

CHRISTCHURCH CITY COUNCIL AGENDA

THURSDAY 25 MARCH 2010

9.30AM

COUNCIL CHAMBER, CIVIC OFFICES



CHRISTCHURCH CITY COUNCIL

**Thursday 25 March 2010 at 9.30am
in the Council Chamber, Civic Offices**

Council: The Mayor, Bob Parker (Chairperson).
Councillors Helen Broughton, Sally Buck, Ngaire Button, Barry Corbett, David Cox, Yani Johanson,
Claudia Reid, Bob Shearing, Gail Sheriff, Mike Wall, Sue Wells, Chrissie Williams and Norm Withers.

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- 1. APOLOGIES**
- 2. CONFIRMATION OF MINUTES - COUNCIL MEETING OF 25.2.2010, 25-26.2.2010 AND 11.3.2010**
Attached.
- 3. DEPUTATIONS BY APPOINTMENT**
- 4. PRESENTATION OF PETITIONS**

5. EATON PLACE – PROPOSED PARKING RESTRICTION

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

PURPOSE OF REPORT

1. The purpose of this report is to seek the Council's approval to revoke the existing parking restrictions in Eaton Place and to install new ones (**Attachment 1**).

EXECUTIVE SUMMARY

2. The Council has received a request from Jeff Gray BMW, a Vehicle and Motorcycle Dealership on the corner of Manchester Street and Eaton Place, to provide an area of Motorcycle Parking in Eaton Place outside their premises.
3. Eaton Place is a no exit street extending approximately 114 metres in an easterly direction off Manchester Street. The dealership has recently established themselves at this location. Other businesses in Eaton Place include a restaurant, clothing manufacturer, graphics company, and industrial paints and lubricants wholesaler. The Countdown Supermarket on the corner of Moorhouse Avenue and Madras Street has its delivery entrance off Eaton Place.
4. On the north side of Eaton Place there are:
 - (a) 22 metres, (3-4 spaces) unrestricted parking.
 - (b) 60 metres, (10 - 11 spaces) P15 restricted parking.
 - (c) 32 metres of no stopping restrictions and vehicle entrances.
5. On the south side of Eaton Place there are:
 - (a) 9.6 metres (approximately 2 spaces) unrestricted parking.
 - (b) 35 metre long P5 Goods Vehicle Only Loading Zone applying At Any Time.
 - (c) 70 metres of no stopping restrictions and vehicle entrances.
6. Instead of just installing a motorcycle parking area as requested, it was decided that it would be an opportune time to consult with all businesses in the street to see if the existing parking layout met their requirements. Subsequently the businesses were visited and asked what concerns they had with the present parking layout and what changes to it they would like to have made. From this research it was established that:
 - (a) The 10 x P15 parking spaces on the north side of Eaton Place rarely had more than 2 or 3 vehicles in them during the day and would be better having a different time restriction.
 - (b) Goods Service Vehicles making deliveries to the Countdown Supermarket were being parked and unloaded from the P15 parking area at the eastern end of Eaton Place. An official Goods Vehicle Only Loading Zone was needed in that location for that purpose.
 - (c) The 35 metre long P5 Loading Zone on the south side of the street was far too long. It should be made shorter thereby freeing up parking space for other vehicles or types of parking.
7. Consequently a map, letter, and submission form outlining possible changes to the parking layout and requesting support, objections or comments was distributed to all businesses. A number of submissions were received in response to this second layer of consultation and were incorporated into a proposed final design for parking in Eaton Place. This proposed final design was again distributed to the businesses for ratification and is presented here as the proposed changes to the parking layout in Eaton Place.

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8. On the north side of Eaton Place the proposed changes are:
 - (a) 30 metres of the existing 60 metres of P15 parking spaces be changed to P60 parking.
 - (b) 6 metres of the remaining 30 metres of P15 parking spaces be changed to Motorcycle Parking.
 - (c) 6 metres of the remaining 24 metres of P15 parking spaces be changed and added to the current 22 metres of unrestricted parking. (Increases the unrestricted parking spaces to 28 metres).
 - (d) The remaining 18 metres of P15 parking spaces be changed to P30 Loading Zone for Goods Vehicles Only. (At the eastern end of the street to service the Countdown Supermarket).
9. On the south side of Eaton Place the proposed changes are:
 - (a) The existing 35 metre P5 Goods Vehicle Only Loading Zone be shortened to 24 metres and moved east to clear an existing vehicle entrance over which it presently is illegally installed.
 - (b) This will create 23 metres of parking space from close to the intersection with Manchester Street extending east to 1 metre from the western edge of the above mentioned vehicle entrance. This to be changed to P120 parking for approximately four vehicles.
 - (c) The existing 55 metres of stopping restriction commencing outside 12 Eaton Place be shortened to 45 metres to accommodate the moving east of the P5 Goods Vehicle Only Loading Zone.
10. As discussed above, the initial request to install a small area of motorcycle parking in Eaton Place was requested by one business in Eaton Place, but it was decided to review all parking in the street. All businesses in the street were contacted to provide input, comment and approval of the final design. There was 100 per cent support received for the proposed changes outlined in this report.

FINANCIAL IMPLICATIONS

11. The estimated cost of this proposal is approximately \$1,200.

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 Council with the authority to install parking restrictions by resolution.
14. 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?

15. As above.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

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

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

17. As above.

ALIGNMENT WITH STRATEGIES

18. The recommendations align with the Council Strategies including the Parking Strategy 2003.

Do the recommendations align with the Council's Strategies?

19. As above.

CONSULTATION FULFILMENT

20. All businesses in Eaton Place were initially visited and verbally consulted as to what changes they would like to the parking layout in Eaton Place. Following on from that initial verbal consultation:
- (a) Nine copies of a possible parking layout was distributed to all business premises asking for support, objections or suggestions.
 - (b) Three responses were received with two in support and one objecting.
 - (c) The one objector requested that the P5 Loading Zone be not moved from outside his premises. This request has been accommodated.
21. A draft final plan incorporating the above suggested change was then distributed to all businesses informing them that the layout would be presented to the Community Board and Council for approval if there were no further objections or suggested changes received. None were received.
22. This is an industrial or business area and there are no residences in Eaton Place.
23. The Officer in Charge of Parking Enforcement agrees with the proposed changes.

STAFF RECOMMENDATION

It is recommended that the Council:

- (a) Revoke any existing parking or stopping restrictions applying on both the north and south sides of Eaton Place.

It is recommended that the Council approve:

On the north side of Eaton Place

- (b) That the stopping of vehicles be prohibited at any time on the north side of Eaton Place commencing at its intersection with Manchester Street and extending in an easterly direction for 9 metres.
- (c) That the parking of vehicles be restricted to a maximum period of 60 minutes on the north side of Eaton Place commencing at a point 9 metres east of its intersection with Manchester Street and extending in a easterly direction for a distance of 13 metres.
- (d) That a Motorcycle Park be installed on the north side of Eaton Place commencing at a point 30.5 metres east from its intersection with Manchester Street and extending in a easterly direction for a distance of 6 metres.

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- (e) That the parking of vehicles be restricted to a maximum period of 60 minutes on the north side of Eaton Place commencing at a point 71.5 metres east from its intersection with Manchester Street and extending in a easterly direction for a distance of 24 metres.
- (f) That a time limited Loading Zone-for Goods Vehicles Only (maximum period of 30 minutes) be installed on the north side of Eaton Place commencing at a point 95.5 metres east from its intersection with Manchester St and extending in a easterly direction for a distance of 18 metres. This restriction to apply At Any Time.

On the south side of Eaton Place

- (g) That the stopping of vehicles be prohibited at any time on the south side of Eaton Place commencing at its intersection with Manchester Street and extending in an easterly direction for 14.5 metres.
- (h) That the parking of vehicles be restricted to a maximum period of 120 minutes on the south side of Eaton Place commencing at a point 14.5 metres east from its intersection with Manchester Street and extending in an easterly direction for a distance of 23 metres.
- (i) That a time limited Loading Zone-for Goods Vehicles Only (maximum period of 5 minutes) be installed on the south side of Eaton Place commencing at a point 44 metres east from its intersection with Manchester St and extending in a easterly direction for a distance of 24 metres.
- (j) That the stopping of vehicles be prohibited at any time on the south side of Eaton Place commencing 70 metres east of its intersection with Manchester Street and extending in a easterly direction for a distance of 45 metres.

6. HEARINGS PANEL REPORT TO COUNCIL ON PROPOSED CHANGES TO TRAFFIC MOVEMENTS IN OXFORD TERRACE AND CITY MALL AND AMENDMENT TO SCHEDULE 1 OF THE TRAFFIC AND PARKING BYLAW 2008

General Manager responsible:	General Manager City Environment, DDI 941-8608
Author:	Oxford Terrace and City Mall Hearings Panel

PURPOSE OF REPORT

1. The purpose of this report is to present the Proposed Changes to Traffic Movement in Oxford Terrace, Cashel Street and High Street Hearings Panel recommendations for proposals to:
 - (a) Amend the Traffic and Parking Bylaw 2009 to incorporate changes to the direction of one way travel in Oxford Terrace (Lichfield Street to Hereford Street), Cashel Street (Oxford Terrace to High Street) and High Street (Cashel Street to Hereford Street).
 - (b) Declare the section of Oxford Terrace commonly called The Strip, also known as The Terrace) – (from Cashel Street to Hereford Street) as a part-time pedestrian mall 11pm to 5am daily.
 - (c) Make a variation to the City Mall declaration to allow additional banning of goods service vehicles between 11pm and 5am, and to change the start time of the day time ban to 10am (whereas currently the closure is between 11am and 4pm) and make other minor changes.

EXECUTIVE SUMMARY

2. This report and its attachments detail three related proposals which have been subject to a Special Consultative Procedure during August and September 2009. The proposals are 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 Lichfield Street to Cashel Street to two way.
 - (ii) change the one way direction in Oxford Terrace between Cashel Street and Hereford 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.
 - (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 and to change the start time of the day time ban to 10am (whereas currently the closure is between 11am and 4pm) and make other minor changes.
3. 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 that section known as "The Strip" (and at the time of writing being renamed "The Terrace). In addition, there is a need to make the bylaw changes and physical changes in Oxford Terrace for the changes of direction of one way travel that are required for the extension of the tram route. The Council objectives are to:

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- (a) Provide a safer environment for the public
 - (b) Remove potential conflict between pedestrians and vehicles
 - (c) Align the timing of access restrictions throughout the City Mall and Oxford Terrace and other malls in the city
 - (d) Accommodate the future extension of the tram route.
4. 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.
 5. 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 changing this section of Oxford Terrace to two way.
 6. At the same time it is proposed to include a variation to the conditions of the City Mall Declaration 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, and to change the start time of the day time closure to 10am (it is currently 11am to 4pm) to match New Regent Street Mall and to enable motor traffic to be cleared prior to the lunch time pedestrian peak. While working on these proposals staff identified that the original 1981 declaration included a Schedule with a hand drawn plan. A new survey was carried out, the Schedule updated and a new plan drawn with more precise area measurements (**Attachment 1**).
 7. Traffic in City Mall ie, Cashel Street (from Oxford Terrace to High Street) currently flows in a westerly direction along Cashel Street then north along Oxford Terrace, and will continue temporarily in that direction until structural kerb changes are made at the intersection of Lichfield St and Oxford Terrace to enable two way traffic between Lichfield Street and Cashel Street, a left turn out of Oxford Terrace into Lichfield Street, and a change of one way direction for the section of Oxford Terrace between Cashel Street and Hereford Street (the section known as The Strip, also known as The Terrace). There have not, to date, been any legal changes made to enable enforcement of a 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 the Council in June 2008).
 8. On 23 July 2009 the Council resolved to commence the special consultative procedure (SCP) on the one way changes, amendments to the City Mall declaration, and new Mall Declaration described above. The SCP was carried out between 6 August and 9 September 2009, with oral submissions heard by the Hearings Panel on 28 September 2009.
 9. The Council appointed this Hearings Panel chaired by Councillor Sue Wells and comprising David Cox, Yani Johansen, Mike Walls and Norm Withers. The panel met on 28 September 2009 and discussed all written and verbal submissions, then again on 23 February 2010 to confirm the Hearing Panel's recommendations on the proposed changes for the Council to consider.
 10. No changes to the original proposals are recommended by the Hearing Panel, but there are small design changes recommended that do not impact on the nature of the proposals but tidy up some matters raised by submitters.
 11. The key features of the proposals being recommended by this Hearing Panel are as described in paragraph 2 above.

FINANCIAL IMPLICATIONS

12. Funding for the proposed work is programmed in the 2009–19 LTCCP. It will be delivered as part of the Oxford Terrace Tram Extension project.

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13. The current project cost estimates indicate there is sufficient budget allocated in the 2009–19 LTCCP to implement the project.
14. Construction is programmed to commence in the 2009-2010 financial year.

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

15. Yes.

LEGAL CONSIDERATIONS

16. Public consultation has been completed via the special consultative procedure, as described above.
17. The Hearings Panel has no decision-making powers, but can make recommendations to the 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”¹.
18. The Local Government Act² 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. A bylaw that is made under section 72 of the Transport Act 1962 (the one way provision of the Traffic and Parking Bylaw 2008 is such a provision) must also be sent to the Minister of Transport within one week of the Bylaw being made.
19. 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*”.
20. 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 being made). The public notice for this special consultative procedure explained this right of appeal.
21. Once a declaration has been made, and has taken effect it is an offence under section 336(7) to drive, ride, or park any vehicle or ride any animal, or cause or permit any vehicle to be driven, ridden, or parked or any animal to be ridden, in contravention of the declaration.
22. In relation to the parking restrictions that will be revoked and new restrictions imposed as part of these proposals (including the night time taxi stands), 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. The installation of any parking restriction signs and/or markings must comply with the Land Transport Rule: Traffic Control Devices 2004.
23. The following options exist for the Council:
 - (a) Status Quo i.e. reject the proposal as consulted on in its entirety. This option is not preferred as it does not address the need for one way street change to accommodate the tram route extension, nor does it meet the request from NZ Police to limit vehicle access to Oxford Terrace at night for safety reasons.

¹ Section 82(1)(e). This is also supported by the Council's Consultation Policy, which states: “we will receive presented views with an open mind and will give those views due consideration when making a decision”.

² Section 157

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- (b) Accept the proposal with the changes recommended by the Hearings Panel.
- (c) Change or reject part or parts of this report and the proposals, noting that major changes may require further work by staff and/or further community consultation before they could be finally adopted by the Council.

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

24. Yes, as per above.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

25. This project aligns with the LTCCP, the CCC Parking Strategy, and the Avon River Master Plan.

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

26. Yes, as per above.

ALIGNMENT WITH STRATEGIES

27. Yes, as per above.

Do the recommendations align with the Council's strategies?

28. Yes, as per above.

CONSULTATION FULFILMENT

29. Initial issues consultation was carried out during 2008, when several temporary weekend closures of Oxford Terrace from Lichfield Street to Hereford Street, incorporating the area currently known as The Strip and/or The Terrace, were effected by the NZ Police. In October, a leaflet was distributed to property owners and tenants on Oxford Terrace from Montreal Street to Worcester Street, and two meetings were held with people who responded. This comprehensive consultation helped staff to redesign the proposal for a part time pedestrian mall in Oxford Terrace to meet access needs of several businesses and residential properties in Oxford Terrace south of Cashel Street. Meanwhile, preliminary decisions were made to change the direction of one way travel in Oxford Terrace and City Mall to accommodate the extension of the tram route and to change the start time of the daytime closure of City Mall by one hour. It was also proposed to extend the night time closure throughout City Mall (and also New Regent Street Mall) for consistency in all malls and also to assist the NZ Police. All these items required the use of the special consultative procedure before final decisions could be made by the Council so these were combined as one project for that purpose.
30. The public consultation as required by the special consultative procedure took place from 6 August 2009 to 9 September 2009. The consultation documents were sent directly to a range of groups, organisations and individuals, and posted to property owners. They were hand-delivered to all businesses in Oxford Terrace from Montreal Street to Hereford Street, and in City Mall (Cashel Street from Oxford Terrace to High Street, and High Street from Cashel Street to Hereford Street.) 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 project area on Wednesday 19 August 2009, at which there were no attendees from Oxford Terrace or City Mall. (It was a joint meeting covering the changes to access times for New Regent Street Mall and two people from New Regent Street attended the meeting).
31. At the close of the consultation period a total of 18 submissions had been received. Eight people requested to be heard by the Hearings Panel in support of their submissions. The hearings were held on 28 September 2009.

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32. Of the 18 submissions received, four were on behalf of groups or organisations, 11 from businesses affected by the proposal, and three were from individual submitters.
33. Of the eight submitters who asked to be heard by the Hearings Panel, four represented local businesses, three represented groups or organisations and one was a collective of staff in a local business submitting as a group of individuals. One of these submitters did not attend the hearing.
34. Issues raised by the submitters fell into twelve categories and are summarised (together with staff comments on some of the issues) as follows, with Hearings Panel considerations shown *in italics*:

(a) Changes to one way direction in Oxford Terrace

There were six submissions on this topic, three supporting and three opposed to making the section of Oxford Terrace between Cashel Street and Hereford Street one way from north to south. Three further submitters supported the proposal as a whole. Opposition was based on the inconvenience and longer trips required to reach locations between Lichfield Street and Cashel Street, and to travel from there to other destinations. Various suggestions were made by submitters for combining the tram tracks and one way as at present (south to north) or two way traffic.

Since the hearing it has also emerged that vehicles using rented spaces in the private car park area behind the Bog Irish Bar have accessed that car park for many years by driving along City Mall to and from Oxford Terrace. Because of the one-way changes they will no longer be able to make this movement. They will require authorisation to enter and drive along the Mall during permitted times, and these permits can be issued under the existing terms of the City Mall Declaration. Staff are negotiating with the property owner and manager of this car park to ensure that in future no 24/7 tenant is allowed to arrive or leave the car park inside the restricted access hours. Thus in future fewer and eventually no permits will be required for this group.

Submitters also suggested that the tram could be routed along the river bank so that other vehicles could continue travelling from south to north as at present. Staff advise that this would not be possible under the provisions of the Avon River Master Plan. This idea would also require significant reconstruction of the river bank and would create an unsafe environment for other vehicles, and therefore cannot be considered.

Hearings Panel considerations:

- (a)(i) *The suggestions made by submitters were all discussed in detail and no practical or feasible alternative to the proposal was found. The decision to make Oxford Terrace one way from north to south between Cashel Street and Hereford Street is essential for the efficient operation of the tram route extension, and was decided by council in June 2008 after the SCP for the tram extension. The inclusion of this item in the current SCP is necessary for the inclusion of this change in Schedule One (One Way Streets) of the Traffic and Parking Bylaw.*
- (a)(ii) *Having considered the submissions the Hearings Panel recommends that the change in one way direction proceed.*
- (a)(iii) *The decision to make Oxford Terrace between Cashel Street and Lichfield Street two way is in response to the submissions made by local businesses in response to Initial Issues consultation carried out in 2008. The alternative is for this section of Oxford Terrace to be one way from north to south. There were no specific objections to this section being two way.*
- (a)(iv) *Having considered the submissions the Hearings Panel recommends that the proposal for two way traffic between Cashel Street and Lichfield Street proceed.*

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(b) Ban of left turn from Oxford Terrace west (by Tiffany's Restaurant) into Oxford Terrace between Lichfield Street and Cashel Street

There were eight submissions on this topic, all opposing the proposal to ban the left turn into Oxford Terrace northbound. The main concern was the loss of the through trip to Hereford, Worcester and Gloucester Streets, and also local access for clients and service providers of businesses in this section of Oxford Terrace. One of the submissions requested additional short term parking to service the Night and Day shop on the corner of Oxford Terrace and City Mall.

Hearings Panel considerations:

(b)(i) The traffic scheme designer from ViaStrada Ltd explained and illustrated the reasons for banning the left turn into Oxford Terrace beside Tiffany's Restaurant (Oxford Terrace west, from the hospital direction). The panel considered the possible future traffic flow implications of the Transport Interchange, which is likely to have a ramp entrance for buses starting just east of the intersection of Lichfield Street, Oxford Terrace and Durham Street South. (The fact of the Transport Interchange and its location are known but not the precise details of the design concepts.) The panel also considered the possibility of many vehicles mistakenly making this left turn not having noticed signage or not realising that there was now no through road northbound. These vehicles would have to turn around and leave by turning left into Lichfield Street. Larger trucks could not turn around south of Cashel Street and would have to reverse out of this section of Oxford Terrace, into the intersection with Durham and Lichfield Streets, which would be highly undesirable.

(b)(ii) Having considered this the Hearings Panel recommends that the ban of the left turn be retained as in the proposal.

(b)(iii) The designers have now included two short term parking spaces in the design as a result of this submission.

c) New left turn from Oxford Terrace (southbound) into Lichfield Street, and associated changes at this intersection.

There were eight submissions on this topic, one supporting the proposal, one expressing concern with respect to the future requirements of access to the Transport Interchange, and the remaining six opposing the requirement to turn left into Lichfield Street rather than proceed south into Durham Street South. One included concerns about the loss of three trees at this intersection, and also concern about the routing of pedestrian traffic across the crosswalk to an island, meaning that they would not pass next to the front of two retail businesses on that corner. Staff advised that the loss of trees is required to provide adequately for pedestrians.

Hearings Panel considerations:

(c)(i) The traffic scheme designer from ViaStrada Ltd explained and illustrated the reasons why a signal phase to allow traffic to cross south to Durham Street South would cause such delays to other movements in the intersection that it would be completely unsatisfactory. Notwithstanding the manoeuvre cannot be prevented by engineering the intersection, so some drivers might attempt it at quiet times, Signage will indicate that this movement is not available. Similarly, positioning the cross walk to enable pedestrians to walk along the pavement in front of the retail shops on the corner would require an unacceptably long series of signal phases.

(c)(ii) Having considered the submissions the Hearings Panel recommend that the left turn from Oxford Terrace into Lichfield Street be retained as in the proposal, with removal of the trees and repositioning of the cross walk toward the traffic island.

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(d) Request for northbound right turn into City Mall service lane

There were three submissions requesting access to the service lane in City Mall from Oxford Terrace from the south as well as from the north.

Hearings Panel considerations:

(d)(i) The designers explained to the Hearings Panel that this would be undesirable for the pedestrians in the area as it requires removal of Mall space. It would also mean that there would be conflict between this traffic and the opposing north to south traffic.

Having considered the above information the Hearings Panel recommends that access from this direction not be included in the final layout.

(e) Concerns regarding larger vehicles being able to turn into the cul-de-sac

There was one submission concerned about how large trucks and buses will turn into the cul-de-sac from Durham Street and once in the cul-de-sac how they would then turn at the Bridge of Remembrance end to enable exit to the south.

Hearings Panel considerations:

(e)(i) Staff advised the Hearings Panel that the turning circle in Oxford Terrace south of Cashel Street will not accommodate large trucks and buses, nor will the left turn into Oxford Terrace beside Friendship Corner, from Durham Street. Therefore it will be important that signage indicating this is placed well in advance of the intersection. This situation also supports the removal of a left turn from Oxford Terrace west. The Hearings Panel recommends the proposed layout with respect to these turning movements.

(f) Taxi issues

There were five submissions about taxis. One from the Police mentioned operational and enforcement issues that are also being considered for other night time taxi stands around the city. Another highlighted an error in the plan that places a taxi stand and loading bay across a driveway. Three other submissions requested the addition of taxis to the Mall Declaration as permitted vehicles. Staff advised that there is a need for taxi stands on Oxford Terrace between Lichfield Street and Cashel Street, and that the right angle parking area will become a night time taxi stand (parallel to the kerb) from 11pm to 5am. Taxi operators will manage the changeover from parking to taxi stand.

Hearings Panel considerations:

(f)(i) Having considered these submissions the Hearings Panel recommends that taxis not be added as permitted vehicles in the declaration of either City Mall or Oxford Terrace Mall. There are taxi stands at both ends of each section of both malls. An error on the plan regarding the taxi stand over a driveway has been amended.

(g) Cycling in City Mall, and request for widening of Oxford Terrace cycle pedestrian shared pathway

(g)(i) There were two submissions about cycling. One requested the addition of cycles as permitted vehicles in the City Mall. Further investigations of previous Council decisions indicate that there has in the past been discussion and some support for cycling to be allowed in the City Mall. Because cycling in City Mall was not discussed in the SCP documents, and because it is an important matter, this issue cannot be decided as part of this project and should be the subject of future specific consultation, with consideration of the overall Christchurch Transport Strategy.

6 Cont'd

- (g)(ii) Both submissions requested completion of a cycle/pedestrian shared pathway link from Hereford Street to Lichfield Street, and attention to various transitions, signs and other cycling services. Discussions with staff responsible for planning of cycling facilities has resulted in their acceptance that this project has no budget, nor is there room on the carriageway, for widening of the shared pathway. This issue is now being investigated by staff and will be dealt with separately, but the design of the angle parking on Oxford Terrace will be done with a view to minimising vehicle overhang on the path.

Hearings Panel considerations:

- (g)(i) and (ii) The Hearings Panel recommend that the issue of cycling in all Christchurch pedestrian malls be the subject of future consultation, either the next LTCCP or a separate project. The Panel also supported the tidy up of the Oxford Terrace shared path signage, markings and transitions as part of the project.*

(h) Parking issues

There were three submissions about the angle parking on the section between Lichfield Street and Cashel Street including a request for additional short term parking, the proposed Loading Zone and Taxi stand that block a driveway, and asking for the angle of the angle parking to be 45 degrees facing south as at present.

Hearings Panel considerations:

- (h)(i) Staff explained to the Hearings Panel that angle parking pointing south could not be accessed by vehicles travelling south from the one way section of Oxford Terrace. The Hearings Panel recommend that the right angle parking as proposed be adopted.*

(i) 11pm to 5am pedestrian mall in Oxford Terrace

There were eight submissions related to this issue, six of which referred to and were fully in support of the mall proposal. Two other submissions raised concerns about access to the parking area behind the bars on Oxford Terrace, operated by Wilson Parking. This area is currently also accessible via two driveways on Hereford Street, through an informal arrangement with the owners of two different properties. The property owner concerned has now indicated that he no longer has any problem regarding access while the night time closure is active. It has also emerged that two sets of City Mall users require authorisation to enter the Mall during the night time closure, and these permits are being issued under the existing terms of the City Mall Declaration.

Hearings Panel considerations:

- (i)(i) The Hearings Panel recommends that the night time pedestrian mall proposed in Oxford Terrace between Cashel Street and Hereford Street be adopted.*

(j) Suggested creation of full time pedestrian mall in Oxford Terrace

Five submissions proposed the creation of a full time pedestrian mall in Oxford Terrace (The Strip, also known as The Terrace) between Cashel Street and Hereford Street, with paving as in City Mall. Two of these sought that when the tram tracks are laid in Oxford Terrace, the road surface level be lifted so that the future service lane and tram track would be at the same level as the footpaths on either side. The design team has looked at the possibility of paving the rail section of Oxford Terrace and raising the track to pavement height. Unfortunately this cannot be done without a total rebuild of the road. This is not within the project scope or cost provision.

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Hearings Panel considerations:

(j)(i) Having considered these submissions the Hearings Panel recommends:

- *that the concept of a full time pedestrian mall in Oxford Terrace be explored in a future LTCCP (this is not in the current project scope) and*
- *that the tram design team be asked to consider the suggestion of raising the level of the road surface .*

(k) 10am start time in City Mall

Four submitters referred specifically to this issue – two supported the earlier start time to the vehicle ban and two (a retailer and a courier company manager) opposed it. Two further submitters supported the whole concept without reservation and another two mentioned their acceptance of the 10am start in other comments. The opposition was based on the difficulties associated with shorter hours for deliveries.

Hearings Panel considerations:

(k)(i) Having considered these submissions the Hearings Panel recommends adoption of the earlier start time of 10am to the vehicle ban in City Mall.

(l) 11pm to 5am vehicle ban throughout City Mall

There was no opposition to this proposal.

Hearings Panel considerations:

(l)(i) The Hearings Panel recommends the adoption of a night time 11pm to 5am vehicle ban throughout City Mall.

(m) Other issues outside the scope of this project

There were three submissions that referred to various issues including a request for cobble stones, a band rotunda, international flag poles, additional street signage, and a tram stop midway along The Strip, (also known as The Terrace) instead of between Worcester and Hereford Streets. Another is concerned about the reconstruction of City Mall being on three open worksites concurrently.

Hearings Panel considerations:

(m)(i) These issues were found to be outside the scope of this project. Cobble stones are unlikely to be covered by the tram extension budget, but as mentioned in para 22(j) the request for raising the road surface when installing the tram tracks in Oxford Terrace will be sent to the tram route designers for consideration, and this may incorporate concrete pavers. The request for a band rotunda, tram stop, flag poles and additional street signage will also be referred to the relevant staff.

(n) Removal of reference to Whitcoulls in clause (d) of 1982 Declaration

The Christchurch Manager of Whitcoulls Ltd and the national Property Services Manager of Red Group Retail which owns Whitcoulls, (the latter by email) have indicated that the clause excepting Whitcoulls vehicles from the access restrictions can be removed.

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HEARINGS PANEL RECOMMENDATIONS

The Proposed Changes to Traffic Movement in Oxford Terrace, Cashel Street and High Street Hearings Panel recommends to the Council that it:

- (a) Approve the following specific points raised by submitters and recommended by the Hearings Panel:
 - (i) That the proposed change in one way direction in Oxford Terrace from Cashel Street to Hereford Street – to flow from north to south; in Cashel Street from Oxford Terrace to High Street, to flow from west to east; and in High Street from Cashel Street to Hereford Street, to flow from south to north; to create a one way City Mall flowing anticlockwise, proceed.
 - (ii) That the proposed change from one way to two way traffic in Oxford Terrace between Cashel Street and Lichfield Street proceed.
 - (iii) That the proposed ban of the left turn from Oxford Terrace West to Oxford Terrace (between Lichfield Street and Cashel Street, proceed.
 - (iv) That the left turn from Oxford Terrace into Lichfield Street proceed as specified in the proposal, with the removal of the trees and repositioning of the cross walk toward the traffic island.
 - (v) That access from the south on Oxford Terrace into Cashel Street not be included in the final layout.
 - (vi) That the proposed layout be retained with respect to turning movements into Oxford Terrace beside Friendship Corner, from Durham Street and the removal of a left turn from Oxford Terrace west (beside Tiffany's restaurant) into Oxford Terrace between Lichfield Street and Cashel Street.
 - (vii) That taxis not be added as permitted vehicles in the declaration of either City Mall or Oxford Terrace Mall.
 - (viii) That the issue of cycling in all Christchurch pedestrian malls be the subject of future consultation, either in the next LTCCP or as a separate project.
 - (ix) That the tidy up of the Oxford Terrace shared path signage, markings and transitions be part of the project.
 - (x) That the right angle parking between Lichfield Street and Cashel Street as proposed, be adopted. (See specific parking resolutions for details of vehicle and motorcycle parking and night time taxi stands).
 - (xi) That the night time pedestrian mall proposed in Oxford Terrace between Cashel Street and Hereford Street be adopted.
 - (xii) That the concept of a full time pedestrian mall in Oxford Terrace be explored in a future LTCCP.
 - (xiii) That the earlier start time of 10am to the vehicle ban in City Mall be adopted.
 - (xiv) That a night time 11pm to 5am vehicle ban throughout City Mall be adopted.
 - (xv) That the request for a band rotunda, tram stop, flag poles and additional street signage be referred to the relevant staff.
- (b) Approve the additional proposed changes to the City Mall Declaration as shown in **Attachment 1**.

6 Cont'd

- (i) Give public notice as soon as practicable, that the Christchurch City Council City Mall Declaration as shown in Attachment 1 has been amended by the Council, and that the amendments will take effect one month from the date of the Council's resolution provided there are no appeals lodged with the Environment Court, or will take effect once any appeal has been determined.
- (ii) Send copies of the amended declaration to those people or organisations that made submissions, advising them of the outcome and right of appeal.
- (c) Approve the proposed new Oxford Terrace Mall Declaration as shown in **Attachment 2**.
 - (i) Give public notice as soon as practicable, that the Christchurch City Council Oxford Terrace Mall Declaration as shown in Attachment 2 has been made by the Council and will take effect one month from the date of the Council's resolution provided there are no appeals lodged with the Environment Court, or will take effect once any appeal has been determined.
 - (ii) Send copies of the new declaration to those people or organisations that made submissions, advising them of the outcome and right of appeal.
- (d) Approve the changes to the Traffic and Parking Amendment (Oxford Terrace, Cashel Street, High Street (City Mall)) Bylaw 2009 as shown in **Attachment 3**.
 - (i) Give public notice as soon as practicable, that the Christchurch City Council Traffic and Parking Amendment (Oxford Terrace, Cashel Street, High Street (City Mall)) Bylaw 2009 as shown in Attachment 3 has been approved by the Council.
 - (ii) Send a copy of the new Christchurch City Council Traffic and Parking Amendment (Oxford Terrace, Cashel Street, High Street (City Mall)) Bylaw 2009 to the Minister of Transport within one week of the Bylaw being made, as required by section 72(4) of the Transport Act 1962;
 - (iii) Send copies of the new Christchurch City Council Traffic and Parking Amendment (Oxford Terrace, Cashel Street, High Street (City Mall)) Bylaw 2009 to those people or organisations that made submissions, advising them of the outcome.
- (e) Revoke the following Parking Restriction in Oxford Terrace
 - (i) That any existing parking restrictions at any time on both sides of Oxford Terrace between Hereford Street and Lichfield Street be revoked.
- (f) Approve the following Parking Restrictions in Oxford Terrace
 - (i) That the stopping of vehicles be prohibited at any time on the west side of Oxford Terrace commencing at its intersection with Durham Street South and extending in a northerly direction for a distance of 27 metres.
 - (ii) That the parking of vehicles be 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 west side of Oxford Terrace commencing at a point 27 metres north from its intersection with Durham Street South and extending in a northerly direction for a distance of 42.5 metres.
 - (iii) That a Taxi Stand operative between the hours of 11pm and 5am be installed on the west side of Oxford Terrace commencing at a point 27 metres north from its intersection with Durham Street South and extending in a northerly direction for a distance of 42.5 metres.

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- (iv) That a Motorcycle Park operative between the hours of 5am and 11pm be installed on the west side of Oxford Terrace commencing at a point 69.5 metres north from its intersection with Durham Street South and extending in a northerly direction for a distance of 3.5 metres.
- (v) That a Taxi Stand be installed on the west side of Oxford Terrace commencing at a point 73 metres north from its intersection with Durham Street South and extending in a northerly direction for a distance of 10 metres.
- (vi) That the stopping of vehicles be prohibited at any time on the west side of Oxford Terrace commencing at a point 84 metres north from its intersection with Durham Street South and extending in a northerly direction around the turning head for a distance of 16 metres.
- (vii) That the stopping of vehicles be prohibited at any time on the east side of Oxford Terrace commencing at its intersection with Lichfield Street and extending in a northerly direction for a distance of 58 metres.
- (viii) That a time limited Loading Zone – Goods Vehicles Only (maximum period of 5 minutes) be installed on the east side of Oxford Terrace commencing at a point 58 metres from its intersection with Lichfield Street and extending in a northerly direction for a distance 15 metres.
- (ix) That the stopping of vehicles be prohibited at any time on the east side of Oxford Terrace commencing at a point 74 metres north from its intersection with Lichfield Street and extending in a northerly direction for a distance of 30 metres.
- (x) That the stopping of vehicles be prohibited at any time on the west side of Oxford Terrace commencing at a point 4 metres south from its intersection with Hereford Street and extending in a southerly direction for a distance of 105 metres.
- (xi) That the stopping of vehicles be prohibited at any time on the east side of Oxford Terrace commencing at a point 5 metres south from its intersection with Hereford Street and extending in a southerly direction for a distance of 69 metres.
- (xii) That the stopping of vehicles be restricted to a maximum of one (1) minute between the hours of 5am and 11pm on the east side of Oxford Terrace commencing at a point 74 metres south from its intersection with Hereford Street and extending in a southerly direction for a distance of 18 metres.
- (xiii) That the stopping of vehicles be prohibited between the hours of 11pm and 5am on the east side of Oxford Terrace commencing at a point 74 metres south from its intersection with Hereford Street and extending in a southerly direction for a distance of 18 metres
- (xiv) That the stopping of vehicles be prohibited at any time on the east side of Oxford Terrace commencing at a point 92 metres south from its intersection with Hereford Street and extending in a southerly direction for a distance of 20 metres.

7. HEARINGS REPORT ON THE PROPOSED NEW REGENT STREET PEDESTRIAN MALL VARIATION TO THE SPECIAL ORDER

General Manager responsible:	General Manager City Environment, DDI 941 8608
Author:	New Regent Street Hearings Panel

PURPOSE OF REPORT

1. The purpose of this report is to present the Hearings Panel recommendations on the proposal to:
 - (a) Amend clause (b) of the existing New Regent Street Mall Declaration of a Special Order to restrict the hours that goods service vehicles are permitted in the Mall.
 - (b) Amend clause (c) of the same declaration in relation to its reference to approval by the Traffic Manager or Parking Operations Manager.

EXECUTIVE SUMMARY

2. The Council 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.
3. The pedestrian only street is used by vehicles for parking in the evening even though this is banned by the Mall 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.
4. 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.
5. 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).
6. 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.
7. The proposed changes consulted on are to amend the existing time that goods vehicles are allowed to enter the street for delivery purposes. The existing special order showing proposed variations is shown in **Attachment 1** to this report.
8. The special order currently allows access for goods vehicles only at any time except between 10am and 4pm daily. The proposal adds a night time closure to all vehicles between 11pm and 5am daily. Outside of these times no vehicles will be allowed in New Regent Street except for those that are exempt in the declaration. Special arrangements already in place under (c) of the special order to allow business owners and operators access to their businesses will continue.
 - (a) The amended declaration would read:
 - (i) Clause (b) Goods Service Vehicles are permitted in the Mall for the purpose of loading and unloading at any time other than 10am to 4pm, and 11pm to 5am daily.
 - (ii) Clause (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 Council officer that holds the position of asset owner at that time.

7 Cont'd

9. The aim of the proposal is to:
 - (a) Remove potential conflict between pedestrians, vehicles and the tram.
 - (b) Align the timing of access restrictions with City Mall and the proposed new night time part time pedestrian mall in Oxford Terrace).
10. Earlier consultation was carried out in 2007/8 with all business operators in New Regent Street. Christchurch Tramway Limited has also been contacted. The Council's Parking Enforcement team endorses this proposal.

PANEL CONSIDERATION

11. On 23 July 2009 the Council resolved to commence the special consultative procedure to undertake the amendments and new Mall Declaration described above. The Special Consultative Procedure was implemented from 6 August to 9 September 2009.
12. The Council appointed a Hearings Panel, chaired by Councillor Sue Wells and comprising David Cox, Yani Johansen, Mike Wall, Norm Withers. The panel met on 28 September 2009 and discussed all written and verbal submissions, then again on 23 February 2010 to confirm the Hearing Panel's recommendations on the proposed changes for the Council to consider.
13. The oral submission presented by Todd Flygenring, representing New Regent Street businesses, emphasised that later closing of the Manchester Street Car Parking building on week nights would support businesses in the area. He felt that this should be possible since this building is open and unattended, with no fee for parking between 6.15pm on Friday through till 11.45pm on Sunday each week. There appears to be a low level of public awareness of this free parking on weekends, and it was suggested that some signage outside the building would enhance usage of it and perhaps relieve the demand for illegal parking in New Regent Street Mall.
14. The Panel asked for information about the number of on-street parking spaces in the area. (On Armagh Street and Gloucester Street between Colombo Street and Manchester Street, and on Manchester Street between Armagh Street and Gloucester Street there are altogether 70 P60 on-street parking spaces and 18 spaces with limited time parking between 5 and 15 minutes, with 3 additional spaces on the south side of Gloucester Street opposite New Regent Street currently being resolved to P5).
15. The Panel also asked for a letter to be sent to the Chief Executive Officer of the Christchurch City Council asking if parking enforcement can be provided on a 24/7 basis. The reply to this is that the cost of parking enforcement outside of regular hours is too high to be viable. The team leader in charge of off street parking was also asked if the Manchester Street parking building could be opened until later on week nights. The answer was that this is not possible.
16. No changes to the original proposal are recommended by the Hearing Panel.

FINANCIAL IMPLICATIONS

17. The cost of altering the existing signs to show the new times (if approved) is estimated to be \$1,500.
18. The installation of road markings and signs is within the 2006-19 LTCCP Streets and Transport Operational Budgets.

CONSULTATION FULFILMENT

19. The consultation period for the special consultative procedure took place from 6 August 2009 to 9 September 2009. The consultation documents were sent directly to a range of groups, organisations and individuals, posted to property owners and hand-delivered to all businesses

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in New Regent Street. 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 association with this and the Oxford Terrace/City Mall project on Wednesday 19 August 2009 which was attended by two representatives of the businesses in New Regent Street.

20. At the close of the consultation period a total of six submissions had been received. One submitter requested to be heard by the Hearings Panel in support of their submissions. The hearing was held on 28 September 2009.
21. Of the six submissions received, four were on behalf of groups or organisations, and two were from individual submitters. All were in support of the proposal and all included comments.
22. The submitter who requested to be heard by the Hearing Panel represented the businesses in New Regent Street.
23. All submitters raised issues related to illegal parking in the New Regent Street Mall after 5pm every night. These cars have at times blocked the tram tracks, causing a long delay for the dining car. The Council's Parking Enforcement Unit staff do not usually work after 5pm any day, but have on occasion attended New Regent Street Mall late at night because of this problem. The Police do not consider parking enforcement a priority for their officers. There is also some evidence of vehicles entering the Mall from Gloucester Street against the one way direction.
24. The signage at both ends of New Regent Street has been up graded in an attempt to stop drivers from entering and parking in the Mall. However, when approached by a parking warden, offenders have often argued that the signage is insufficient. The Parking Enforcement Unit submission said that enforcement is not the solution and that the placement of automatically controlled bollards at each end (controlled by the tram driver, and by the Council Traffic Control Room) would solve the problem. This would require provision in a future LTCCP.
25. In addition, business people in the street who have permits to use cars that are not Goods Service Vehicles for loading and unloading, within permitted hours, acknowledge that they sometimes park in the street after 6.15pm when the Manchester Street Parking Building closes, as their businesses operate later (for example the beauty clinic, cafes, photographer) and at that time it is impossible to find an on-street park anywhere nearby.
26. Two of the submitters requested 24/7 access to Manchester Street car parking building and additional short term parking spaces on Gloucester St and Armagh Street near the ends of New Regent Street Mall for loading or unloading goods.
27. Initially the street tenants claimed that the parked cars and the returning drivers helped to provide surveillance in the Mall. There appears to have been an increase in vandalism and robbery in that environment recently and they were concerned about removing the parking. As a result of this information the Council Safer Christchurch team have visited the business group representatives and discussed ways to improve safety in the street.

LEGAL CONSIDERATIONS

28. Public consultation has been completed via the special consultative procedure, as described above.
29. The Hearings Panel has no decision-making powers, but can make recommendations to the 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"³.

³ Section 82(1)(e). This is also supported by the Council's Consultation Policy, which states: "we will receive presented views with an open mind and will give those views due consideration when making a decision".

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30. 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”.
31. Any declaration of the Council under section 336(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 being made). The public notice for this special consultative procedure explained this right of appeal.
32. Once a declaration has been made, and has taken effect it is an offence under section 336(7) to drive, ride, or park any vehicle or ride any animal, or cause or permit any vehicle to be driven, ridden, or parked or any animal to be ridden, in contravention of the declaration.
33. The following options exist for the Council:
 - (a) Status Quo i.e. reject the proposal as consulted on in its entirety. 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) Accept the proposal.
 - (c) Change or reject part or parts of this report and the proposals, noting that major changes may require further work by staff and/or further community consultation before they could be finally adopted by the Council.
34. Option (b) is the preferred option.

HEARING PANEL RECOMMENDATIONS

The Hearing Panel recommends that the Council:

- (a) Approve the proposed changes to the New Regent Street Mall Declaration of a Special Order as shown in Attachment 1.
 - (i) Give public notice as soon as practicable, that the Christchurch City Council New Regent Street Mall Declaration of a Special Order as shown in Attachment 1 has been amended by Council.
 - (ii) Send copies of the amended declaration to those people or organisations that made submissions, advising them of the outcome.
- (b) Request staff to report to the Council on the potential to provide automated bollards for both ends of New Regent Street, and whether it is possible, within current budgets, to find the funding for the automated bollards immediately. This recommendation is made on the basis that the Hearings Panel is concerned that the New Regent Street Mall restrictions are not able to be effectively enforced, and that without enforcement there is questionable value in making the restrictions in resolution (a).
- (c) Review the level of service around after-hours enforcement.

8. ADOPTION OF CHRISTCHURCH CITY COUNCIL RURAL FIRE AUTHORITY FIRE PLAN

General Manager responsible:	General Manager City Environment, DDI 941-8608
Officer responsible:	Manager, Civil Defence & Emergency Management
Author:	Keith Marshall, Principal Rural Fire Officer

PURPOSE OF REPORT

1. The purpose of this report is to consider and recommend the adoption of the 2009/14 Christchurch City Council Rural Fire Authority Fire Plan.

EXECUTIVE SUMMARY

2. Under the Forest and Rural Fires Regulations 2005, the Christchurch City Council Rural Fire Authority is required to adopt a new Fire Plan in the form set out in the Forest and Rural Fire Regulations 2005. Upon adoption by Council, the 2009/14 Rural Fire Plan will replace the Rural Fire Plan 2007/12 Plan adopted by the Council in September 2007.
3. The Forest and Rural Fires Regulations 2005 requires that the 'Readiness' and 'Response' sections of the Plan be reviewed every two years. Any changes made as a result of such review requires the Fire Authority to provide a copy of the amended Plan to the National Rural Fire Authority.
4. The 2005 Regulations also require that the 'Reduction' and 'Recovery' sections must be reviewed not more that 5 years after the plan was first adopted. The opportunity has been taken to review the 'Reduction' and 'Recovery' sections at this time as amendments were required.
5. Changes to current Plan include:
 - (a) The uplifting of gazettal of Bottle Lake Rural Fire District and Chaney's Rural Fire District and incorporating these areas within the Christchurch City Council Rural Fire Authority's area.
 - (b) All topographical maps have been replaced as a result of Land Information New Zealand introducing a new map series to align with international mapping coordinates.
 - (c) Changes have also been made to the following sub-sections (refer **Attachment 1** for details):
 - (i) Readiness, Triggers and Precautionary Measures (sub-section 3.15).
 - (ii) Introduction (sub-section 3.15.1).
 - (iii) Readiness Levels (sub-section 3.15.2).
 - (iv) Alert Procedures for Very High and Extreme Fire Danger (sub-section 3.15.3).
 - (v) Response readiness levels (sub-section 3.18).
 - (vi) Fire weather index trigger points for precautionary measures during low to extreme fire danger levels (sub-section 3.18.1).
 - (vii) Fire Protection Works (sub-section 3.19).
 - (viii) Fire Danger Rating System (sub-section 3.20).
 - (ix) Readiness, Retardants and Suppressants (sub-section 3.26.15).
 - (x) Recovery, Procedure for Cost recovery on Persons Known to Have Caused the Fire (sub-section 5.7.3).
 - (xi) Health and Safety Management at Rural Fires (Appendix N).

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FINANCIAL IMPLICATIONS

6. Adoption of the 2009/14 Rural Fire Plan will not require any additional funding.

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

7. Yes.

LEGAL CONSIDERATIONS

8. The Council must comply with the provisions of the Forest and Rural Fires Regulations 2005.

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

9. Yes, the adoption of a new Fire Plan meets the requirements of the Forest and Rural Fires Act and Regulations.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

10. LTCCP Page 117 - Rural Fire Fighting: An approved and operative Rural Fire Plan is in place.

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

11. Yes.

ALIGNMENT WITH STRATEGIES

12. Yes.

Do the recommendations align with the Council's strategies?

13. Not applicable.

CONSULTATION FULFILMENT

14. Not applicable.

STAFF RECOMMENDATION

It is recommended that the Council, as the Christchurch City Council Rural Fire Authority, adopt the 2009/14 Rural Fire Plan with the changes as outlined in the following attachment.

9. ANTIGUA BOATSHEDS – PUNTING OPERATION

General Manager responsible:	General Manager, City Environment Group, DDI 941-8608
Officer responsible:	Transport and Greenspace Manager
Author:	Lewis Burn, Property Consultancy Manager

PURPOSE OF REPORT

1. To obtain Council approval as head lessor to a variation of the sublease to the punting operation based at Antigua Boatsheds.

EXECUTIVE SUMMARY

2. MJ and SJ Jones, the proprietors of the Antigua Boatsheds hold a lease of the riverbank reserve site for a term including renewals that runs to 31 March 2036. This lease is for the business of hiring boats, canoes and punts to the public and the operation of a café.
3. Antigua Boatsheds own the buildings and operate the café/restaurant while the business of operating punts from the boatshed is subleased to the company, Punting on the Avon Limited, the current and final 3 year term expiring 30 November 2012. The sublease comprises one bay of the building together with common areas including decking for launching punts and passengers.
4. The lessee has sought approval as required by the terms of the head lease to vary the sublease to allow the sub tenancy to be extended by three years. The current and final term presently expires 30 November 2012 and the parties wish to then have the option of a further renewal term to finally expire 30 November 2015 at which time the sub tenancy would be up for renegotiation. The first term of the head lease will expire 31 March 2016. The lessee believes this extension will be beneficial to the Antigua Boatsheds and Punting on the Avon Limited allowing for continued growth of both companies and time to invest further in this tourist destination.
5. There is no reason from the Council's perspective not to approve this application.

FINANCIAL IMPLICATIONS

6. Nil.

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

7. Not applicable.

LEGAL CONSIDERATIONS

8. The consent of the Council to dealings in respect to leases or subleases where the Council is the land owner and the land is held as reserve under the Reserves Act 1977 is not delegated to staff. The matter is being reported direct to the Council (commercial lease considerations within CBD of the Hagley ward). The lease terms and conditions set out that the Council cannot unreasonably withhold consent provided Council's interest as head lessor is not prejudiced.

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

9. Yes, as above.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

10. Not applicable.

9 Cont'd

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

11. Yes, the continued operation of a very popular tourist attraction while also supporting the ongoing financial sustainability of an iconic heritage building.

ALIGNMENT WITH STRATEGIES

12. Not applicable.

Do the recommendations align with the Council's strategies?

13. Not applicable.

CONSULTATION FULFILMENT

14. Not Required.

STAFF RECOMMENDATION

It is recommended that the Council consent as head lessor to a variation of the deed of sublease between MJ and SJ Jones (Antigua Boatsheds) and Punting on the Avon Limited to provide for a further right of renewal of three years so that the sub tenancy finally expires 30 November 2015.

10. PROPOSED TREE POLICY FOR TREES ON PUBLICLY OWNED LAND OR SPACES

General Manager responsible:	General Manager City Environment, DDI 941-8608
Officer responsible:	Alan Beuzenberg, Manager Transport & Greenspace
Author:	Shane Moohan, City Arborist

PURPOSE OF REPORT

1. To adopt the Proposed Tree Policy for consultation with Community Boards.

EXECUTIVE SUMMARY

2. Workshops with Councillors were held in June and September 2008 to discuss suggested changes to the current tree delegations.
3. The Combined Community Board Chairs Forum on 13 October 2008 requested that a working party made up of both staff and one nominated member from each Community Board be formed to work through issues relating to a City wide Tree Policy.
4. Since then the Tree Policy Working Party has met five times to prepare the attached Proposed Tree Policy document. Issues that arose during these discussions that were outside of the scope of the Working Party are documented and were presented to the Council in a Memorandum on 10 December 2010.
5. The Proposed Tree Policy encompasses suggested changes to the current delegations as well as operational issues for planting, maintaining and removing trees. It does not cover future direction for trees in Christchurch as this would be more appropriately addressed in a strategic document.
6. On 16 October 2009 the Combined Community Board Chairs Forum recommended:
 - (a) That the attached Proposed Tree Policy be presented to the Council for adoption.
 - (b) That the Working Party Memorandum be presented to the Council for consideration.
7. The Council workshop on 23 February 2010 requested that the Proposed Tree Policy, incorporating amendments that were suggested at the workshop, be presented to the Council with the recommendation that it be adopted for consultation with Community Boards.

FINANCIAL IMPLICATIONS

8. Adoption of the Proposed Tree Policy is not expected to have significant effects on operational or capital budgets.
9. The Proposed Tree Policy suggests that there is a "user pays" process for some tree planting (3.3.1 Commemorative Trees), some tree pruning (3.7 Pruning Trees in Public Spaces) and some tree removals (3.4 Removal of Trees in Public Spaces, 3.5 Requests to Remove Trees in Public Spaces, 3.6 Cost of Removal of Trees in Public Spaces). This involves the actual cost to complete the work and the cost incurred in gathering sufficient information for Community Boards to make an informed decision.
10. The Proposed Tree Policy also suggests that for some tree removals that applicants pay for the value of the tree (3.6 Cost of Removal of Trees in Public Spaces). The value of the tree is based on the Standard Tree Evaluation Method (STEM) which is the nationally recognised system for evaluating and valuing trees (see "Definitions" in Proposed Tree Policy).
11. Should the suggested "user pays" process for tree removal and pruning be adopted, this will have financial implications for some members of the public.
12. Should the suggested user pays system be adopted this will need to be incorporated into Council's Fees and Charges Schedule under Section 12 Local Government Act 2002.

10 Cont'd

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

13. The recommendations align with the current LTCCP budgets.

LEGAL CONSIDERATIONS

14. Alignment with Principal legislation:

- (a) Resource Management Act 1991:
 - (i) Banks Peninsula District Plan.
 - (ii) City of Christchurch City Plan.
- (b) Reserves Act 1977.
- (c) Biosecurity Act 1993.
- (d) Health and Safety in Employment Act 1992 plus amendments and regulations.
- (e) Electricity Act 1992 plus regulations.
- (f) Telecommunications Act 2001.
- (g) Property Law Act 2007.
- (h) Public Works Act 1981.
- (i) Local Government Act 1974 and 2002.
- (j) Christchurch City Council Parks and Reserves Bylaw 2008.

15. The following Council Policies will need to be rescinded:

- (a) Tree Planting in Streets Policy.
- (b) Banks Peninsula District Council Tree and Vegetation Policy Resolutions 98/178 and 97/404.
- (c) Banks Peninsula District Council Tree Trimmings (Private Plantings) Policy Resolution 94/636.
- (d) Banks Peninsula District Council Tree Planting on Reserves Policy Resolution 99/236.
- (e) Banks Peninsula District Council Wildling Trees – Removal from Road Reserve Resolution 98/178.

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

16. The Council has the legal right to adopt the Proposed Tree Policy.
17. Irrespective of Council Policies and Strategies the District Court can order the pruning or removal of trees under The Property Law Act 2007.
18. Irrespective of Council Policies and Strategies some pruning and removal of protected trees may require a Resource Consent be granted prior to work to being undertaken.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

19. Recommendation aligns with current LTCCP and Activity Management Plans.

10 Cont'd

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

20. Supports the following Levels of Service:

- (a) 6.0 Neighbourhood Parks 6.06 Planted areas and trees.
- (b) 6.1 Sports Parks 6.1.8 Maintain planted areas and trees.
- (c) 6.2 Garden and Heritage Parks 6.2.9 Planted areas and trees.
- (d) 6.3 Regional Parks 6.3.2 Protecting biodiversity values.
- (e) 6.4 Cemeteries 6.4.8 Maintain planted areas and trees.
- (f) 6.5 Waterways and Land Drainage 6.5.3 Cost of maintaining waterways and land drainage system.
- (g) 10.0 Road Network 10.0.11 Road landscaping and street trees.

21. Supports the Capital tree replacement programmes for street and park trees.

ALIGNMENT WITH STRATEGIES

22. There is currently no overarching city wide policy for vegetation management. In the attached Memorandum from the Tree Policy Working Party it is suggested that funding for the commencement of a City wide policy be included for consideration in the next LTCCP.

23. The Proposed Tree Policy aligns with the following Strategies:

- (a) New Zealand Biodiversity Strategy.
- (b) Christchurch City Council Biodiversity Strategy 2008-2035.

24. The Proposed Tree Policy aligns with Council Policies:

- (a) Traffic Calming Policy.
- (b) Sponsorship of Trees and Other Plantings on Reserves.
- (c) Proposed Central City Street Tree Plan.
- (d) Central City Streetscape Plan.
- (e) Consultation Policy.

25. The Proposed Tree Policy aligns with the following sections of the Christchurch City Plan:

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.

10 Cont'd

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 which compliment this image. A broad range of matters influence and contribute to this image, including the following:

- (a) Tree-lined streets and avenues.
- (b) Parks and developed areas of open space.

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.

CONSULTATION FULFILMENT

- 26. All eight Community Boards appointed representatives to the Tree Policy Working Party to ensure their ward's views and concerns were represented.
- 27. On 16 October 2009 the Combined Community Board Chairs Forum recommended that the Proposed Tree Policy be presented to the Council for adoption.
- 28. No public consultation has been undertaken as this document is intended for internal use.

10 Cont'd

BACKGROUND

29. On 12 June 2008 a workshop was held to discuss potential changes to the tree delegations.

Currently delegations are:

Greenspace Manager

"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. (CR 23.10.96)"

Community Boards

"To plant, maintain and remove trees on reserves, parks and roads under the control of the Council within the policy set by the Council. (CR 13.12.07)"

30. Changes were suggested to enable:
- (a) Clear parameters over what decisions staff can make.
 - (b) Greater clarity over when decisions are to be made by Community Boards.
 - (c) Timely and pragmatic decisions for residents requesting tree removals.
31. As a result of this meeting a Memo was issued to the Mayor, Councillors and Community Board Members on 1 August 2008 outlining the current tree delegations for the Community Boards and the Greenspace Manager, suggesting changes to the delegations, the reasons why the changes were being suggested and safe guards.
32. On 29 September 2008 a further workshop was held providing an outline of issues faced by the arborists. These included:
- (a) Removal, replacement, removing otherwise healthy trees.
 - (b) Pruning trees under power lines causing disfigurement to the tree.
 - (c) Removing trees which are overcrowded.
 - (d) Removing trees of poor shape.
 - (e) Removing trees which pose a health and safety risk.
33. Proposals to clarify staff delegations were mainly around tree removal and tree planting. Some guidelines around staff decisions on tree removal and planting were suggested. These included the significance of the tree to be removed and the agreement of affected parties. Guidelines around tree planting included aligning to strategies or plans or direction, maintaining design integrity (e.g. Living Streets), maintaining existing levels of service for provision of street and park trees, and agreement of affected parties.
34. On 13 October 2008 the Combined Community Board Chairs forum requested that a working party made up of both staff and one nominated member from each Community Board be formed to work through issues relating to a tree policy.
35. The Working Party was made up of the following Community Board Members:

Paula Smith
Matt Morris
Tim Carter
Mike Mora

Lyttleton/Mt Herbert (Chairperson)
Shirley/Papanui (Deputy Chairperson)
Hagley/Ferrymead
Riccarton/Wigram

10 Cont'd

Val Carter	Fendalton/Waimairi
Stewart Miller	Akaroa/Wairewa
Linda Stewart	Burwood/Pegasus
Karolyn Potter	Spreydon/Heathcote
Tim Scandrett	Spreydon/Heathcote (proxy)

36. The following Terms of Reference were drawn up to guide the Working Party in its discussions:
- (a) Clarify understanding around proposed changes to the tree delegations.
 - (b) Clarify staff and Community Board roles in tree maintenance i.e. business as usual vs pruning for views or shade or light and cost recovery with pruning for views or shade or light.
 - (c) Clarify staff and Community Board roles in tree planting and removals and cost recovery with tree removal and replacement planting.
 - (d) Consider the application of STEM (Standard Tree Evaluation Method) in its application to tree maintenance and removal decision making.
 - (e) Recommend any changes to existing delegations or the implementation of a Tree Policy following on from discussions over the above.
37. During Working Party discussions matters that were outside of the scope were raised. These are detailed in a Memorandum from the Working Party. The Memorandum was attached to the report for the 10 December 2009 meeting.
38. The suggested changes to the Proposed Tree Policy discussed at the Council workshop on 23 February 2010 have been made, namely:

3.1 Tree Management

Delete "ecology - by"

Insert "Enhancing and protecting the surrounding environment and safeguarding biodiversity"

3.4 Removal of Trees in Public Spaces

- (i) Delete "significant" and insert "have only a minor detrimental effect".
- (k) Insert "Control of roadside pests that are listed in the Canterbury Regional Pest Management Strategy 2005-2015 in Banks Peninsula remain the responsibility of the adjacent land owner".
- (m) Insert "that is not listed as a threatened or endangered species either locally or nationally or internationally".

Section 4 Relevant Delegations

Insert paragraph 3

"Where the relevant Community Board and the Transport and Greenspace Manager do not agree on the recommended course of action, the matter will be referred to Council for a decision".

6 Definitions

Affected Community table - delete "<" and insert "approximate maximum"

Affected Community table Local Park - delete "key stakeholders e.g. sports groups, lessees"

10 Cont'd

Affected Community (a) - delete "significant" and insert "important"

Publicly owned land - delete "regional parks, sports parks, cemeteries" after "road reserve either formed or unformed" insert "excluding arterial roads"

39. Some minor adjustments to names have been made to the Relevant References and Legislation section.

STAFF RECOMMENDATION

That the amended Proposed Tree Policy be adopted for consultation with Community Boards.

11. **HEARINGS PANEL REPORT ON THE PROPOSED MADRAS STREET (KILMORE STREET TO SALISBURY STREET) CYCLE LANE AND AMENDMENT TO SCHEDULE 2 OF THE TRAFFIC AND PARKING BYLAW 2008**

General Manager responsible:	General Manager City Environment, DDI 941-8608
Author:	Special Vehicle Lanes Hearings Panel

PURPOSE OF REPORT

1. The purpose of this report is to present the Hearings Panel recommendations for the Madras Street (Kilmore to Salisbury) kerb and channel renewal project and seek the Council's approval to adopt the Christchurch City Council Traffic and Parking Amendment (Madras Street, Kilmore to Salisbury) Bylaw 2009 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 proposed Madras Street (Kilmore to Salisbury) kerb and channel renewal project, if the proposal is approved.

EXECUTIVE SUMMARY

3. The Madras Street (Kilmore to Salisbury) kerb and channel renewal project is located on Madras Street between Kilmore Street and Salisbury Street. This section of Madras Street is classified as a major arterial road with an average daily traffic count of approximately 13,500 vehicles per day.
4. The surrounding area is a mixture of residential and commercial land use.
5. On 24 September 2009, 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.
6. This kerb and channel renewal project includes the provision of cycle lanes (special vehicle lane on both sides of Madras Street between Kilmore Street and Salisbury Street. 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.
7. The amended plan (TP311902, 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.
8. The Council appointed a Hearings Panel comprising of Councillors David Cox (Chair), Gail Sherriff and Mike Wall, who deliberated on all written and verbal submissions prior to confirming the Hearing Panel's recommendations on the proposed Madras Street (Kilmore to Salisbury) kerb and channel renewal project for the Council to consider.
9. Several changes to the original proposal were recommended by the Hearings Panel. These changes related 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"
10. 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 3.2 metre – 3.4 metre wide northbound traffic lanes.
 - (c) Continuous 1.5 metre - 1.8 metre wide northbound cycle lanes on both sides of Madras Street between Kilmore Street and Salisbury Street.

11 Cont'd

- (d) Parking is located adjacent to the kerbs where possible on both sides of Madras Street.
- (e) Inclusion of mid block build outs to accommodate increased tree planting and landscaping.
- (f) 32 of the existing 38 car parks are retained. i.e. a reduction of six car parking spaces spread along the length of the project. The reduction in parking is due to the inclusion of the buildouts for trees
- (g) Improved pedestrian crossing point by the addition of a build out at the Madras Street Kilmore Street intersection.
- (h) Construction is planned for the 2010/11 financial year to be completed prior to the Rugby World Cup.

FINANCIAL IMPLICATIONS

- 11. The proposed construction works for Madras Street are included in the Transport and Greenspace Unit's capital programme for implementation in the 2010/2011 financial year.
- 12. Recent project cost estimates indicate that this project can be achieved within the allocated budget.

CONSULTATION FULFILMENT

- 13. The consultation period for the special consultative procedure took place from 30 September 2009 to 30 October 2009. The consultation documents were sent directly to a range of groups, organisations and individuals, and hand-delivered to all businesses on the route. 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 project area on Wednesday 13 October 2009 for interested people to drop-in and talk to project staff.
- 14. At the close of the consultation period a total of 27 submissions had been received. Five people requested to be heard by the Hearings Panel in support of their submissions. The hearings were held on 3 December 2009. The panel deliberated and considered the submissions on 3 December 2009, 15 December 2009 and 3 February 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**.
- 15. Of the 27 submissions received, 10 submitters were generally in support of the proposal, nine were opposed, and eight did not indicate if they supported or opposed the plan.
- 16. Common submission themes included support for the addition of street trees and cycle lanes and concerns about the loss of parking.

RECOMMENDED CHANGES TO THE PLAN

- 17. The Hearings Panel has recommended various changes to the plan that was distributed for consultation. These changes mainly relate to rationalising the number of proposed trees and build out locations to achieve the appropriate balance between the landscaping enhancements and the amount of available parking.

LEGAL CONSIDERATIONS

- 18. Public consultation has been completed via the special consultative procedures, as described above.

11 Cont'd

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"⁴.
20. The Local Government Act⁵ 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

The Hearing Panel recommends that the Council:

- (a) Approve the proposed Madras Street (Kilmore to Salisbury) kerb and channel renewal project, as shown on the attached plan (TP311902, Issue 2) in **Attachment 1**, to proceed to detailed design and construction.
- (b) Adopt the Christchurch City Council Traffic and Parking Amendment (Madras Street, Kilmore to Salisbury) Bylaw 2009 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 (Madras Street, Kilmore to Salisbury) Bylaw 2009 has been made by the Council, and that it comes into effect on 1 August 2010, 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) Sends copies of the Bylaw and approved plan to those people or organisations that made submissions, advising them of the outcome.
- (f) Revoke existing no stopping restrictions:

Kilmore Street to Salisbury Street

- (i) That all existing no stopping restrictions on the west side of Madras Street between Salisbury Street and Kilmore Street be revoked.
 - (ii) That all existing no stopping restrictions on the east side of Madras Street between Salisbury Street and Kilmore Street be revoked.
- (g) Revoke existing parking restrictions:

Kilmore Street to Salisbury Street

- (i) That all existing parking restrictions on the west side of Madras Street between Salisbury Street and Kilmore Street be revoked.
- (ii) That all existing parking restrictions on the east side of Madras Street between Salisbury Street and Kilmore Street be revoked.

⁴ Section 82(1)(e). This is also supported by the Council's Consultation Policy, which states: "we will receive presented views with an open mind and will give those views due consideration when making a decision".

⁵ Section 157

11 Cont'd

- (h) Adopt new no stopping restrictions:

New No Stopping – Salisbury Street to Peterborough Street

- (i) That the stopping of vehicles be prohibited at any time on the west side of Madras Street commencing at a point 5 metres south of its intersection with Salisbury Street and extending 9 metres in a southerly direction.
- (ii) That the stopping of vehicles be prohibited at any time on the west side of Madras Street commencing at a point 50 metres south of its intersection with Salisbury Street and extending 9 metres in a southerly direction.
- (iii) That the stopping of vehicles be prohibited at any time on the west side of Madras Street commencing at its intersection with Peterborough Street and extending 15 metres in a northerly direction.
- (iv) That the stopping of vehicles be prohibited at any time on the east side of Madras Street commencing at a point 6.5 metres south of its intersection with Salisbury Street and extending 20.5 metres in a southerly direction.
- (v) That the stopping of vehicles be prohibited at any time on the east side of Madras Street commencing at a point 38 metres south of its intersection with Salisbury Street and extending 12 metres in a southerly direction.
- (vi) That the stopping of vehicles be prohibited at any time on the east side of Madras Street commencing at its intersection with Peterborough Street and extending 15 metres in a northerly direction.

(i) **New No Stopping – Peterborough Street to Kilmore Street**

- (i) That the stopping of vehicles be prohibited at any time on the west side of Madras Street commencing at its intersection with Peterborough Street and extending 11 metres in a southerly direction.
- (ii) That the stopping of vehicles be prohibited at any time on the west side of Madras Street commencing at a point 42 metres south of its intersection with Peterborough Street and extending 12 metres in a southerly direction.
- (iii) That the stopping of vehicles be prohibited at any time on the west side of Madras Street commencing at its intersection with Kilmore Street and extending 12 metres in a northerly direction.
- (iv) That the stopping of vehicles be prohibited at any time on the east side of Madras Street commencing at its intersection with Peterborough Street and extending 26 metres in a southerly direction.
- (v) That the stopping of vehicles be prohibited at any time on the east side of Madras Street commencing at a point 45 metres south of its intersection with Peterborough Street and extending 13 metres in a southerly direction.
- (vi) That the stopping of vehicles be prohibited at any time on the east side of Madras Street commencing at its intersection with Kilmore Street and extending 10.5 metres in a northerly direction.

11 Cont'd

- (j) Adopt new parking restrictions:

New Parking Restriction – Mobility Park

- (i) That a Mobility Park with a time limit of 60 minutes At Any Time be installed on the west side of Madras Street commencing at a point 15 metres north from its intersection with Peterborough Street and extending in a northerly direction for a distance of 7 metres.

New Parking Restriction - Residents Parks

- (ii) That the parking of vehicles be restricted to Authorised Resident Permit Holders At Any Time on the east side of Madras Street commencing at a point 50 metres north from its intersection with Peterborough Street and extending in a northerly direction for a distance of 5.5 metres.
- (iii) That the parking of vehicles be restricted to Authorised Resident Permit Holders At Any Time on the east side of Madras Street commencing at a point 26 metres north from its intersection with Peterborough Street and extending in a northerly direction for a distance of 11.5 metres.

New Parking Restriction - P10

- (iv) That the parking of vehicles be restricted to a maximum period of 10 minutes At Any Time on the west side of Madras Street commencing at a point 14 metres south from its intersection with Salisbury Street and extending in a southerly direction for a distance of 13.5 metres.
- (v) That the parking of vehicles be restricted to a maximum period of 10 minutes At Any Time on the west side of Madras Street commencing at a point 33.5 metres south from its intersection with Salisbury Street and extending in a southerly direction for a distance of 11 metres.
- (vi) That the parking of vehicles be restricted to a maximum period of 10 minutes At Any Time on the west side of Madras Street commencing at a point 21.5 metres north from its intersection with Salisbury Street and extending in a southerly direction for a distance of 25.5 metres.
- (k) That recommendations (f) to (j) take effect once the respective no stopping lines are painted on the road associated with the new kerbs in the Madras Street (Kilmore Street to Salisbury Street) Kerb and Channel Renewal Project.

12. PROPOSED MADRAS STREET (MOORHOUSE AVENUE TO CASHEL STREET) CYCLE LANE AND AMENDMENT TO SCHEDULE 2 OF THE TRAFFIC AND PARKING BYLAW 2008

General Manager responsible:	General Manager City Environment, DDI 941-8608
Author:	Special Vehicle Lanes Hearings Panel

PURPOSE OF REPORT

1. The purpose of this report is to present the Hearings Panel recommendations for the Madras Street (Moorhouse to Cashel) kerb and channel renewal project and seek the Council's approval to adopt the Christchurch City Council Traffic and Parking Amendment (Madras Street, Moorhouse to Cashel) Bylaw 2009 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 proposed Madras Street (Moorhouse to Cashel) kerb and channel renewal project, if the proposal is approved.

EXECUTIVE SUMMARY

3. The Madras Street (Moorhouse to Cashel) kerb and channel renewal project is located between Moorhouse Avenue and Cashel Street. This section of Madras Street is classified as a major arterial road with an average daily traffic count of approximately 13,500 vehicles per day.
4. The surrounding area is a mixture of business and commercial land use and borders the CPIT Campus.
5. On 24 September 2009, 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.
6. This kerb and channel renewal project includes the provision of cycle lanes (special vehicle lane on both sides of Madras Street between Moorhouse Avenue and Cashel Street. 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.
7. The amended plans (TP311803, Issue 2 and TP311804, 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.
8. The Council appointed a Hearings Panel comprising of Councillors David Cox (Chair), Gail Sherriff and Mike Wall, who deliberated on all written and verbal submissions prior to confirming the Hearing Panel's recommendations on the proposed Madras Street (Moorhouse to Cashel) kerb and channel renewal project for the Council to consider.
9. Several changes to the original proposal were recommended by the Hearings Panel. These changes related 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"
10. A list of the key features of the proposed plan being recommended by the Hearing Panel is shown below:
 - (i) Replacement of the existing kerb and dish channel generally on the same alignment with new kerb and flat channel.
 - (ii) Two 3.2–3.4 metre wide northbound traffic lanes.

12 Cont'd

- (iii) A continuous 1.5-1.8 metre wide northbound cycle lane on the west side of Madras Street between Moorhouse Ave and Cashel Street and a northbound cycle lane on the east side of Madras Street between St Asaph Street and Cashel Street.
- (iv) A 3.5 metre wide contra flow shared cycle/pedestrian path adjacent to the eastern property boundary outside CPIT, between Moorhouse Avenue and St Asaph Street.
- (v) Parking is located adjacent to the kerbs where possible on both sides of Madras Street.
- (vi) Inclusion of a number of mid block build outs to accommodate increased tree planting and landscaping.
- (vii) 82 of the existing 98 car parks are retained. i.e. a reduction of 16 car parking spaces spread along the length of the project. The reduction in parking is due to the inclusion of the buildouts for trees
- (viii) Improved pedestrian crossing points by the addition of a signalised pedestrian crossing between CPIT and Countdown. Additional pedestrian crossing build outs have also been included near CPIT and at some intersections.
- (ix) Construction is planned for the 2010/11 financial year to be completed prior to the Rugby World Cup.

FINANCIAL IMPLICATIONS

- 11. The proposed construction works for Madras Street are included in the Transport and Greenspace Unit's capital programme for implementation in the 2010/2011 financial year.
- 12. Recent project cost estimates indicate that this project can be achieved within the allocated budget.

CONSULTATION FULFILMENT

- 13. The consultation period for the special consultative procedure took place from 30 September 2009 to 30 October 2009. The consultation documents were sent directly to a range of groups, organisations and individuals, and hand-delivered to all businesses on the route. 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 project area on Wednesday 14 October 2009 for interested people to drop-in and talk to project staff.
- 14. At the close of the consultation period a total of thirty two (32) submissions had been received. Ten (10) people requested to be heard by the Hearings Panel in support of their submissions. The hearings were held on 3 December 2009. The panel deliberated and considered the submissions on 3 December 2009, 15 December 2009 and 3 February 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**.
- 15. Of the 32 submissions received, 14 submitters were generally in support of the proposal, eight were opposed, and ten did not indicate if they supported or opposed the plan.
- 16. Common submission themes included support for the addition of street trees and cycle lanes and concerns about the loss of parking.

RECOMMENDED CHANGES TO THE PLAN

- 17. The Hearings Panel has recommended various changes to the plan that was distributed for consultation. These changes mainly relate to rationalising the number of proposed trees and build out locations to achieve the appropriate balance between the landscaping enhancements and the amount of available parking.

12 Cont'd

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"⁶.
20. The Local Government Act⁷ 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

The Hearing Panel recommends that the Council:

- (a) Approve the proposed Madras Street (Moorhouse to Cashel) kerb and channel renewal project, as shown on the attached plans (TP311803, Issue 2 and TP311804, Issue 2) in **Attachment 1**, to proceed to detailed design and construction.
- (b) Adopt the Christchurch City Council Traffic and Parking Amendment (Madras Street, Moorhouse to Cashel) Bylaw 2009 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 (Madras Street, Moorhouse to Cashel) Bylaw 2009 has been made by the Council, and that it comes into effect on 1 August 2010, 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) Sends copies of the Bylaw and approved plan to those people or organisations that made submissions, advising them of the outcome.
- (f) Revocation of existing no stopping restrictions:
 - (i) That all existing no stopping restrictions on the west side of Madras Street between Cashel Street and Moorhouse Avenue be revoked.
 - (ii) That all existing no stopping restrictions on the east side of Madras Street between Cashel Street and Moorhouse Avenue be revoked.
- (g) Revocation of existing parking restrictions:
 - (i) That all existing parking restrictions on the west side of Madras Street between Cashel Street and Moorhouse Avenue be revoked.

⁶ Section 82(1)(e). This is also supported by the Council's Consultation Policy, which states: "we will receive presented views with an open mind and will give those views due consideration when making a decision".

⁷ Section 157

12 Cont'd

- (ii) That all existing parking restrictions on the east side of Madras Street between Cashel Street and Moorhouse Avenue be revoked.

- (h) New no stopping restrictions:

New No Stopping – Cashel Street to Lichfield Street

- (i) That the stopping of vehicles be prohibited at any time on the west side of Madras Street commencing at a point 8 metres south of its intersection with Cashel Street and extending 47 metres in a southerly direction.
- (ii) That the stopping of vehicles be prohibited at any time on the west side of Madras Street commencing at its intersection with Bedford Row and extending 10 metres in a southerly direction.
- (iii) That the stopping of vehicles be prohibited at any time on the west side of Madras Street commencing at a point 3.5 metres north of its intersection with Lichfield Street and extending 5 metres in a northerly direction.
- (iv) That the stopping of vehicles be prohibited at any time on the east side of Madras Street commencing at a point 5 metres south of its intersection with Cashel Street and extending 25 metres in a southerly direction.
- (v) That the stopping of vehicles be prohibited at any time on the east side of Madras Street commencing at a point 35.5 metres south of its intersection with Cashel Street and extending 19 metres in a southerly direction.
- (vi) That the stopping of vehicles be prohibited at any time on the east side of Madras Street commencing at a point 3.5 metres north of its intersection with Lichfield Street and extending 8 metres in a northerly direction.

- (i) **New No Stopping – Lichfield Street to Tuam Street**

- (i) That the stopping of vehicles be prohibited at any time on the west side of Madras Street commencing at a point 4 metres south of its intersection with Lichfield Street and extending 2 metres in a southerly direction.
- (ii) That the stopping of vehicles be prohibited at any time on the west side of Madras Street commencing at a point 36.5 metres south of its intersection with Lichfield Street and extending 12.5 metres in a southerly direction.
- (iii) That the stopping of vehicles be prohibited at any time on the west side of Madras Street commencing at a point 3.5 metres north of its intersection with Tuam Street and extending 3 metres in a northerly direction.
- (iv) That the stopping of vehicles be prohibited at any time on the west side of Madras Street commencing at a point 42 metres north of its intersection with Tuam Street and extending 11.5 metres in a northerly direction.
- (v) That the stopping of vehicles be prohibited at any time on the east side of Madras Street commencing at a point 4.5 metres south of its intersection with Lichfield Street and extending 20 metres in a southerly direction.
- (vi) That the stopping of vehicles be prohibited at any time on the east side of Madras Street commencing at a point 42.5 metres south of its intersection with Lichfield Street and extending 29.5 metres in a southerly direction.

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- (vii) That the stopping of vehicles be prohibited at any time on the east side of Madras Street commencing at a point 3 metres north of its intersection with Tuam Street and extending 7 metres in a northerly direction.

(j) New No Stopping – Tuam Street to St Asaph Street

- (i) That the stopping of vehicles be prohibited at any time on the west side of Madras Street commencing at a point 3.5 metres south of its intersection with Tuam Street and extending 33.5 metres in a southerly direction.
- (ii) That the stopping of vehicles be prohibited at any time on the west side of Madras Street commencing at its intersection with High Street and extending 28 metres in a northerly direction.
- (iii) That the stopping of vehicles be prohibited at any time on the east side of Madras Street commencing at a point 3 metres south of its intersection with Tuam Street and extending 18.5 metres in a southerly direction.
- (iv) That the stopping of vehicles be prohibited at any time on the east side of Madras Street commencing at a point 43.5 metres south of its intersection with Tuam Street and extending 11 metres in a southerly direction.
- (v) That the stopping of vehicles be prohibited at any time on the east side of Madras Street commencing at a point 7.5 metres north of its intersection with St Asaph Street and extending 23.5 metres in a northerly direction.

(k) New No Stopping – St Asaph Street to Moorhouse Avenue

- (i) That the stopping of vehicles be prohibited at any time on the west side of Madras Street commencing at a point 6 metres south of its intersection with St Asaph Street and extending 54 metres in a southerly direction.
- (ii) That the stopping of vehicles be prohibited at any time on the west side of Madras Street commencing at its intersection with Southwark Street and extending 13.5 metres in a northerly direction.
- (iii) That the stopping of vehicles be prohibited at any time on the west side of Madras Street commencing at its intersection with Southwark Street and extending 18.5 metres in a southerly direction.
- (iv) That the stopping of vehicles be prohibited at any time on the west side of Madras Street commencing at its intersection with Allen Street and extending 21 metres in a northerly direction.
- (v) That the stopping of vehicles be prohibited at any time on the west side of Madras Street commencing at its intersection with Allen Street and extending 17 metres in a southerly direction.
- (vi) That the stopping of vehicles be prohibited at any time on the west side of Madras Street commencing at a point 40 metres south of its intersection with Allen Street and extending 29.5 metres in a southerly direction.
- (vii) That the stopping of vehicles be prohibited at any time on the west side of Madras Street commencing at a point 74 metres south of its intersection with Allen Street and extending 7 metres in a southerly direction.
- (viii) That the stopping of vehicles be prohibited at any time on the west side of Madras Street commencing at its intersection with Moorhouse Avenue and extending 35 metres in a northerly direction.

12 Cont'd

- (ix) That the stopping of vehicles be prohibited at any time on the east side of Madras Street commencing at a point 5 metres south of its intersection with St Asaph Street and extending 23 metres in a southerly direction.
 - (x) That the stopping of vehicles be prohibited at any time on the east side of Madras Street commencing at a point 69.5 metres south of its intersection with St Asaph Street and extending 12 metres in a southerly direction.
 - (xi) That the stopping of vehicles be prohibited at any time on the east side of Madras Street commencing at a point 132.5 metres south of its intersection with St Asaph Street and extending 27 metres in a southerly direction.
 - (xii) That the stopping of vehicles be prohibited at any time on the east side of Madras Street commencing at a point 178 metres south of its intersection with St Asaph Street and extending 12 metres in a southerly direction.
 - (xiii) That the stopping of vehicles be prohibited at any time on the east side of Madras Street commencing at a point 4 metres north of its intersection with Moorhouse Avenue and extending 18 metres in a northerly direction.
 - (xiv) That the stopping of vehicles be prohibited at any time on the east side of Madras Street commencing at a point 55 metres north of its intersection with Moorhouse Avenue and extending 15 metres in a northerly direction.
 - (xv) That the stopping of vehicles be prohibited at any time on the east side of Madras Street commencing at a point 122 metres north of its intersection with Moorhouse Avenue and extending 7 metres in a northerly direction.
 - (xvi) That the stopping of vehicles be prohibited at any time on the east side of Madras Street commencing at a point 134 metres north of its intersection with Moorhouse Avenue and extending 18.5 metres in a northerly direction.
- (l) New parking restrictions:

New Parking Restriction - Motorcycle Parks

- (i) That a Motorcycle Park with a time limit of 60 minutes be created on the east side of Madras Street commencing at a point 38 metres north from its intersection with Lichfield Street and extending in a northerly direction for a distance of 3.5 metres.

New Parking Restriction – Bus stops

- (ii) That a Bus Stop be installed on the west side of Madras Street commencing at a point 60 metres south from its intersection with St Asaph Street and extending in a southerly direction for a distance of 11.5 metres.
- (iii) That a Bus Stop be installed on the west side of Madras Street commencing at a point 81 metres south from its intersection with Allen Street and extending in a southerly direction for a distance of 17 metres.

New Parking Restriction - P5 Loading Zone

- (iv) That a Loading Zone (goods vehicles only) time limited to 5 minutes At Any Time be created on the west side of Madras Street commencing at a point 29 metres north from its intersection with Tuam Street and extending in a northerly direction for a distance of 7 metres.

12 Cont'd

New Parking Restriction - P5

- (v) That the parking of vehicles be restricted to a maximum period of 5 minutes At Any Time on the west side of Madras Street commencing at a point 17 metres south from its intersection with Allen Street and extending in a southerly direction for a distance of 11.5 metres.
- (vi) That the parking of vehicles be restricted to a maximum period of 5 minutes At Any Time on the east side of Madras Street commencing at a point 95 metres south from its intersection with St Asaph Street and extending in a southerly direction for a distance of 6.5 metres.

New Parking Restriction – P60

- (vii) That the parking of vehicles be restricted to a maximum period of 60 minutes At Any Time on the west side of Madras Street commencing at a point 18.5 metres south from its intersection with Southwark Street and extending in a southerly direction for a distance of 23 metres.
- (viii) That the parking of vehicles be restricted to a maximum period of 60 minutes At Any Time on the west side of Madras Street commencing at a point 17 metres south from its intersection with Allen Street and extending in a southerly direction for a distance of 11.5 metres.
- (ix) That the parking of vehicles be restricted to a maximum period of 60 minutes At Any Time on the east side of Madras Street commencing at a point 28 metres south from its intersection with St Asaph Street and extending in a southerly direction for a distance of 16.5 metres.
- (x) That the parking of vehicles be restricted to a maximum period of 60 minutes At Any Time on the east side of Madras Street commencing at a point 46.5 metres south from its intersection with St Asaph Street and extending in a southerly direction for a distance of 23 metres.
- (xi) That the parking of vehicles be restricted to a maximum period of 60 minutes At Any Time on the east side of Madras Street commencing at a point 81 metres south from its intersection with St Asaph Street and extending in a southerly direction for a distance of 5.5 metres.
- (xii) That the parking of vehicles be restricted to a maximum period of 60 minutes At Any Time on the east side of Madras Street commencing at a point 101.5 metres south from its intersection with St Asaph Street and extending in a southerly direction for a distance of 31.5 metres.

New Parking Restriction – P120 Pay and Display

- (xiii) That Parking Meters with a time limit of 120 minutes be installed on the west side of Madras Street commencing at a point 8.5 metres north from its intersection with Lichfield Street and extending in a northerly direction for a distance of 30.5 metres. This restriction is to apply between the hours of 9am and 5pm on Monday to Thursday and 9am to 8.30pm on Friday.
- (xiv) That Parking Meters with a time limit of 120 minutes be installed on the east side of Madras Street commencing at a point 29.5 metres south from its intersection with Cashel Street and extending in a southerly direction for a distance of 6 metres. This restriction is to apply between the hours of 9am and 5pm on Monday to Thursday and 9am to 8.30pm on Friday.

12 Cont'd

- (xv) That Parking Meters with a time limit of 120 minutes be installed on the east side of Madras Street commencing at a point 49 metres north from its intersection with Lichfield Street and extending in a northerly direction for a distance of 6 metres. This restriction is to apply between the hours of 9am and 5pm on Monday to Thursday and 9am to 8.30pm on Friday.
- (xvi) That Parking Meters with a time limit of 120 minutes be installed on the east side of Madras Street commencing at a point 27 metres north from its intersection with Lichfield Street and extending in a northerly direction for a distance of 11 metres. This restriction is to apply between the hours of 9am and 5pm on Monday to Thursday and 9am to 8.30pm on Friday.
- (xvii) That Parking Meters with a time limit of 120 minutes be installed on the east side of Madras Street commencing at a point 11 metres north from its intersection with Lichfield Street and extending in a northerly direction for a distance of 6.5 metres. This restriction is to apply between the hours of 9am and 5pm on Monday to Thursday and 9am to 8.30pm on Friday.
- (xviii) That Parking Meters with a time limit of 120 minutes be installed on the west side of Madras Street commencing at a point 6 metres south from its intersection with Lichfield Street and extending in a southerly direction for a distance of 30.5 metres. This restriction is to apply between the hours of 9am and 5pm on Monday to Thursday and 9am to 8.30pm on Friday.
- (xix) That Parking Meters with a time limit of 120 minutes be installed on the west side of Madras Street commencing at a point 36 metres north from its intersection with Tuam Street and extending in a northerly direction for a distance of 6 metres. This restriction is to apply between the hours of 9am and 5pm on Monday to Thursday and 9am to 8.30pm on Friday.
- (xx) That Parking Meters with a time limit of 120 minutes be installed on the west side of Madras Street commencing at a point 6.5 metres north from its intersection with Tuam Street and extending in a northerly direction for a distance of 16.5 metres. This restriction is to apply between the hours of 9am and 5pm on Monday to Thursday and 9am to 8.30pm on Friday.
- (xxi) That Parking Meters with a time limit of 120 minutes be installed on the east side of Madras Street commencing at a point 24.5 metres south from its intersection with Lichfield Street and extending in a southerly direction for a distance of 18 metres. This restriction is to apply between the hours of 9am and 5pm on Monday to Thursday and 9am to 8.30pm on Friday.
- (xxii) That Parking Meters with a time limit of 120 minutes be installed on the east side of Madras Street commencing at a point 10 metres north from its intersection with Tuam Street and extending in a northerly direction for a distance of 25 metres. This restriction is to apply between the hours of 9am and 5pm on Monday to Thursday and 9am to 8.30pm on Friday.
- (xxiii) That Parking Meters with a time limit of 120 minutes be installed on the west side of Madras Street commencing at a point 37 metres south from its intersection with Tuam Street and extending in a southerly direction for a distance of 17 metres. This restriction is to apply between the hours of 9am and 5pm on Monday to Thursday and 9am to 8.30pm on Friday.
- (xxiv) That Parking Meters with a time limit of 120 minutes be installed on the east side of Madras Street commencing at a point 22 metres south from its intersection with Tuam Street and extending in a southerly direction for a distance of 16.5 metres. This restriction is to apply between the hours of 9am and 5pm on Monday to Thursday and 9am to 8.30pm on Friday.

12 Cont'd

- (xxv) That Parking Meters with a time limit of 120 minutes be installed on the east side of Madras Street commencing at a point 23.5 metres north from its intersection with St Asaph Street and extending in a northerly direction for a distance of 23.5 metres. This restriction is to apply between the hours of 9am and 5pm on Monday to Thursday and 9am to 8.30pm on Friday.
- (m) That recommendations (f) to (l) take effect once the respective no stopping lines are painted on the roads associated with the new kerbs in the Madras Street (Moorhouse Avenue to Cashel Street) Kerb and Channel Renewal Project.

13. PROPOSED BARBADOES STREET (KILMORE STREET TO LICHFIELD STREET) CYCLE LANE AND AMENDMENT TO SCHEDULE 2 OF THE TRAFFIC AND PARKING BYLAW 2008

General Manager responsible:	General Manager City Environment, DDI 941-8608
Author:	Special Vehicle Lanes Hearings Panel

PURPOSE OF REPORT

1. The purpose of this report is to present the Hearings Panel recommendations for the Barbadoes Street (Kilmore to Lichfield) kerb and channel renewal project and seek the Council's approval to adopt the Christchurch City Council Traffic and Parking Amendment (Barbadoes Street, Kilmore to Lichfield) Bylaw 2009 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 proposed Barbadoes Street (Kilmore to Lichfield) kerb and channel renewal project, if the proposal is approved.

EXECUTIVE SUMMARY

3. The Barbadoes Street (Kilmore to Lichfield) kerb and channel renewal project is located on Barbadoes Street between Kilmore Street and Lichfield Street. This section of Barbadoes Street is classified as a major arterial road with an average daily traffic count of approximately 13,500 vehicles per day.
4. The surrounding area is a mixture of residential and commercial land use.
5. On 24 September 2009, 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.
6. This kerb and channel renewal project includes the provision of cycle lanes (special vehicle lane on both sides of Barbadoes Street between Kilmore Street and Lichfield Street. 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.
7. The amended plans (TP307801, Issue 5 and TP307802, Issue 5) 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.
8. The Council appointed a Hearings Panel comprising of David Cox (Chair), Gail Sherriff and Mike Wall, who deliberated on all written and verbal submissions prior to confirming the Hearing Panel's recommendations on the proposed Barbadoes Street (Kilmore to Lichfield) kerb and channel renewal project for the Council to consider.
9. Several changes to the original proposal were recommended by the Hearings Panel. These changes related 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"
10. 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 3.0–3.4 metre wide northbound traffic lanes.
 - (c) Continuous 1.5-1.8 metre wide northbound cycle lanes on both sides of Barbadoes Street between Kilmore Street and Lichfield Street.

13 Cont'd

- (d) Parking is located adjacent to the kerbs where possible on both sides of Barbadoes Street.
- (e) Inclusion of mid block build outs to accommodate increased tree planting and landscaping.
- (f) 89 of the existing 104 car parks are retained. I.e. a reduction of 15 car parking spaces spread along the length of the project. The reduction in parking is due to the inclusion of the buildouts for trees
- (g) Improved pedestrian crossing points by the addition of build outs to reduce the crossing distance at several intersections.
- (h) Construction is planned for the 2010/11 financial year to be completed prior to the Rugby World Cup.

FINANCIAL IMPLICATIONS

- 11. The proposed construction works for Barbadoes Street are included in the Transport and Greenspace Unit's capital programme for implementation in the 2010/2011 financial year.
- 12. Recent project cost estimates indicate that this project can be achieved within the allocated budget.

CONSULTATION FULFILMENT

- 13. The consultation period for the special consultative procedure took place from 30 September 2009 to 30 October 2009. The consultation documents were sent directly to a range of groups, organisations and individuals, and hand-delivered to all businesses on the route. 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 project area on Wednesday, 15 October 2009 for interested people to drop-in and talk to project staff.
- 14. At the close of the consultation period a total of 38 submissions had been received. Five people requested to be heard by the Hearings Panel in support of their submissions. The hearings were held on 3 December 2009. The panel deliberated and considered the submissions on 3 December 2009, 15 December 2009 and 3 February 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**.
- 15. Of the 38 submissions received, 18 submitters were generally in support of the proposal, seven were opposed, and 12 did not indicate if they supported or opposed the plan.
- 16. Common submission themes included support for the addition of street trees and cycle lanes and concerns about the loss of parking.

RECOMMENDED CHANGES TO THE PLAN

- 17. The Hearings Panel has recommended various changes to the plan that was distributed for consultation. These changes mainly relate to rationalising the number of proposed trees and build out locations to achieve the appropriate balance between the landscaping enhancements and the amount of available parking. The Hearings Panel also recommended the retention of six existing street trees that were originally proposed to be removed.

LEGAL CONSIDERATIONS

- 18. Public consultation has been completed via the special consultative procedures, as described above.

13 Cont'd

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"⁸.
20. The Local Government Act⁹ 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

The Hearing Panel recommends that the Council:

- (a) Approve the proposed Barbadoes Street (Kilmore to Lichfield) kerb and channel renewal project, as shown on the attached plans (TP307801, Issue 5 and TP307802, Issue 5) in **Attachment 1**, to proceed to detailed design and construction.
- (b) Adopt the Christchurch City Council Traffic and Parking Amendment (Barbadoes Street, Kilmore to Lichfield) Bylaw 2009 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 (Barbadoes Street, Kilmore to Lichfield) Bylaw 2009 has been made by the Council, and that it comes into effect on 1 August 2010, 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) Sends copies of the Bylaw and approved plan to those people or organisations that made submissions, advising them of the outcome.
- (f) Revocation of existing no stopping restrictions:
 - (i) That all existing no stopping restrictions on the west side of Barbadoes Street between Lichfield Street and Kilmore Street be revoked.
 - (ii) That all existing no stopping restrictions on the east side of Barbadoes Street between Lichfield Street and Kilmore Street be revoked.
 - (iii) That all existing no stopping restrictions on the north side of Lichfield Street commencing at its intersection with Barbadoes Street and extending 18 metres in a westerly direction be revoked.
 - (iv) That all existing no stopping restrictions on the south side of Cashel Street commencing at its intersection with Barbadoes Street and extending 6 metres in a westerly direction be revoked.
 - (v) That all existing no stopping restrictions on the south side of Armagh Street commencing at its intersection with Barbadoes Street and extending 11 metres in a westerly direction be revoked.

⁸ Section 82(1)(e). This is also supported by the Council's Consultation Policy, which states: "we will receive presented views with an open mind and will give those views due consideration when making a decision".

⁹ Section 157

13 Cont'd

- (vi) That all existing no stopping restrictions on the north side of Armagh Street commencing at its intersection with Barbadoes Street and extending 14 metres in a easterly direction be revoked.
- (vii) That all existing no stopping restrictions on the south side of Chester Street East commencing at its intersection with Barbadoes Street and extending 17 metres in a westerly direction be revoked.
- (viii) That all existing no stopping restrictions on the south side of Chester Street East commencing at its intersection with Barbadoes Street and extending 13 metres in a easterly direction be revoked.
- (g) Revocation of existing parking restrictions:
 - (i) That all existing parking restrictions on the west side of Barbadoes Street between Lichfield Street and Kilmore Street be revoked.
 - (ii) That all existing parking restrictions on the east side of Barbadoes Street between Lichfield Street and Kilmore Street be revoked.
- (h) New no stopping restrictions:

New No Stopping – Lichfield Street to Cashel Street.

- (i) That the stopping of vehicles be prohibited at any time on the west side of Barbadoes Street commencing at its intersection with Lichfield Street and extending 13.5 metres in a northerly direction.
- (ii) That the stopping of vehicles be prohibited at any time on the west side of Barbadoes Street commencing at a point 50 metres north of its intersection with Lichfield Street and extending 14 metres in a northerly direction.
- (iii) That the stopping of vehicles be prohibited at any time on the west side of Barbadoes Street commencing at its intersection with Cashel Street and extending 22.5 metres in a southerly direction.
- (iv) That the stopping of vehicles be prohibited at any time on the east side of Barbadoes Street commencing at its intersection with Lichfield Street and extending 23.5 metres in a northerly direction.
- (v) That the stopping of vehicles be prohibited at any time on the east side of Barbadoes Street commencing at a point 56.5 metres north of its intersection with Lichfield Street and extending 11 metres in a northerly direction.
- (vi) That the stopping of vehicles be prohibited at any time on the east side of Barbadoes Street commencing at its intersection with Cashel Street and extending 12 metres in a southerly direction.

New No Stopping – Cashel Street to Hereford Street.

- (vii) That the stopping of vehicles be prohibited at any time on the west side of Barbadoes Street commencing at its intersection with Cashel Street and extending 47 metres in a northerly direction.
- (viii) That the stopping of vehicles be prohibited at any time on the west side of Barbadoes Street commencing at its intersection with Hereford Street and extending 6 metres in a southerly direction.

13 Cont'd

- (ix) That the stopping of vehicles be prohibited at any time on the east side of Barbadoes Street commencing at its intersection with Cashel Street and extending 40 metres in a northerly direction.
- (x) That the stopping of vehicles be prohibited at any time on the east side of Barbadoes Street commencing at its intersection with Hereford Street and extending 18.5 metres in a southerly direction.

New No Stopping – Hereford Street to Worcester Street

- (xi) That the stopping of vehicles be prohibited at any time on the west side of Barbadoes Street commencing at its intersection with Hereford Street and extending 40.5 metres in a northerly direction.
- (xii) That the stopping of vehicles be prohibited at any time on the west side of Barbadoes Street commencing at a point 78.5 metres north of its intersection with Hereford Street and extending 12.5 metres in a northerly direction.
- (xiii) That the stopping of vehicles be prohibited at any time on the west side of Barbadoes Street commencing at its intersection with Worcester Street and extending 7 metres in a southerly direction.
- (xiv) That the stopping of vehicles be prohibited at any time on the east side of Barbadoes Street commencing at its intersection with Hereford Street and extending 25 metres in a northerly direction.
- (xv) That the stopping of vehicles be prohibited at any time on the east side of Barbadoes Street commencing at its intersection with Worcester Street and extending 19 metres in a southerly direction.

New No Stopping –Worcester Street to Gloucester Street

- (xvi) That the stopping of vehicles be prohibited at any time on the west side of Barbadoes Street commencing at its intersection with Worcester Street and extending 36 metres in a northerly direction.
- (xvii) That the stopping of vehicles be prohibited at any time on the west side of Barbadoes Street commencing at a point 53.5 metres north of its intersection with Worcester Street and extending 12.5 metres in a northerly direction.
- (xviii) That the stopping of vehicles be prohibited at any time on the west side of Barbadoes Street commencing at its intersection with Gloucester Street and extending 12 metres in a southerly direction.
- (xix) That the stopping of vehicles be prohibited at any time on the east side of Barbadoes Street commencing at its intersection with Worcester Street and extending 38.5 metres in a northerly direction.
- (xx) That the stopping of vehicles be prohibited at any time on the east side of Barbadoes Street commencing at a point 55.5 metres north of its intersection with Worcester Street and extending 13 metres in a northerly direction.
- (xxi) That the stopping of vehicles be prohibited at any time on the east side of Barbadoes Street commencing at its intersection with Gloucester Street and extending 16 metres in a southerly direction.

New No Stopping – Gloucester Street to Armagh Street

- (xxii) That the stopping of vehicles be prohibited at any time on the west side of Barbadoes Street commencing at its intersection with Gloucester Street and extending 25.5 metres in a northerly direction.

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- (xxiii) That the stopping of vehicles be prohibited at any time on the west side of Barbadoes Street commencing at a point 62 metres north of its intersection with Gloucester Street and extending 12 metres in a northerly direction.
- (xxiv) That the stopping of vehicles be prohibited at any time on the west side of Barbadoes Street commencing at its intersection with Armagh Street and extending 8 metres in a southerly direction.
- (xxv) That the stopping of vehicles be prohibited at any time on the east side of Barbadoes Street commencing at its intersection with Gloucester Street and extending 30 metres in a northerly direction.
- (xxvi) That the stopping of vehicles be prohibited at any time on the east side of Barbadoes Street commencing at a point 62 metres north of its intersection with Gloucester Street and extending 10 metres in a northerly direction.
- (xxvii) That the stopping of vehicles be prohibited at any time on the east side of Barbadoes Street commencing at its intersection with Armagh Street and extending 13 metres in a southerly direction.

New No Stopping – Armagh Street to Chester Street

- (xxviii) That the stopping of vehicles be prohibited at any time on the west side of Barbadoes Street commencing at its intersection with Armagh Street and extending 22 metres in a northerly direction.
- (xxix) That the stopping of vehicles be prohibited at any time on the west side of Barbadoes Street commencing at a point 63 metres north of its intersection with Armagh Street and extending 7 metres in a northerly direction.
- (xxx) That the stopping of vehicles be prohibited at any time on the west side of Barbadoes Street commencing at its intersection with Chester Street and extending 14 metres in a southerly direction.
- (xxxi) That the stopping of vehicles be prohibited at any time on the east side of Barbadoes Street commencing at its intersection with Armagh Street and extending 23 metres in a northerly direction.
- (xxxii) That the stopping of vehicles be prohibited at any time on the east side of Barbadoes Street commencing at a point 51 metres north of its intersection with Armagh Street and extending 14 metres in a northerly direction.
- (xxxiii) That the stopping of vehicles be prohibited at any time on the east side of Barbadoes Street commencing at its intersection with Chester Street and extending 15 metres in a southerly direction.

New No Stopping – Chester Street East to Kilmore Street

- (xxxiv) That the stopping of vehicles be prohibited at any time on the west side of Barbadoes Street commencing at its intersection with Chester Street and extending 8 metres in a northerly direction.
- (xxxv) That the stopping of vehicles be prohibited at any time on the west side of Barbadoes Street commencing at a point 51.5 metres north of its intersection with Chester Street and extending 13 metres in a northerly direction.
- (xxxvi) That the stopping of vehicles be prohibited at any time on the west side of Barbadoes Street commencing at its intersection with Kilmore Street and extending 10.5 metres in a southerly direction.

13 Cont'd

- (xxxvii) That the stopping of vehicles be prohibited at any time on the east side of Barbadoes Street commencing at its intersection with Chester Street and extending 14.5 metres in a northerly direction.
- (xxxviii) That the stopping of vehicles be prohibited at any time on the east side of Barbadoes Street commencing at a point 47 metres north of its intersection with Chester Street and extending 14.5 metres in a northerly direction.
- (xxxix) That the stopping of vehicles be prohibited at any time on the east side of Barbadoes Street commencing at its intersection with Kilmore Street and extending 18 metres in a southerly direction.

New No Stopping – Lichfield Street

- (xl) That the stopping of vehicles be prohibited at any time on the north side of Lichfield Street commencing at its intersection with Barbadoes Street and extending 13.5 metres in a westerly direction.

New No Stopping – Cashel Street

- (xli) That the stopping of vehicles be prohibited at any time on the south side of Cashel Street commencing at its intersection with Barbadoes Street and extending 8 metres in a westerly direction.

New No Stopping – Armagh Street

- (xlii) That the stopping of vehicles be prohibited at any time on the south side of Armagh Street commencing at its intersection with Barbadoes Street and extending 13 metres in a westerly direction.
- (xliii) That the stopping of vehicles be prohibited at any time on the north side of Armagh Street commencing at its intersection with Barbadoes Street and extending 6 metres in a easterly direction.

New No Stopping – Chester Street East

- (xliv) That the stopping of vehicles be prohibited at any time on the south side of Chester Street commencing at its intersection with Barbadoes Street and extending 19 metres in a westerly direction.
- (xlv) That the stopping of vehicles be prohibited at any time on the south side of Chester Street commencing at its intersection with Barbadoes Street and extending 15 metres in a easterly direction.

- (i) New parking restrictions:

New Parking Restriction – P5

- (i) That the parking of vehicles be restricted to a maximum period of 5 minutes At Any Time on the east side of Barbadoes Street commencing at a point 43 metres north of its intersection with Gloucester Street and extending 6 metres in a northerly direction.

New Parking Restriction – P30

- (ii) That the parking of vehicles be restricted to a maximum period of 30 minutes At Any Time on the west side of Barbadoes Street commencing at a point 6 metres south of its intersection with Hereford Street and extending 12 metres in a southerly direction.

13 Cont'd

- (iii) That the parking of vehicles be restricted to a maximum period of 30 minutes At Any Time on the west side of Barbadoes Street commencing at a point 21.5 metres north of its intersection with Armagh Street and extending 31.5 metres in a northerly direction.

New Parking Restriction – P60

- (iv) That the parking of vehicles be restricted to a maximum period of 60 minutes At Any Time on the west side of Barbadoes Street commencing at a point 13.5 metres north of its intersection with Lichfield Street and extending 40 metres in a northerly direction.
- (v) That the parking of vehicles be restricted to a maximum period of 60 minutes At Any Time on the west side of Barbadoes Street commencing at a point 67 metres north of its intersection with Lichfield Street and extending 18 metres in a northerly direction.
- (vi) That the parking of vehicles be restricted to a maximum period of 60 minutes At Any Time on the east side of Barbadoes Street commencing at a point 23.5 metres north of its intersection with Lichfield Street and extending 27 metres in a northerly direction.
- (vii) That the parking of vehicles be restricted to a maximum period of 60 minutes At Any Time on the east side of Barbadoes Street commencing at a point 89.5 metres north of its intersection with Lichfield Street and extending 6 metres in a northerly direction.
- (viii) That the parking of vehicles be restricted to a maximum period of 60 minutes At Any Time on the west side of Barbadoes Street commencing at a point 87 metres north of its intersection with Chester Street and extending 12 metres in a northerly direction.
- (ix) That the parking of vehicles be restricted to a maximum period of 60 minutes At Any Time on the east side of Barbadoes Street commencing at a point 81 metres north of its intersection with Chester Street and extending 11 metres in a northerly direction.

New Parking Restriction Armagh Street – P60

- (x) That the parking of vehicles be restricted to a maximum period of 60 minutes At Any Time on the north side of Armagh Street commencing at a point 6 metres east of its intersection with Barbadoes Street and extending 6 metres in a easterly direction.

New Parking Restriction – P120

- (xi) That the parking of vehicles be restricted to a maximum period of 120 minutes At Any Time on the east side of Barbadoes Street commencing at a point 40 metres north of its intersection with Cashel Street and extending 49 metres in a northerly direction.

New Parking Restriction - Residents Parks

- (xii) That the parking of vehicles be restricted to authorised resident permit holders At Any Time on the east side of Barbadoes Street commencing at a point 44.5 metres north of its intersection with Armagh Street and extending 6.5 metres in a northerly direction.
- (xiii) That the parking of vehicles be restricted to authorised resident permit holders At Any Time on the west side of Barbadoes Street commencing at a point 76 metres north of its intersection with Chester Street and extending 7 metres in a northerly direction.
- (j) That recommendations (f) to (i) take effect once the respective no stopping lines are painted on the road associated with the new kerbs in the Barbadoes Street (Kilmore Street to Lichfield Street) Kerb and Channel Renewal Project.

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**14. REPORT OF THE REGULATORY AND PLANNING COMMITTEE:
MEETING OF 4 MARCH 2010**

Attached.

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15. NOTICES OF MOTION

16. RESOLUTION TO EXCLUDE THE PUBLIC

Attached.

THURSDAY 25 MARCH 2010

COUNCIL

RESOLUTION TO EXCLUDE THE PUBLIC

Section 48, Local Government Official Information and Meetings Act 1987.

I move that the public be excluded from the following parts of the proceedings of this meeting, namely items 17, 18, 19 and 20.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED	REASON FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER	GROUND(S) UNDER SECTION 48(1) FOR THE PASSING OF THIS RESOLUTION
17. CONFIRMATION OF MINUTES – COUNCIL MEETINGS OF 25.2.2010, 25-26.2.2010 AND 11.3.2010))))	
18. SALE OF PROPERTY 43A EDGEWARE ROAD ST ALBANS) GOOD REASON TO WITHHOLD EXISTS UNDER SECTION 7	SECTION 48(1)(A)
19. LYTTELTON MARINA WORKING PARTY REPORT)	
20. ELECTRICITY SUPPLY CONTRACT))	

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public are as follows:

Item 17	Conduct of Negotiations	(Section 7(2)(i))
	Commercial Activities	(Section 7(2)(h))
	Prejudice Commercial Position	(Section 7(2)(b)(ii))
Item 18	Conduct of Negotiations	(Section 7(2)(i))
Item 19	Commercial Activities	(Section 7(2)(h))
Item 20	Commercial Activities	(Section 7(2)(h))

Chairman's

Recommendation: That the foregoing motion be adopted.

Note

Section 48(4) of the Local Government Official Information and Meetings Act 1987 provides as follows:

“(4) Every resolution to exclude the public shall be put at a time when the meeting is open to the public, and the text of that resolution (or copies thereof):

- (a) Shall be available to any member of the public who is present; and
- (b) Shall form part of the minutes of the local authority.”