

15. 5. 2008

**HAGLEY/FERRYMEAD COMMUNITY BOARD  
19 MARCH 2008**

**A meeting of the Hagley/Ferrymead Community Board  
was held on Wednesday 19 March 2008 at 3pm  
in the Boardroom, Linwood Service Centre**

**PRESENT:** Bob Todd (Chairperson), John Freeman, Brenda Lowe-Johnson, David Cox, Tim Carter, and Rod Cameron

**APOLOGIES:** An apology for absence was received and accepted from Yani Johanson.

The Board reports that:

**PART A – MATTERS REQUIRING A COUNCIL DECISION**

**1. CHESTER STREET WEST – CONSIDERATION OF REQUEST TO REVOKE PEDESTRIAN MALL STATUS**



<b>General Manager responsible:</b>	General Manager City Environment, DDI 941-8608
<b>Officer responsible:</b>	Transport and Greenspace Manager
<b>Author:</b>	Clare Sullivan, Community Board Adviser

**PURPOSE OF REPORT**

1. The purpose of the report is to seek Council approval to decline a request that staff investigate the possible revocation of the Pedestrian Mall in Chester St West between Park Terrace and Chester St West.

**EXECUTIVE SUMMARY**

2. A request has been received from the Inner City West Neighbourhood Association (ICON) asking the Board to reconsider the Special Order declaring part of Chester Street West be a pedestrian mall under section 336 of the Local Government Act 1974 (made by the Council in 2000) following consideration by the Board.
3. In December 1999 the Cathedral Grammar School, which is bisected by Chester Street West, approached the Hagley/Ferrymead Community Board suggesting the conversion of part of Chester St West into a pedestrian mall following concerns relating to the safety of school pupils and traffic congestion.
4. In August 2000 the Council under s336 of the Local Government Act 1974 gave public notice to declare part of Chester Street West a pedestrian mall between the hours of 9.30am and 2.00pm, Monday to Friday on a school day, subject to a number of conditions. These conditions mainly related to exemptions for emergency, cleaning, delivery and trade vehicles as well as the delegation to School representatives to physically open and close the street. On 28 September 2000 the Council adopted the notice of motion concerning Confirmation of Proceedings to create a Pedestrian Mall in Chester Street between Park Terrace and Cranmer Square.
5. There were no objections received to the proposed declaration and consequently there were no appeals to the Environment Court.
6. In October 2002, the Board, via a deputation, received a similar request to the one considered in this report seeking that the pedestrian mall status be lifted. Following a site visit, the Board decided in January 2003 that the pedestrian mall status remain. Advice was sought and received in May 2003 from the then Director of Legal and Secretarial Services who reviewed the process to date and reported on the legality of the process.

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7. In 2005, following a further deputation and in an attempt to address some other concerns expressed by various parties regarding car parking shortages and congestion the Board asked staff to prepare a report on the possible conversion of part of Chester Street West between Park Terrace and Cranmer Square to a one-way street. A comprehensive report was commissioned from Streets in Sync and the Board considered the report in February 2007 and did not pursue the option of the creating a 'one-way' section.
8. There are two possible options. Either, that the Board recommend to the Council that the request investigating the possible revocation of the pedestrian mall status be declined. If this option is agreed, staff will advise both the Cathedral Grammar School and ICON advising them of the fact.
9. The other option is that staff are requested to prepare a report to commence the revocation procedure which follows the same Special Order process as to make the declaration (Section 336 (13) of the Local Government Act 1974 would apply. The same rights of objection and appeal to the Environment Court would apply. The process would then recommence.

**FINANCIAL IMPLICATIONS**

10. To commence the revocation procedure a Council resolution is required and public notification and rights of appeal would apply. In order to advise the Board and the Council on whether revocation should occur staff consider that the matter would need to be fully investigated. This is not currently budgeted for in the 2006-16 Long Term Council Community Plan (LTCCP) and the process would incur a significant cost. The technical aspects of revocation are estimated to cost \$20,000. However, the consultation involved, given the rights of objection and appeal to the Environment Court could cost hundreds of thousands of dollars which is not budgeted for.

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

11. There is no money set aside for a report investigating revocation. If the Board and the Council request staff to prepare a report investigating the revocation of the mall status money would have to be redirected from other projects already committed in the LTCCP

**LEGAL CONSIDERATIONS**

12. If staff are requested to commence the revocation procedure which follows the same Special Order process as to make the declaration (Section 336 (13) of the Local Government Act 1974 would apply. The same rights of objection and appeal to the Environment Court would apply.

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

13. As above. The Board and Council should consider carefully whether there is a genuine desire to commence the process for revoking the pedestrian mall as the mall has now been in place for almost seven years, any revocation is likely to be objected to and possibly appealed. The Board does not have delegated authority in this matter. The Board does, however, have recommendatory powers to the Council.

**ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

14. Not Applicable.

**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. Not Applicable.

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

17. Not Applicable.

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18. If the Council decides to request the report regarding revocation then consultation will occur as part of that process.

**STAFF RECOMMENDATION**

It is recommended that the Council:

- (a) Decline the request that staff investigate the possible revocation of the pedestrian mall status for part of Chester Street West between Park Terrace and Cranmer Square.
- (b) Advise the Cathedral Grammar School and the Inner City West Neighbourhood Association of the decision.

The Board considered three deputations on this matter. In light of the issues raised by the deputations the Board considered it would be more appropriate to hold a meeting with all parties to see if a satisfactory outcome on these issues could be reached before making a recommendation on the request for possible revocation of the pedestrian mall status.

**BOARD RECOMMENDATION**

The Board recommends that the Council:

- (a) Defer considering the report pending a meeting to be convened between the parties, Council Staff, and the Community Board to identify the issues.
- (b) Note that the issues raised at the meeting in (a) above, and at the 19 March Community Board meeting, provide the basis of a report from the staff to the Board to aid their decision-making on this matter.

**2. STRUTHERS LANE AREA - PROPOSED AFTER HOURS TAXI STANDS**

<b>General Manager responsible:</b>	General Manager City Environment, DDI 941-8608
<b>Officer responsible:</b>	Transport and Greenspace Manager
<b>Authors:</b>	Steve Dejong / Barry Cook, Network Operations and Traffic Systems

**PURPOSE OF REPORT**

1. The purpose of this report is to seek the Council's agreement for the existing loading zones listed below to be designated taxi stands generally between the hours of 6.00pm and 8.00am, Monday to Sunday:
  - the east side of Manchester Street at the intersection of Struthers Lane
  - the south side of Lichfield Street at the corner of Manchester Street
  - the west side of High Street at the intersection of Manchester and Lichfield Streets.

**EXECUTIVE SUMMARY**

2. The Council has received requests from the Taxi Federation, the Police, and a member of the public to install taxi stands for night time use in the immediate vicinity of Struthers Lane. The rejuvenation and redevelopment of Struthers Lane, with its associated bars and cafes, has created an increase of patrons to the area who require the services of taxis late at night and in the early hours of the mornings. At present, there are no taxi stands in the immediate vicinity of Struthers Lane, and taxis queue beside parked vehicles at the entrances to the lanes creating traffic congestion.
3. Three loading zones in the immediate vicinity of Struthers Lane, (refer paragraph 1) have been identified as suitable locations to establish night time taxi stands.

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4. Manchester Street is currently designated as 'P5 at any time' but is signed as a 'P5 Loading Zone'. To enable this area to operate as a taxi stand at night, the P5 at any time restriction will need to be changed to a loading zone. As part of the Central City Loading Zone Review, "Loading Zones" were to be replaced with 'P5 at any time', or, 'loading zones restricted to goods vehicles only for a maximum of five minutes'. Due to the activity in this area, a loading zone restricted to goods vehicles only would not work. The only other alternative is to use a 'P5 Loading Zone'.
5. The other proposed locations on Lichfield Street and High Street are presently designated 'loading zones restricted to goods vehicles only, with a maximum of five minutes'. The loading zone restricted to goods vehicles only for a maximum of five minutes in High Street is currently signed as a 'P5 Loading Zone at any time.' Parking restrictions including loading zones operate between the hours of 8am and 6pm, seven days a week unless otherwise stated. Therefore, outside the hours of operation, these loading zones would revert to unrestricted parking. It is felt that the increased service to the general public in providing the proposed night time taxi stands would be more beneficial to the community.
6. The Excelsior Tavern and the bars in Struthers Lane have been consulted and all support the proposal. Henderson Management, which oversees a portion of Struthers Lane, was also consulted and is supportive of the proposal. It was considered unnecessary to consult with the wider retail outlets in the area as they do not operate during the hours affected by this proposal. The business located directly adjacent to the loading zones/proposed taxi stands were consulted with all, except one, supporting the proposal.

**FINANCIAL IMPLICATIONS**

7. The estimated cost of this proposal is \$3,000.

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

8. The installation of road markings, signs and a post is within the LTCCP Street and Transport Operational Budgets.

**LEGAL CONSIDERATIONS**

9. The Land Transport Rules provide for the installation of parking restrictions.

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

10. As noted in paragraph 8.

**ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

11. 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?**

12. This contributes to improve the level of service and safety.

**ALIGNMENT WITH STRATEGIES**

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

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

14. As noted in paragraph 12.

**CONSULTATION FULFILMENT**

15. As this proposal only changes the after hours use of these loading zones, its effect on businesses operating during normal business hours is minimal to nil. The taverns and bars in the immediate vicinity of Struthers Lane were consulted and gave their unanimous support to the proposal. The businesses located directly adjacent to the loading zones/proposed taxi stands were consulted with most supporting the proposal and only one opposing it. The opposition came from Chaos Collectables located at 139 Manchester Street; on the grounds that there were insufficient litter bins and various alcohol related issues associated with the redevelopment of Struthers Lane. It also requested a two hour extension of the Manchester Street Loading zone so that it ceases to operate at 8pm instead of 6pm.

**STAFF RECOMMENDATION**

That the Council approve the following:

**High Street**

- (a) That a 'Taxi Stand (6.00pm to 8.00am)' be created on the west side of High Street commencing at a point 10.3 metres from its intersection with Manchester Street and extending in a southerly direction for a distance of 18 metres.

**Lichfield Street**

- (b) That a 'Taxi Stand (6.00pm to 8.00am)' be created on the south side of Lichfield Street commencing at a point 37.5 metres from its intersection with Manchester Street and extending in a westerly direction for a distance of 15 metres.

**Manchester Street**

- (c) That the parking of vehicles restricted to five minutes at any time on the west side of Manchester Street commencing at a point 28 metres from its intersection with Tuam Street and extending in a northerly direction for a distance of 20 metres be revoked.
- (d) That a 'Loading Zone restricted to five minutes' which operates from 8.00am to 8.00pm be created on the west side of Manchester Street commencing at a point 28 metres from its intersection with Tuam Street and extending in a northerly direction for a distance of 20 metres.
- (e) That a 'Taxi Stand (8.00pm to 8.00am)' be created on the west side of Manchester Street commencing at a point 28 metres from its intersection with Tuam Street and extending in a northerly direction for a distance of 20 metres.

**BOARD RECOMMENDATION**

That the staff recommendation be adopted.

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3. **PROPOSED ROAD STOPPING – ORBELL STREET (BETWEEN RAILWAY LINE AND MOORHOUSE AVENUE)**

<b>General Manager responsible:</b>	General Manager City Environment DDI 941-8608
<b>Officer responsible:</b>	Manager Transport and Greenspace
<b>Author:</b>	WengKei Chen, Asset Policy Engineer

**PURPOSE OF REPORT**

1. The purpose of this report is to seek the Council's approval to stop that part of Orbell Street between the railway line and Moorhouse Avenue, and to amalgamate the land with the adjoining title, pursuant to section 116(1) of the Public Works Act 1981 (plan 542/137/1/3 refers).

**EXECUTIVE SUMMARY**

2. The section of Orbell Street road is 90 metres in length and is situated between the railway corridor and Moorhouse Avenue. It provides road frontages to two properties and public car parking facilities to the businesses in the vicinity.
3. Being a 'No Exit' road it has no network function.
4. The owners of properties fronting this road have consented to the road closure and it is recommended that the Council declare this part of the road as surplus to its requirements and dispose of the road land to the adjoining neighbours.

**FINANCIAL IMPLICATIONS**

5. This parcel of road land will be disposed of at valuation plus reimbursement of the Council's cost incurred in the road stopping procedure and surveying cost. The valuation for this parcel of road land is \$800,000 plus GST.
6. There will be a write-off cost in the road asset registered at a value of \$15,000.

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

7. Yes.

**LEGAL CONSIDERATIONS**

8. Section 116 of the Public Works Act 1981 - Stopping Road states that subject to the consent in writing of the territorial authority and the owner(s) of the land adjoining the road proposed to be stopped, then the road can be declared formally stopped by notice in the Gazette. The consent of the affected parties has been obtained and the requirement complied with.

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

9. Yes, access to the adjoining property and the infrastructural services are to be protected by way of easements.

**ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

10. Yes.

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

11. LTCCP page 152 "Streets and Transport Objectives" – provide a sustainable network of streets.

**ALIGNMENT WITH STRATEGIES**

12. Yes.

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

13. This action is consistent with the traffic objectives stated in the City Plan.

**CONSULTATION FULFILMENT**

14. Not required.

**STAFF RECOMMENDATION**

It is recommended that the Council:

- (a) Pursuant to sections 116(1), 117(3)(b), and 120(3) of the Public Works Act 1981, the Council **resolve** to stop that parcel of road shown as Section 1 on Scheme Plan SM 1446 -06 containing 1766 m2 (subject to survey) and amalgamate that parcel of land with the adjoining property comprised in Certificate of Title 27A /853.
- (b) Certify that it considers it equitable to vest the road, when stopped, in Power Centre Moorhouse Limited, the adjoining owner.

**BOARD RECOMMENDATION**

That the staff recommendation be adopted.

**BACKGROUND**

15. The section of Orbell Street lies between the rail corridor and Moorhouse Avenue. It is a 'No Exit' road 90 metres in length and provides road frontages to three properties owned by Power Centre Moorhouse Limited and 218 Moorhouse Avenue together with the rail corridor owned by Ontrack.
16. The road provides vehicle access and car parking facilities to the businesses in the area. This road was constructed in 1925 and is in need of a road upgrade at some stage.
17. The request to close the road provides the Council with an opportunity to review the need for this section of road in the city. The road has no network function and is not required for access to the rail corridor. The disposal of this road will relieve the Council's obligation to maintain the road assets.
18. Initially, the street was offered for sale to the owners of the properties lying to the east and west of the road, however, only the Power Centre Moorhouse Limited expressed an interest in acquiring the property. 218 Moorhouse Limited, which owns the properties to the east, declined the offer but raised no objection to its sale provided its access to the site was preserved by way of a right of way. This has been provided and will be created on transfer of the property to Power Centre Moorhouse Limited. Similarly, the services running through the site and owned by the Council and Orion will be protected by easements.
19. The land was valued on the Council's behalf by Ford Baker, Registered Public Valuers, who placed a sum of \$800,000 plus GST on the property which reflected the limitations the respective service easements and right of way would place on the site. This will effectively prevent its use as a building site. The offer has been accepted by the company, which in collaboration with 218 Moorhouse Limited, will develop the site for additional car parking to service the businesses.

## PART B - REPORTS FOR INFORMATION

### 4. DEPUTATIONS BY APPOINTMENT



#### 4.1 BRUCE BELLIS OF ICON

Mr Bellis outlined the concerns of the Inner City West Neighbourhood Association (ICON) to the Chester Street West pedestrian mall including issues of safety for children and residents, and that the area appeared to be private property due to the signage and appearance of the gates. Mr Bellis referred to incidents of the area being used for organised sporting activities by the school.

The Chairperson thanked Mr Bellis for his submission.

The deputation was considered as part of Clause 1.

#### 4.2 OWEN ARNST AND JO APLEYARD FOR CATHEDRAL GRAMMAR

Mr Arnst, Principal Cathedral Grammar School, outlined the school's views for the retention of the pedestrian mall in Chester Street, including the ongoing safety of the children. Mr Arnst stated that staff, parents and children were reminded of the protocols for use of the pedestrian mall, and that no sporting took place in the area.

In responding to questions from members, Mr Arnst advised that it was not possible to use the staff car parking area for a drop off area for children as younger children (under five years) must be signed in by parents meaning they needed to park and take children into the classroom. The staff carpark could be used for drop-off, but there was not enough room for parking.

The Chairperson thanked Mr Arnst and Ms Appleyard for their submission.

The deputation was considered as part of Clause 1.

#### 4.3 PETER LEEMING

Mr Leeming, a resident of Cranmer Square, spoke in support of the status quo with respect to the pedestrian mall in Chester Street West. He outlined what steps he had taken with respect to speaking to his neighbours about the issue – including those which are more affected by the pedestrian mall by being unable to use a shorter route during school hours.

The Chairperson thanked Mr Leeming for his submission.

The deputation was considered as part of Clause 1.

### 5. PRESENTATION OF PETITIONS

Nil.

### 6. NOTICE OF MOTION

The following notice of motion was lodged by David Cox, pursuant to Standing Order 2.16.1 and seconded by Rod Cameron.

*That the Hagley/Ferrymead Community Board commit funds to progress the Lancaster Way – Lancaster Street Project*

- *“Cobble” the street from Ferry Road to Memorial Gates of Lancaster Park (AMI Stadium), kerb to kerb*
- *Road coloured black*
- *Footpaths coloured red*



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- *Trees to be protected by wooden seating on pavement side*
- *Plaques on footpath's 'Lancaster Park Walk of Fame' located opposite each tree stating:*
  - *Name of sportsperson*
  - *Sport*
  - *Achievement brief*
- *Hagley/Ferrymead Community Board to fund design, costing over two years 2008/09 and 2009/10 financial years.*

The motion was declared **carried**.

Darren Moses, Project Manager, spoke briefly to the meeting advising that a multi-disciplinary team on the 'AMI Stadium Walkway' had been established to look at options. This work is in its very early stages and design details have not yet been considered. Mr Moses undertook to brief the Board as this work developed.

**7. CORRESPONDENCE**

Nil.

**8. BRIEFINGS**

Nil.

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

The Board **received** information from the Community Board Adviser covering upcoming meetings and events and other relevant information.

**10. MEMBER'S QUESTIONS**

Nil.

**PART C – DELEGATED DECISIONS TAKEN BY THE BOARD**

**11. CONFIRMATION OF MEETING REPORT – 5 MARCH 2008**

The Board **resolved** to confirm the report of its ordinary meeting of 5 March 2008.

**12. WICKHAM STREET AND DYERS ROAD INTERSECTION - PROPOSED VEHICLE STOPPING RESTRICTIONS**

The Board considered a report seeking approval to install vehicle stopping restrictions at the intersection of Wickham Street and Dyers Road (plan TG035101 refers).

The Board **resolved** to approve the stopping of vehicles be prohibited at any time at the following locations:

- (a) On the west side of Dyers Road commencing at the intersection with Wickham Street and extending in a southerly direction for 23 metres.
- (b) On the south side of Wickham Street commencing at the intersection with Dyers Road and extending in a westerly direction for 15 metres.
- (c) On the north side of Wickham Street commencing at the intersection with Dyers Road and extending in a westerly direction for 15 metres.

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- (d) On the west side of Dyers Road commencing at the intersection with Wickham Street and extending in a northerly direction for 17 metres.

**13. ENVIRONMENT CANTERBURY – CHRISTCHURCH AREA COMMITTEE – BOARD REPRESENTATION**

The Board considered a report to appoint a Board representative to be a member of Environment Canterbury's Christchurch Area Committee.

The Board **resolved** to appoint Brenda Lowe-Johnson as its representative on the committee.

**14. NEW ZEALAND PLANNING INSTITUTE CONFERENCE – BOARD MEMBER ATTENDANCE**

The Board considered a report seeking approval for Rod Cameron to attend the New Zealand Planning Institute Conference in April 2008.

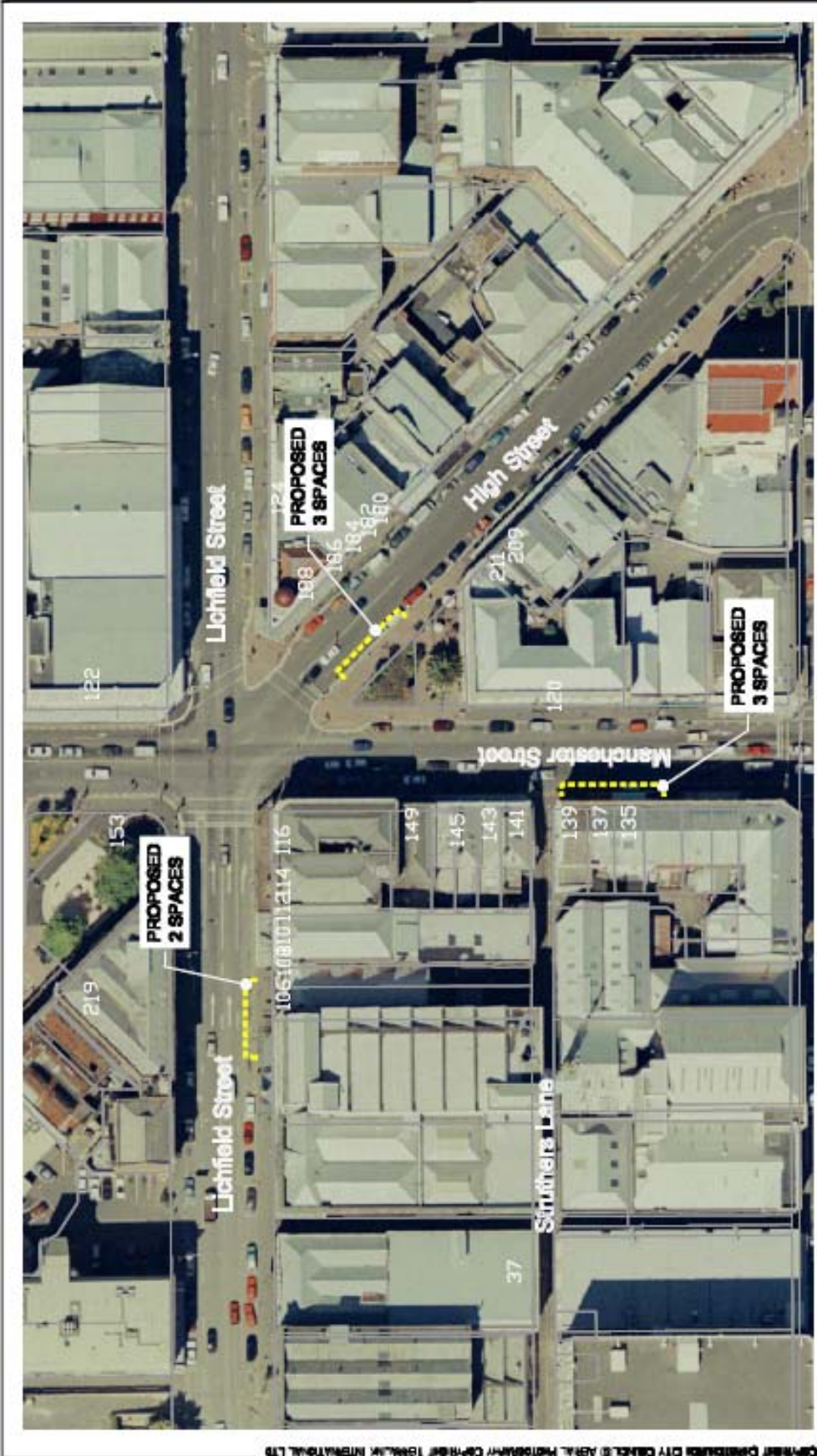
The Board **resolved** to agree to Rod Cameron attending the New Zealand Planning Institute Conference in April 2008.

The meeting concluded at 4.35 pm.

**CONFIRMED THIS 2ND DAY OF APRIL 2008**

A handwritten signature in black ink, appearing to read 'Bob Todd', is written over a vertical red line.

**BOB TODD  
CHAIRPERSON**

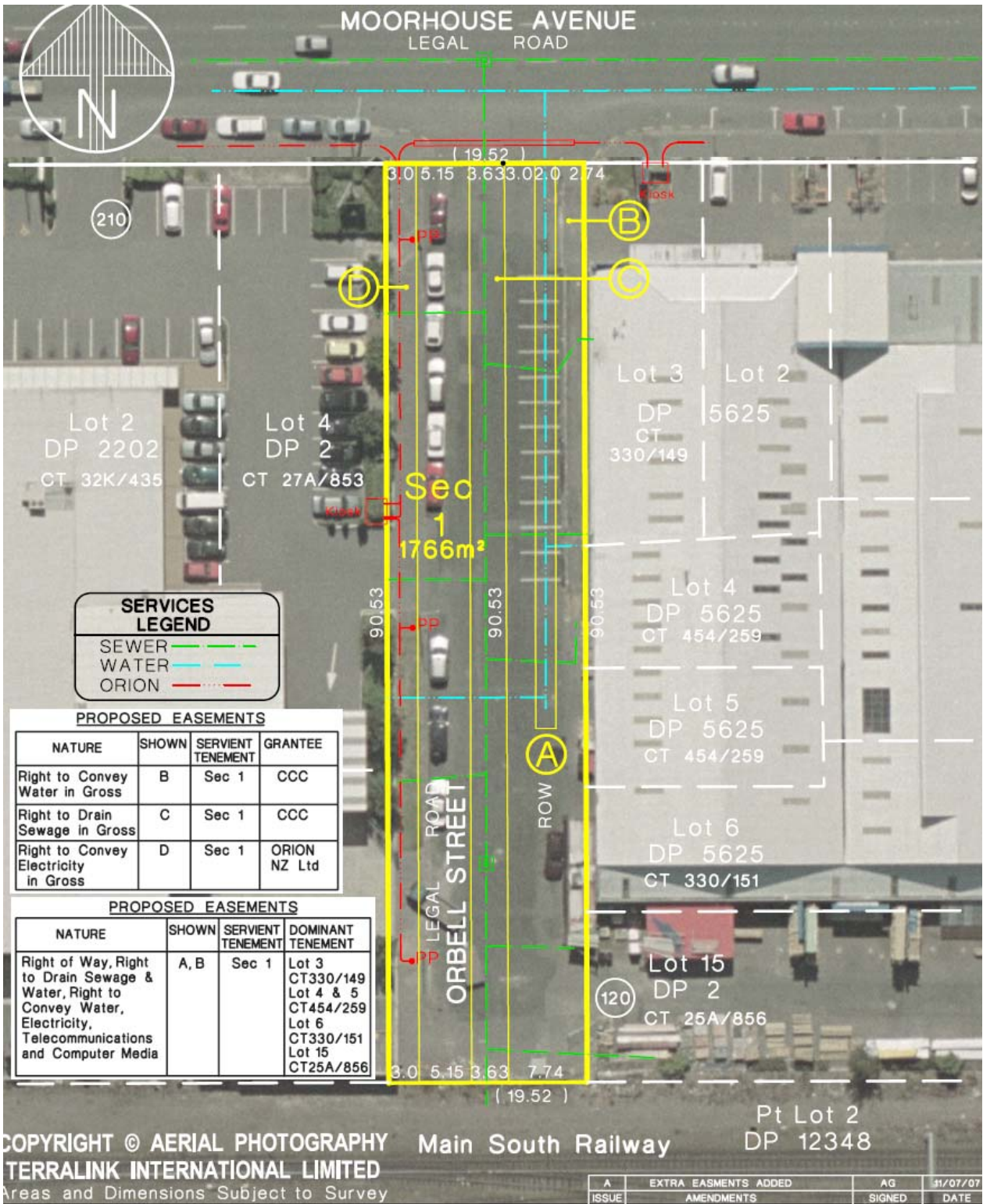


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**STRUTHER LANE AREA**  
 Proposed After Hours Taxi Stands  
**For Board Approval**



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ROAD TO BE STOPPED



SURVEYED	CONTRACT NUMBER	ORIGINAL SHEET SIZE	SCALES
DRAWN A.Ganev		A4	1:500
DATE 28/05/2007	FILE REFERENCE		
	542/137/1/3		
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