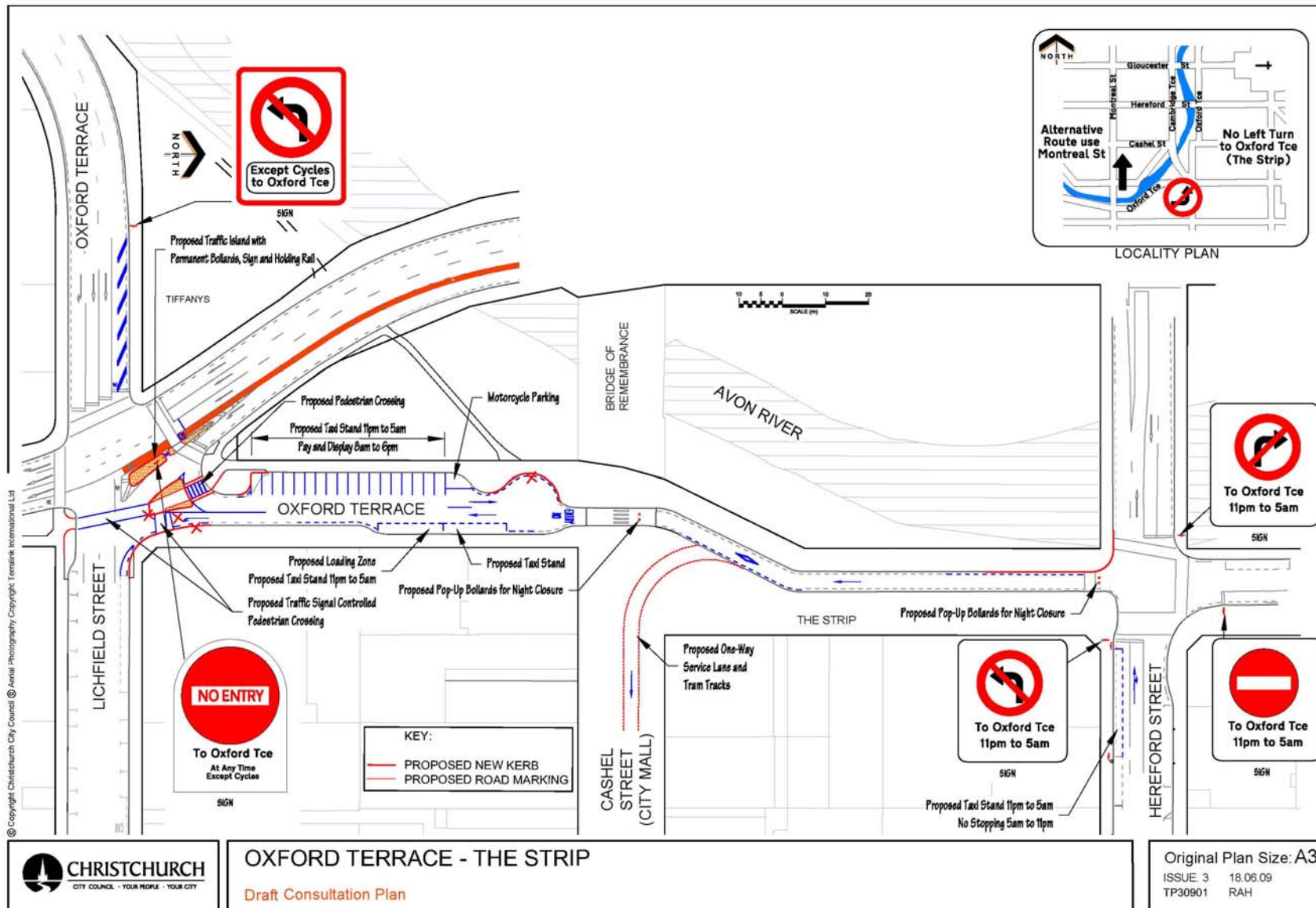
It is their view that closing the street to vehicles at night will make it safer for patrons, drivers of vehicles, and for the police to do their job.

After consideration of a number of options, and preliminary consultation with property owners, tenants and other interested people, it is proposed to create a part time pedestrian mall on the section of Oxford Terrace between Hereford Street and Cashel Street during the hours of 11pm and 5am. To create access to the businesses, underground car parks and taxi stands in the section of Oxford Terrace between Lichfield Street and Cashel Street, this will not become part of the pedestrian mall.

**Proposal C - City Mall (Cashel Street and High Street) pedestrian mall amendment - add to the restrictions to the hours of access for goods services vehicles and make other minor changes**

The above two proposals also mean it is appropriate to vary the Special Order that declares the City Mall section of Cashel Street and High Street a pedestrian mall.

It is proposed to further restrict the hours of access to the Mall for goods service vehicles to include the hours between 11pm and 5am daily, in keeping with the proposed new Oxford Terrace part time pedestrian mall. Other minor changes to the declaration include using the proper name of mall, changing the positions within Council who authorise vehicles to be in the mall, and deleting the reference to the owner of Whitcoulls Ltd.



**ATTACHMENT 2 TO CLAUSE 8 Cont'd**

**LEGAL PROCESSES INVOLVED IN MAKING THESE CHANGES**

**Proposal A - Oxford Terrace, Cashel Street and High Street (City Mall) one way streets - Bylaw amendment**

Under section 72(1)(ia) of the Transport Act 1962 and the Local Government Act 2002 the Council has power to amend and create a one way street by way of a bylaw. This proposal can be achieved by amending one of the references to Oxford Terrace, and introducing Cashel Street and High Street (City Mall sections) in the First Schedule of the Traffic and Parking Bylaw 2008.

Under section 86 of the Local Government Act 2002, if the Council is to amend a bylaw then it must be by way of a Special Consultative Procedure.

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

The Council proposes to declare a new part time pedestrian mall in Oxford Terrace between Hereford Street and Cashel Street, every night from 11pm to 5am.

Under section 336 of the Local Government Act 1974, the declaration of a pedestrian mall must be done by way of a Special Consultative Procedure. A declaration can declare part of a road to be a pedestrian mall during particular hours and can include exemptions or conditions. There is a right of appeal to the Environment Court against any decision made by the Council under section 336.

**Proposal C - City Mall (Cashel Street and High Street) pedestrian mall amendment - add to the restrictions to the hours of access for goods services vehicles and make other minor changes**

The Council proposes to amend the City Mall Special Order declaration, and this must also be done using section 336 of the Local Government Act 1974.

These legal processes require that the following information is provided in this document.

*Section 155 considerations - Proposal A:*

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).

*Oxford Terrace one way changes:*

One option for the Council would be to do nothing about managing direction of travel on these sections of Oxford Terrace, but this would mean that the service lane in City Mall would not work as it is not wide enough for two way traffic. With the extension of the tram route this option will create potential for conflict between the trams and other vehicles and would not support the proposed creation of a part time pedestrian mall in the adjacent section of Oxford Terrace between Cashel Street and Hereford Street, nor would it provide access for permitted vehicles to Cashel Street (City Mall).

The other reasonable option for Oxford Terrace is the proposal described above, which involves creating a two way street between Lichfield Street and Cashel Street and a one way street running in a southerly direction on the section of Oxford Terrace between Hereford Street and Cashel Street. With this option the service lane in Cashel Street would function effectively and there would be no conflict with the future tram proposal.

**ATTACHMENT 2 TO CLAUSE 8 Cont'd**

*Cashel Street and High Street (City Mall) one way changes:*

One option is to make no specific provision for direction of travel on Hereford Street and Cashel Street in City Mall. However, a one way 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 and letting vehicles travel in both directions would impose risk to life and property.

The other reasonable option is the proposal described above - which will enable 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.

Both these options require an amendment to the First Schedule 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.

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.

*Appropriate form of bylaw:*

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

*New Zealand Bill of Rights Act 1990*

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.

*Proposed Bylaw amendments:*

The amendments proposed to the First Schedule (One Way Streets) of the Traffic and Parking Bylaw 2008 are set out in the Amendment Bylaw which is attached to the Statement of Proposal. The relevant section of the amended bylaw is as follows:

**Revoke**

Oxford Terrace	Oxford Terrace in a <b>northerly</b> direction from Lichfield Street to Hereford Street.
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**Add (to Schedule 1 in the appropriate alphabetical order)**

Cashel Street	Cashel Street in an <b>easterly</b> direction from Oxford Terrace to High Street
High Street	High Street in a <b>north - westerly</b> direction from Cashel Street to Hereford Street.
Oxford Terrace	Oxford Terrace in a <b>southerly</b> direction from Hereford Street to Cashel Street

**ATTACHMENT 2 TO CLAUSE 8 CONT'D**

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

*Analysis of reasonably practicable options considered by the Council*

In Oxford Terrace, the Council has the option of (i) - doing nothing to change the traffic access at night, which would not meet the request of the NZ Police, or it could:

- (i) Close Oxford Terrace to all traffic except taxis, an option which would be difficult to enforce and could create confusion for pedestrians who think that vehicles are banned and who may therefore wander out onto the road into the path of oncoming vehicles.
- (ii) Close the length of Oxford Terrace from Lichfield Street to Hereford Street, which would mean that local businesses with car parking underneath and behind commercial buildings in Oxford Terrace between Lichfield Street and Cashel Street (City Mall) could not access their car parking areas. 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.
- (iii) Create a part time pedestrian mall in Oxford Terrace between Hereford Street and Cashel Street (City Mall) from 11pm to 5am daily, an option that supports the endeavours of the New Zealand Police to deal with problems of alcohol and drug induced behaviour, while also enabling access to the business car parking and providing for taxi stands. The car park behind 'The Strip' bars on Oxford Terrace between Hereford Street and Cashel Street can also be accessed from Hereford Street. This is the preferred option that is proposed above.

**Proposal C - City Mall (Cashel Street and High Street) - to add restrictions to the hours of access for goods services vehicles and make other minor changes**

*Analysis of reasonably practicable options considered by the Council*

The Council could choose to do nothing in this case and not provide a night time ban on goods service vehicles in City Mall. This is not an acceptable option, as it does not help create a safer central city nor assist the police with their enforcement of law and order in the area.

The other option is to amend the City Mall Special Order declaration as described in this proposal, which will enhance the work of the New Zealand Police as described 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**

The decisions in *Pool v New Plymouth City Council* [1977] 6 NZTPA 201 and *Bain v Waimakariri District Council*, C111/08, Environment Court Christchurch, 20/10/08 set out some matters that should be considered when making a decision to declare part of a street a pedestrian mall. Those matters relate to public and individual advantages and disadvantages and, whether the mall achieves good sustainable management, and were considered by the Council as follows:

**ATTACHMENT 2 TO CLAUSE 8 Cont'd**

**Anticipated advantages of the night time vehicle ban in Oxford Terrace and City Mall:**

- (a) Significant safety improvements for the public (patrons of the bars and other businesses in the area as well as other pedestrians) and motorists.
- (b) The associated changes to the section of Oxford Terrace between Lichfield Street and Cashel Street to two way traffic aims to provide 24 hour daily access to rear and underground car parking for businesses and residents in the area who requested this.
- (c) 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 more convenient for shoppers, taxis, and other vehicles. 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.
- (d) 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).
- (e) 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.

**Anticipated disadvantages of the night time vehicle ban in Oxford Terrace and City Mall:**

- (f) The banning of the left turn from Oxford Terrace (west) into Oxford Terrace (The Strip) may require a longer drive to some destinations and some properties may have less exposure to passing traffic - some customers may elect not to make the visit.

(To counter this disadvantage, there will 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. 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.)

- (g) Drivers who park their vehicles behind 'The Bog Irish Bar' at 82 Cashel Street, currently drive along City Mall (illegally) either to or from Oxford Terrace to access the car parking area. 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. During the hours of closure, these vehicles will be able to leave, but not enter City Mall.

**6. CONSULTATION PROCESS**

Earlier consultation took place during the 2007 special consultative procedure related to the introduction of service lanes, in the revitalisation of City Mall, and in 2008 re the introduction of trams to City Mall. In Oxford Terrace, initial consultation took place during October to December 2007. The 2009 consultation process on all three proposals will be as follows:

- (a) The Council has resolved on the matters in section 155 of the Local Government Act 2002 (for the purposes of the part of this statement of proposal that relates to the Bylaw amendment) and has approved this statement of proposal and summary of information, which will be publicised, and has appointed a hearings panel to hear any submissions;

**ATTACHMENT 2 TO CLAUSE 8 Cont'd**

- (b) The special consultative procedure will be from 6 August to 9 September 2009;
- (c) An Information Session about these changes will be held at Our City, corner Worcester Street and Oxford Terrace, on 19 August 2009 at 5.30pm;
- (d) Written submissions on these proposals may be made to the Council by 9 September 2009. The submissions may be sent either:
  - Through the Council's website ([www.ccc.govt.nz/Haveyoursay](http://www.ccc.govt.nz/Haveyoursay)), or
  - Sent by email to [oxfordandcitymall@ccc.govt.nz](mailto:oxfordandcitymall@ccc.govt.nz), or
  - In any other written form and posted to Oxford Terrace and City Mall Consultation, Christchurch City Council, PO Box 237, Christchurch.
- (e) Any person who makes a submission will have the opportunity to be heard by the Christchurch City Council Hearings Panel between 27 - 30 October 2009, but must make that request in their written submission.
- (f) The Local Government Act 2002 requires the Council to make all written submissions on this consultation available to the public; the requirement is subject to the provisions of the Local Government Official Information and Meetings Act 1987. Anyone wishing to withhold any information of a private or personal nature from their submissions should first contact the Christchurch City Council Customer Support team on 941 8999.
- (g) The Council will receive a report from the hearings panel, will consider the recommendations of the panel and make a final determination on the amendments to the bylaw and on the pedestrian mall declarations and amendments.
- (h) In relation to the pedestrian mall declarations any person may appeal the declaration to the Environment Court within one month after the making of the declaration. The variations to the City Mall Special Order will take effect once the time for appealing has expired and any appeals have been determined.

**7. COPIES OF RELEVANT DOCUMENTS AND PERIOD FOR CONSULTATION**

The Christchurch City Council Traffic and Parking Bylaw 2008 is available on the Council web page <http://www.ccc.govt.nz/Bylaws/>. This Summary of Information and the Statement of Proposal are available as follows:

- The "Have your Say" link on the following Council web page [www.ccc.govt.nz](http://www.ccc.govt.nz), or
- Council Service Centres, or
- Ringing the Council on 941 8999.



## CHRISTCHURCH CITY COUNCIL

## TRAFFIC AND PARKING AMENDMENT

(Oxford Terrace, Cashel Street, High Street (City Mall)) **BYLAW 2009**

Pursuant to the Local Government Act 1974, the Local Government Act 2002 and the Transport Act 1962, the Christchurch City Council makes this Bylaw.

**1. SHORT TITLE**

This Bylaw is the Christchurch City Council Traffic and Parking Amendment (Oxford Terrace, Cashel Street, High Street (City Mall)) Bylaw 2009.

**2. COMMENCEMENT**

This Bylaw comes into force **on 00 February 2010?**

**3. PRINCIPAL BYLAW AMENDED**

This Bylaw amends the Christchurch City Council Traffic and Parking Bylaw 2008, and is to be read as part of the Christchurch City Council Traffic and Parking Bylaw 2008.

**4. SCHEDULE 1 AMENDED**

Schedule 1 of the Christchurch City Council Traffic and Parking Bylaw 2008 is amended as follows:

**Revoke**

Oxford Terrace	Oxford Terrace in a <b>northerly</b> direction from Lichfield Street to Hereford Street.
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**Add (to Schedule 1 in the appropriate alphabetical order)**

Cashel Street	Cashel Street in an <b>easterly</b> direction from Oxford Terrace to High Street
High Street	High Street in a <b>north - westerly</b> direction from Cashel Street to Hereford Street.
Oxford Terrace	Oxford Terrace in a <b>southerly</b> direction from Hereford Street to Cashel Street

The initial resolution to make this Bylaw was passed by the Christchurch City Council at an ordinary meeting of the Council held on [day month 2009] and was confirmed, following consideration of submissions received during the special consultative procedure by a resolution at a subsequent meeting of the Council on the [day month 2009].

**THE CURRENT CITY MALL DECLARATION**  
**SHOWING VARIATIONS PROPOSED IN THIS STATEMENT OF PROPOSAL**

Deletions are shown as 'strikethrough' (~~strikethrough~~) and new wording is shown in 'italics' (*italics*)

"Pursuant to Section 336 of the Local Government Act 1974 the Christchurch City Council resolves by way of Special Order, that the parts of Cashel Street and High Street described in the schedule below be declared a pedestrian mall *to be known as City Mall* and that within those parts of Cashel Street and High Streets:

1. The driving, riding or parking of any vehicle, or the riding of any bicycle or the riding of any animal be prohibited at any time with the following exceptions:
  - (a) Goods service Vehicles will be permitted in the *City Mall* for the purpose of loading and unloading at any time other than between 11am and 4pm ~~and 11pm and 5am~~ each day.
  - (b) Trade and other vehicles (including those operated by service authorities) of any class may enter the *City Mall* at specified times if authorised to do so by the ~~Traffic manager or Parking Operations Manager~~ *Council officer who holds the position of asset owner at that time.*
  - (c) Street cleaning and rubbish collection vehicles operated by the Christchurch City Council *or its nominated contractor* may enter the *City Mall* at any time.
  - (d) Goods service vehicles servicing the existing business of Whitcoulls Ltd (~~a wholly owned subsidiary of Printing and Packaging Corporation Limited~~) will be permitted in the section of the *City Mall* between Colombo Street and the west side of the alley way leading to Whitcoulls Ltd's off street loading area at any time.  
All loading by such vehicles shall be carried out within Whitcoulls Ltd's existing loading area.
  - (e) Any approval for vehicles to enter the mall granted in respect of any specific type of vehicle, site, use or business shall be subject to review should the type of vehicle, the site in respect of which loading is required, the use or the proprietor of any use change.
  - (f) Trams.
2. Any vehicle or specified class of vehicle that has entered the *City 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.
3. Nothing in this Order shall be deemed to prohibit or restrict the use of the *City Mall* by any *police*, fire appliance, ambulance or other vehicle where it is necessary for that appliance, ambulance or vehicle to enter the Mall or portion thereof for the protection of human life or of property.

## THE SCHEDULE

1. High Street within the area contained by the south boundary of Hereford and the east boundary of Colombo Street at the intersection of High Street, Colombo Street and Hereford Street AND the north boundary of Cashel Street.

This area being 2791m<sup>2</sup> or thereabouts is shown on the attached plan as A.

2. The common parts of High Street and Cashel Street within the area contained by the north boundary of Cashel Street AND the south west boundary of High Street AND a line between the south west and north east corners at the intersection of High Street and Cashel Street.

This area being 286m<sup>2</sup> or thereabouts is shown on the attached plan as B.

3. Cashel Street within the area contained by the south - west boundary of High Street AND the east boundary of Colombo Street.

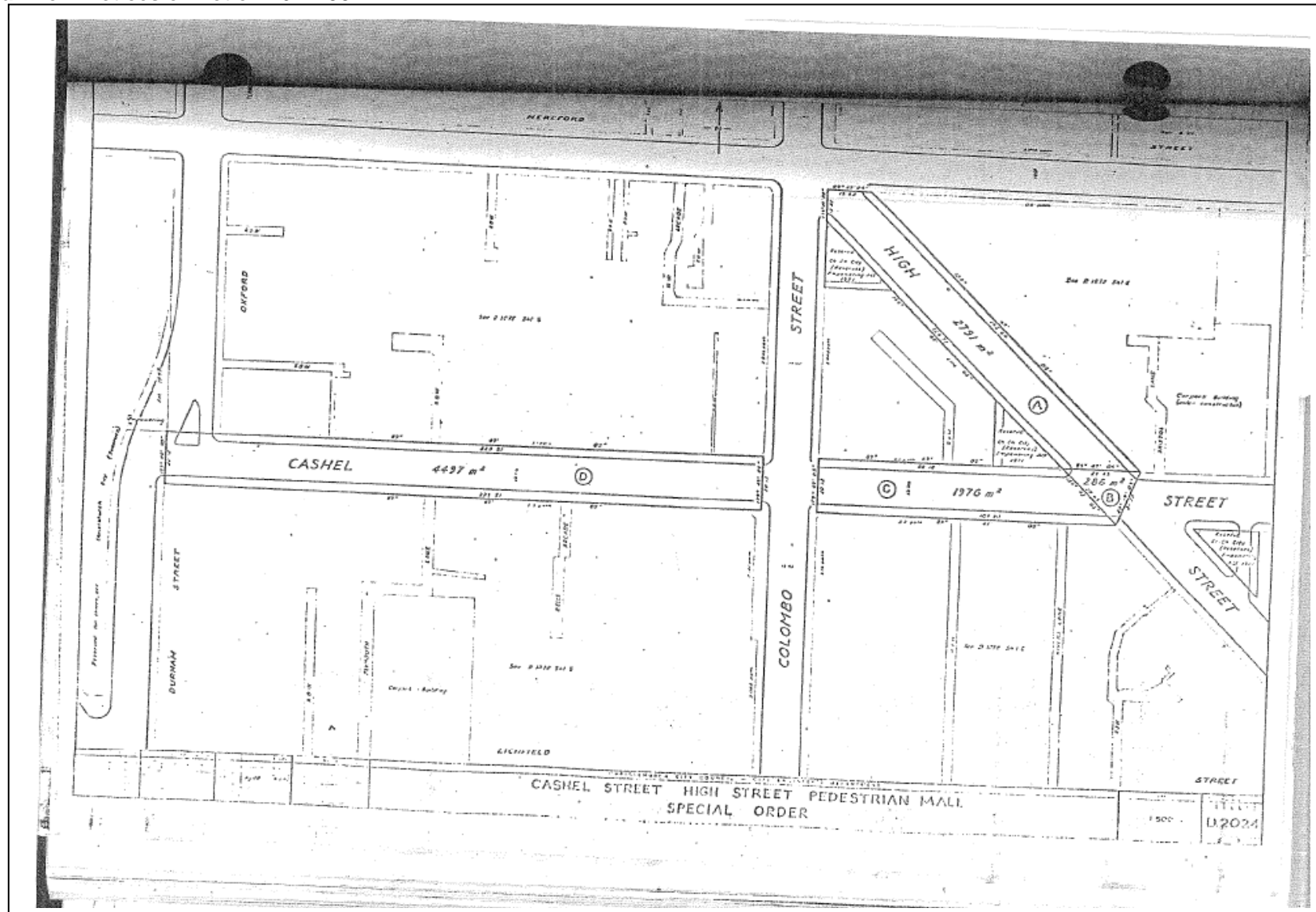
This area being 1976m<sup>2</sup> or thereabouts is shown on the attached plan as C.

4. Cashel Street within the area contained by the west boundary of Colombo Street AND the extension westwards of the north boundary of Cashel Street AND the extension northwards of the east boundary of Durham Street.

This area being 4497m<sup>2</sup> or thereabouts is shown on the attached plan as D.

See next page for plan from Notices of Motion 16.2.1981.

Plan of City Mall from Notices of Motion 16.2.1981



## THE OXFORD TERRACE PART TIME PEDESTRIAN MALL DECLARATION

### AS PROPOSED IN THIS STATEMENT OF PROPOSAL

“Pursuant to section 336 of the Local Government Act 1974 the Christchurch City Council declares that the part of Oxford Terrace between Hereford Street and Cashel Street be declared a pedestrian mall between 11pm and 5 am daily, to be known as the Oxford Terrace part time Pedestrian Mall and that within that part of Oxford Terrace:

- (a) The driving, riding or parking of any vehicle, or the riding of any bicycle or the riding of any animal be prohibited between the hours of 11pm and 5am daily with the following exceptions:
  - (i) trams
- (b) Nothing in this declaration prohibits or restricts the use of the Mall by any police, fire appliance, ambulance or other vehicle where it is necessary for that appliance, ambulance or vehicle to enter the Mall or portion thereof for the protection of human life or of property.


**9. 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>Author:</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 Hagley/Ferrymead Community Board's support for the proposal to amend clauses (b) and (c) of the New Regent Street Pedestrian Mall Special Order. To amend clause (b) 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 the Board recommend to the Council to approve the commencement of the legal requirement necessary to make these changes to the declaration of a variation to the New Regent Street Pedestrian Mall Special Order.
2. A report on this matter will also be presented to the Christchurch City Council Meeting on 23 July 2009 and the Hagley/Ferrymead Community Board's consideration and recommendations 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 authorized 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.

**9 Cont'd**

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.
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 - 11am and 4pm - 11pm each day. 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 - 11am 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.

## 9 Cont'd

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.
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 section 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.



9 Cont'd

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.
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.

**9 Cont'd**

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.

**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**

That the Hagley/Ferrymead Community Board recommend 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;

**9 Cont'd**

- (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.

**CHAIRPERSON'S RECOMMENDATION**

That the staff recommendation be adopted.

**STATEMENT OF PROPOSAL  
FOR THE DECLARATION OF A VARIATION TO THE  
NEW REGENT STREET PEDESTRIAN MALL**

**Details of the Proposal**

The Council proposes to vary the conditions previously detailed in the 'Special Order' creating the pedestrian precinct known as New Regent Street Pedestrian Mall. The proposed changes will allow Goods Services Vehicles to be permitted to load and unload in the street only between 5am - 10am and 4pm - 11pm each day. At present Goods Services Vehicles are permitted in the Mall for the purpose of loading and unloading at any time, other than between 10am and 4pm each day.

**Reasons for the Proposal**

On the 28 July 1994, the Council resolved, by way of Special Order, that New Regent Street (Armagh Street to Gloucester Street) be declared a pedestrian mall. The declaration 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 Services 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 where it is necessary for that appliance, ambulance or other vehicle to enter the Mall or portion thereof for the protection of human life or of property.”

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.

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

In December 2007, the Council Networks Operation Team was tasked with addressing issues that have arisen in New Regent Street Pedestrian Mall in relation to vehicle access and evening parking of private vehicles in the Mall outside the restricted hours.

New Regent Street is a one way street (north to south). However many drivers are unaware of this with goods vehicles accessing the street from the south end. “No Entry” signage is in place at the southern end, at Gloucester Street, to reflect this.

**ATTACHMENT 1 TO CLAUSE 9 Cont'd**

It is proposed to change the existing time that goods vehicles are allowed to enter the street for delivery purposes. The current restriction allows access for goods vehicles at any time from 4pm one day through to 10am the following day. The proposal will alter this to allow access for Goods Service Vehicles only between 5am - 11am and 4pm - 11pm each day. Outside of these times no vehicles will be allowed in New Regent Street except by special approval, or if they are a street cleaning or rubbish vehicle or an emergency vehicle. Special arrangements that are already in place, to allow business owners and operators access to their businesses, will continue.

These times are in keeping with the new restrictions that are to be put in place in the City Mall. This will make enforcement of pedestrian mall precincts standard throughout the inner city and easier for the Parking Unit staff to manage.

**Analysis of reasonably practicable options**

The decisions in *Pool v New Plymouth City Council* [1977] 6 NZTPA 201 and *Bain v Waimakariri District Council*, C111/08, Environment Court Christchurch, 20/10/08 set out some matters that should be considered when making a decision to declare part of a street a pedestrian mall, and should also be considered as far as is necessary when varying any declaration. The considerations concern whether the public interest is enabled or not in the creation of the mall (or in this case, in relation to the variation) and the advantages and disadvantages for any individuals, as well as whether the mall/variation better achieves the sustainable management of physical resources in the district. These matters have been considered by the Council, in assessing the options and by also addressing social and environmental considerations, as follows:

**Social Considerations**

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.

Eleven replies were received to the proposal and all supported changes to the hours for access for Goods Service Vehicles, additional signage especially at the Gloucester Street intersection and the possible installation of bollards that would restrict private parking within the precinct.

Other comments included alterations to the "Letter of Authorisation" scheme for business owner's access and the possibility of providing disability access during the day time restrictions.

**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.

**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.

**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 Good Service Vehicles are permitted in the mall are minor and the impact is anticipated to be insignificant.

**Analysis of reasonably practicable options**

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.

**ATTACHMENT 1 TO CLAUSE 9 Cont'd**

- (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.

**11. CONSULTATION PROCESS**

The consultation process will be as follows:

- a) The Council has approved this statement of proposal and summary of information, which will be publicised, and has appointed a hearings panel to hear any submissions;
- b) The special consultative procedure will be from 6 August to 9 September 2009.
- c) An Information Session about these changes will be held at Our City, corner Worcester Street and Oxford Terrace, on 19 August 2009 at 5.30pm.
- d) Written submissions on these proposals may be made to the Council by 9 September 2009. The submissions may be sent either:
- Through the Council's website ([www.ccc.govt.nz/Haveyoursay](http://www.ccc.govt.nz/Haveyoursay)), or
  - Sent by email to [newregentmall@ccc.govt.nz](mailto:newregentmall@ccc.govt.nz), or
  - In any other written form and posted to New Regent Street Pedestrian Mall Consultation, Christchurch City Council, PO Box 237, Christchurch.
- e) Any person who makes a submission will have the opportunity to be heard by the Christchurch City Council Hearings Panel between 27 - 30 October 2009, but must make that request.
- f) The Local Government Act 2002 requires the Council to make all written submissions on this consultation available to the public; the requirement is subject to the provisions of the Local Government Official Information and Meets Act 1987. Anyone wishing to withhold any information of a private or personal nature from their submissions should first contact the Christchurch City Council Customer Support team on Phone 941 8999.
- g) The Council will receive a report from the hearings panel, will consider the recommendations of the panel and make a final determination.
- h) Any person may appeal the declaration to the Environment Court within one month of the making of the declaration. The variations to the New Regent Street Mall Special Order will take effect once the time for appealing has expired and any appeals have been determined.

**12. COPIES OF RELEVANT DOCUMENTS AND PERIOD FOR CONSULTATION**

Attachment one to this Statement of Proposal is the draft amendment to the conditions imposed in the original New Regent Street Pedestrian Mall Special Order

The Summary of Information and this Statement of Proposal are available as follows

- The "Have your Say" link on the following Council web page [www.ccc.govt.nz/haveyoursay](http://www.ccc.govt.nz/haveyoursay), or
- Council Service Centres, or
- Ringing the Council on 941 8999

**SUMMARY OF INFORMATION  
FOR THE STATEMENT OF PROPOSAL FOR  
FOR THE DECLARATION OF  
A VARIATION TO THE NEW REGENT STREET PEDESTRIAN MALL**

**Details and reasons for the Proposal**

In December 2007, the Council Networks Operation Team was tasked with addressing issues that have arisen in New Regent Street Pedestrian Mall in relation to vehicle access and evening parking of private vehicles in the Mall outside the restricted hours.

The Council proposes to vary the conditions previously detailed in the 'Special Order' creating the pedestrian precinct known as New Regent Street Pedestrian Mall. The proposed changes will allow Goods Services Vehicles to be permitted to load and unload in the street only between 5am - 11am and 4pm - 11pm each day. At present Goods Services Vehicles are permitted in the Mall for the purpose of loading and unloading at any time other than between 10am and 4pm each day.

Outside of these new times no vehicles will be allowed in New Regent Street except by special approval, or if they are a street cleaning or rubbish vehicle or an emergency vehicle. Special arrangements that are already in place, to allow business owners and operators access to their businesses, will continue.

These times are in keeping with the new restrictions that are to be put in place in the City Mall. This will make enforcement of pedestrian mall precincts standard throughout the inner city and easier for the Parking Unit staff to manage.

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

The decisions in *Pool v New Plymouth City Council* [1977] 6 NZTPA 201 and *Bain v Waimakariri District Council*, C111/08, Environment Court Christchurch, 20/10/08 set out some matters that should be considered when making a decision to declare part of a street a pedestrian mall, and should also be considered as far as is necessary when varying any declaration. The considerations concern whether the public interest is enabled or not in the creation of the mall (or in this case, in relation to the variation) and the advantages and disadvantages for any individuals, as well as whether the mall/variation better achieves the sustainable management of physical resources in the district. These matters have been considered by the Council, in assessing the options and by also addressing social and environmental considerations, as follows:

*Social considerations*

Consultation with business operators in New Regent Street and the Christchurch Tramway Limited during March 2008 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, gave rise to eleven responses in support of the proposed changes and also to suggested alterations to the "Letter of Authorisation" scheme for business owner's access and the possibility of providing disability access during the day time restrictions.

*Environmental and economic 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 environmental and economic impact on the businesses in the Mall is expected to be insignificant.

*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.

**ATTACHMENT 2 TO CLAUSE 9 Cont'd**

In summary, the Council could either do nothing, and leave the request from local businesses and Christchurch Tramway Limited unresolved; or it can vary the time restrictions in the New Regent Street Pedestrian Mall Special Order as proposed. The latter option will address the current unsatisfactory situation and also 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.

**CONSULTATION PROCESS**

The consultation process will be as follows:

- a) The Council has approved the statement of proposal and summary of information, which will be publicised, and has appointed a hearings panel to hear any submissions;
- b) The special consultative procedure will be from 6 August to 9 September 2009.
- c) An information session about these changes will be held at Our City, corner Worcester Street and Oxford Terrace, on 19 August 2009 at 5.30pm.
- d) Written submissions on these proposals may be made to the Council by 9 September 2009. The submissions may be sent either:
  - Through the Council's website ([www.ccc.govt.nz/Haveyoursay](http://www.ccc.govt.nz/Haveyoursay)), or
  - Sent by email to [newregentmall@ccc.govt.nz](mailto:newregentmall@ccc.govt.nz), or
  - In any other written form and posted to New Regent Street Pedestrian Mall Consultation, Christchurch City Council, PO Box 237, Christchurch.
- e) Any person who makes a submission will have the opportunity to be heard by the Christchurch City Council Hearings Panel between 27 - 30 October 2009, but must make that request.
- f) The Local Government Act 2002 requires the Council to make all written submissions on this consultation available to the public; the requirement is subject to the provisions of the Local Government Official Information and Meets Act 1987. Anyone wishing to withhold any information of a private or personal nature from their submissions should first contact the Christchurch City Council Customer Support team on Phone 941 8999.
- g) The Council will receive a report from the hearings panel, will consider the recommendations of the panel and make a final determination.
- h) Any person may appeal the declaration to the Environment Court within one month of the making of the declaration. The variations to the New Regent Street Mall Special Order will take effect once the time for appealing has expired and any appeals have been determined.

**COPIES OF RELEVANT DOCUMENTS AND PERIOD FOR CONSULTATION**

This Summary of Information and the Statement of Proposal are available as follows:

- The "Have your Say" link on the following Council web page [www.ccc.govt.nz/haveyoursay](http://www.ccc.govt.nz/haveyoursay), or
- Council Service Centres, or
- Ringing the Council on 941 8999

Attachment one to the Statement of Proposal is the draft amendment to the conditions imposed in the original New Regent Street Pedestrian Mall Special Order.



**THE CURRENT NEW REGENT STREET PEDESTRIAN MALL DECLARATION  
SHOWING VARIATIONS PROPOSED IN THIS STATEMENT OF PROPOSAL**

Deletions are shown as 'strikethrough' (~~strikethrough~~) and new wording is shown in 'italics' (*italics*)

"Pursuant to Section 336 of the Local Government Act 1974 the Christchurch City Council resolves by way of Special Order, that New Regent Street, *between Armagh Street and Gloucester Street*, ~~as shown on the plan attached (blue paper)~~ be declared a pedestrian mall to be known as the New Regent Street Pedestrian Mall and that within this pedestrian mall the driving, riding or parking of any vehicle, or the riding of any bicycle or the riding of any animal be prohibited at all times subject to the following exceptions and conditions:

- (a) Trams.
- (b) Goods Services Vehicles are permitted in the Mall for the purpose of loading and unloading at any time other than between 10am and 4pm *and 11pm and 5am* 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~~ *council officer who holds the position of asset owner at that time*.
- (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 where it is necessary for that appliance, ambulance or other vehicle to enter the Mall or portion thereof for the protection of human life or of property."


**10. BARBADOES STREET - PROPOSED REVOCATION OF RESIDENTS ONLY PARKING AREA**

<b>General Manager responsible:</b>	General Manager City Environment DDI 941 8608
<b>Officer responsible:</b>	Transport and Greenspace Unit Manager
<b>Author:</b>	Steve Hughes, Traffic Engineer - Community

**PURPOSE OF REPORT**

1. The purpose of this report is to seek the Hagley/Ferrymead Community Board's recommendation to the Council that an area of Residents Only parking on the eastern side of Barbadoes Street outside number 266 be revoked.

**EXECUTIVE SUMMARY**

2. Council staff have noted that a 20 metre long area of Residents Only parking on the eastern side of Barbadoes Street, just to the north of its intersection with Hereford Street, is no longer being used (refer **attached**).
3. Barbadoes Street is a major arterial one way south street that has a 24 hour seven day average vehicle count of 14,102 vehicles. Between the intersection of Worcester Street and Hereford Street, which is the section that this report relates to, there are nine parking spaces on each side of Barbadoes Street. Of the 18 parking spaces, four are restricted as a Residents Only parking area, with the remainder being unrestricted.
4. Due to development of the area, properties that were entitled to use the Residents Only parking have been demolished and replaced by business premises with ample off - street parking. There is only one current permit for this area of parking and this expires at the end of June 2009. This will not be renewed as the holder no longer meets the requirements for a Residents Only parking permit.
5. The removal of this Residents Only parking restriction will provide an additional 20 metres (four parking spaces) of unrestricted kerbside parking space in this high demand area.
6. No consultation was carried out with the neighbouring residences of this area of parking as none meet the criteria for a Residents Only parking permit.

**FINANCIAL IMPLICATIONS**

7. The estimated cost of removing the road markings and signs is approximately \$350.

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

8. The installation of road markings and signs is within the LTCCP Streets and Transport Operational Budgets.

**LEGAL CONSIDERATIONS**

9. Part 1, Clause 5 of the Christchurch City Council Traffic and Parking Bylaw 2008 provides the Council with the authority to install or to remove parking restrictions by resolution.
10. The installation or removal of any parking restriction signs and/or markings must comply with the Land Transport Rule: Traffic Control Devices 2004.

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

11. As above.

**ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

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

**10 Cont'd**

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

13. As above.

**ALIGNMENT WITH STRATEGIES**

14. The recommendations align with the Council Strategies, including the Parking Strategy 2003, Road Safety Strategy 2004 and the Safer Christchurch Strategy 2005.

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

15. As above.

**CONSULTATION FULFILMENT**

16. There has been no consultation carried out in relation to this proposal as no neighbouring residences meet the criteria for a Residents Only parking permit.
17. The Officer in Charge - Parking Enforcement agrees with this recommendation.

**STAFF RECOMMENDATION**

It is recommended that the Hagley/Ferrymead Community Board recommends that the Council:

Revoke any existing parking restrictions on the eastern side of Barbadoes Street commencing at a point 25 metres north of its intersection with Hereford Street and extending in a northerly direction for a distance of 20 metres.

**CHAIRPERSON'S RECOMMENDATION**

That the staff recommendation be adopted.

15. 7. 2009

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ATTACHMENT TO CLAUSE 10





## 11. ARMAGH STREET - PROPOSED REARRANGEMENT OF EXISTING PARKING RESTRICTIONS

<b>General Manager responsible:</b>	General Manager City Environment DDI 941 8608
<b>Officer responsible:</b>	Transport and Greenspace Unit Manager
<b>Author:</b>	Steve Hughes, Traffic Engineer - Community

### PURPOSE OF REPORT

1. The purpose of this report is to seek the Hagley/Ferrymead Community Board's recommendation to Council that the parking restrictions on the north side of Armagh Street be rearranged.

### EXECUTIVE SUMMARY

2. The Network Operations section of the Council has received a request from the building owner and three retail businesses operating out of the Price Waterhouse Coopers building at 119 Armagh Street to install two P10 restricted parking spaces outside that building to provide short term parking for customers (refer **attached**).
3. The Price Waterhouse Coopers building is situated on the north side of Armagh Street between Colombo and Manchester Streets. The applicants are the building owners, a wine shop, a bakery and a convenience store. These shops are on the ground floor of the building facing onto Armagh Street.
4. Extending past the front of the building there are 15 existing P60 Pay and Display metered parking spaces providing medium term parking. There is a high demand for these metered parking spaces with the result that they are often full and there is no short term parking available for drive up customers to these shops.
5. The closest short term parking is an area of 27 metres of P10 un-metered parking outside 143 and 145 Armagh Street. This is over 75 metres away from the Price Waterhouse Coopers Building and over 100 metres from some of the applicant businesses. 145 Armagh Street is where the Armagh Street Post Office was previously located. This has since been closed down with a subsequent reduction in the need for such a large amount of P10 restricted parking in the one location.
6. This proposal will swap two of the existing 15 P60 Pay and Display metered parking spaces outside the Price Waterhouse Coopers Building with a similar length of P10 parking outside 143 and 145 Armagh Street. The swap would result in no loss of any parking in Armagh Street, no loss of revenue from removed metered parking spaces, and would be a simple rearrangement of the existing parking facilities.
7. Providing a closer area of short term parking to the Price Waterhouse Coopers building may encourage potential drive up customers for the applicant and other nearby businesses to stop and shop, rather than go somewhere where there are more available parking options.
8. Consultation was carried out with 38 other businesses in the area by way of letter and email. Full details of the consultation is contained in paragraphs 18 to 22.

### FINANCIAL IMPLICATIONS

9. The estimated cost of this proposal is approximately \$500.

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

10. The installation of road markings and signs is within the LTCCP Streets and Transport Operational Budgets.

**11 Cont'd**

**LEGAL CONSIDERATIONS**

11. Part 1, Clause 5 of the Christchurch City Council Traffic and Parking Bylaw 2008 provides the Council with the authority to install parking restrictions by resolution.
12. The installation of any parking restriction signs and/or markings must comply with the Land Transport Rule: Traffic Control Devices 2004.

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

13. As above.

**ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

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

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

15. As above.

**ALIGNMENT WITH STRATEGIES**

16. The recommendations align with the Council Strategies including the Parking Strategy 2003, Road Safety Strategy 2004 and the Safer Christchurch Strategy 2005.

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

17. As above.

**CONSULTATION FULFILMENT**

18. The following organisations applied for short term parking to be installed outside the Price Waterhouse Coopers building at 119 Armagh Street:
  - (a) Eadie Tye's Wine Shop
  - (b) City Express Food - store
  - (c) Copenhagen Bakery
  - (d) Kiwi Income Property Trust (Owners of the Price Waterhouse Coopers building).
19. Consultation documents were distributed by letter or email to 38 nearby businesses in Armagh Street, but only three responses were received. One in support, one objecting and one having no preference.
20. If the four applicants listed above are factored in as supporting the proposal, then five (or 72%) of the seven responses received support the proposal.
21. There is no residents association in this area.
22. The officer in Charge - Parking Enforcement agrees with this recommendation.

**11 Cont'd**

**STAFF RECOMMENDATION**

It is recommended that the Hagley/Ferrymead Community Board recommends that Council:

Revoke the following parking restrictions:

- (a) That two parking spaces currently controlled by Pay and Display and restricted to a maximum period of 60 minutes on the north side of Armagh Street commencing at a point 98.5 metres east from its intersection with Colombo Street and extending in an easterly direction for a distance of 12.8 metres be revoked.
- (b) That the parking of vehicles currently restricted to a maximum period of 10 minutes on the north side of Armagh Street commencing at a point 174.8 metres east from its intersection with Colombo Street and extending in an easterly direction for a distance of 27.2 metres be revoked.

Approve the following:

- (c) That the parking of vehicles be restricted to a maximum period of 10 minutes on the north side of Armagh Street commencing at a point 98.5 metres east from its intersection with Colombo Street and extending in an easterly direction for a distance of 12.8 metres.
- (d) That two parking spaces controlled by Pay and Display and restricted to a maximum period of 60 minutes and operative 9am to 5pm Monday through Thursday, 9am to 8.30pm Friday and 9am to 1pm Saturday, be installed on the north side of Armagh Street commencing at a point 174.8 metres east from its intersection with Colombo Street and extending in an easterly direction for a distance of 12.8 metres.
- (e) That the parking of vehicles be restricted to a maximum period of 10 minutes on the north side of Armagh Street commencing at a point 187.6 metres east from its intersection with Colombo Street and extending in an easterly direction for a distance of 14.4 metres.

**CHAIRPERSON'S RECOMMENDATION**

That the staff recommendation be adopted.







**12. SALISBURY STREET - PROPOSED NO STOPPING RESTRICTION**

<b>General Manager responsible:</b>	General Manager City Environment DDI 941 8608
<b>Officer responsible:</b>	Transport and Greenspace Manager
<b>Author:</b>	Steve Hughes, Traffic Engineer - Community

**PURPOSE OF REPORT**

1. The purpose of this report is to seek the Hagley/Ferrymead Community Board's approval that the stopping of vehicles be prohibited at any time on a portion of the south side of Salisbury Street.

**EXECUTIVE SUMMARY**

2. Council staff have received a request from an occupant of 1/166 Salisbury Street that the existing No Stopping restriction, which extends westwards from the corner of Manchester Street for 35 metres, be extended to prevent vehicles from parking illegally between two vehicle entrances and thereby obstructing both entrances.
3. Salisbury Street is a two lane one way east minor arterial road with a 24 hour seven day average vehicle count of 5,211 vehicles. The main vehicle entrance into 166 Salisbury Street, which is a complex of eight apartments, is located 35.4 metres west of Manchester Street. Another vehicle entrance providing access into 1/166 Salisbury Street commences 5.8 metres further west of this main vehicle entrance. It is the gap between these two vehicle entrances that this report relates too.
4. It is illegal to park within one metre of a vehicle entrance. Taking this into account, there is only 3.8 metres of parking space between the two vehicle entrances, which is insufficient space to allow the legal parking of an average sized vehicle.
5. In addition to the above, if a vehicle is parked between the two vehicle entrances, the ability of residents to quickly and safely turn into the vehicle entrance is restricted. The use of right turn indicators by residents to show they are turning into their vehicle entrance is often interpreted by following vehicles as being for a right turn into Manchester Street. Consequently when the residents slow in the straight through lane to turn into their vehicle entrance, there is an increased risk of a nose to tail vehicle accident.
6. The extension of the existing No Stopping restrictions will prevent the illegal parking of a vehicle between the two vehicle entrances and allow residents of 166 Salisbury Street to move out of the straight through traffic flow before turning into their vehicle entrance.
7. Individual consultation was not carried out with any other residents in this area as the property of 166 Salisbury Street is considered to be the only property affected. The MOA Neighbourhood Committee were consulted, and support this proposal.

**FINANCIAL IMPLICATIONS**

8. The estimated cost of this proposal is approximately \$50.

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

9. The installation of road markings and signs is within the LTCCP Streets and Transport Operational Budgets.

**LEGAL CONSIDERATIONS**

10. Part 1, Clause 5 of the Christchurch City Council Traffic and Parking Bylaw 2008 provides the Council with the authority to install parking restrictions by resolution.
11. The Community Boards have delegated authority from the Council to exercise the delegations as set out in the Register of Delegations dated April 2008. The list of delegations for the Community Boards includes the resolution of parking restrictions and Traffic Control Devices.

**12 Cont'd**

12. The installation of any parking restriction signs and/or markings must comply with the Land Transport Rule: Traffic Control Devices 2004.

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

13. As above.

**ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

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

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

15. As above.

**ALIGNMENT WITH STRATEGIES**

16. The recommendations align with the Council Strategies including the Parking Strategy 2003, Road Safety Strategy 2004 and the Safer Christchurch Strategy 2005.

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

17. As above.

**CONSULTATION FULFILMENT**

18. This application for the extending of the existing no stopping restrictions came from a resident of 166 Salisbury Street. This property is the only property affected by this proposal.
19. The MOA Neighbour Committee were consulted in regard to this proposal, and support it.
20. The officer in Charge - Parking Enforcement agrees with this recommendation.

**STAFF RECOMMENDATION**

It is recommended that the Hagley/Ferrymead Community Board:

Revoke the following parking restrictions:

- (a) That any existing parking restrictions at any time on the south side of Salisbury Street commencing at its intersection with Manchester Street and extending in a westerly direction for a distance of 35 metres be revoked.

Approve the following:

- (b) That the stopping of vehicles be prohibited at any time on the south side of Salisbury Street commencing at its intersection with Manchester Street and extending in a westerly direction for a distance of 41 metres.

**CHAIRPERSON'S RECOMMENDATION**

That the staff recommendation be adopted.



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**Christchurch**  
City Council



**Salisbury Street**  
Proposed No Stopping Restrictions  
For Board Approval

Original Plan Size: A4  
ISSUE.1 09/06/09  
TG100974 MCD

**13. LINWOOD AVENUE - PROPOSED NO STOPPING RESTRICTION**

<b>General Manager responsible:</b>	General Manager City Environment DDI 941 8608
<b>Officer responsible:</b>	Transport and Greenspace Unit Manager
<b>Author:</b>	Steve Hughes, Traffic Engineer - Community

**PURPOSE OF REPORT**

1. The purpose of this report is to seek the Hagley/Ferrymead Community Board's approval that the stopping of vehicles be prohibited at any time on the south side of the northern carriageway of Linwood Avenue.

**EXECUTIVE SUMMARY**

2. Council staff have received a request from a member of the public that a No Stopping restriction be installed on the south side of the northern carriageway of Linwood Avenue adjacent to the right turn access lane from Smith Street (refer **attached**).
3. Linwood Avenue is a two lane major arterial divided road with limited access, and a daily vehicle count of 30,863 vehicles (August 2007). Smith Street is a local road that intersects Linwood Avenue's southern carriageway. There are no vehicle counts available for Smith Street.
4. Between the two Linwood Avenue carriageways there is an 18.5 metre wide landscaped and planted central dividing island with parking lanes on each side. It is the south or inner parking lane of the northern carriageway between the intersections of Thomas Street and Hay Street that this report specifically relates to.
5. A vehicle exiting Smith Street and turning right into Linwood Avenue has to cross the two lanes of the southern carriageway and then cross the central island to a Give Way control. As a vehicle can only turn right at this intersection, both the road and the Give Way limit lines are angled to the right. This means a driver waiting at the limit lines has to look back over his or her left shoulder to see oncoming vehicles. When there are no vehicles parked on this inner parking lane close to the corner there is adequate visibility of both south - east bound lanes of traffic.
6. On Saturdays, or when there are large numbers playing sports at Linwood Park, there is a high demand for nearby parking. As a result, parking in the south or inner parking lane of the northern carriageway can sometimes extend close up to the right turn access lane from Smith Street. Although vehicles can legally park up to six metres away from the access lane, by doing so this severely restricts the view of oncoming vehicles for motorists stopped at the Give Way limit lines.
7. With vehicles legally parked six metres from the access lane, the view of any oncoming vehicles in the inner through lane to a motorist stopped at the Give Way limit line is restricted to around 10 metres. Travelling at the speed limit of 60 kilometres per hour, an oncoming vehicle would cover this distance in one sixth of a second.
8. The proposed installation of 21 metres of no stopping restriction on the southern carriageway northwest of the right turn access lane from Smith Street will increase the visibility motorists turning right onto Linwood Avenue have of oncoming vehicles in the inner through lane to 50 metres. This will increase the time available for taking preventative action to just over three seconds. While this will reduce the number of parking spaces by approximately four spaces, there are many alternatives parking places available a short distance away.
9. Whilst the lack of visibility at this intersection is usually only experienced on a Saturday, the potential impact of an accident caused by the lack of visibility and the 60 kilometres per hour plus speeds that vehicles travel along Linwood Avenue make it appropriate to install the proposed No Stopping restrictions to improve the safety of road users at this intersection.

**13 Cont'd**

10. No consultation was completed with local residents as there are none that are considered to be affected by this proposal. There is ample alternative parking available in the adjacent area for people using the sports facilities at Linwood Park.

**FINANCIAL IMPLICATIONS**

11. The estimated cost of this proposal is approximately \$100.

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

12. The installation of road markings and signs is within the LTCCP Streets and Transport Operational Budgets.

**LEGAL CONSIDERATIONS**

13. Part 1, Clause 5 of the Christchurch City Council Traffic and Parking Bylaw 2008 provides the Council with the authority to install parking restrictions by resolution.
14. The Community Boards have delegated authority from the Council to exercise the delegations as set out in the Register of Delegations dated April 2008. The list of delegations for the Community Boards includes the resolution of parking restrictions and Traffic Control Devices.
15. The installation of any parking restriction signs and/or markings must comply with the Land Transport Rule: Traffic Control Devices 2004.

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

16. As above.

**ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

17. Aligns with the Streets and Transport activities by contributing to the Council's Community Outcomes Safety and Community.

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

18. As above.

**ALIGNMENT WITH STRATEGIES**

19. The recommendations align with the Council Strategies including the Parking Strategy 2003, Road Safety Strategy 2004 and the Safer Christchurch Strategy 2005.

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

20. As above.

**CONSULTATION FULFILMENT**

21. No consultation has been done with nearby residents, as none are considered to be directly affected by this proposal.
22. Consultation was not considered necessary with the Bromley Community Association in relation to this proposal.
23. The officer in Charge - Parking Enforcement agrees with this recommendation.

**13 Cont'd**

**STAFF RECOMMENDATION**

It is recommended that the Hagley/Ferrymead Community Board approve the following on the northern carriageway on Linwood Avenue:

- (a) That the stopping of vehicles be prohibited at any time on the south side of the northern carriageway of Linwood Avenue commencing at its intersection with the right turn access lane from Smith Street and extending in a north - westerly direction for a distance of 21 metres.

**CHAIRPERSON'S RECOMMENDATION**

That the staff recommendation be adopted.





**Christchurch City Council** 

**Linwood Avenue North Carriageway**  
Proposed No Stopping Restriction  
For Board Approval

Original Plan Size: A4  
ISSUE.1 09/06/09  
TG100975 MCD

**14. LINWOOD AVENUE POPLAR TREES - TREE REMOVAL**

<b>General Manager responsible:</b>	General Manager City Environment DDI 941 8608
<b>Officer responsible:</b>	Transport and Greenspace Unit Manager
<b>Author:</b>	Laurie Gordon, Transport and Greenspace

**PURPOSE OF REPORT**

1. To obtain a decision from the Hagley/Ferrymead Community Board regarding the future of two Chinese poplar trees (*Populus Yunnanensis*) located on the street berm outside 518 Linwood Avenue, Woolston (refer **attached**).

**EXECUTIVE SUMMARY**

2. Mr Wartmann, of 518 Linwood Avenue, made a deputation to the Hagley/Ferrymead Community Board meeting on 6 August 2008, and requested that five mature poplar trees located on the berm outside his property be removed.

The reasons for the request related to:

- (a) Mr Wartmann's belief that the trees are unsuitable because of the shade they will create as they get bigger;
  - (b) a sticky substance that is released by the trees in spring and summer.
3. Staff advised that three of the trees were in poor condition and should be removed.
  4. At the meeting of 6 August 2008 the Board gave staff the following direction:

"The Board agreed that the three trees suffering from poor condition and disease should be removed under the delegations currently available to the arborist after the neighbours are advised of the proposed removal, and further that the arborist provide a report to the Board regarding the two remaining Chinese poplars on the site".

The trees in poor condition were removed and the remaining two trees were pruned in January 2009.

5. Following the removal of the three trees and the maintenance of the remaining two trees, Mr Wartmann verbally stated to staff that he did not perceive the remaining two trees to be as much of a problem due to their position in relation to his property.
6. The remaining two trees are currently healthy and structurally sound with no apparent abnormalities which would indicate an arboricultural reason to remove them.
7. For the reasons given in paragraphs 5 and 6, staff recommend that the trees be retained.

**FINANCIAL IMPLICATIONS**

8. The cost to remove and replace the two trees is \$4,250.
9. The STEM evaluation points per tree total are 108.
10. The total valuation for the two trees using STEM is: \$38,028.

*STEM (A Standard Tree Evaluation Method) is the New Zealand national arboricultural industry standard for evaluating and valuing amenity trees by assessing their condition and contribution to amenity along with other distinguishable attributes such as stature, historic or scientific significance.*



14 Cont'd

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

11. The recommendations align with the current LTCCP budgets.

**LEGAL CONSIDERATIONS**

12. The Greenspace Manager has the following delegation with respect to trees:

"In consultation with any other units affected and the relevant Community Board, authorise the planting or removal of trees from any reserve or other property under the Manager's control".

13. While the Transport and Greenspace Manager has the delegation to remove the trees, current practice is that in most cases requests to remove healthy and structurally sound trees are placed before the appropriate Community Board for a decision.

14. The Community Boards have the following delegation with respect to trees:

"To plant, maintain and remove trees on reserves, parks and roads under the control of the Council within the policy set by the Council".

15. Protected street and park trees can only be removed by a successful application under the Resource Management Act. The tree is not listed as protected under the provisions of the Christchurch City Plan.

16. The following City Plan Policies may be of some benefit when considering the options:

**Volume 2: Section 4 City Identity**

**4.2.1 Policy: Tree Cover**

**To promote amenity values in the urban area by maintaining and enhancing the tree cover present in the City.**

Tree cover and vegetation make an important contribution to amenity values in the City. Through the redevelopment of sites, existing vegetation is often lost and not replaced. The City Plan protects those trees identified as "heritage" or "notable" and the subdivision process protects other trees which are considered to be "significant". The highest degree of protection applies to heritage trees.

Because Christchurch is largely built on a flat plain, trees and shrubs play an important role in creating relief, contributing to visual amenity and attracting native birds.

The amount of private open space available for new planting and to retain existing trees is influenced by rules concerning building density and setback from boundaries. The rules do not require new planting for residential development but landscaping is required in business zones.

**4.2.2 Policy: Garden City**

**To recognise and promote the "Garden City" identity, heritage and character of Christchurch.**

A key aspect of achieving this policy will be maintaining and extending environments and vegetation types that compliment this image. A broad range of matters influence and contribute to this image, including the following:

- Tree-lined streets and avenues
- Parks and developed areas of open space

14 Cont'd

**14.3.2 Policy: "Garden City" image identity**

**To acknowledge and promote the "Garden City" identity of the City by protecting, maintaining and extending planting which compliments this image.**

**Volume 3: Part 8 Special Purpose Zone**

**14.3.5 Street Trees**

Nearly half the length of streets within the city contains street trees, but the presence of very high quality street trees which add considerable presence to streets and neighbourhoods is confined to a relatively small proportion of the road network. These streets add particular character and amenity of the city, either in the form of avenues which form points into the city, or an important part of the local character of particular streets.

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

17. The Council has the legal right to approve or decline the application to remove the trees.
18. The District Court can order the pruning or removal of the trees under The Property Law Amendment Act 1975.

**ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

19. Removing and replacing the trees without obtaining reimbursement from the applicant is inconsistent with the current LTCCP as funding has not been allocated in the Transport and Greenspace Unit tree maintenance (operational) budget for the removal of structurally sound and healthy trees.
20. Obtaining reimbursement from the applicant to remove and replace structurally sound and healthy trees is consistent with the current LTCCP.
21. Funding is available for the removal and replacement of trees which are no longer appropriate in their current position from the Transport and Greenspace Unit Street Tree Capital Renewals budget.
22. Retention of the trees is consistent with the Activity Management Plan provided the trees are structurally sound and healthy.
23. Removal and replacement of the trees is consistent with the Activity Management Plan.

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

24. Retaining the trees would support the current Level of Service for the tree provision in streets.

**ALIGNMENT WITH STRATEGIES**

25. Draft LTCCP 2009 - 19:

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- (a) Governance - By enabling the community to participate in decision making through consultation on plans and projects;
- (b) City Development - By providing a well-designed, efficient transport system and attractive street landscapes.

**14 Cont'd**

26. There is currently no overarching city wide strategy for vegetation management.
27. There is currently no policy for the pruning or removing of trees in public spaces. A Draft Tree Policy is being worked on.
28. Removing and replacing the trees would be in keeping with the Garden City image.
29. Removing the trees and not replacing them would not be in keeping with the Garden City image.

**CONSULTATION FULFILMENT**

30. Should the Community Board approve the removal of the trees consultation will take place with affected parties four weeks prior to their removal.

**STAFF RECOMMENDATION**

It is recommended that the Hagley/Ferrymead Community Board decline the request to remove the Chinese poplar trees from outside 518 Linwood Avenue, and continue to maintain the trees to internationally recognised and accepted arboricultural practices, standards and procedures and continue to monitor them for ongoing health and structural integrity.

**CHAIRPERSON'S RECOMMENDATION**

For discussion.

**BACKGROUND (THE ISSUES)**

31. The subject trees were originally part of a group of five poplar trees. Three of the trees have been removed due to poor condition, and the remaining two trees have been pruned.
32. The removal of the three trees and the maintenance of the remaining two trees have reduced the amount of debris and shading caused by the trees.
33. The resinous substance that is formed on the leaf bud scales is to help prevent damage to the buds from insects. In early spring, at leaf burst, these sticky scales fall, the substance eventually hardening to a degree that makes it very difficult to remove from any objects that the scales land on.
34. Problems with leaf fall, shade and sticky buds will increase as the trees grow larger.
35. Chinese poplars are no longer considered as appropriate trees to plant in streets or in parks close to playgrounds, infrastructure or residential boundaries.
36. The remaining two trees are considered as significant to the local streetscape (score more than 100 STEM points each).
37. The trees are currently healthy and structurally sound, and there are no apparent abnormalities that would indicate an arboricultural reason to remove the trees.

**THE OBJECTIVES**

38. The objective of this report is to place Mr Wartmann's case before the Community Board for a decision on the future of the trees.

**THE OPTIONS**

**Option 1**

39. Maintain the status quo. Do not remove the trees for debris and shade issues. Continue to maintain the trees to internationally accepted arboricultural standards, practices and procedures and continue to monitor them for ongoing health and structural integrity.

**14 Cont'd**

**Option 2**

40. Remove and replace the trees:

(a) Council pays for the removal and replacement of the tree (cost of \$4,250);

Or

(b) Mr Wartmann pays for the removal and replacement of the trees (cost of \$4,250), and this work is carried out by a Council appointed contractor.

**THE PREFERRED OPTION**

**Option 1**

41 Maintain the status quo. Do not remove the trees for debris and shade issues. Continue to maintain the trees to internationally accepted arboricultural standards, practices and procedures and continue to monitor them for ongoing health and structural integrity.

15. 7. 2009

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ATTACHMENT TO CLAUSE 14

**Poplar Trees - 518 Linwood Avenue**





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ATTACHMENT TO CLAUSE 14 Cont'd



**15. 2008/09 STRENGTHENING COMMUNITIES FUNDING - SIX MONTH ACCOUNTABILITY REPORT**

<b>General Manager responsible:</b>	General Manager Community Services DDI 941 8607
<b>Officer responsible:</b>	Community Support Unit Manager
<b>Author:</b>	Shupayi Mpunga, Community Development Adviser

**PURPOSE OF REPORT**

1. The purpose of this report is to provide the Hagley Ferrymead Community Board with a six month update on the progress of projects that received a grant from the 2008/09 Strengthening Communities Fund (SCF).

**EXECUTIVE SUMMARY**

2. The amount of the Council's SCF allocated by the Board for the 2008/09 financial year was \$280,000.
3. On 23 July 2008, the Board allocated its Strengthening Communities Funding to specific projects.
4. Successful applicants from the SCF are required to submit a six month accountability report and an end of project accountability report. Attached to this report, is a matrix detailing the information received from the six month accountability reports.
5. In 2008/09 a new reporting system, using a Results Based Accountability framework, was introduced. This system uses three key questions to measure the impact and efficiency of projects.
  - How much did you do?
  - How well did you do it?
  - Is anyone better off?

**FINANCIAL IMPLICATIONS****Strengthening Communities Fund**

6. On 23 July 2008, the Board allocated its Strengthening Communities Funding (\$280,000) across 20 projects.

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

7. Yes, paragraphs 3 to 6 above refer.

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

8. There are no direct legal issues involved in this review process.

**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?**

9. Not applicable.

**ALIGNMENT WITH STRATEGIES**

10. The funding allocation process carried out by the Christchurch City Council Community Boards is covered in the Council's Strengthening Communities Strategy.

**15 Cont'd**

11. Funding allocations made contribute to fulfilling the Council's 2006/16 Strategic Objectives (Strong Communities) and Community Outcomes (Governance and Community), are aligned with the Strengthening Communities Strategy 2007 and contribute to meeting the Board's Objectives for the 2006/09 period.

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

12. Yes, as per paragraph 13 above.

**CONSULTATION FULFILMENT**

13. Not applicable.

**STAFF RECOMMENDATION**

It is recommended that the Board receive the Six Month Accountability Report.

**CHAIRPERSON'S RECOMMENDATION**

That the staff recommendation be adopted, and staff be thanked for the report.

**BACKGROUND**

**Six month accountability reports**

14. In total, 28 projects received a grant in 2008/09 from either the Strengthening Communities Fund and the Discretionary Response Fund. Of these, 16 have completed their six month accountability reports so far, these are summarised in the matrix (refer **attached**).
15. The attached matrix includes details on how the funded projects are progressing using the three questions asked as part of the required accountability report (see below for details).
16. A subsequent accountability report will be completed at the end of each project, due no later than 30 September 2009.
17. Staff are following up with any group that has not completed their six month accountability report. It should be noted that groups that have received a grant from the Discretionary Response Fund *within* the last six months are not yet required to submit an accountability report.
18. Projects that received a grant from the Small Grants Fund (formerly the Small Projects Fund) are not required to complete a six month accountability report. Instead, these projects complete one accountability report at the end of their project or when all the funds are expended.

**New accountability measures – Results Based Accountability**

19. In 2008/09, a new accountability system, based a Results Based Accountability framework developed by Mark Friedman, was implemented to better measure the impact and efficacy of the projects funded.
20. Results Accountability starts with the desired 'ends' and works backward, step by step, to the 'means'. For example - for communities, the ends are conditions of well-being for children, adults, families and the community as a whole such as residents with good jobs, a safe neighbourhood, or a clean environment.
21. The system uses three basic questions:
  - How much did you do?
  - How well did you do it?
  - Is anyone better off?



**15 Cont'd**

22. Mark Freidman a speaker, consultant and author of the book '*Trying Hard Is Not Good Enough: How to Produce Measurable Improvements for Customers and Communities*'. Mr Friedman directs the Fiscal Policy Studies Institute (FPSI) in Santa Fe, New Mexico. His work has been used in over 40 US states and countries around the world, including Australia, New Zealand, the UK, Ireland, the Netherlands and Norway.
23. Mark Freidman gave a presentation on the Results Based Accountability system for Elected Members on 10 June 2009 at Civic Chambers.
24. All groups that received funding in the 2008/09 year were invited to attend a seminar with Mark Friedman on 5 December 2008. The seminar explained the reasoning behind Results Based Accountability and showed groups how to measure their project's outcomes in this way.
25. Staff have also been trained on the results Based Accountability System and have been available to groups to help them to complete their accountability reports.

## HAGLEY FERRYMEAD STRENGTHENING COMMUNITIES FUND - SIX MONTH PROGRESS REPORT

Name of Group	Project Name / Description	Amount Funded	Contribution to Community Grants Funding Outcomes	Progress of Project (How much did they do, how well did they do it, and who is better off as a result)
<b>Woolston Development Project</b>	Linwood Out of School Time (LOST)	\$10,000	The provision of an after school programme in Linwood meets the City Council funding outcomes in terms of promoting community based recreation which also provides opportunities for primary school aged children to develop life/social skills.	<p>LOST is open 3 - 5.30pm Monday - Friday during school terms. 25 children attend each day plus a waiting list. Families benefit from having a safe, positive after-school facility.</p> <p>Three staff supervise the children. Staff attend regular training. Children benefit from the diverse activities provided.</p> <p>Two Youth Volunteers support the programme. Members of the community have a commitment to the programme. Youth volunteers benefit from the opportunity to gain work experience and life skills.</p>
<b>Woolston Development Project</b>	Bromley Out of School Programme (BOSP)	\$10,000	The provision of an after school programme in Bromley meets the City Council funding outcomes in terms of promoting community based recreation which also provides opportunities for primary school aged children to develop life/social skills.	<p>BOSP is open 3 - 5pm Monday - Friday during the school terms. 24 children attend each day on average. Families benefit from having a safe, positive after-school facility.</p> <p>Three staff supervise the children. Staff attend in-house and OSCAR Network training. Children benefit from the diverse activities provided.</p> <p>Two Youth Volunteers and one 'Goldie' support the programme. Members of the community have made a long term commitment to the programme. Youth volunteers benefit from the opportunity to gain work experience and life skills.</p>
<b>Woolston Development Project</b>	Family Support Service	\$20,400	The provision of a home-based family support service, which includes: parenting skills, behaviour management, crisis management, advocacy, finance and housing support, entry into community based childcare contributes to the City Council funding outcomes regarding the provision of community based programmes that enhance basic life skills and reduction of barriers to participation.	<p>45 families involved in family support service. 14 children with behavioural issues have been introduced into After School and/or holiday programmes.</p> <p>89 children directly benefited by this support. 22 families received regular home-based parenting support, learning basic skills around their children's routines, health, hygiene etc.</p> <p><i>Staff Comment</i> The work being done by the family support worker in the community is of paramount importance, especially since it is a home-based programme. The family support worker has continued to work with families to identify areas needing early intervention. Very valuable input into our community.</p>
<b>Avebury House Community Trust</b>	Provision of Security Services for after hours at Avebury House	\$5,600	<p>The project to provide security services after hours was to:</p> <ol style="list-style-type: none"> <li>1. Enhance community and neighbourhood safety.</li> <li>2. Support, develop and promote capacity and sustainability.</li> </ol>	<p>Between 1 August 2008 and 28 February 2009, after hours security was employed 219 times. Feedback from clients expressed total satisfaction with the service. Feedback from clients indicates a greater sense of safety in attending groups using premises after hours.</p> <p>In spite of economic downturn and bookings reducing, more people are accessing the House. 1.2% increase in bookings after hours. Trustees are now able to provide back up if security measures fail.</p>
<b>Phillipstown Community Centre Charitable Trust</b>	Phillipstown Community Centre	\$43,150	The Phillipstown Community Centre needs to be accessible for the community and client groups for resources, seek help or support by the community. The significant presence of the Community Centre has benefited many community members through being open door and accessible when required or needed by all who access resources/referrals.	<p>20 young people attend the Breakfast Club regularly. 70% of young people continue to attend the Breakfast Club. 70% of young people know they can access Breakfast before school if needed.</p> <p>20 Community members drop in to C/C for information/advice/help. 80% receive the required information they need or contact details. 80% of community members are able to access required services needed.</p> <p>20 clients required information to be referred to agencies. 80% referred on to social services identified by needs. 85% of all community are referred on to services for complex needs identified.</p>

Name of Group	Project Name / Description	Amount Funded	Contribution to Community Grants Funding Outcomes	Progress of Project (How much did they do, how well did they do it, and who is better off as a result)
<b>Family and Community Division of Anglican Care</b>	Linwood Resource Centre (LRC)	\$28,440	<p>The community development worker based at LRC facilitates a range of activities and programmes and community events that contribute to the Christchurch City Council funding outcomes by:</p> <ul style="list-style-type: none"> <li>- Increasing participation in and awareness of community recreation, programmes and events, enhancing community and neighbourhood safety.</li> <li>- Providing community based programmes that enhance basic life skills and fostering collaborative responses to areas of identified need.</li> </ul>	<p>Average of 450 people use LRC per month. Increased numbers on previous year by 20%. People are coming because they are interested in participating and not necessarily just for the free food. 100% of people participating in the garden have learnt garden skills and, those that have wanted to, have participated in creating special areas using handyperson skills.</p> <p>Approximately 250 visited for the first time in a six month period. It is still difficult to attract people to commit themselves to being volunteers on a regular basis. 100% of people wanting to grow vegetables have learnt and benefited from fresh vegetables they have grown themselves. Others in the community have benefited from the communal vegetable garden. People have used the produce to make lunch once a week together.</p> <p>Just over 10% of people using LRC are non New Zealand European. People from all cultures are able to participate in their local community activities. 95% of people visiting LRC have benefited from the tranquil environment that has been created.</p>
<b>Linwood Community House</b>	Parents Support Group	\$6,000	<p>The parent support group has provided our young parents with a safe, non judgmental environment to come to either seek help or just to talk. We have worked on empowerment and strengthening skills and this has made our parents more able to contribute to the community and provide a safer environment for their children.</p>	<p>13 young mums started in our group. An average of seven parents go to the Community House each week. 100% young parents have reported back that they like having a non judgemental safe place to come and talk. It also gives them the opportunity for peer discussion as well and they actually learn a lot from each other.</p> <p>One of the young mums is now confident enough to seek a course to enable her to up-skill. A young mum was able to get out of an abusive relationship and survive the Christmas period before getting back on her own two feet.</p> <p>250 leaflets delivered in local area.</p> <p><i>Staff Comment</i> With the number of young parents in the Linwood area, the work Linwood Community House is doing with the young parents helps boost the confidence of the young parents. They are able to access services they may not have accessed in the past due to the support they can get from the social worker who sits in some meetings between the agencies and the young parents as a support person. The speakers who address the young parents periodically also give valuable input into the programme. It has potential to grow.</p>
<b>Spreydon Youth Community Trust</b>	Linwood College 24 - 7 Youth Work	\$28,330	<p>Youth workers connect with a wide portion of youth in their local community through the local school, to complement and enhance the role of teachers, provide a holistic support network for students, and to enhance the spirit of the school.</p> <p>Youth workers support and encourage young people to be vibrant, healthy and contributing members of their families, peer groups, school and community. Youth workers encourage young people to participate more fully in activities in their community and society. They help build positive relationships amongst students strengthen students in leadership roles.</p> <p>Young people are given opportunities to take part in activities they might otherwise have avoided or not come across e.g. tramping, camps and other large group activities.</p> <p>The way in which 24 - 7 Youth Workers links a local school and church to try to support its young people is indeed an example of collaboration to respond to an obvious need.</p>	<p>Two youth workers in Linwood College have input into the lives of the young people at Linwood College. Youth workers are present in the school 20% of school hours 50% of youth workers observing better behaviour in young people involved in the project.</p> <p>20 young people were mentored in a one on one way regularly by our youth workers. Around 25% of the youth workers time in the school was spent mentoring individuals. 2.5% of young people at the school are now being mentored one-on-one by a youth worker.</p> <p>115.5 contact hours with young people inside Linwood College and 180 contact hours with young people in a voluntary capacity at the Remix Programme in Linwood Park and at Eastgate Mall. 5% of the Linwood College School roll are involved in the Remix Programme at Linwood Park and other organised programmes and are therefore becoming more involved in the wider community. The school is 200% better off for having our Youth Workers in the school as an alternative role model to teachers of family, in contrary to having no 24 - 7 youth workers previously.</p> <p><i>Staff Comment</i> The 24 - 7 youth workers have had positive impact in Linwood through in-school activities and programme with young people and through their presence at Eastgate Mall and in the park. Over the years the 24 - 7 youth workers have continued to build relations with the students at Linwood College with the College requesting for more youth workers in the school. The time spent with students in school complements and reinforces the work being done by teachers in terms of building esteem, leadership development and encouraging positive behaviour. The collaboration between the school and the 24 - 7 youth workers has had positive impact for young people.</p>

Name of Group	Project Name / Description	Amount Funded	Contribution to Community Grants Funding Outcomes	Progress of Project (How much did they do, how well did they do it, and who is better off as a result)
<b>Kimihia Youth Skills Trust</b>	Employment of wrap-around social worker.	\$10,000	<p>With the employment of a wrap-around social worker who spends time with the students of the Kimihia Adventure Programme (KAP) during evenings, weekends and the school holidays, we have been able to:</p> <ul style="list-style-type: none"> <li>- Enhance community and neighbourhood safety;</li> <li>- Provide community based programmes which enhance basic life skills;</li> <li>- Reduce and overcome barriers to participation; support, develop and promote the capacity and sustainability of community groups and;</li> <li>- Foster collaborative responses to areas of identified need.</li> </ul>	<p>26 students were enrolled at KAP in 2008 92% engaged positively in the programme 100% of students stated that the programme was meeting at least 70% of their needs. Students moved from having an average score of 60% for attendance and behaviour to 70% over the duration of the year. Retention rate for programme for 2008 was 83%.</p> <p>73% of students achieved a positive outcome, either transitioning on to further training, employment, or remaining at KAP.</p> <p>Holiday and evening programmes and camps organised. 100% of students attended at least one of the provided activities.</p> <p><i>Staff Comment</i> <i>The wrap-around social worker has built relationships with the young people who take part in the Kimihia Adventure Programme. This has helped to ensure that young people have someone close by to share their problems with and try to resolve problems as they arise or work with the Whanau Worker to address problems that may stem from the home environment.</i></p>
<b>Our Youth Our Community Charitable Trust Inc</b>	Community programmes for children, youth and families on limited income.	\$3,000	<p>We as an organisation contribute to the community grants funding outcomes by providing the people in our community with after school programmes, events, camps etc.</p> <p>Our focus is and has been for the last 13 years to create a better family life for the participants attending those programmes etc.</p>	<p>Providing one full-time and two part-time community and youth workers. Provided excellent service to the participants attending our community programmes. Participants enjoy coming to programmes and interact very well with our staff.</p> <p>Providing one part-time teacher aide. Provided excellent service to those attending our education programme (part of community programmes). The standard of education provided to participants is excellent and very beneficial to those attending our education programme.</p> <p>Providing approximately 24 volunteers. Provided extra support to our staff and helped improving the quality of our programmes. The level of care and dedication shown by our volunteers towards our approximately 76 participants each week is very high.</p>
<b>Our Youth Our Community Charitable Trust Inc</b>	Salaries, volunteer expenses and administration expenses for children and youth programmes.	\$8,000	<p>All three components of this project contributes to the community grants funding outcome by having:</p> <ol style="list-style-type: none"> <li>(a) provided payment to staff</li> <li>(b) rewarded dedicated volunteers and</li> <li>(c) financed part of our administration budget.</li> </ol>	<p>One full time and two part time youth workers. Youth workers work well as a team and provide excellent service to the community. Our youth workers feel that they are appreciated by receiving the current compensation for their time.</p> <p>Approximately 4,000 hours of volunteer work. While struggling at times, we maintain a team of dedicated volunteers. Rewards for up to 24 volunteers helping out with a variety of programmes, events, camps and approximately 900 hours of work put in annually by administrator, are indeed appreciated.</p> <p>Annual office administration budget of \$ 10,850. Council funding paid for part of this budget. Everyone is better off, because funding received means administrative goods and services can continue to be paid for, and therefore our overall services to the wider community can continue.</p> <p><i>Staff comments</i> <i>Our Youth Our Community has continued to foster close relations with the children, youth and families who take part in their programmes. The number of children and young people who access programmes. The youth workers and the teacher aide have developed close relationships with the children who attend and positive feedback has in some cases been received from school teachers who notice change in grades and attitude of students getting help with homework and being in positive environments.</i></p>
<b>Our Youth Our Community Charitable Trust Inc</b>	Teacher aide salary for social development/education programmes.	\$7,000	<p>The project is for paying our teacher aide for the work she does with the children attending our education programme which is part of our after school programmes.</p> <p>This project contributes to the funding outcome of supporting young people in our community by offering them free education after school.</p>	<p>One teacher aide. Works well with the pupils. Pupils know who they can talk to if they have problem with their home work.</p> <p>Five pupils at a time are given the help they need with their home work. Improvement of quality of work. Pupils can set themselves higher goals.</p> <p>70 hours of education has been provided during the current school. 17.5% of contact hours to date between teacher aide and pupils. Increased quality of education provides increased self esteem.</p>

Name of Group	Project Name / Description	Amount Funded	Contribution to Community Grants Funding Outcomes	Progress of Project (How much did they do, how well did they do it, and who is better off as a result)
<b>Community Support Unit</b>  (Community Engagement)	Awards, Events and Projects:  Neighbourhood Week 2008	\$3,350	Support, develop and promote the capacity and sustainability of community, recreation, sports, arts, heritage and environment groups.  Increase participation in and awareness of community, recreation, sports, arts, heritage and environment groups, programmes and local events.  Enhance community and neighbourhood safety.	33 events were held within the Hagley/Ferrymead ward. 43 applications were received, two were declined, 33 went ahead with their event, and eight did not. Approximately 1340 people participated in Neighbourhood Week events within the Hagley/Ferrymead ward. Many event organisers reported successful and enjoyable events, expressed appreciation, and wish to pass on thanks to the Christchurch City Council. Each event lasted approximately two - five hours. Revising guidelines used to assess applications.  The Board believes that Neighbourhood Week recognises strong community, through the sense of 'neighbourliness', by the number of neighbours attending the gatherings, and the ongoing benefits that may arise from this.  Neighbourhood Week is aligned with the Board objectives of: Advocate for and support measures that will assist the Hagley/Ferrymead ward to be a safer place for residents, visitors and businesses; acknowledge diversity and support measures for a vibrant, inclusive and strong communities.
<b>Recreation and Sport Unit</b>	Leisure Club for Older Adults - Phillipstown	\$5,000	Phillipstown Older Adults Leisure Club contributes to funding outcomes by meeting the social, recreation and accessibility needs of elderly adults in the Phillipstown area who may be socially isolated, on low incomes, and have limited mobility/disabilities.	An average of 15 people attend the programme each week. Informal feedback indicates that participants are highly satisfied with the choice of activities, delivery of programme. Participants attend on a regular basis contributing to individual well being.  Programme is run each week for two hours. Friendships are formed within a safe, supportive, inclusive environment.
<b>Recreation and Sports Unit</b>	LYFE (Linwood Youth Festival Experience)	\$15,000	LYFE is a youth event held at Linwood Park to express the talents of Linwood youth and provide an opportunity for information sharing. The event is core funded by the Hagley, Ferrymead Community Board with additional funding and promotional support from NZ Lottery Grants board, Eastgate Shopping Centre, Meridian Energy, Chart, Deflux, Phantom, Project Legit Tahu FM, RDU and More FM.  Supports, develops and promotes the capacity of local organisations and groups involved by providing a forum for these organisations to share information, support youth development and promote themselves to the local community.  Increases participation in and awareness of community, recreation, programmes and local events via the widespread promotion that is done through various networks and communities associated with the event. Also offers opportunities for participants to access information from the groups involved on the day.  Reduces barriers to participation as it provides a forum for all youth to celebrate their diversity together in a positive way. The event is also a free and accessible community event.	115 young people from Linwood performed or supported an activity at the LYFE Festival. 100% of participants and information stall holders indicated they would be involved in LYFE again. Youth focused agencies work together with local youth to plan and deliver LYFE.  50 groups promoted health, community, recreation, sport, education, training and careers at LYFE. LYFE operated within budget. Linwood youth talents are expressed and celebrated.  5,000 people attended LYFE. There is an opportunity for information sharing.



Name of Group	Project Name / Description	Amount Funded	Contribution to Community Grants Funding Outcomes	Progress of Project (How much did they do, how well did they do it, and who is better off as a result)
Recreation and Sports Unit (Linwood)	Community Events	\$11,000	<p>Local community events contribute to funding outcomes as they:</p> <ol style="list-style-type: none"> <li>1. Provide an opportunity to link with community recreation, sport, art, school, social and community groups/organisations and support, promote and in some cases increase capacity within these groups.</li> <li>2. Enable groups to promote themselves in a friendly environment reducing barriers to participation.</li> <li>3. Provide an opportunity for local communities to plan and work together on a project and provide the opportunity for the community to come together and have positive recreation experiences.</li> </ol>	<p>Community events are delivered – weather permitting</p> <ul style="list-style-type: none"> <li>- Two skate park events coordinated by CCC. Postponed due to weather.</li> <li>- Woolston Live at Woolston Park coordinated by CCC. Held in December.</li> <li>- Older Adults Event coordinated by CCC. To be held in July.</li> <li>- Neighbourhood Christmas Events coordinated by community groups. Three held in December</li> </ul> <p>Community events are well attended.</p> <ul style="list-style-type: none"> <li>- Two skate park events. Both have had to be postponed due to weather.</li> <li>- Woolston Live at Woolston Park - approximately 600.</li> <li>- Older Adults Event - to be held in July.</li> <li>- Neighbourhood Christmas Events - Approx 300.</li> </ul> <p>Local groups/organisations are involved in the planning and/or delivery of the events. Residents attending event are satisfied with the delivery of the events.</p> <ul style="list-style-type: none"> <li>- 100% of Christchurch residents surveyed indicated they would like to attend the events held again.</li> <li>- 100% of groups and organisations involved in planning and delivery of the events so far have indicated they would like to be involved again in future events</li> </ul> <p>Community events enable local organisations to come together and share what they do with the wider community. For example, three neighbouring schools Bamford, St Anne's and Woolston contributed to Woolston Live with children's performances.</p> <p>Key messages are actively promoted. For example, Healthy Eating Healthy Action are promoted with free fruit and participation in physical activities Community events increase a sense of belonging in the community, which is evident through anecdotal feedback such as 'The event was awesome. I really enjoyed the activities and community environment. It was great to see a positive cross section of the community come together and enjoy the day and event. The entertainment on stage was fantastic and all people gave it 100%. We hope this event is available next year'.</p>

**Not yet received:**

Democracy Services Unit – Board Support Team (Linwood)	\$10,000
Youth Initiatives Trust	\$22,000
Community Support Unit – Community Development (Linwood)	\$3,750
Youth Health Trust	\$31,634

## 16. ESTABLISHMENT OF A HAGLEY/FERRYMEAD COMMUNITY BOARD YOUTH DEVELOPMENT SCHEME FUND 2009/10

<b>General Manager responsible:</b>	General Manager Community Services DDI 941 8607
<b>Officer responsible:</b>	Community Support Unit Manager
<b>Author:</b>	Diana Saxton, Community Recreation Adviser

### PURPOSE OF REPORT

1. The purpose of this report is to seek approval from the Hagley/Ferrymead Community Board to set aside \$10,000 from its 2009/10 Discretionary Response Fund for the purpose of establishing a Youth Development Scheme Fund.

### EXECUTIVE SUMMARY

2. The purpose of the Youth Development Scheme is to celebrate and support young people living in the Hagley and Ferrymead wards by providing financial assistance for their development. The Community Board also seeks to acknowledge young people's effort, achievement and potential excellence in the community.
3. The Youth Development Scheme will consider applications for the following activities:
  - Personal Development and Growth - For example leadership training, career development, Outward Bound, Spirit of Adventure, extra curricular educational opportunities.
  - Representation at Events - Applicants can apply for assistance if they have been selected to represent their school, team or community at a local, national or international event or competition. This includes sporting, cultural and community events.
4. The following eligibility criteria must be met:
  - Applicant is aged 12 - 25 years old.
  - Projects must have obvious benefits for the young person and if possible the wider community.
  - Only one application permitted per year. A second application will only be accepted in exceptional cases and considered at the discretion of the Community Board.
  - Applicants should be undertaking other fundraising activities and not relying solely on Community Board support.
  - Successful applicants will be required to complete an accountability report and may be asked to attend a Youth Celebration event hosted by the Community Board to report back on their experiences.
5. Applicants will complete an application form and each application will be assessed by the appropriate staff member and a report presented to the Board for its consideration. As a guideline, a subsidy of up to \$500 for events/projects costing over \$2,000 will be recommended and up to \$300 for events/projects under \$2,000 will be recommended. Financial hardship and other special circumstances may impact on these guidelines.

### FINANCIAL IMPLICATIONS

6. This proposal transfers funds from the Board's Discretionary Response Fund into a separate Youth Development Scheme Fund. This will reduce the total amount available in the Board's Discretionary Response Fund in 2009/10 by \$10,000.

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

7. Yes.

**16 Cont'd**

**LEGAL CONSIDERATIONS**

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

8. There are no legal issues to be considered.

**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?**

9. Yes.

**ALIGNMENT WITH STRATEGIES**

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

10. Aligns with the Strengthening Community Strategy goals:
- Increase participation in community recreation and sports programmes and events.
  - Improve basic life skills so that all residents can participate fully in society.

**CONSULTATION FULFILMENT**

11. No external consultation needs to be undertaken.

**STAFF RECOMMENDATION**

That the Hagley/Ferrymead Community Board:

- (a) Establish a Youth Development Scheme for the 2009/10 year.
- (b) Approve the transfer of \$10,000 from the Hagley/Ferrymead Community Board's 2009/10 Discretionary Response Fund to the Hagley/Ferrymead Community Board's Youth Development Scheme Fund.

**CHAIRPERSON'S RECOMMENDATION**

That the staff recommendation be adopted.



**17. APPLICATION TO HAGLEY/FERRYMEAD COMMUNITY BOARD YOUTH DEVELOPMENT FUND - DANIEL BURKE**

<b>General Manager responsible:</b>	General Manager Community Services DDI 941 8607
<b>Officer responsible:</b>	Recreation and Sports Unit Manager
<b>Author:</b>	Diana Saxton, Community Recreation Adviser

**PURPOSE OF REPORT**

1. The purpose of this report is to present an application for funding assistance from the Youth Development Scheme Fund 2009/10 to the Hagley/Ferrymead Community Board.

**EXECUTIVE SUMMARY**

2. Funding is being sought by Daniel Burke of Avonside, a Year 11 student at Shirley Boys. Daniel has been successfully chosen for the Shirley Boys High School Dragon Boating team to represent New Zealand Under 18s at the World Championships to be held in Prague in August 2009.
3. Daniel is one of a 24 strong team going to the World Championships. He is a newcomer to the team, which has had outstanding success. The team have won the national title six times since 2003, coming a close second in 2006. This year the team continues their winning form, having won the secondary school South Island championships in March and the Nationals in April. Their winning times are competitive with top adult crews in the country and their sights are set high for the World Championships despite other teams being hand picked from a much bigger pool of talent.
4. Rigorous training is required to achieve these results with the team training at Kerr's Reach four times a week. Selection to the World Championships has also demanded intensive fundraising that the boys have been involved with on a regular basis. Daniel is also a member of the Shirley Boys Under 16A Rugby Team and is very involved in martial arts
5. The team will compete in 200 meter, 500 meter, one kilometre and two kilometre races at the World Championships over four days. Training will be once a day and there will be an opportunity to explore the city of Prague and interact with other teams from across the world. This will be an amazing sporting, educational and cultural experience for the boys.

**FINANCIAL IMPLICATIONS**

6. This is the first time the applicant has approached the Community Board for funding.
7. Cost per attendee is \$6,082. Significant fundraising efforts have been undertaken to raise the necessary funds for the team of 24 boys to compete including sausage sizzles and re-bagging flour.

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

8. Yes.

**LEGAL CONSIDERATIONS**

9. There are no legal issues to be considered.

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

10. Not applicable.

**ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

11. Yes, relates to Community Board Funding Allocations.

**17 Cont'd**

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

12. Yes, as mentioned above.

**ALIGNMENT WITH STRATEGIES**

13. Youth and Physical Recreation and Sport Strategy.

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

15. Yes.

**CONSULTATION FULFILMENT**

16. Not applicable.

**STAFF RECOMMENDATION**

It is recommended that the Hagley/Ferrymead Community Board allocate Daniel Burke \$500 from the Youth Development Scheme Fund 2009/10 to compete at the Dragon Boat World Championships in Prague in August 2009.

**CHAIRPERSON'S RECOMMENDATION**

That the staff recommendation be adopted.

**18. HAGLEY/FERRYMEAD COMMUNITY BOARD DISCRETIONARY RESPONSE FUND PROPOSED ALLOCATION TO PHILLIPSTOWN SCHOOL FOR AIR QUALITY TESTING**

<b>General Manager responsible:</b>	General Manager Regulation and Democracy Services DDI 941 8462
<b>Officer responsible:</b>	Democracy Services Unit Manager
<b>Author:</b>	Jo Daly, Community Board Adviser - Hagley/Ferrymead

**PURPOSE OF REPORT**

1. The purpose of this report is to provide the Hagley/Ferrymead Community Board with an opportunity to consider allocating 2008/09 Discretionary Response Funding to Phillipstown School for air quality testing.
2. The Board has twice deferred consideration of this report until the Environment Canterbury Air Quality Consent Decision was available. This decision was distributed to Board members on 23 June 2009.

**EXECUTIVE SUMMARY**

3. At its meeting on 6 May 2009 the Board heard a deputation from Tony Simpson regarding the activities of a business adjacent to the school property. Mr Simpson outlined the problems the school has been having with contaminant discharges, and expressed concerns regarding the effects chemical emissions and odours and are having on staff and pupils. Three Accident Compensation Commission claims have been lodged for chemical poisoning of school staff and there have been numerous further instances of sore throats and eyes reported. The Department of Labour, Environment Canterbury, Public Health officials and Police liaison organisations have all been alerted to the matter. The Phillipstown Community Centre and other community activities are also located in the vicinity of the business.
4. The business is located in a Business 3B zone under the City Plan, and has been operating since October 2008 without resource consent. A decision on the notified air discharge consent is due to be issued by Environment Canterbury commissioners by 16 June 2009.
5. Mr Simpson requested support from the Board in partnership with the school, that in the event the air discharge consent is granted, the Board consider funding \$3,000 to assist with future air quality testing, in particular for the chemical Styrene.
6. As a result of the deputation, the Board requested information from staff on the establishment of the factory, including adverse effects of emissions and odours and/or any non - compliance with the City Plan, and on the status and implications of the resource consent application to Environment Canterbury. This was provided in May 2009. In addition, the Board requested this report regarding funding chemical testing in partnership with the school from its Discretionary Response Fund.
7. The Council's Environmental Compliance Team have advised that air discharge issues at the site are outside the area of Christchurch City Council enforcement, and should be addressed to Environment Canterbury and the Department of Labour (Occupational Safety and Health). Staff have reviewed the Environment Canterbury decision and advise that they are comfortable from an Environmental Health and Hazardous Substances perspective with the Environment Canterbury decision.

**18 Cont'd**

8. In May Phillipstown School provided information from a quote obtained for air quality testing at the school. For testing over a period of approximately one month professional fees would be \$3,000, with a further \$3,000 required for an independent air quality testing company to sample and analyse the samples obtained.
9. The Environment Canterbury Commissioner decision on the Air Quality Consent Application for 464 St Asaph Street was issued on Friday 19 June. The decision grants the a consent for a period of 12 months, with conditions that include the collection and analysis of any reported adverse effects following new mitigation works by the applicant.
10. Phillipstown School have advised they are working with the business at 464 St Asaph Street in regard to air discharges. The school is also seeking to work with the local community on resolving its concerns.
11. Phillipstown School have advised that after considering the Environment Canterbury Air Quality Consent decision they are still proposing to carry out independent air quality testing, but are considering options other than the air quality testing proposed in May, including an extended period of testing in partnership with other organisations.

**FINANCIAL IMPLICATIONS**

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

12. Confirmation of the final amount allocated to Community Board discretionary funds is pending, following the Council's adoption of the 2009-19 LTCCP. The Board has yet to allocate any of its 2009/10 Discretionary Response Fund.

**LEGAL CONSIDERATIONS**

13. Under the Community Board delegations, the Board has absolute discretion over the implementation of the discretionary funding allocation (subject to being consideration with any policies of standards adopted by the Council).

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

14. There are no legal implications.

**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?**

15. Not applicable.

**ALIGNMENT WITH STRATEGIES**

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

16. Funding for this would align with the Community Board's Objective *"To advocate for and support measures that will assist the Hagley/Ferrymead ward to be a safer place for residents and businesses"*.

**18 Cont'd**

**CONSULTATION FULFILMENT**

17. Not required.

**STAFF RECOMMENDATION**

It is recommended that the Hagley/Ferrymead Community Board defer consideration of the request for financial assistance from Phillipstown School until the school is able to provide a detailed proposal of what action or independent testing it intends to carry out and the support it is seeking from the Board.

**CHAIRPERSON'S RECOMMENDATION**

That the staff recommendation be adopted.

**19. KEEP NEW ZEALAND BEAUTIFUL CONFERENCE 2009 - BOARD MEMBER ATTENDANCE**

<b>General Manager responsible:</b>	General Manager Regulation and Democracy Services DDI 941 8462
<b>Officer responsible:</b>	Democracy Services Manager
<b>Author:</b>	Jo Daly, Community Board Adviser

**PURPOSE OF REPORT**

1. The purpose of this report is for the Hagley/Ferrymead Community Board to consider appointing a Board member to attend the Keep New Zealand Beautiful Conference 2009 and Annual General Meeting in Rotorua from Friday 25 to Sunday 27 September 2009.

**EXECUTIVE SUMMARY**

2. The Board's representative on the Keep Christchurch Beautiful Committee is Rod Cameron.
3. The Committee is a voluntary organisation, which aims to promote a cleaner, more beautiful environment within Christchurch, and to raise the level of awareness of what the individual can do to improve his or her community and reduce litter. Notice of the national conference has been received. Christchurch has a member on the Keep New Zealand Beautiful Board.

**FINANCIAL IMPLICATIONS**

4. The cost for one member to attend the conference is approximately \$750, which would be met from the Board's 2009/10 operational budgets for conferences, training and travel. This covers travel, accommodation and the conference registration.

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

5. Yes.

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

6. There are no legal considerations involved.

**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?**

7. Yes, clause 4 above refers.

**ALIGNMENT WITH STRATEGIES****Do the recommendations align with the Council's strategies?**

8. Yes, page 61 of the LTCCP, Strategic Direction - Healthy Environment.

**CONSULTATION FULFILMENT**

9. Not applicable.

**19 Cont'd**

**STAFF RECOMMENDATION**

It is recommended that the Hagley/Ferrymead Community Board consider approving the attendance of a Board representative to the Keep New Zealand Beautiful Conference and Annual General Meeting in Rotorua from 25 to 27 September 2009.

**CHAIRPERSON'S RECOMMENDATION**

For discussion.

15. 7. 2009

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20. **COMMUNITY BOARD ADVISER'S UPDATE**
21. **BOARD MEMBERS' QUESTIONS**
22. **BOARD MEMBERS' INFORMATION EXCHANGE**