



COUNCIL 26. 7. 2012

11. 69 ARMAGH STREET – PROPOSED OFF STREET COUNCIL OPERATED PARKING FACILITY

General Manager responsible:	General Manager, City Environment Group, DDI 941-8608
Officer responsible:	Unit Manager, Transport and Greenspace
Author:	Stephen Hughes, Traffic Engineer – Community and Kevin Warwood, Parking Business Manager

PURPOSE OF REPORT

1. The purpose of this report is seek Council approval for the establishment and operation of an off-street Council operated parking facility at 69 Armagh Street.

EXECUTIVE SUMMARY

2. As a result of the removal of an earthquake damaged building, the parcel of land identified as Lot 1 DP 413237 at 69 Armagh Street has been made available to the Council for use as car parking (refer **Attachment 1**).
3. Many car parking facilities in the Central City were damaged or are inside the Red Zone and unavailable for parking. These include the Town Hall, Farmers, and Rydges Car Parks with a total of 957 car parking spaces being currently unusable. The property at 69 Armagh Street is the first opportunity to replace some of those car parking spaces.
4. The property totals 1022 square metres and is relatively close to above mentioned car parking buildings. It is also in that part of the Central City where the Council has retained the authority to resolve 'road' matters. (Refer **Attachment 2 and Attachment 3**). Off road public car parks are a 'road' matter.
5. As this property has been made available to the Council on a three year lease with option for two year extension the Corporate Support Unit Manager has the delegated authority to approve it. There is a three month 'development out' clause available to both parties. There is space on the property for the parking of 34 'normal' sized cars.
6. Organisations in the area have contacted the Council enquiring about public and private parking facilities. They include the District Court who have been seeking both public and long term (monthly) reserved parking for staff and the public. This property can provide parking for both groups.
7. The demand for casual and reserved parking will change as streets, areas and parking facilities are opened up. Therefore it is important that staff are able to change the ratio of casual to reserved parking to meet the evolving demand. It is proposed that the casual car parking apply on a 24 hour, seven day a week basis, with long term reserved parking spaces applying from 6am to 8pm Monday to Friday. This will minimise the impact that long term (monthly) parkers have on the car parks operations by limiting their claim on a space to weekday hours only.
8. At a Council meeting on 10 June 2011, it was resolved that the General Manager City Environment and the General Manager Corporate Services be given the delegation to set fees for off-street Council owned or operated "at ground" parking areas at between \$0 to \$25 per day or part thereof. The parking fees that will apply in this location will be set in accordance with that delegation.
9. For the Council to take up this opportunity and to legally enforce parking restrictions in this car park, Clause 5 of the Christchurch City Council Traffic and Parking Bylaw 2008 (refer **Attachment 4**) requires that the Council resolve:
 - (a) 69 Armagh Street as a restricted parking area being a Council operated public car park.
 - (b) Parking restrictions for disabled parking.
 - (c) The types of parking control, i.e. parking meters and monthly charging.

11 Cont'd

FINANCIAL IMPLICATIONS

10. It is estimated that it will cost \$10,000 over three years to set up and maintain the surfacing, signage, markings and other parking infrastructure required to make this car park operational.
11. It is calculated that the above costs will be recouped within six months at 58 per cent occupancy.

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

12. As above.

LEGAL CONSIDERATIONS

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

13. Clause 5(1) of the Christchurch City Council Traffic and Parking Bylaw 2008 provides for the Council by resolution to set aside any road or part of any road, *or any other area controlled by the Council*, as a restricted parking area. Clause 5(2) then provides that the Council may include by resolution any condition that it determines. These conditions include restrictions and the method of parking control in car parks.
14. Once resolved as a restricted parking area, Council parking enforcement officers will be able to enforce parking restrictions in the usual manner by way of issuing infringement notices.
15. As this lease is for less than five years and less than \$50,000 per annum, the Corporate Support Unit Manager has the delegated authority to approve it. (See page 53 Register of Delegations.)

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 and Parking.

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

17. The above proposal can be used to provide safe, accessible parking to support the economic revitalisation of the city by encouraging people into the Central City and allow access to their places of employment in accordance with the Council's Parking Activity Management Plan.

ALIGNMENT WITH STRATEGIES

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

Do the recommendations align with the Council's Strategies?

19. As above.

CONSULTATION FULFILMENT

20. There has been no public consultation on this proposal.

11 Cont'd

STAFF RECOMMENDATION

It is recommended that the Council resolve the following:

- (a) That, in accordance with clause 5(1) of the Christchurch City Council Traffic and Parking Bylaw 2008, Lot 1 DP 413237 at 69 Armagh Street be approved as a restricted parking area and be a Council operated car parking facility.
- (b) That, in accordance with clause 5(2) of the Christchurch City Council Traffic and Parking Bylaw 2008;
 - (i) Two parking spaces restricted for the use of disabled motorists be installed at the car parking facility; and
 - (ii) The remaining parking spaces be divided between casual and long term (monthly) parking with the ratio of each to be determined and adjusted by the Parking Business Manager according to demand;
 - (iii) This is a Pay and Display area.



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69 ARMAGH STEET
PROPOSED COUNCIL OPERATED CARPARK

Original Plan Size: A4
 ISSUE.1 30/04/2012
 GRC

Attachment 2

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Council
Resolution
Date

1.0	Description	Delegate	Responsibilities, duties, powers etc	Other limits
1.8	Small Grants Funds	The Small Grants Fund Committee of Lyttelton/Mt Herbert Community Board	Determine the final funding decisions from the Small Grants Fund \$11,946 per annum.	Allocations must be consistent with any policies, standards or criteria adopted by the Council.
1.9	SPARC Rural Travel Fund	Akaroa/Wairewa Community Board, Lyttelton/Mt Herbert Community Board, jointly	Determine the allocation of the annual SPARC Rural Travel Fund for Banks Peninsula.	

*Part 2 Roads**In this part 2,*

- (a) "road" has the meaning given to that term in section 315 of the Local Government Act 1974.
- (b) *the Hagley/Ferrymead Community Board does not have delegated authority to determine these matters for the area situated within the Central City Area marked on Plan A (attached). Reports on these matters must come directly to the Council.*

2.0	Description	Delegate	Responsibilities, duties, powers etc	Other limits
2.1	Garages etc on roads	All Community Boards	The power of the Council to approve the erection of garages, parking platforms and structures related to vehicular access wholly or partly on road.	
2.2	Vehicle crossings	All Community Boards	The power of the Council provided in section 335(3) of the Local Government Act 1974 to enquire into and make a decision regarding objections relating to notices issued pursuant to section 335(1) (relates to vehicle crossings).	
2.3	Road Stopping	All Community Boards	<ol style="list-style-type: none"> 1. That the Council's power to accept or decline an application from either a Council business unit or from any other person to stop legal road which does not fall within the delegation given to the Corporate Support Unit Manager under paragraph (b) (of the Road Stopping Policy resolution of the Council dated 9 April 2009) shall be delegated to the Community Board for the ward within which the legal road proposed to be stopped is situated. 2. That where the Community Board's delegated authority under paragraph 1 above applies: <ol style="list-style-type: none"> (i) That the Council's powers under sections 	This delegation must be read in conjunction with the Christchurch City Council Road Stopping Policy and the Council resolution of 9 April 2009 relating to the Road Stopping Policy and associated delegations.

2.0	Description	Delegate	Responsibilities, duties, powers etc	Other limits
			<p>116, 117 and 120 of the Public Works Act 1981 and Sections 319(h), 342(1)(a) and 345 of the Local Government Act 1974 (excluding the power to hear objections and recommend to the Council whether the Council should allow or otherwise any objections received to road stopping procedures pursuant to the Tenth Schedule of the Local Government Act 1974 and the Council's powers under paragraph 5 of the Tenth Schedule) in relation to road stopping and the disposal of land that was previously stopped road be delegated to the Community Board for the Ward within which the proposed legal road is situated and to be exercised in accordance with the Council's Road Stopping Policy.</p> <p>(ii) That the power to determine (in compliance with the Council's Road Stopping Policy) which statutory procedure should be employed to undertake a particular road stopping (either under the Local Government Act 1974 or under the Public Works Act 1981) be delegated to the Community Board for the Ward within which the proposed legal road is situated and to be exercised in accordance with the Council's Road Stopping Policy.</p>	
2.4	No-stopping	All Community Boards	The placement of broken yellow "no-stopping at any time" lines restricting the parking, standing or stopping of vehicles on any road within carparks or other areas controlled by the Council and used by vehicles.	

2.0	Description	Delegate	Responsibilities, duties, powers etc	Other limits
2.5	Temporary controls	All Community Boards	The creation of temporary controls on any road for traffic and parking at roadworks and building sites including Construction Site Loading Zones.	
2.6	Traffic islands etc	All Community Boards	The installation of traffic islands, roundabouts, and traffic restraints on roads.	
2.7	Pedestrian crossings	All Community Boards	The installation of pedestrian crossings on roads.	
2.8	Naming roads	All community Boards	The power contained in section 319(j) of the Local Government Act 1974 to name any road.	
2.9	Shelters	All Community Boards	To exercise the powers of the Council in section 339 of the Local Government Act 1974 relating to bus shelters.	Excludes the power to hear and determine objections.
2.10	Road markings	All Community Boards	To make any changes to road markings after consultation with stakeholders.	
2.11	Traffic movements	All Community Boards	To control, by the methods (signs, markings, etc) listed below, traffic movement on any roads, or parts of roads, or within car parks or in other areas controlled by the Council and used by vehicles: <ul style="list-style-type: none"> • Stop • Give Way • Roundabout • No Right Turn¹ • No Left Turn² • No U-Turn³ • No Cycling • No Pedestrians • No heavy motor vehicles 	Subject to the Local Government Act 1974, the Land Transport Act 1998 and any rules made under that Act, and the Christchurch City Council Traffic and Parking Bylaw 2008.

¹ Clause 14(1) of the Christchurch City Council Traffic and Parking Bylaw 2008.

² Clause 14(1) of the Christchurch City Council Traffic and Parking Bylaw 2008.

³ Clause 14(1) of the Christchurch City Council Traffic and Parking Bylaw 2008.

2.0	Description	Delegate	Responsibilities, duties, powers etc	Other limits
2.12	Restricted Parking Areas	All Community Boards	<p>To determine the location of restricted parking areas on any roads, or parts of roads, or within car parks, or in other areas controlled by the Council, and the following conditions which may apply to those restricted parking areas, but not limited to:¹</p> <ul style="list-style-type: none"> • the time period or time periods between which the parking restrictions have effect; • the maximum time allowed for parking in any parking space in a restricted parking area; • that a parking space in a restricted parking area is for the specified class of vehicle (ie motorcycle stand, cycle stands), class of road use (ie disabled parking areas) or for a designated activity (ie loading zones). 	<p>Subject to the Local Government Act 1974, the Land Transport Act 1998 and any rules made under that Act, and the Christchurch City Council Traffic and Parking Bylaw 2008.</p> <p>Excludes the following powers under the Christchurch City Council Traffic and Parking Bylaw 2008:</p> <ul style="list-style-type: none"> • Under clause 10, the Council may by resolution specify any road or part of a road in a residential area which may not be used by heavy motor vehicles for the purposes of stopping, standing, or parking for the time period or periods for which the restriction applies. • Under clause 15, the Council may by resolution specify any road or part of a road and the days and times during which motor vehicles weighing less than 3,500 kilograms are prohibited from being used on that road or part of that road or roads.

¹ Clauses 5(1), (2) and (5) of the Christchurch City Council Traffic and Parking Bylaw 2008

2.0	Description	Delegate	Responsibilities, duties, powers etc	Other limits
2.13	Stopping and Standing restrictions	All Community Boards	To impose, on any roads or any other areas controlled by the Council, stopping or standing restrictions whether by way of a time restriction, a restriction to a specified class, classes or description of vehicle (ie bus stops, taxi stands), a total prohibition or any combination of these (ie clearways). ¹	<p>Subject to the Local Government Act 1974, the Land Transport Act 1998 and any rules made under that Act, and the Christchurch City Council Traffic and Parking Bylaw 2008.</p> <p>Excludes the following powers under the Christchurch City Council Traffic and Parking Bylaw 2008:</p> <ul style="list-style-type: none"> • Under clause 10, the Council may by resolution specify any road or part of a road in a residential area which may not be used by heavy motor vehicles for the purposes of stopping, standing, or parking for the time period or periods for which the restriction applies. • Under clause 15, the Council may by resolution specify any road or part of a road and the days and times during which motor vehicles weighing less than 3,500 kilograms are prohibited from being used on that road or part of that road or roads.
2.14	Approve certain exemptions	All Community Boards	To approve exemptions to the installation or maintenance of parking limit lines for private driveways where the proposed installation falls outside the Council policy.	

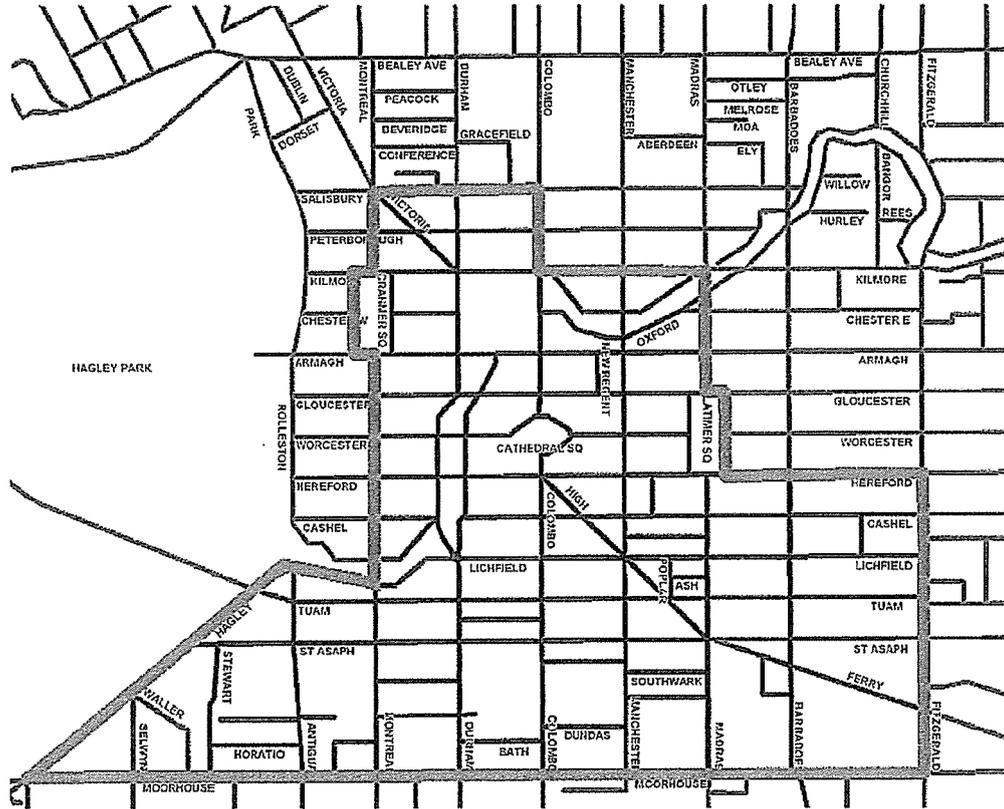
¹ Clauses 5(3) and (5) of the Christchurch City Council Traffic and Parking Bylaw 2008

Attachment 3

Council
Resolution
Date

PLAN A

Christchurch - Central City



Attachment 2 4.

Clause 5 of Christchurch Council Traffic & Parking Bylaw 2008

**PART 1
PARKING**

5. PARKING, STOPPING AND STANDING RESTRICTIONS

(1) The Council may by resolution set aside any road, or part of any road, or any other area controlled by the Council, as a restricted parking area.

(2) A restricted parking area may be subject to such conditions as the Council determines by resolution and, without limitation, may include:

(a) the time period or time periods between which parking restrictions have effect:

(b) the number and situation of parking spaces within each restricted parking area:

(c) the maximum time allowed for parking in any parking space in a restricted parking area:

(d) whether a parking space in a restricted parking area is designated for a specified class of vehicle (for example, tour coach or shuttle parking) or class of road user (for example, disabled parking) or for a designated activity (for example, a loading zone) or mobile shop and the charges payable (if any) for that parking space:

(e) whether or not the restricted parking area is a Residents Parking Only area:

(f) whether or not the restricted parking area is a Pay and Display area:

(g) that parking is prohibited in that restricted parking area or parts of that restricted parking area.

(3) The Council may by resolution impose standing or stopping restrictions on any road or any part of any road or any other area controlled by the Council whether by way of a time restriction, a restriction to a specified class, classes or description of vehicle (for example, bus parking), a total prohibition or any combination of these.

(4) The Council may by resolution:

(a) prescribe the fees payable for parking in a restricted parking area; and

(b) prescribe the means by which parking fees may be paid including, by the use of parking meters, pay and display machines, parking coupons, attendant issued tickets, or otherwise.

(5) The Council may subsequently amend by resolution:

(a) any restricted parking area by adding any road or part of a road, or any other area controlled by the Council as a restricted parking area, or deleting or changing any road or part of a road, or other area previously so specified as a restricted parking area:

(b) any condition in relation to a restricted parking area, by adding, deleting or changing any such condition:

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(c) any stopping or standing restrictions by adding, deleting, or changing any such restrictions.

(6) The Council must indicate any restricted parking area, stopping or standing restrictions (as referred to in subclauses (1) to (4)) by the use of prescribed signs.

Attachment 5,



New Zealand Legislation

Local Government Act 1974

- See [Versions and amendments](#)

Part 21

Roads (other than regional roads), service lanes, and access ways

Part 21 (comprising sections 315 to 361) was inserted, as from 1 April 1979, by [section 2](#) Local Government Amendment Act 1978 (1978 No 43).

315 Interpretation

(1) In this Part, unless the context otherwise requires,—

access way means any passage way, laid out or constructed by the authority of the council or the Minister of Works and Development or, on or after 1 April 1988, the Minister of Lands for the purposes of providing the public with a convenient route for pedestrians from any road, service lane, or reserve to another, or to any public place or to any railway station, or from one public place to another public place, or from one part of any road, service lane, or reserve to another part of that same road, service lane, or reserve

Access way: this definition was amended, as from 1 April 1988, by section 15(a) Local Government Amendment Act 1988 (1988 No 71) by inserting the words “or, on or after the 1st day of April 1988, the Minister of Lands”.

council means a territorial authority; and, in relation to land that does not form part of any district means the Minister of Local Government

Council: this definition was amended, as from 1 April 1988, by section 15(b) Local Government Amendment Act 1988 (1988 No 71) by substituting the words “Minister of Local Government” for the words “Minister of Works and Development”.

district means the district of a territorial authority; and, in relation to land in respect of which the Minister of Local Government is the council, means that land

District: this definition was amended, as from 1 April 1988, by section 15(c) Local Government Amendment Act 1988 (1988 No 71) by substituting the words “Minister of Local Government” for the words “Minister of Works and Development”.

footpath means so much of any road as is laid out or constructed by authority of the council primarily for pedestrians; and includes the edging, kerbing, and channelling thereof

private road means any roadway, place, or arcade laid out or formed within a district on private land, whether before or after the commencement of this Part, by the owner thereof, but intended for the use of the public generally

Private road: this definition was amended, as from 29 March 1985, by [section 39\(1\)](#) Local Government Amendment Act 1985 (1985 No 60) by inserting the words “or formed”.

private way means any way or passage whatsoever over private land within a district, the right to use which is confined or intended to be confined to certain persons or classes of persons, and which is not thrown open or intended to be open to the use of the public generally; and includes any such way or passage as aforesaid which at the commencement of this Part exists within any district

regional council

[Repealed]

Regional council: this definition was repealed, as from 1 July 1992, by [section 34](#) Local Government Amendment Act 1992 (1992 No 42).

road means the whole of any land which is within a district, and which—

- immediately before the commencement of this Part was a road or street or public highway; or
- immediately before the inclusion of any area in the district was a public highway within that area; or

- (c) is laid out by the council as a road or street after the commencement of this Part; or
 - (d) is vested in the council for the purpose of a road as shown on a deposited survey plan; or
 - (e) is vested in the council as a road or street pursuant to any other enactment;—
- and includes—
- (f) except where elsewhere provided in this Part, any access way or service lane which before the commencement of this Part was under the control of any council or is laid out or constructed by or vested in any council as an access way or service lane or is declared by the Minister of Works and Development as an access way or service lane after the commencement of this Part or is declared by the Minister of Lands as an access way or service lane on or after 1 April 1988;
 - (g) every square or place intended for use of the public generally, and every bridge, culvert, drain, ford, gate, building, or other thing belonging thereto or lying upon the line or within the limits thereof;—

but, except as provided in the Public Works Act 1981 or in any regulations under that Act, does not include a motorway within the meaning of that Act or the Government Roading Powers Act 1989

scheme plan

[Repealed]

Scheme plan: this definition was repealed, as from 1 October 1991, by section 362 Resource Management Act 1991 (1991 No 69).

service lane means any lane laid out or constructed either by the authority of the council or the Minister of Works and Development or, on or after 1 April 1988, the Minister of Lands for the purpose of providing the public with a side or rear access for vehicular traffic to any land

Service lane: this definition was amended, as from 1 April 1988, by section 15(e) Local Government Amendment Act 1988 (1988 No 71) by inserting the words “or, on or after the 1st day of April 1988, the Minister of Lands”.

survey plan has the same meaning as in the Resource Management Act 1991.

Survey plan: this definition was substituted, as from 1 October 1991, by section 362 Resource Management Act 1991 (1991 No 69).

(2) *[Repealed]*

(3) Nothing in this Part shall be construed as imposing any obligation on the council in relation to any private road or private way.

(4) Every accretion to any road along the bank of a river or stream or along the mean high-water mark of the sea or along the margin of any lake caused by the action of the river or stream or of the sea or lake shall form part of the road.

(5) Where any road along the bank of a river or stream or along the mean high-water mark of the sea or along the margin of any lake is eroded by the action of the river or stream or of the sea or lake, the portion of road so eroded shall continue to be a road.

Part 21 (comprising sections 315 to 361) was inserted, as from 1 April 1979, by section 2 Local Government Amendment Act 1978 (1978 No 43).

Section 315(1) **road**: amended, on 1 August 2008, by section 50(1) of the Land Transport Management Amendment Act 2008 (2008 No 47).

Road: paragraph (f) of this definition was amended, as from 12 December 1979, by section 7(1) Local Government Amendment Act 1979 (1979 No 59) by inserting the words “or is laid out or constructed by or vested in any council as an access way or service lane”. It was further amended, as from 1 April 1988, by section 15(d) Local Government Amendment Act 1988 (1988 No 71) by inserting the words “or is declared by the Minister of Lands as an access way or service lane on or after the 1st day of April 1988”.

Road: paragraph (g) of this definition was amended, as from 1 February 1982, by section 248 Public Works Act 1981 (1981 No 35) by substituting the expression “Public Works Act 1981” for the expression “Public Works Amendment Act 1947”.

Subsection (2) was repealed, as from 1 April 1980 by section 9(1) Local Government Amendment Act 1979 (1979 No 59).