

12. HEARINGS PANEL REPORT ON THE PROPOSED CONDELL AVENUE (BLIGHS ROAD TO MATSONS AVENUE) STREET RENEWAL PROJECT AND THE CHRISTCHURCH CITY COUNCIL TRAFFIC AND PARKING AMENDMENT (CONDELL AVENUE) BYLAW 2010



General Manager responsible:	General Manager City Environment, DDI 941-8608
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PURPOSE OF REPORT

1. The purpose of this report is to present the Hearings Panel recommendations for Condell Avenue (Blighs Road to Matsons Avenue) street renewal project and seek the Council's approval to adopt the Christchurch City Council Traffic and Parking Amendment (Condell Avenue Blighs Road to Matsons Avenue) Bylaw 2010 as an amendment to Schedule 2 of the Christchurch City Council Traffic and Parking Bylaw 2008.
2. The report also contains a number of recommendations to implement parking restrictions associated with the (Condell Avenue Blighs Road to Matsons Avenue) proposed street renewal project, if the proposal is approved.

EXECUTIVE SUMMARY

3. Condell Avenue is a Collector Road, with an average traffic count of approximately 3,200 vehicles per day. The adjacent land use along the route is predominantly residential, although the route also contains a rest home, a retirement village, Laidlaw College and is used as a route to school for many children. Condell Avenue is one of several memorial streets to those who served in World War II, in the Papanui area.
4. On 22 April 2010, the Council resolved to commence the special consultative procedure to undertake an amendment to Schedule 2 of the Christchurch City Council Traffic and Parking Bylaw 2008.
5. This kerb and channel renewal project includes the provision of cycle lanes (a special vehicle lane) on both sides of Condell Avenue between Matsons Avenue and Blighs Road. In order to do this, it is necessary to amend Schedule 2 of the Christchurch City Council Traffic and Parking Bylaw 2008 (the Bylaw) which came into force on 1 July 2008.
6. The amended plan (TP319302, Issue 2) showing the proposed road layout incorporating changes recommended by the Hearing Panel is shown in **Attachment 1**. The full Amendment Bylaw to be adopted by the Council is shown in **Attachment 2**. A summary of the submissions including staff comments and Hearing Panel's response is shown in **Attachment 3**. A full set of the original submissions is available.
7. The Council appointed a Hearings Panel comprising of Councillor Ngaire Button (Chair), Community Board Chairperson Val Carter and Community Board member Kathy Condon, who deliberated on all written and verbal submissions prior to confirming the Hearing Panel's recommendations on the proposed Condell Avenue (Blighs Road to Matsons Avenue) kerb and channel renewal project for the Council to consider.
8. Changes to the original proposal were recommended by the Hearings Panel. These changes relate to resolving issues raised in submissions. The recommended changes are covered in more detail further on in the report under the section titled "Recommended changes to the plan".
9. A list of the key features of the proposed plan being recommended by the Hearing Panel is shown below:
 - (a) Replacement of the existing kerb and dish channel generally on the same alignment with new kerb and flat channel.
 - (b) Two 3.1 metre wide traffic lanes.
 - (c) Continuous 1.5-1.8 metre wide cycle lanes on both sides of Condell Avenue from Blighs Road to Matsons Avenue.

- (d) Parking is located adjacent to the kerbs where possible on both sides of Condell Avenue.
- (e) Inclusion of build outs to provide traffic calming and accommodate increased landscaping.
- (f) 69 of the existing 84 car parks are retained. I.e. a reduction of 15 car parking spaces spread along the length of the project. Parking surveys found the maximum number of vehicles that were observed to be parked on the street was 42, so the proposed number of parks more than caters for the observed parking demand.
- (g) Improved pedestrian crossing points by the addition of pedestrian islands and kerb build outs.
- (h) Construction is planned for the 2011/12 financial year.

FINANCIAL IMPLICATIONS

- 10. The proposed construction works for Condell Avenue are included in the Transport and Greenspace Unit's capital programme for implementation in the 2011/2012 financial year.
- 11. Recent project cost estimates indicate that this project can be achieved within the allocated budget.

CONSULTATION FULFILMENT

- 12. The consultation period for the special consultative procedure took place from Friday 30 April to Monday 31 May 2010. The consultation documents were sent directly to a range of groups, organisations and individuals, and hand-delivered to all properties on this section of Condell Avenue. Public notices appeared in relevant newspapers, and the consultation documents were made available at service centres, Council libraries and on-line via the Council's "Have Your Say" web page. A public information evening was also held in the Laidlaw College Hall, 70 Condell Avenue on Wednesday, 19 May for interested people to drop-in and talk to project staff.
- 13. At the close of the consultation period a total of 21 submissions had been received. Two people requested to be heard by the Hearings Panel in support of their submissions. The hearings were held on Monday 28 June 2010. The panel deliberated and considered the submissions on Monday 28 June 2010 and requested staff to amend the proposed plan in line with their recommended changes. The full Summary of Submissions, including staff comments and the Hearing Panel's recommendation is shown in **Attachment 3**.
- 14. Of the 21 submissions received, 10 submitters were generally in support of the proposal, seven were opposed, and 4 did not indicate if they generally supported or opposed the plan.
- 15. Common submission themes included general support for the plan, queries about why a cycle lane was required and concerns about the parking and pedestrian island layout particularly in the vicinity of No. 107.

RECOMMENDED CHANGES TO THE PLAN

- 16. The Hearings Panel has recommended changes to the plan that was distributed for consultation. These changes include:
 - Replacing the proposed pedestrian island outside No. 107 with a pedestrian build out and introducing two P120 car parks outside No. 4 that are available outside 7am to 9am Monday to Friday.
 - Changing the pedestrian island outside No. 107 to a pedestrian build out. This will still provide an improved pedestrian crossing facility, while removing the potential conflict for accessing properties. It allows for 3 more parks to be included in this area.
 - Double rails will be reviewed for all the proposed pedestrian islands to provide better support for the disabled when waiting to cross the carriageway.

17. Existing pedestrian facilities in this section of Condell Avenue and the Blighs/Condell intersection will also be reviewed and tactile pavers installed where appropriate to help the partially sighted.

LEGAL CONSIDERATIONS

18. Public consultation has been completed via the special consultative procedures, as described above.
19. The Hearings Panel has no decision-making powers, but can make recommendations to Council as a result of considering written and oral submissions. The Council can then accept or reject those recommendations, as it sees fit. However, the Local Government Act states that the views presented during consultation should be received by the Council with an open mind and should be given "due consideration in decision-making".
20. The Local Government Act requires that the Council give public notice of the amendment of a bylaw as soon as practicable after the bylaw is made. This is covered in recommendation (c) providing the Council adopts the proposed bylaw amendment.
21. The Legal Services Unit considers that the form of the bylaw, as proposed, is the most appropriate form, and that the bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990 (in accordance with section 155 of the Local Government 2002).

HEARING PANEL RECOMMENDATIONS

It is recommended that the Council:

- (a) Approve the proposed Condell Avenue (Blighs Road to Matsons Avenue) street renewal project, as shown on the attached plans (TP319302, Issue 2) in Attachment 1, to proceed to detailed design and construction.
- (b) Adopt the Christchurch City Council Traffic and Parking Amendment (Condell Avenue) Bylaw 2010 as an amendment to Schedule 2 of the Christchurch City Council Traffic and Parking Bylaw 2008, as shown in Attachment 2.
- (c) Give public notice as soon as practicable, that the Christchurch City Council Traffic and Parking Amendment (Condell Avenue) Bylaw 2010 has been made by the Council, and that it comes into effect on 1 April 2011, and that copies of the Bylaws will be made available.
- (d) Send a copy of the amended Bylaw to the Minister of Transport within one week of the Bylaw being made, as required by section 72(4) of the Transport Act 1962.
- (e) Send copies of the Bylaw and approved plan to those people or organisations that made submissions, advising them of the outcome.
- (f) Revoke the existing no stopping restrictions:
- (i) That all existing parking restrictions on the west side of Condell Avenue between Blighs Road and Aorangi Road be revoked.
- (g) Revoke the existing parking restrictions:
- (i) That all existing parking restrictions on the east side of Condell Avenue between Blighs Road and Matsons Avenue be revoked.
- (h) Revoke the existing Give Way controls:
- (i) That the existing Give-Way control on Condell Avenue at its intersection with Blighs Road be revoked.

- (ii) That the existing Give-Way control on Matsons Avenue at its intersection with Condell Avenue be revoked.

- (i) Adopt New No Stopping restrictions:

New Stopping Restrictions – Blighs Road

- (i) That the stopping of vehicles be prohibited at any time on the west side of Condell Avenue commencing at its intersection with Blighs Road and extending in a northerly direction for a distance of 27 metres.
- (ii) That the stopping of vehicles be prohibited at any time on the west side of Condell Avenue commencing at a point 103 metres north of its intersection with Blighs Road and extending in a northerly direction for a distance of 18 metres.
- (iii) That the stopping of vehicles be prohibited at any time on the west side of Condell Avenue commencing at a point 154 metres north of its intersection with Blighs Road and extending in a northerly direction for a distance of 48 metres.
- (iv) That the stopping of vehicles be prohibited at any time on the west side of Condell Avenue commencing at a point 209 metres north of its intersection with Blighs Road and extending in a northerly direction for a distance of 8 metres.
- (v) That the stopping of vehicles be prohibited at any time on the west side of Condell Avenue commencing at a point 231 metres north of its intersection with Blighs Road and extending in a northerly direction for a distance of 4 metres.
- (vi) That the stopping of vehicles be prohibited at any time on the west side of Condell Avenue commencing at a point 255 metres north of its intersection with Blighs Road and extending in a northerly direction for a distance of 36 metres.
- (vii) That the stopping of vehicles be prohibited at any time on the west side of Condell Avenue commencing at a point 363 metres north of its intersection with Blighs Road and extending in a northerly direction for a distance of 29 metres.
- (viii) That the stopping of vehicles be prohibited at any time on the west side of Condell Avenue commencing at a point 454 metres north of its intersection with Blighs Road and extending in a northerly direction for a distance of 32 metres.

New Stopping Restrictions – Aorangi Road

- (ix) That the stopping of vehicles be prohibited at any time on the west side of Condell Avenue commencing at its intersection with Aorangi Road and extending in a southerly direction for a distance of 13 metres.
- (x) That the stopping of vehicles be prohibited at any time on the south side of Aorangi Road commencing at its intersection with Condell Avenue and extending in a westerly direction for a distance of 8 metres.
- (xi) That the stopping of vehicles be prohibited at any time on the north side of Aorangi Road commencing at its intersection with Condell Avenue and extending in a westerly direction for a distance of 6 metres.
- (xii) That the stopping of vehicles be prohibited at any time on the west side of Condell Avenue commencing at its intersection with Aorangi Road and extending in a northerly direction for a distance of 12 metres.
- (xiii) That the stopping of vehicles be prohibited at any time on the west side of Condell Avenue commencing at a point 37 metres north of its intersection with Aorangi Road and extending in a northerly direction for a distance of 26 metres.

- (xiv) That the stopping of vehicles be prohibited at any time on the west side of Condell Avenue commencing at a point 88 metres north of its intersection with Aorangi Road and extending in a northerly direction for a distance of 42 metres.

New Stopping Restrictions – Matsons Avenue

- (xv) That the stopping of vehicles be prohibited at any time on the east side of Condell Avenue commencing at its intersection with Matsons Avenue and extending in a northerly direction for a distance of 11 metres.
- (xvi) That the stopping of vehicles be prohibited at any time on the north side of Matsons Avenue commencing at its intersection with Condell Avenue and extending in a easterly direction for a distance of 13 metres.
- (xvii) That the stopping of vehicles be prohibited at any time on the south side of Matsons Avenue commencing at its intersection with Condell Avenue and extending in a easterly direction for a distance of 15 metres.
- (xviii) That the stopping of vehicles be prohibited at any time on the east side of Condell Avenue commencing at its intersection with Matsons Avenue and extending in a southerly direction for a distance of 21 metres.
- (xix) That the stopping of vehicles be prohibited at any time on the east side of Condell Avenue commencing at a point 27 metres south of its intersection with Matsons Avenue and extending in a southerly direction for a distance of 18 metres.
- (xx) That the stopping of vehicles be prohibited at any time on the east side of Condell Avenue commencing at a point 110 metres south of its intersection with Matsons Avenue and extending in a southerly direction for a distance of 29 metres.
- (xxi) That the stopping of vehicles be prohibited at any time on the east side of Condell Avenue commencing at a point 148 metres south of its intersection with Matsons Avenue and extending in a southerly direction for a distance of 10 metres.
- (xxii) That the stopping of vehicles be prohibited at any time on the east side of Condell Avenue commencing at a point 172 metres south of its intersection with Matsons Avenue and extending in a southerly direction for a distance of 4 metres.
- (xxiii) That the stopping of vehicles be prohibited at any time on the east side of Condell Avenue commencing at a point 223 metres south of its intersection with Matsons Avenue and extending in a southerly direction for a distance of 23 metres.
- (xxiv) That the stopping of vehicles be prohibited at any time on the east side of Condell Avenue commencing at a point 328 metres south of its intersection with Matsons Avenue and extending in a southerly direction for a distance of 19 metres.
- (xxv) That the stopping of vehicles be prohibited at any time on the east side of Condell Avenue commencing at a point 411 metres south of its intersection with Matsons Avenue and extending in a southerly direction for a distance of 46 metres.
- (xxvi) That the stopping of vehicles be prohibited at any time on the east side of Condell Avenue commencing at a point 471 metres south of its intersection with Matsons Avenue and extending in a southerly direction for a distance of 4 metres.
- (xxvii) That the stopping of vehicles be prohibited at any time on the east side of Condell Avenue commencing at a point 496 metres south of its intersection with Matsons Avenue and extending in a southerly direction for a distance of 25 metres.
- (xxviii) That the stopping of vehicles be prohibited at any time on the east side of Condell Avenue commencing at its intersection with Blighs Road and extending in a northerly direction for a distance of 25 metres.

- (j) Adopt New Parking Restrictions – P120
 - (i) That the parking of vehicles be restricted to a maximum period of 120 minutes Monday to Friday outside the hours of 7am to 9am on the west side of Condell Avenue commencing at a point 577 metres south from its intersection with Matsons Avenue and extending in a southerly direction for a distance of 13 metres.
 - (ii) The stopping of vehicles be prohibited between 7am to 9am Monday to Friday on the west side of Condell Avenue commencing at a point 577 metres south from its intersection with Matsons Avenue and extending in a southerly direction for a distance of 13 metres.
- (k) Adopt New Parking Restrictions - Bus stops:
 - (i) That a bus stop be installed on the west side of Condell Avenue commencing at a point 217 metres north from its intersection with Blighs Road and extending in a northerly direction for a distance of 14 metres.
 - (ii) That a bus stop be installed on the west side of Condell Avenue commencing at a point 486 metres north from its intersection with Blighs Road and extending in a northerly direction for a distance of 14 metres.
 - (iii) That a bus stop be installed on the east side of Condell Avenue commencing at a point 158 metres south from its intersection with Matsons Avenue and extending in a southerly direction for a distance of 14 metres.
 - (iv) That a bus stop be installed on the east side of Condell Avenue commencing at a point 457 metres south from its intersection with Matsons Avenue and extending in a southerly direction for a distance of 14 metres.
- (l) Adopt New Stop controls:
 - (i) That a Stop control be placed against Condell Avenue at its intersection with Blighs Road.
- (m) Adopt New Give-Way controls:
 - (i) That a Give-Way control be placed against Matsons Avenue at its intersection with Condell Avenue.
- (n) That recommendations (f) to (m) take effect once the respective painted lines and controls are installed on the road associated with the new kerbs in the Condell Avenue (Blighs Road to Matsons Avenue) Street Renewal Project.