

**SHIRLEY/PAPANUI COMMUNITY BOARD
16 DECEMBER 2009**

**Report of a meeting of the Shirley/Papanui Community Board,
held on Wednesday 16 December 2009 at 4pm
in the Boardroom, Papanui Service Centre,
corner Langdons Road and Restell Street, Papanui.**

PRESENT: Yvonne Palmer (Chairperson), Ngaire Button, Kathy Condon, Pauline Cotter, Aaron Keown, Matt Morris, and Norm Withers.

APOLOGIES: Apologies for early departure were received and accepted from Norm Withers who retired from the meeting at 6.10pm and was absent for clauses 1, 3, 6, 10, 11, 12, 13, 18, 19, 20 and 22, and Aaron Keown who retired from the meeting at 6.35pm and was absent for clauses 3.6, 10, 11, 12 and 13, and Pauline Cotter who left the meeting at 9pm and was absent for part of clauses 12 and 13.

The Board reports that:

PART A - MATTERS REQUIRING A COUNCIL DECISION

1. WINSTON AVENUE – TURNING RESTRICTION



General Manager responsible:	General Manager City Environment Group, DDI 941-8608
Officer responsible:	Transport and Greenspace Unit Manager
Author:	Patrick Cantillon, Project Manager

PURPOSE OF REPORT

1. The purpose of this report is to seek the Council's approval that southbound Main North Road traffic be prohibited from turning right into Winston Avenue as shown in **Attachment 1**.

EXECUTIVE SUMMARY

2. The Papanui Road/Main North Road Bus Priority project was presented to the Shirley/Papanui Community Board at its meeting held on 16 April 2008, and then at a further extraordinary meeting held on 22 April 2008. At this latter meeting, the Shirley/Papanui Community Board recommended that staff consider restricting the access to Winston Avenue from Main North Road to left in and left out only.
3. The Papanui Road/Main North Road Bus Priority project was presented as a Joint Chairpersons report to the Council at its meeting held on 15 May 2008, where Council approved the project to proceed to detailed design, tender and construction. The approved plans did not include the installation of a left in/left out only turning restriction for vehicles at the Winston Avenue/Main North Road intersection.
4. The construction of the Papanui Road/Main North Road bus priority project commenced on 17 August 2009, following the detailed design and procurement phases. The section of the corridor between Blighs Road and Langdons Road, which includes Winston Avenue, became operational on 23 October 2009.
5. Following completion of the construction works related to the bus priority project at this location, Council staff were advised by local business owners that motorists were ignoring the "No Right Turn" signs and continuing to access Winston Avenue in this manner, causing traffic congestion and safety issues on Main North Road. A subsequent review by Council staff noted that staff had not returned to the Community Board to seek agreement to include the implementation of the left in/left out only turning restriction within the scope of the bus priority project.

1 Cont'd**FINANCIAL IMPLICATIONS**

6. The construction of the left in/left out only restriction has been included in the construction works for the Papanui Road/Main North Road bus priority project. Therefore there are no additional financial considerations to be considered in relation to the implementation of this turning restriction.
7. However, should the Shirley/Papanui Community Board not agree with the staff recommendation below to legalise the constructed left in/left out turning restriction at the intersection of Winston Avenue and Papanui Road, then the cost of removing the turning restriction is approximately \$15,000. This cost would be borne by the Papanui Road/Main North Road bus priority project, as a variation to the existing contract.

Do the Recommendations of this Report Align with 2009-19 LTCCP budgets?

8. There is sufficient funding within the Papanui Road/Main North Road bus priority project to cover the variation, if required, to remove the left in/left out only turning restriction. The cost of the installation of the turning restriction was included within the detailed design, and the subsequent tender price for the overall project.

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

9. Complies with the Land Transport Rule: Traffic Control Devices 2004.
10. Following the staff review referred to above in paragraph 5, the project team sought advice from the Council's Legal Services Unit to confirm the legality of the turning restriction at Winston Avenue. The Legal Services Unit confirmed the following:

"In my opinion, there is an issue about the validity of the installation of the left in/left out traffic restrictions on Winston Avenue. At this point I would not recommend the Police enforce the no-right turn restriction until the Shirley/Papanui Community Board has ratified the installation of the restrictive access to Winston Avenue."

11. According to the Council's Delegations Register (December 2007), Community Boards have delegated powers as follows:
 - (a) 4(d) - The installation of traffic islands, roundabouts and traffic restraints on roads (p4);
 - (b) 7 - To make any changes to road markings after consultation with stakeholders (p4);
 - (c) 8(a) - To control, by the methods (signs, markings, etc) listed below, traffic movement on any roads, or within car parks or in other areas controlled by the Council and used for vehicle;
 - (d) No Right Turn (clause 14(1) of the Christchurch City Council Traffic and Parking Bylaw 2008); and
 - (e) No Left Turn (clause 14(1) of the Christchurch City Council Traffic and Parking Bylaw 2008).
12. Therefore Community Boards have the authority to determine the installation of traffic islands and the turning restrictions such as those installed at the Winston Avenue/Main North Road intersection.

1 Cont'd

13. The Legal Services Unit concluded the following in relation to the Winston Avenue turning restriction:
- (a) In April 2008, the Shirley/Papanui Community Board did not approve the installation of turning restrictions in and out of Winston Avenue. However, the Board report notes that staff agreed to consider restricting access to Winston Avenue from Papanui Road to left in and left out only. It is not clear whether the Board intended staff to report back to the Board once staff had considered the matter. However, arguably this was implied. What is clear is that the Board only asked staff to consider the matter of the traffic restrictions. The Board did not authorise staff to proceed to installing the traffic restrictions once staff had considered the matter.
 - (b) *"In my opinion, there is a good argument that restrictive access to Winston Avenue, and the no right turn signs have been installed by staff without delegated and therefore lawful authority."*
 - (c) What is the consequence of acting without lawful authority? In terms of administrative law, a decision is "valid" until it has been set aside by a court. In *Murray v Whakatane District Council [1999] 3 NZLR 276*, the High Court noted as follows:
 - 1. *It is settled law that every unlawful administrative act, except perhaps in extreme cases of clear usurpation of power, is operative until set aside by a court. Even where a decision is challenged by a plaintiff entitled to do so in appropriate legal proceedings, the court is not compelled to set aside the decision: Smith v East Elloe Rural District Council [1956] AC 736 at 769 Lord Radcliffe; A J Burr Ltd v Blenheim Borough [1980] 2 NZLR 1 at 4 per Cook J. The validity of a decision is therefore a concept which is "relative, depending upon the court's willingness to grant relief in any particular situation:" Wade, *Administrative Law 7th Ed*, p.341; Martin v Ryan [1992] 2 NZLR 209.*
 - (d) This means that the restrictive access to Winston Avenue, and the installation of the no right turn signs are technically valid until a Court sets aside the "decision" taken by staff to install those measures.
 - (e) However, given that Council officers are aware of the issues about the authority for these restrictions, in my opinion the best course of action is to ask the Community Board to ratify the installation of the restrictions.
 - (f) In the meantime, I would advise the Police not to enforce the no right turn restrictions. This is **not a case** where the Council considers that it has acted lawfully and is defending its position. Here the Council knows of the defect in procedure.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

14. The recommendation aligns to the Council's Streets and Transport safety programme 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 2009-19 LTCCP?

15. As above.

ALIGNMENT WITH STRATEGIES

16. The recommendations align with Council strategies for Road Safety Strategy 2004.

Do the recommendations align with the Council's strategies?

17. As above.

1 Cont'd**CONSULTATION FULFILMENT**

18. The turning restriction at Winston Avenue has not been formally consulted on with the community either as part of the bus priority project or as a separate issue. During the construction of the Papanui Road/Main North Road bus priority project, some informal discussions were held with local businesses, including the intersection safety measures. There was an understanding and general support for the left in/left out only turning restriction at Winston Avenue.
19. It is noted that the local community raised the issue of non-compliance with the turning restriction based on their observations and requested enforcement of the "No Right Turn" into and out of Winston Avenue.

STAFF RECOMMENDATION

That the Council resolve that southbound Main North Road traffic be prohibited from turning right into Winston Avenue.

BOARD RECOMMENDATION

That the staff recommendation be adopted.

Note: At clause 18 in the minutes, the Board has approved under delegated authority that Winston Avenue traffic be prohibited from turning right into Main North Road.

2. DONEGAL STREET KERB AND CHANNEL RENEWAL


General Manager responsible:	General Manager, City Environment Group, DDI 941-8608
Officer responsible:	Transport and Greenspace Manager
Author:	Mary Hay, Consultation Leader – Greenspace

PURPOSE OF REPORT

1. The purpose of this report is to seek approval from the Board to proceed to final design, tender and construction of the Donegal Street Renewal project.

EXECUTIVE SUMMARY

2. Donegal Street is a local road located in Belfast and is approx 465 metres long and 14 metres wide. Main North Road (State Highway 1) is at the west end and the main South Island railway line lies at the east end. The surrounding area is mostly residential, with a few industrial premises in the vicinity.
3. The primary objectives for the project are as follows:
 - (a) To replace the kerb and channel.
 - (b) To maintain or improve safety for all road users.
 - (c) To ensure adequate drainage is provided.
 - (d) To complete the project within the allocated budget.
 - (e) To complete the construction within the 2010/11 financial year.
 - (f) To minimise whole-of-life costs.

2 Cont'd

4. A concept was developed to meet these objectives. Three options were considered:
 - (a) 'Do nothing'.
 - (b) An option using chicanes as a traffic calming mechanism.
 - (c) An option using traffic platforms as a traffic calming mechanism (the preferred option).
5. The concept was distributed with a Public Information Leaflet to the affected community. The consultation received 28 responses, which is a moderate response rate. Most submissions were received from local residents. The proposal has a good level of community support, with 71 per cent indicating that they fully support the proposal. However, a number of submitters raised issues that they would like considered by the project team.
6. The key issue raised in consultation relates to the proposed design for the Donegal Street/Main North Road intersection, in particular the inclusion of a road hump on Donegal Street. The concern from some residents is that traffic turning into Donegal Street, when northbound on Main North Road, will have to slow at the entrance to Donegal Street. This is of particular concern in peak hours when traffic is heavy on Main North Road. The concern is that a quick turning manoeuvre will be followed by an abrupt reduction in speed, resulting in a queue of vehicles, or their trailers, on Main North Road. The New Zealand Transport Authority, which manages Main North Road, was consulted about the proposed design of the intersection and did not raise any safety concerns.
7. The concerns about the road hump have been discussed with the Council's Networks Operations and Traffic Systems Team. The purpose of the road hump is to identify a 'gateway' to a residential road environment, with its associated traffic calming and lower vehicle speeds. A flush threshold would only be used if this was a bus route. It is recommended that the road hump is used in association with a 25 kilometre Speed Advisory Sign at the entrance to the Donegal Street intersection. It is expected that at peak times, when road users are not confident that a suitable gap in traffic is available, an alternative route to Donegal Street will be used. The intersection at Richill Street is controlled by traffic lights and provides a suitable alternative route to Donegal Street via Tyrone Street. The phasing of the lights at Richill Street and John Street will be reviewed.
8. The recommended concept for the Donegal Street Renewal project is included in **Attachment 2**.
9. These works are scheduled for implementation in the 2011/12 financial year.

FINANCIAL IMPLICATIONS

10. The Kerb and Channel Renewal works for Donegal Street are programmed in the Long Term Council Community Plan (LTCCP) for implementation in the 2011/12 financial year.
11. Based on current estimates, staff believe there is sufficient funding in the budget to implement the proposed plan.

Do the Recommendations of this Report Align with 2009-19 LTCCP budgets?

12. Yes. Funding is provided from within the Transport and Greenspace Capital Programme in the 2009-19 LTCCP (refer page 245).

LEGAL CONSIDERATIONS

13. There are no land ownership issues associated with this project. The project is within existing land boundaries.

2 Cont'd

14. No Resource Consents are required.
15. Community Board resolutions are required to revoke the existing traffic restrictions in the street and approve the new traffic and parking restrictions, which will require amendment or addition to the Christchurch City Traffic and Parking Bylaw 1991. The Community Board has the delegation from the Council to make these decisions. These are detailed in the Staff Recommendations section of this report.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

16. Funding for the proposed Donegal Street Renewal project is programmed in the 2009–19 LTCCP Street Renewal Programme.

Do the recommendations of this report support a level of service or project in the 2009–19 LTCCP?

17. Funding for this project is provided within the Transport and Greenspace Unit's Capital Programme as outlined above.

ALIGNMENT WITH STRATEGIES

18. This project is consistent with key council strategies including the Parking Strategy, Road Safety Strategy and Pedestrian Strategy.

Do the recommendations align with the Council's strategies?

19. Yes, as above.

CONSULTATION FULFILMENT

Consultation Process

20. The project team advised the Community Board of the upcoming public consultation with a memorandum in August 2009. This advised of the proposed concept, consultation stakeholders, project timeline and provided an opportunity for Board members to comment on the consultation programme.
21. The formal public consultation period was open from 31 August to 14 September 2009. A public information leaflet and feedback form was delivered to residents on Donegal Street, adjoining cul-de-sacs (Mayo Place, Kilkenny Place and Ballymena Drive), absentee owners and other key stakeholders. This pamphlet included a summary of the concept, an initial concept plan and a feedback form. The project team sought feedback from the community to see whether the proposal was generally supported and asked for any feedback. Also included was an offer to meet onsite, if requested. The proposal was advertised in the Christchurch City Council Have Your Say website.
22. Further informal discussions were held with two residents from Mayo Place, who had concerns about proposed intersection treatments.
23. Each submission received an interim reply letter, which acknowledged that the submission had been received and that it would be considered, once the consultation period had closed.
24. All respondents were sent a final reply letter that outlined the outcome of consultation and the recommended concept plan. The letter informed respondents that a report would be presented to the Shirley/Papanui Community Board for its approval. Details of the Board meeting were also provided so that any interested residents could attend or request speaking rights from the Board prior to the decision being made.

2 Cont'd**Consultation Outcome**

25. The consultation received a 22 per cent response rate (28 responses), which is a moderate to high response rate. Most submissions were received from local residents.

Community Feedback Option	Number of Responses	% of Total Responses
YES: <i>"I fully support the proposal"</i>	20	71%
MIXED VIEWS: <i>"I have some concerns that I would like to be considered"</i>	5	18%
NO: <i>"I completely oppose the proposal"</i>	0	0%
No preference expressed	3	11%

26. The quantitative responses above clearly indicate support for the proposal, with no respondents checking the 'No' box and 71 per cent indicating that they fully support the proposal. The qualitative community feedback and project team responses is summarised below and will be circulated to submitters and elected members, prior to the meeting.
27. The key issue in this consultation relates to the proposed road hump at the Main North Road intersection. The concerns about the road hump have been discussed with the Council's Networks Operations and Traffic Systems Team, who supports the inclusion of this traffic calming device. The purpose of the road hump is to identify a 'gateway' to a residential road environment, with its associated traffic calming and lower vehicle speeds. A flush threshold would only be used if this was a bus route. It is recommended that the road hump is used in association with a 25 kilometre Speed Advisory Sign at the entrance to the Donegal Street intersection. Where road users are not confident that a suitable gap in traffic is available, particularly at peak periods, an alternative route to Donegal Street is suggested. The intersection at Richill Street is controlled by traffic lights and provides a suitable alternative route to Donegal Street via Tyrone Street.
28. Further issues were raised in the public consultation. These have been responded to by the project team, below.
- (a) Additional road platforms requested - a traffic survey was recently carried out in this section of Donegal Street. It indicates an 85 percentile speed of 40.7 kilometres per hour and 2.05 percent exceeding the posted speed limit. This does not indicate the need for further traffic calming measures. The proposed narrowing of Donegal Street to nine metres should also help address residual speed issues;
 - (b) Concern that road narrowings may make it difficult to manoeuvre through intersections – the intersection with Ballymena Drive will be widened to seven metres and kerbs realigned to improve turning circles for large towing vehicles. Tyrone Street intersection is considered to be wide enough. Traffic volumes are low and it is expected that most motorists would be able to mutually resolve who gives way at the narrowings;
 - (c) Loss of parking – one resident noted that they would prefer not to lose parking. The purpose of the narrowings at intersections is to maintain lower traffic speeds, improve safety and visibility for pedestrians (noting this is also a Safe Routes to School crossing point) and deter 'boy-racer' activity. Whilst the loss of parking at this location is regretted, on-street parking demand has been observed to be light and alternative spaces are available nearby. It is also noted that this property has off-street parking available;

2 Cont'd

- (d) Safe Route to School – a resident noted that the Safe Route to School is on the wrong side of Ballymena Drive as children walk down through the new subdivision between Ballymena Drive and Belfast Road. However there is continuous footpath on west side of Ballymena Drive, and not on the east side, therefore the Safe Route to School will remain as proposed;
- (e) Visibility on Main North Road – it was noted that visibility north of Main North Road is blocked by parked vehicles, which is an issue when exiting Donegal Street. These concerns have been referred to the New Zealand Transport Authority (NZTA), who is the road controlling authority for this section of Main North Road (SH1). They will consider an extension of no-stopping lines to improve visibility at intersection with Donegal Street;
- (f) Traffic lights at Main North Road/Richill Street – a request was made for a longer phase of the lights at Richill Street, to accommodate exiting Donegal Street. The phasing of traffic lights at Johns Rd and Richill Street intersections will be reviewed with NZTA;
- (g) Existing 'No Exit' signage on Ballymena Drive – the location of this will be reviewed;
- (h) Undergrounding sought - this is outside the scope of this project and neither the Council nor the utility providers have plans at present to do undergrounding on residential streets;
- (i) Landscaping – berms and landscaping;
 - (i) Request to omit the piece of grass between 2 and 6 Donegal Street. As there is an existing power pole in the proposed berm at this location, and the berm helps to protect the pole from potential collisions, the proposal will not be amended. Grass will be retained as it is lower maintenance;
 - (ii) Request that the proposed grass verge outside 2 Donegal Street be tar seal from 2 Donegal Street around to Main North Road. The proposal will be amended by replacing the proposed grass berm outside 2 Donegal Street with landscaping, to balance with landscaping on other side of intersection;
 - (iii) Request for grasses in the landscaped areas because they get full of rubbish (which the respondent believes is due to the boy racers). The Landscape Architect will review choice of proposed plantings;
 - (iv) Suggestion that the landscaped areas include Libertia "Taupo Blaze" and Hebe "Emerald Green", to reflect the colours of the trees. The Landscape Architect will consider species of plantings proposed;
 - (v) Suggested plantings of New Zealand Natives, evergreen and low maintenance. The Landscape Architect will consider the use of natives and evergreens in choice of plantings.
- (j) Landscaping – trees;
 - (i) Request to vary the tree planting plan. The size of trees and conditions vary, so having multiple tree species each side of the street would create a street of variable tree health and growth conditions. The Acer Rubrum cannot be located on the north side of the street due to the presence of overhead cables a smaller tree species can only be provided. Therefore the tree planting plan will not be amended. A comment was made about that Acer Palmatum get very large. However this species is not expected to grow to this size in a street environment;

2 Cont'd

- (ii) Concern that the proposed trees on Donegal Street may block visibility at the intersections. The proposal has been reviewed by safety auditor, who has not raised concerns about visibility. However with the proposed amendment of the Ballymena Drive intersection, one of the proposed trees will be removed from the concept plan;
 - (iii) Request for removal of street tree in Mayo Place – The City Arborist has investigated the concerns raised by resident regarding street tree outside property in Mayo Place and advises that remedial pruning (rather than removal) will be undertaken.
29. The public consultation resulted in the following amendments to the proposal:
- (a) Increasing the proposed width of the Ballymena intersection to seven metres;
 - (b) Removal of the proposed tree outside 19 Donegal Street, at the Ballymena Drive intersection, to reduce possible interference with pedestrian sight lines;
 - (c) Replacing the proposed grass berm against property boundary at 2 Donegal Street, to landscaping to balance with landscaping on other side of intersection.
30. The project team have recommended that no-stopping lines be installed on Main North Road (SH1), at its intersection with Donegal Street. This proposal is supported by the adjoining neighbours and the NZTA, which is the road controlling authority for this section of Main North Road.

STAFF RECOMMENDATION

It is recommended that the Council request that the New Zealand Transport Agency (NZTA) install the following parking restrictions on Main North Road (SH1):

No stopping

- (i) That the stopping of vehicles be prohibited at any time on the east side of Main North Road commencing at its intersection with Donegal Street and extending 6.5 metres in a southerly direction;
- (ii) That the stopping of vehicles be prohibited at any time on the east side of Main North Road commencing at its intersection with Donegal Street and extending 38 metres in a northerly direction.

BOARD RECOMMENDATION

That the staff recommendation be adopted.

(**Note:** Ngaire Button and Pauline Cotter voted against the motion.)

(**Note:** This item is also dealt with under the Board's delegated authority in item 17.)

PART B - REPORTS FOR INFORMATION

3. DEPUTATIONS

3 Cont'd

3.1 LAURA WHITTAKER – YOUTH DEVELOPMENT REPORT BACK

Laura Whittaker thanked the Board for their financial assistance and provided information on her experience and achievements as a New Zealand representative at the Women's World Golf Croquet Championships held in Melbourne, Australia from 20 November to 1 December 2009.

The Chair congratulated Laura Whittaker and thanked her for her deputation.

3.2 CHRISTOPHER WIREMU –YOUTH DEVELOPMENT REPORT BACK

Christopher Wiremu provided information on his experience and achievements while attending the 2008 Pacific School Athletics Games held in Canberra Australia from 29 November to 7 December 2008. He thanked the Board for the financial assistance provided.

The Chair thanked Christopher Wiremu for his deputation and congratulated him on his achievements.

3.3 PAPANUI TOUCH – YOUTH DEVELOPMENT REPORT BACK

The Papanui Touch team was unable to attend due to another commitment.

3.4 PAUL KINGSTON – SCHOOL TRAFFIC WARDEN

Paul Kingston (Principal of Papanui Primary School) and Mark Gregory (Principal of St Joseph's School) updated the Board on the recent termination of funding from the New Zealand Transport Authority (NZTA) to the Council for a traffic warden at the Cranford Street/Main North Road intersection and the safety concerns as a result of this action.

The subsidy that the Council receives from the NZTA for community road safety initiatives had been substantially reduced. Council funds for warden sponsorship were not available for 2010 which meant that both schools would need to find volunteers prepared to supervise their pupils crossing that intersection.

The Chair thanked Paul Kingston and Mark Gregory for their deputation.

The Board's decision on this matter is at clause 20.1.

3.5 IVAN HIBBERD – DONEGAL STREET KERB AND CHANNEL RENEWAL

Ivan Hibberd outlined his concerns on the proposed Donegal Street Renewal Project and suggested an alternative which in his view may provide a better solution for residents.

The Chair thanked Ivan Hibberd for his deputation. The Board's decision on this is recorded at clause 16.

3.6 TONY SPOWART – NEW ZEALAND TRANSPORT AUTHORITY

Tony Spowart provided information on New Zealand Traffic Authority (NZTA) roading matters in the ward.

The Chair thanked Tony Spowart for his deputation.

4. PRESENTATION OF PETITIONS

Nil.

5. NOTICES OF MOTION

The following notice of motion was submitted by Aaron Keown:

5.1 Sisson Reserve Trees:

"That the Shirley/Papanui Community Board have the nominated trees in Sissons Reserve removed by private contractors by the board and the invoice to be paid by the Christchurch City Council. The amount of the contract is not to exceed the amount to be paid for the scheduled tree maintenance".

An amendment to the Notice of Motion was made by the mover as follows:

"That the Shirley/Papanui Community Board request staff to investigate and advise the Board on the possibility of having the four trees in Sissons Reserve nominated for removal, removed as soon as possible using funds which have been set aside by the Council in this financial year for the scheduled tree maintenance for this park."

The Notice of Motion was seconded by Pauline Cotter and when put to the meeting was declared **carried** on division No. 1 by 4 votes to 3, the voting being as follows:

For (4): Ngaire Button, Pauline Cotter, Aaron Keown and Norm Withers.

Against (3): Kathy Condon, Matt Morris and Yvonne Palmer.

The Board **received** and **accepted** the amended Notice of Motion.

The following Notice of Motion was submitted by Aaron Keown:

5.2 *"That the Shirley/Papanui Community Board have the yellow lines on the eastern side of Papanui Road from Harewood Road to Frank Street removed and the original parking restrictions returned with the exception of this section of road being a designated CLEARWAY from 7am–9am Monday to Friday."*

An amendment to the Notice of Motion was made by the mover as follows:

"That the Board request staff to prepare a report on returning the yellow lines on the eastern side of Papanui Road from Harewood Road to Frank Street to its original markings with a CLEARWAY from 7am–9am Monday to Friday".

The Notice of Motion was seconded by Pauline Cotter and when put to the meeting was declared **lost**.

6. BRIEFINGS

6.1 PATRICK CANTILLON – PROJECT MANAGER

Patrick Cantillon (Project Manager) provided information on the Queenspark Bus Priority route and an update on Malvern Street safety initiative suggested implementation in February 2010.

7. ADJOURNMENT OF MEETING

At 5.25pm the Board **resolved** that the meeting stand adjourned and resumed at 5.30pm.

8. ADJOURNMENT OF MEETING

At 7.12pm the Board **resolved** that the meeting stand adjourned for refreshments and resumed at 7.21pm.

9. ADJOURNMENT OF MEETING

At 7.40pm the Board **resolved** that the meeting stand adjourned to receive a seminar from staff. The meeting resumed at 7.55pm.

10. CORRESPONDENCE

The Board **received** the following correspondence:

10.1 A letter from Eileen Horan and Ngaire Walsh requesting that no-parking lines be installed at the driveway entrance to their properties in St Albans Street.

10.2 A letter from Raylene McMeekan, Metlifecare Merivale Ltd, requesting installation of no-parking lines in Somme Street and Browns Road.

Staff to respond as appropriate.

10.3 A letter from Lorraine Lowe on behalf of the residents of 68A, B and C Warrington Street expressing concern at the number of vehicles parking over their driveway entrance.

The Board **decided** that enforcement staff be requested to monitor the area to ensure compliance.

11. 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, Discretionary Response Fund and Youth Development Fund balances, and upcoming Council consultations.

This included correspondence from the Styx Mill Country Club, information which had been requested by the Board on November 2009. The Club had accepted the offer from staff that the Club take over the mowing of the Styx Mill Reserve.

Also included was information from the City Arborist in response to the Board's request of 18 June 2009 which sought clarification on the policy of fruit trees being planted on reserves or other public places.

12. MEMBERS' INFORMATION EXCHANGE

Members shared general information on matters that had arisen since they had last met.

13. QUESTIONS UNDER STANDING ORDERS

Nil.

PART C - DELEGATED DECISIONS TAKEN BY THE BOARD

14. CONFIRMATION OF MINUTES – BOARD MEETING OF 2 DECEMBER 2009

The Board **resolved** that the minutes of its ordinary meeting (both open and public excluded) held on 2 December 2009 be confirmed.

15. APPLICATION TO THE SHIRLEY/PAPANUI COMMUNITY BOARD'S YOUTH DEVELOPMENT FUND – ELIZABETH TALASKA

The Board considered a report requesting funding for Elizabeth Talaska from the Youth Development Scheme.

The Board **resolved** to decline the application from Elizabeth Talaska as the application is of a retrospective nature.

16. APPLICATION TO THE SHIRLEY/PAPANUI COMMUNITY BOARD'S YOUTH DEVELOPMENT FUND – DESIREE JADE STEVENS

The Board considered a report requesting funding from the 2009/10 Youth Development Fund.

The Board **resolved** to allocate \$200 to Desiree Jade Stevens from its 2009/10 Youth Development Fund to assist her with costs associated in competing in the National Marching Tournament being held in Rotorua from 19 to 21 March 2010.

17. DONEGAL STREET KERB AND CHANNEL RENEWAL

The Board considered a report seeking approval to proceed to final design, tender and construction of the Donegal Street Renewal project.

The Board noted the suggestions put forward by Ivan Hibberd at clause 3.5 but accepted staff advice on the preferred solution.

STAFF RECOMMENDATION

It is recommended that the Board adopt:

- (a) The proposed plan for the Donegal Street Renewal (TP315001), as per **Attachment 2**.
- (b) The following parking restrictions for the Donegal Street Renewal project:

Revoke existing no stopping:

- (i) That the existing no stopping on the south side of Donegal Street commencing from the Main North Railway and extending in a westerly direction to Main North Road be revoked;
- (ii) That the existing no stopping on the north side of Donegal Street commencing from the Main North Railway and extending in a westerly direction to Main North Road be revoked.

New no stopping:

- (iii) That the stopping of vehicles be prohibited at any time around the head of the cul-de-sac of Donegal Street commencing on the north side of Donegal Street at a point 156 metres east of its intersection with Tyrone Street and extending in a clockwise direction around the head of the cul-de-sac for a distance of 35 metres finishing on the south side of Donegal Street;
- (iv) That the stopping of vehicles be prohibited at any time on the south side of Donegal Street commencing at a point 61 metres east of its intersection with Ballymena Drive and extending 43 metres in an easterly direction;
- (v) That the stopping of vehicles be prohibited at any time on the north side of Donegal Street commencing at its intersection with the Tyrone Street and extending 10 metres in an easterly direction;

17 Cont'd

- (vi) That the stopping of vehicles be prohibited at any time on the east side of Tyrone Street commencing at its intersection with Donegal Street and extending 8 metres in a northerly direction;
- (vii) That the stopping of vehicles be prohibited at any time on the west side of Tyrone Street commencing at its intersection with Donegal Street and extending 6 metres in a northerly direction;
- (viii) That the stopping of vehicles be prohibited at any time on the north side of Donegal Street commencing at its intersection with the Tyrone Street and extending 15 metres in a westerly direction;
- (ix) That the stopping of vehicles be prohibited at any time on the south side of Donegal Street commencing at its intersection with Ballymena Drive and extending 16.5 metres in an easterly direction;
- (x) That the stopping of vehicles be prohibited at any time on the east side of Ballymena Drive commencing at its intersection with Donegal Street and extending 14.4 metres in a southerly direction;
- (xi) That the stopping of vehicles be prohibited at any time on the west side of Ballymena Drive commencing at its intersection with Donegal Street and extending 14.4 metres in a southerly direction;
- (xii) That the stopping of vehicles be prohibited at any time on the south side of Donegal Street commencing at its intersection with Ballymena Drive and extending 16.5 metres in a westerly direction;
- (xiii) That the stopping of vehicles be prohibited at any time on the north side of Donegal Street commencing at a point 200.7 metres east of its intersection with Main North Road and extending 29 metres in an easterly direction.
- (xiv) That the stopping of vehicles be prohibited at any time on the south side of Donegal Street commencing at a point 129 metres east of its intersection with Main North Road and extending 12.4 metres in an easterly direction.
- (xv) That the stopping of vehicles be prohibited at any time on the north side of Donegal Street commencing at a point 125 metres east of its intersection with Main North Road and extending 12 metres in an easterly direction.
- (xvi) That the stopping of vehicles be prohibited at any time on the south side of Donegal Street commencing at its intersection with Main North Road and extending 16 metres in a westerly direction.
- (xvii) That the stopping of vehicles be prohibited at any time on the north side of Donegal Street commencing at its intersection with Main North Road and extending 15 metres in a westerly direction.

The Board **resolved**:

- (a) To adopt the staff recommendation.

(Note: Ngaire Button and Pauline Cotter voted against the motion.)

- (b) To request staff to provide an assessment within 12 months of the implementation of the works at the Donegal Street/Main North Road intersection on the effectiveness of the works.

18. WINSTON AVENUE – TURNING RESTRICTION

The Board considered a report seeking approval that Winston Avenue traffic be prohibited from turning right into Main North Road as shown in **Attachment 1** in the agenda.

The Board **resolved** that Winston Avenue traffic be prohibited from turning right into Main North Road.

The Board's recommendation to the Council to approve that southbound Main North Road traffic be prohibited from turning right into Winston Avenue is at clause 1.

19. EASEMENT OVER RESERVE – 1001 LOWER STYX ROAD

The Board considered a report seeking approval to grant a right to convey electricity easement in gross in favour of Orion New Zealand Limited over the Utility reserve located at 1001 Lower Styx Road.

The Board **resolved** under Section 48 of the Reserves Act 1977 a right to convey electric power in gross in favour of Orion New Zealand Limited over Section 1 SO 20162 on DP 419762 subject to

- (a) Public notification as required under the provisions of the Reserves Act 1977, and;
- (b) The consent of the Department of Conservation being obtained.

20. SHIRLEY/PAPANUI COMMUNITY BOARD - RECESS COMMITTEE

The Board considered a report seeking approval to put in place delegation arrangements for matters of a routine nature (including applications for funding) normally dealt with by the Board, to cover the period following its last scheduled meeting for 2009 (being 16 December 2009) until the Board resumes its ordinary meetings in February 2010.

The Board **resolved**:

- (a) That a Recess Committee comprising the Board Chairperson or Deputy Chairperson and two Board members available (or their nominees) be authorised to exercise the delegated powers of the Board for the period following its 16 December 2009 meeting until the Board resumes its scheduled business in February 2010.
- (b) That the application of any such delegation be reported back to the Board for record purposes.

21. DEPUTATIONS (CONTINUED)

21.1 PAUL KINGSTON – SCHOOL TRAFFIC WARDEN

The Board, having considered this matter at clause 2.3 indicated its wish to use their Discretionary Response Fund to assist with the retention of the school traffic warden at the Cranford Street/Main North Road intersection.

Staff advice was given that the Local Government Act 2002 and other legislation requires that decision making must take into account all options and that sufficient time is given for that information to be received in a report and considered.

The Board considered it had sufficient information to make a funding decision and **resolved**:

- (a) That the Board, as an emergency interim measure, fund \$1,000 from the 2009/10 Discretionary Response Fund to be paid to St Josephs School, Papanui, as the fund holder for a school traffic warden at the Cranford Street/Main North Road intersection during 2010.

21 Cont'd

- (b) That staff be requested to prepare a report advising the Board of the reasons for the school warden funding for a warden at the Cranford Street/Main North Road intersection being terminated and options for funding the balance required and future funding for a school patrol warden at that location.
- (c) That staff be requested to investigate the phasing of traffic lights/pedestrian signals and any other traffic safety issues at the Cranford Street/Main North Road intersection to ensure it is safe for all users.
- (d) That enforcement staff be requested to investigate the presence of footpath signage at the north-east side of the Cranford Street/Main North Road intersection which may prevent south-bound motorists turning into Cranford Street from seeing children queued at the pedestrian crossing on the slip lane at that location.

22. RESOLUTION TO EXCLUDE THE PUBLIC

Kathy Condon moved that the resolution set out on page 46 of the agenda be adopted, this was seconded by Ngaire Button and when put to the meeting was declared **carried** on the casting vote of the Chairperson.

*(Note: Pauline Cotter, Aaron Keown and Matt Morris wished their vote recorded against this motion.)
(Amendment made at the 3 February 2010 Board meeting during the Confirmation of Minutes item, clause 3.)*

The meeting concluded at 9.15pm.

CONFIRMED THIS 3RD DAY OF FEBRUARY 2010

**YVONNE PALMER
CHAIRPERSON**

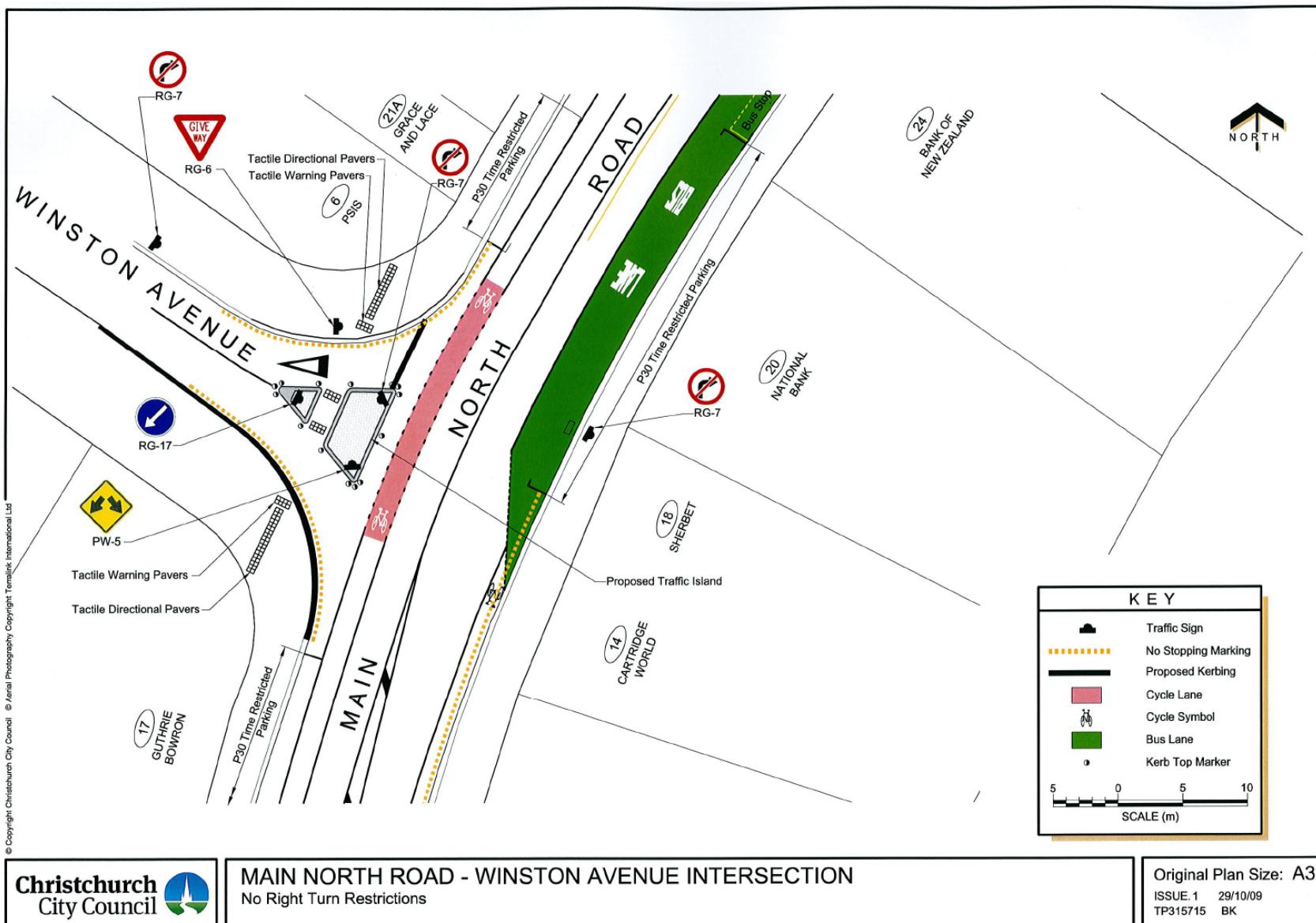
11.2.2010

Shirley/Papanui Community Board 16.12.2009

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ATTACHMENT TO CLAUSES 1 AND 18

ATTACHMENT 1



11.02.2010

ATTACHMENT TO CLAUSES 2 AND 17

Shirley/Papanui Community Board 16.12.2009

ATTACHMENT 2

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