

**STATEMENT OF PROPOSAL
FOR PROPOSED CHANGES TO TRAFFIC MOVEMENTS IN
OXFORD TERRACE, CASHEL STREET AND HIGH STREET**

1. INTRODUCTION

This Statement of Proposal document details three interdependent proposals as follows:

- (a) **Proposal A** Amend the First Schedule (One Way Streets) of the Traffic and Parking Bylaw 2008 to:
- i) change the one way in Oxford Terrace from Cashel Street to Lichfield Street to two way and
 - ii) change the one way direction in Oxford Terrace between Hereford Street and Cashel Street to a southerly direction
 - iii) make City Mall (Cashel St 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 Cashel Street and Hereford Street every night from 11pm to 5am
- (c) **Proposal C** Changes to the existing Special Order declaration for City Mall to ban goods services vehicles in City Mall from 11pm to 5am in addition to the day time ban between 11am and 4pm, and makes other minor changes.

All three proposals are related and interdependent, and these changes will result in a series of legally enforceable one way sections of road from Hereford Street, along Oxford Terrace and through City Mall back to Hereford Street in the same direction as the proposed tram route (limited to goods service and other authorised vehicles in City Mall but open to all traffic in Oxford Terrace). The coordinated night time closure of this route will support work being carried out by the NZ Police and bar owners and operators to improve safety for pedestrians and modify the behaviour of bar patrons, as detailed later in this document.

2. DETAILS OF THE PROPOSALS

The objectives for the proposed changes are:

1. To provide a safer environment for the public;
2. To remove potential conflict between pedestrians and vehicles;
3. To align the timing of access restrictions throughout the City Mall and Oxford Terrace.

Proposal A Oxford Terrace, Cashel Street and High Street (City Mall) one way streets – Bylaw amendment

The Council proposes the following change to the First Schedule (One Way Streets) of the Traffic and Parking Bylaw 2008:

- Revoking the one way direction (northerly) on Oxford Terrace from Lichfield Street to Hereford;
- Making Oxford Terrace a one way street in a southerly direction from its intersection with Hereford Street to its intersection with the south side of Cashel Street and leaving the remaining section between the south side of Cashel Street and the intersection of Oxford Terrace with the northern side of Lichfield Street, two way.
- Making Cashel Street from Oxford Terrace to High Street one way in an easterly direction, and High Street from Cashel Street to Hereford Street one way in a north-westerly direction.

Under section 72(1)(ia) of the Transport Act 1962 and the Local Government Act 2002 the Council has power to amend and create a one way street by way of a bylaw. This proposal can be achieved by amending one of the references to Oxford Terrace, and introducing Cashel Street and High Street (City Mall sections) in the First Schedule of the Traffic & Parking Bylaw 2008.

Under section 86 of the Local Government Act 2002 if the Council is to amend a bylaw then it must be by way of a Special Consultative Procedure.

Proposal B Declaration of Oxford Terrace part time pedestrian mall 11pm to 5am daily

The Council proposes to declare a new part time pedestrian mall in Oxford Tce between Hereford Street and Cashel Street, every night from 11pm to 5am.

Under section 336 of the Local Government Act 1974 the declaration of a pedestrian mall must be done by way of a Special Consultative Procedure. A declaration can declare part of a road to be a pedestrian mall during particular hours and can include exemptions or conditions. There is a right of appeal to the Environment Court against any decision made by the Council under section 336.

Proposal C City Mall (Cashel Street and High Street) pedestrian mall amendment – add to the restrictions to the hours of access for goods services vehicles and make other minor changes

The Council proposes to amend the City Mall Special Order declaration:

- to ban all goods services vehicles in City Mall from 11pm to 5am in addition to the day time ban for between 11am and 4pm
- make minor changes by including provisions regarding the name of mall, the appropriate positions within Council who can authorise vehicles to be in the mall, and deleting the reference to the owner of Whitcoulls Ltd.

Section 336 of the Local Government Act 1974 also gives Council the power to revoke or vary a previous declaration made under section 336 by using the Special Consultative Procedure, and this is also subject to a right of appeal to the Environment Court.

3. REASONS FOR THE PROPOSALS

Proposal A Oxford Terrace, Cashel St, and High Street - one way streets/bylaw amendment

Oxford Terrace between Lichfield Street and Hereford Street is classed in the City Plan as a 'local road'. The purpose of a local road designation is to give access for traffic, as opposed to an arterial road designation which has movement for traffic as its primary purpose.

At present traffic travels along this one way street from south (Lichfield Street) to north (Hereford Street). The section of Oxford Terrace from Lichfield Street to Cashel Street is a 9 metre wide carriageway and angle parking along its western side. The section from Cashel Street to Hereford Street is 3.5 metres wide and caters for a single lane of traffic only.

With the proposed extension of the tram route south along Oxford Terrace from Worcester Street to Cashel Street and then east along Cashel Street and north west along High Street, the tram's direction of travel will be contrary to the direction of travel for other vehicles on the one way section of Oxford Terrace between Hereford Street and Cashel Street and the current two way direction for vehicles permitted in City Mall. To remove any vehicle/tram conflict from these streets the Council considers it is appropriate to change the one way direction of this section of Oxford Terrace (Hereford Street to Cashel Street) from south-north to north-south and make the parts of Cashel Street and High Street that are within the City Mall, one way streets].

It is also proposed to create a part time pedestrian mall on the section of Oxford Terrace between Hereford Street and Cashel Street, during the hours of 11pm and 5am. To create access to the businesses, underground car parks and taxi stands it is necessary to have two way traffic in the section of Oxford Terrace between Lichfield Street and Cashel Street.

Access from Oxford Terrace (west – from the hospital end) into Oxford Terrace (north of Lichfield Street ie the area known as The Strip) at the Lichfield Street intersection will be restricted to cycles only as the conversion to two way flow in the Cashel Street to Lichfield Street section of Oxford Terrace means that the intersection of Durham Street/Lichfield Street/Oxford Terrace must be re-designed. Accommodating the left turn from Oxford Terrace

(west of Durham Street) would create safety issues (particularly for pedestrians) and lower the operating efficiency of the intersection. The design of the intersection also future proofs the road layout for the proposed Christchurch Transport Interchange, which will be located a short distance east off Lichfield Street.

The required intersection redesign will result in access for motor vehicles turning into this section of Oxford Terrace (Lichfield Street to Cashel Street) from Durham Street (any time) and from Hereford Street (between 5am and 11pm). Vehicular traffic can exit from this section of Oxford Terrace by turning left into Lichfield Street. In addition, permitted vehicles may exit via Cashel Street (City Mall), in the appropriate one way direction, during permitted hours. The proposed changes will thus maintain the access function of this local road at all time.

Proposal B Declaration of Oxford Terrace part time pedestrian mall 11pm to 5am daily

The New Zealand Police have requested the prohibition of vehicular traffic at night time, on a permanent basis, after observing how violence in the street has reduced significantly when this section of Oxford Terrace (The Strip) was temporarily closed on occasions during the past year).

The crowded footpath causes people to bump into one another, and when there are heavily intoxicated people in this situation even a slight bump can provoke a violent response from another intoxicated person. In addition, the few vehicles that pass along Oxford Terrace in the early hours of the morning are often hit by bottles or have to stop when intoxicated people lie down in the road way or slide over the boot or bonnet of the vehicle.

Police are working with bar owners and business operators toward a reduction of alcohol and drug induced misbehaviour. It is their view that closing the street to vehicles at night will make it safer for patrons, drivers of vehicles, and for the police to do their job.

After consideration of a number of options, and preliminary consultation with property owners, tenants and other interested people, it is proposed to create a part time pedestrian mall on the section of Oxford Terrace between Hereford Street and Cashel Street during the hours of 11pm and 5am. To create access to the businesses, underground car parks and taxi stands in the section of Oxford Terrace between Lichfield Street and Cashel Street, this will not become part of the pedestrian mall, but its current one way status will be revoked to provide for two way traffic at all times.

Proposal C City Mall (Cashel Street and High Street) pedestrian mall amendment – to add further restrictions to the hours of access for specified vehicles and make other minor changes

Cashel Street between Oxford Terrace and High Street, and High Street between Cashel Street and Hereford Street are known as the City Mall. In 1981 the Council resolved a Special Order that declared this section of Cashel Street and High Street a pedestrian mall with exemptions for specified vehicles at specified times. A variation was made to this Special Order in 2008 to allow for trams to also use the City Mall.

The current Special Order prohibits the driving, riding or parking of any vehicle, bicycle or animal at any time except for:

- (a) Goods service vehicles for the purpose of loading and unloading other than between 11am and 4pm each day;
- (b) Trade and other vehicles if authorised to enter the City Mall;
- (c) Street cleaning and rubbish collection vehicles operated by the Council;
- (d) Goods service vehicles servicing Whitcoulls;
- (e) Any fire appliance, ambulance or other vehicle where it is necessary to enter the Mall for the protection of human life or property;
- (f) Trams.

Any vehicle that has entered the City Mall under the Order must not be parked there for any longer period than is necessary for the driver to carry out his or her business or for the period of any emergency.

The Special Order does not indicate a direction of travel in the Mall. The refurbishment of the City Mall and the extension of the tram route dictate that vehicle access should be restricted to a west–east direction in this section of Cashel Street (Oxford Terrace to High Street) and to a southeast to northwest direction in the section of High Street from Cashel Street to Hereford Street, to avoid any conflict. This one way change is to be documented in the First Schedule (One Way Streets) of the Traffic and Parking Bylaw 2008 as detailed in proposal (a) above.

It is proposed to further restrict the hours of access to the Mall for goods service vehicles to include the hours between 11pm and 5am daily, in keeping with the proposed new Oxford Terrace part time pedestrian mall. Other minor changes to the declaration include using the proper name of mall, changing the positions within Council who authorise vehicles to be in the mall, and deleting the reference to the owner of Whitcoulls Ltd

4. KEY FEATURES OF THE PROPOSALS

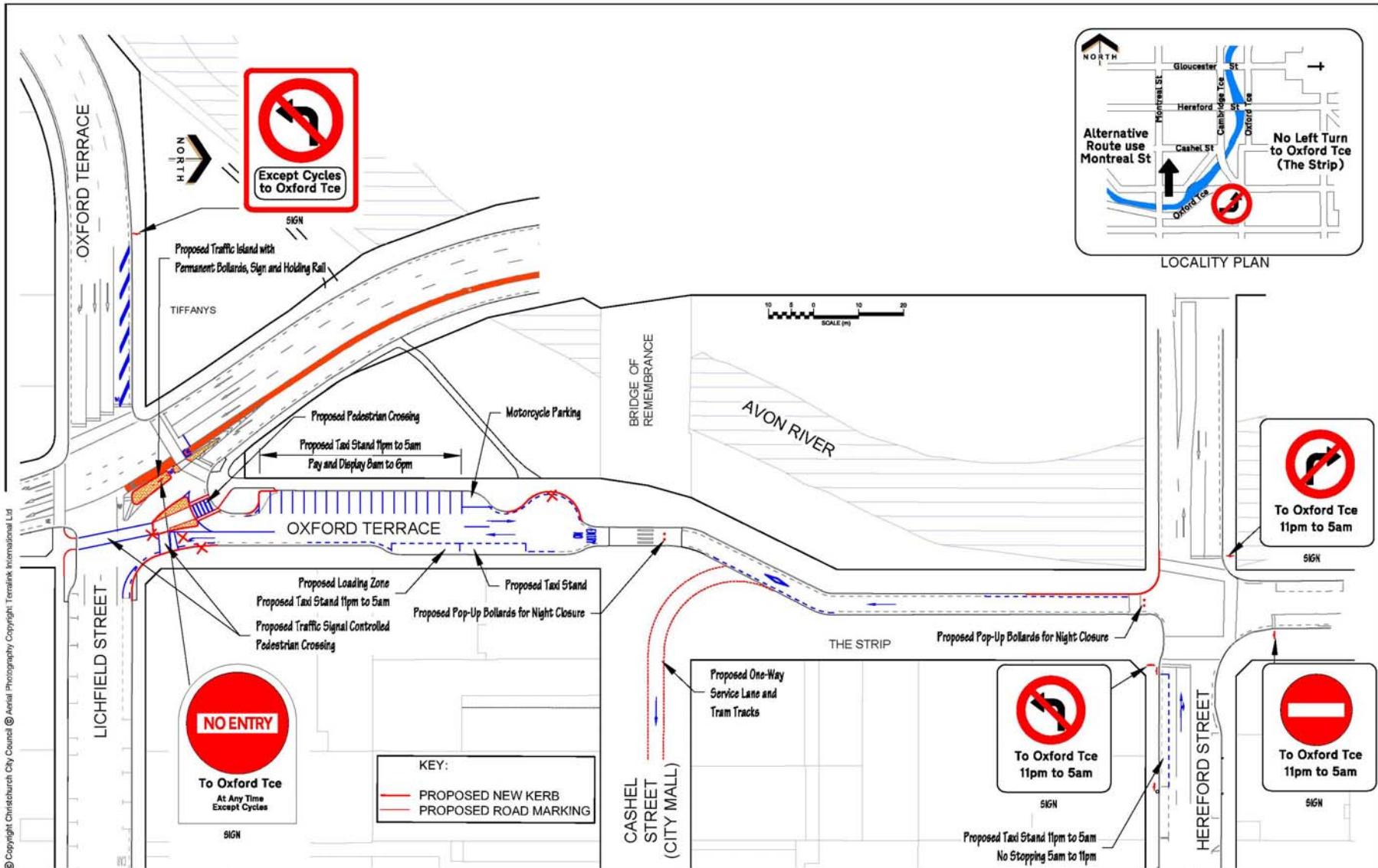
Proposal A Oxford Terrace, Cashel Street and High Street one way street/bylaw amendment and

Proposal B Declaration for Oxford Terrace part time pedestrian mall 11pm to 5am daily

Features include:

- A pedestrian only area on Oxford Terrace (The Strip) between Hereford Street and Cashel Street between 11pm and 5am.
- Conversion of Oxford Terrace between Lichfield Street and Cashel Street to a two way road
- Altering the direction of travel between Hereford Street and Cashel Street from north-south to south–north so that the proposed tram extension can be accommodated
- Providing additional taxi stands, in Hereford Street and in Oxford Terrace south of the Bridge of Remembrance during 11pm and 5am.
- Banning the left turn from Oxford Terrace (west) into Oxford Terrace .
- Installation of “pop-up” bollards at the Cashel Street and Hereford Street intersections of Oxford Terrace (the Strip) to prevent entry to this section of Oxford Terrace during the closure hours. During the closure period vehicles that have parked earlier in parking areas behind shop fronts in City Mall will be allowed to leave. The bollards will be manually lowered and raised at the end of the closure period. They can also be operated remotely by the on call engineer to cover the situations of emergency services requiring access.

The attached plan shows the proposed one way street and pedestrian mall in Oxford Terrace, including the two way section and turning changes.



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OXFORD TERRACE - THE STRIP
Draft Consultation Plan

Original Plan Size: A3
ISSUE: 3 18.06.09
TP30901 RAH

WebSite file location - R:\PROJECTS\201 TO 400\326 TO 350\347 LICHFIELD OXFORD INTERSECTION\347-1 LICHFIELD OXFORD INTERSECTION\347-1 PUBLICITY LICHFIELD OXFORD (11-5)DWG

Proposal C City Mall (Cashel Street and High Street) pedestrian mall amendment –add further restrictions to the hours of access for goods services vehicles and make other minor changes

Features include:

- banning all goods services vehicles in City Mall from 11pm to 5am in addition to the day time ban between 11am and 4pm.
- making minor changes to the current declaration regarding the name of mall, the appropriate positions within Council who can authorise vehicles to be in the mall, and deleting the reference to the owner of Whitcoulls Ltd.

5. SECTION 155 REPORT FOR PROPOSAL A AND ANALYSIS OF REASONABLY PRACTICABLE OPTIONS FOR PROPOSALS B AND C

Proposal A Oxford Terrace, Cashel Street and Hereford Street one way street/bylaw amendment

Section 155 considerations

- (a) Under section 72(1)(ia) of the Transport Act 1962 the Council must create and amend one way streets by way of a bylaw. The Christchurch City Council Traffic and Parking Bylaw 2008 is the bylaw the Council uses to provide for one way streets (see clause 12 and the First Schedule). This bylaw was made pursuant to the Local Government Act 1974, the Local Government Act 2002 and the Transport Act 1962.
- (b) Section 155 of the Local Government Act 2002 requires the Council to determine whether the making or amending of a bylaw made under that Act is *“the most appropriate way to address the perceived problem”*. The Council is also required to determine whether the bylaw is in the most appropriate form and that there are no inconsistencies with the New Zealand Bill of Rights Act 1990 (NZBORA).

Appropriate way to address problem

- (c) The proposed changes to the First Schedule (One Way Streets) have been identified as necessary for changing the direction of travel in Oxford Terrace, and in the sections of Cashel Street and High Street that form City Mall. It is considered necessary to change the direction of travel so that traffic will flow in the same direction as the proposed tram route and remove possible vehicle conflict.

Analysis of Options considered by the Council

- (d) The following options exist for the Council in relation to managing direction of travel on sections of Oxford Terrace:
 - (i) Status quo. ie: Do nothing. Make no specific provision for direction of travel on Oxford Terrace between Hereford Street and Cashel Street and between Lichfield Street and Cashel Street. The revitalisation of the City Mall has resulted in the construction of a service lane to ensure the majority of the mall is car free at all times. This service lane is only wide enough for traffic in one direction. A two way flow in the service lane would not work.

This option is not preferred because it does not support the Council's desire for the extension to the tram route and the revitalisation of the inner city, and does not support the proposed creation of a part time pedestrian mall in the adjacent section of Oxford Terrace between Cashel Street and Hereford Street. With the extension of the tram route this option will create potential for conflict between the trams and other vehicles and would not provide access for permitted vehicles to Cashel Street (City Mall).

- (ii) Revoke the existing one way (south to north) on that section of Oxford Terrace between Lichfield Street and Cashel Street to result in a two way street there; and create a one way street running in a southerly direction on the section of Oxford Terrace between Hereford Street and Cashel Street to remove potential conflict between trams and other vehicles. The service lane would function effectively and there would be no conflict with the future tram proposal.

This is the preferred option. This option is aligned to and meets the objectives the Council has for extending the tram route and revitalising the inner city. It removes conflict situations that could occur along the proposed tram route extension and retains access to the properties along that section of Oxford Terrace between Cashel Street and Lichfield Street.

- (e) The following options exist for the Council in relation to managing direction of travel on the sections of Cashel Street and High Street that form City Mall:

- (i) Do nothing ie Make no specific provision for direction of travel on High Street and Cashel Street.

The current direction of flow in the completed sections of the revitalised City Mall is one way, directed by temporary construction signage, which works effectively except that the restriction cannot be legally enforced. This direction of flow is necessary to accommodate the tram in future, and has been discussed at length in previous Council meetings. Doing nothing would not be an acceptable long term option as it does not support the enforcement of one way traffic in City Mall. Letting vehicles travel in both directions would impose risk to life and property.

- (ii) Restrict travel to one way in City Mall. This option enables the tram to travel in a west–east direction in the section of Cashel Street between Oxford Terrace and High Street; and in a southeast to northwest direction in the section of High Street from Cashel Street to Hereford Street, to avoid any conflict. with other vehicles.

- (f) Both these options require an amendment to the First Schedule of the Traffic and Parking Bylaw 2008. The Local Government Act 2002 prescribes that any alterations or additions to a Bylaw may only be undertaken using the Special Consultative Procedure.

There is no other way of creating a legally enforceable one way street, therefore the bylaw amendment is the most appropriate way of addressing this problem.

Appropriate form of bylaw

- (g) The form in which the proposed amendment to the First Schedule of the Bylaw has been drafted is considered appropriate, in specifying the road which is to become one way, and the location (between intersections) in that road.

New Zealand Bill of Rights Act 1990

- (h) The only provision of the NZBORA which has a bearing on the proposed amendment to the Bylaw is section 18, which provides that everyone lawfully in New Zealand has the right to freedom of movement. Creating one way streets provides a limitation on this right, but the limitation is considered to be a reasonable restriction in a free and democratic society, in accordance with section 5 of the NZBORA. Persons can still move

around the city. Therefore there are no inconsistencies between the draft amended bylaw and the NZBORA.

Proposed Bylaw amendments

- (i) The amendments proposed to the Traffic and Parking Bylaw 2008 are set out in the attached Amendment Bylaw.

Proposal B Declaration of Oxford Terrace part time pedestrian mall 11pm to 5am daily

Prior to July 2004 section 336 of the Local Government Act 1974 provided that Councils declared a pedestrian mall by using the Special Order procedure. Section 336 now provides that the special consultative procedure be used.

Section 336(3) provides that anyone may within 1 month after the making of a declaration, or within such further time as the Environment Court may allow, appeal to the Environment Court against the declaration made by the Council.

Analysis of reasonably practicable options considered by the Council

The following options exist for the Council in relation to Proposal B

- (i) Status quo. ie: Do nothing. Leave Oxford Terrace open to all traffic at all hours.
This option is not preferred because it does not address the safety issues arising during the hours of 11pm to 5am and it does not support the endeavours of the New Zealand Police to deal with problems of alcohol and drug induced behaviour.
- (ii) Close Oxford Terrace to all traffic except taxis.
This option is not preferred because of the difficulty of enforcing a taxi only zone. It does not address the safety issues of vehicles driving through a road where there are often large numbers of intoxicated people wandering across the road, throwing bottles or using broken bottles to scare vehicles as they pass. There is also the potential for confusion and the subsequent danger to pedestrians who think that vehicles are banned and who may therefore wander out onto the road into the path of oncoming vehicles.
- (iii) Close the length of Oxford Terrace from Lichfield Street to Hereford Street.
This option is not preferred because it does not enable access to the business car parking underneath and behind commercial buildings in Oxford Terrace between Lichfield Street and Cashel Street (City Mall). These businesses have been consulted and have indicated that they need access to the car parking at all times. This option would also eliminate the taxi stands in this area which are seen as essential for the safe transport of intoxicated people away from the area.
- (iv) Create a part time pedestrian mall in Oxford Terrace between Hereford Street and Cashel Street (City Mall) from 11pm to 5am daily.
This option will address the safety issues for pedestrians and vehicles that arise during the hours of 11pm to 5am and support the endeavours of the New Zealand Police to deal with problems of alcohol and drug induced behaviour. With changes to the direction of permitted traffic in City Mall and the revocation of the one way street in Oxford Terrace between Lichfield Street and Cashel Street (City Mall) at the same time, the issue of access to the car parking described in Option (iii) will be addressed. The car park behind 'The Strip' bars on Oxford Terrace between Hereford Street and

Cashel Street can also be accessed from Hereford Street. This option also provides for taxi stands.

- (v) Option (iv) is the preferred option. It is aligned to and meets the project objectives.

Proposal C City Mall (Cashel Street and High Street) – to add restrictions to the hours of access for goods services vehicles and make other minor changes

Analysis of reasonably practicable options considered by the Council

- (i) Status quo ie do nothing. The Council could choose to do nothing in this case and not provide a night time ban on goods service vehicles in City Mall. This is not an acceptable option as it does not help create a safer central city nor assist the police with their enforcement of law and order in the area.
- (ii) Amend the City Mall Special Order declaration as described in this proposal. This enhances the work of the New Zealand Police as above, and aligns with the part time closure of Oxford Terrace between Hereford Street and Cashel Street during the same hours.

Additional Considerations –Proposals B and C

The decisions in *Pool v New Plymouth City Council* [1977] 6 NZTPA 201 and *Bain v Waimakariri District Council*, C111/08, Environment Court Christchurch, 20/10/08 set out some matters that should be considered when making a decision to declare part of a street a pedestrian mall. The considerations concern whether the public interest is enabled or not in the creation of the mall and the advantages and disadvantages for any individuals in creating the mall, in addition to whether the mall better achieves the sustainable management of physical resources in the district. These matters have been considered by the Council, in assessing the options identified above, as follows (these matters also address social and environmental considerations):

- (a) There will be significant safety improvements for the public (patrons of the bars and other businesses in the area as well as other pedestrians) as a result of the creation of the part time pedestrian mall in Oxford Terrace and banning vehicles in City Mall between 11pm and 5am daily.
- (b) For motorists, their exclusion from the area between 11pm and 5am will be a safety improvement, removing them from a possible conflict situation, and although it will mean a detour, the increased trip distance is not great.
- (c) In their feedback to preliminary community consultation, several businesses in Oxford Terrace between Cashel Street (City Mall) and Lichfield Street identified some disadvantages to the proposal at that time and indicated their needs to access their underground or rear car parking 24 hours daily, for business and social purposes. There are also some residential tenants in one of the buildings in that area with access requirements. The proposal to change this section of Oxford Terrace to two way traffic aims to provide these people with unlimited access even when the part time pedestrian mall is imposed (11pm to 5am) in the adjoining section of Oxford Terrace.
- (d) Another disadvantage raised by several respondents is the inconvenience caused by the banning of the left turn from Oxford Terrace (west) into Oxford Terrace (The Strip). For some this will mean a longer drive to their destination. A property owner with professional offices, retail premises and client parking in the immediate vicinity of the intersection said that their tenants will have less exposure to passing traffic. Council staff and their technical advisers have considered this issue and estimate that the change in travel direction will mean there will still be traffic passing the shop fronts in the opposite direction. It is important to note here that the

function of this road is 'local' and hence access rather than movement, particularly in the central city where the focus should be pedestrian focused.

- (e) Access from Oxford Terrace (west – from the hospital end) into Oxford Terrace (north of Lichfield Street ie the area known as The Strip) at the Lichfield Street intersection will be restricted to cycles only as the conversion to two way flow in the Cashel Street to Lichfield Street section of Oxford Terrace means that the intersection of Durham Street/Lichfield Street/Oxford Terrace must be re-designed. Accommodating the left turn from Oxford Terrace (west of Durham Street) would create safety issues (particularly for pedestrians) and lower the operating efficiency of the intersection. The design of the intersection also future proofs the road layout for the proposed Christchurch Transport Interchange, which will be located a short distance east off Lichfield Street.
- (f) The required intersection redesign will result in access for motor vehicles turning into this section of Oxford Terrace (Lichfield Street to Cashel Street) from Durham Street (any time) and from Hereford Street (between 5am and 11pm). Vehicular traffic can exit from this section of Oxford Terrace by turning left into Lichfield Street. In addition, goods service vehicles may exit via Cashel Street (City Mall) during permitted hours. The proposed changes will thus maintain the access function of this local road at all time.
- (g) This respondent also said that their clients who come from the eastern areas of the city will be inconvenienced by the longer route required to reach their office. Council staff and their technical advisers estimate that a driver coming from the east will have the improved option of using Hereford Street, then turning left into Oxford Terrace and approaching the respondent's car park from the north, which is likely to be shorter than their current trip via St Asaph Street, Montreal Street and Lichfield Street. Likewise, a driver coming from the west will select Montreal Street, Cashel Street then Durham Street, or Montreal Street, Hereford Street and Oxford Terrace – potentially extending their journey by a few minutes. The benefits of having two way traffic in this section of Oxford Terrace, and the left turn egress directly to Lichfield Street, will make the area much more convenient for shoppers and many of the visitors.
- (h) Another disadvantage may arise for drivers who park their vehicles behind 'The Bog Irish Bar' at 82 Cashel Street, who have to drive along City Mall (illegally now) to access the car parking area. While currently they have the option to come and go via Oxford Terrace, meaning a short traverse of City Mall at the western end, with City Mall being made one way they will need to enter via Oxford Terrace from Lichfield Street and leave via City Mall to Colombo Street. During the hours of closure, these vehicles will be able to leave, but not enter City Mall.
- (i) The benefits of safety and efficiency are considered to outweigh the relatively small disadvantages for a small number of drivers.

Cultural Considerations

- (j) The Council is not aware of any cultural issues that should be taken into account in respect of the proposal contained in this statement.

Economic Considerations

- (k) With the change to two way traffic on Oxford Terrace between Cashel Street (City Mall) and Lichfield Street taxi services can operate from their usual ranks in this section of the street at all times including when the part time pedestrian mall is imposed (11pm to 5am).

- (l) Some business and property owners in Oxford Terrace between Cashel Street and Lichfield Street have expressed concern that the banning of the left turn from Oxford Terrace (west) into Oxford Terrace (at the Lichfield St intersection) will require their clients and customers to make a longer trip and may result in them not visiting the business. The left turn ban is necessary to align with future development of the Transport Interchange and while technically this turning ban is not related to the creation of the pedestrian mall, there are safety implications associated with vehicles entering Oxford Terrace (Lichfield Street to Cashel Street) from Oxford Terrace west.

6. CONSULTATION PROCESS

Earlier consultation took place during the 2007 special consultative procedure related to the introduction of service lanes, in the revitalisation of City Mall, and in 2008 re the introduction of trams to City Mall. In Oxford Terrace, initial consultation took place during October to December 2007. The 2009 consultation process on all three proposals will be as follows:

- (a) The Council has resolved on the matters in section 155 of the Local Government Act 2002 (for the purposes of the part of this statement of proposal that relates to the Bylaw amendment) and has approved this statement of proposal and summary of information, which will be publicised, and has appointed a hearings panel to hear any submissions;
- (b) The special consultative procedure will be from 6 August to 9 September 2009.
- (c) An Information Session about these changes will be held at Our City, cnr Worcester Street and Oxford Terrace, on 19 August 2009 at 5.30pm.
- (d) Written submissions on these proposals may be made to the Council by 9 September 2009. The submissions may be sent either:
- Through the Council's website (www.ccc.govt.nz/Haveyoursay), or
 - Sent by email to oxfordandcitymall@ccc.govt.nz, or
 - In any other written form and posted to Oxford Terrace and City Mall Consultation, Christchurch City Council, PO Box 237, Christchurch.
- (e) Any person who makes a submission will have the opportunity to be heard by the Christchurch City Council Hearings Panel between 27 – 30 October 2009, but must make that request in their written submission.
- (f) The Local Government Act 2002 requires the Council to make all written submissions on this consultation available to the public, The requirement is subject to the provisions of the Local Government Official Information and Meetings Act 1987. Anyone wishing to withhold any information of a private or personal nature from their submissions should first contact the Christchurch City Council Customer Support team on Ph 941 8999.
- (g) The Council will receive a report from the hearings panel, will consider the recommendations of the panel and make a final determination on the amendments to the bylaw and on the pedestrian mall declarations and amendments.
- (h) In relation to the pedestrian mall declarations any person may appeal the declaration to the Environment Court within one month after the making of the declaration. The variations to the City Mall Special Order will take effect once the time for appealing has expired and any appeals have been determined.

7. COPIES OF RELEVANT DOCUMENTS AND PERIOD FOR CONSULTATION

The Christchurch City Council Traffic & Parking Bylaw 2008 is available on the Council web page <http://www.ccc.govt.nz/Bylaws/>. The Summary of Information of this Proposal and this Statement of Proposal are available as follows

- The “Have your Say’ link on the following Council web page www.ccc.govt.nz, or
- Council Service Centres, or
- Ringing the Council on 941 8999

CHRISTCHURCH CITY COUNCIL

TRAFFIC AND PARKING AMENDMENT (Oxford Terrace, Cashel Street, High Street (City Mall)) **BYLAW 2009**

Pursuant to the Local Government Act 1974, the Local Government Act 2002 and the Transport Act 1962, the Christchurch City Council makes this Bylaw.

1. SHORT TITLE

This Bylaw is the Christchurch City Council Traffic and Parking Amendment (Oxford Terrace, Cashel Street, High Street (City Mall)) Bylaw 2009.

2. COMMENCEMENT

This Bylaw comes into force on February 2010

3. PRINCIPAL BYLAW AMENDED

This Bylaw amends the Christchurch City Council Traffic and Parking Bylaw 2008, and is to be read as part of the Christchurch City Council Traffic and Parking Bylaw 2008.

4. SCHEDULE 1 AMENDED

Schedule 1 of the Christchurch City Council Traffic and Parking Bylaw 2008 is amended as follows:

Revoke

Oxford Terrace	Oxford Terrace in a northerly direction from Lichfield Street to Hereford Street.
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Add (to Schedule 1 in the appropriate alphabetical order)

Cashel Street	Cashel Street in an easterly direction from Oxford Terrace to High Street
High Street	High Street in a north westerly direction from Cashel Street to Hereford Street.
Oxford Terrace	Oxford Terrace in a southerly direction from Hereford Street to Cashel Street

The initial resolution to make this Bylaw was passed by the Christchurch City Council at an ordinary meeting of the Council held on [day month 2009] and was confirmed, following consideration of submissions received during the special consultative procedure by a resolution at a subsequent meeting of the Council on the [day month 2009].

THE CURRENT CITY MALL DECLARATION

SHOWING VARIATIONS PROPOSED IN THIS STATEMENT OF PROPOSAL

Deletions are shown as 'striketrough' (~~striketrough~~) and new wording is shown in 'italics' (*italics*)

"Pursuant to Section 336 of the Local Government Act 1974 the Christchurch City Council resolves by way of Special Order, that the parts of Cashel Street and High Street described in the schedule below be declared a pedestrian mall *to be known as City Mall* and that within those parts of Cashel Street and High Streets:

1. The driving, riding or parking of any vehicle, or the riding of any bicycle or the riding of any animal be prohibited at any time with the following exceptions:
 - (a) Goods service Vehicles will be permitted in the *City Mall* for the purpose of loading and unloading at any time other than between 11am and 4pm *and 11pm and 5am* each day.
 - (b) Trade and other vehicles (including those operated by service authorities) of any class may enter the *City Mall* at specified times if authorised to do so by the ~~Traffic manager or Parking Operations Manager~~ *Council officer who holds the position of asset owner at that time.*
 - (c) Street cleaning and rubbish collection vehicles operated by the Christchurch City Council *or its nominated contractor* may enter the *City Mall* at any time.
 - (d) Goods service vehicles servicing the existing business of Whitcoulls Ltd (~~a wholly owned subsidiary of Printing and Packaging Corporation Limited~~) will be permitted in the section of the *City Mall* between Colombo Street and the west side of the alley way leading to Whitcoulls Ltd's off street loading area at any time.
All loading by such vehicles shall be carried out within Whitcoulls Ltd's existing loading area.
 - (e) Any approval for vehicles to enter the mall granted in respect of any specific type of vehicle, site, use or business shall be subject to review should the type of vehicle, the site in respect of which loading is required, the use or the proprietor of any use change.
 - (f) Trams.
2. Any vehicle or specified class of vehicle that has entered the *City Mall* under any section of this Order must not be parked for a longer period than is necessary for its driver to carry out his or her business or for the period of any emergency.
3. Nothing in this Order shall be deemed to prohibit or restrict the use of the *City Mall* by any *police*, fire appliance, ambulance or other vehicle where it is necessary for that appliance, ambulance or vehicle to enter the Mall or portion thereof for the protection of human life or of property.

THE SCHEDULE

1. High Street within the area contained by the south boundary of Hereford and the east boundary of Colombo Street at the intersection of High Street, Colombo Street and Hereford Street AND the north boundary of Cashel Street.

This area being 2791m² or thereabouts is shown on the attached plan as A.

2. The common parts of High Street and Cashel Street within the area contained by the north boundary of Cashel Street AND the south west boundary of High Street AND a line between the south west and north east corners at the intersection of High Street and Cashel Street.

This area being 286m² or thereabouts is shown on the attached plan as B.

3. Cashel Street within the area contained by the south west boundary of High Street AND the east boundary of Colombo Street.

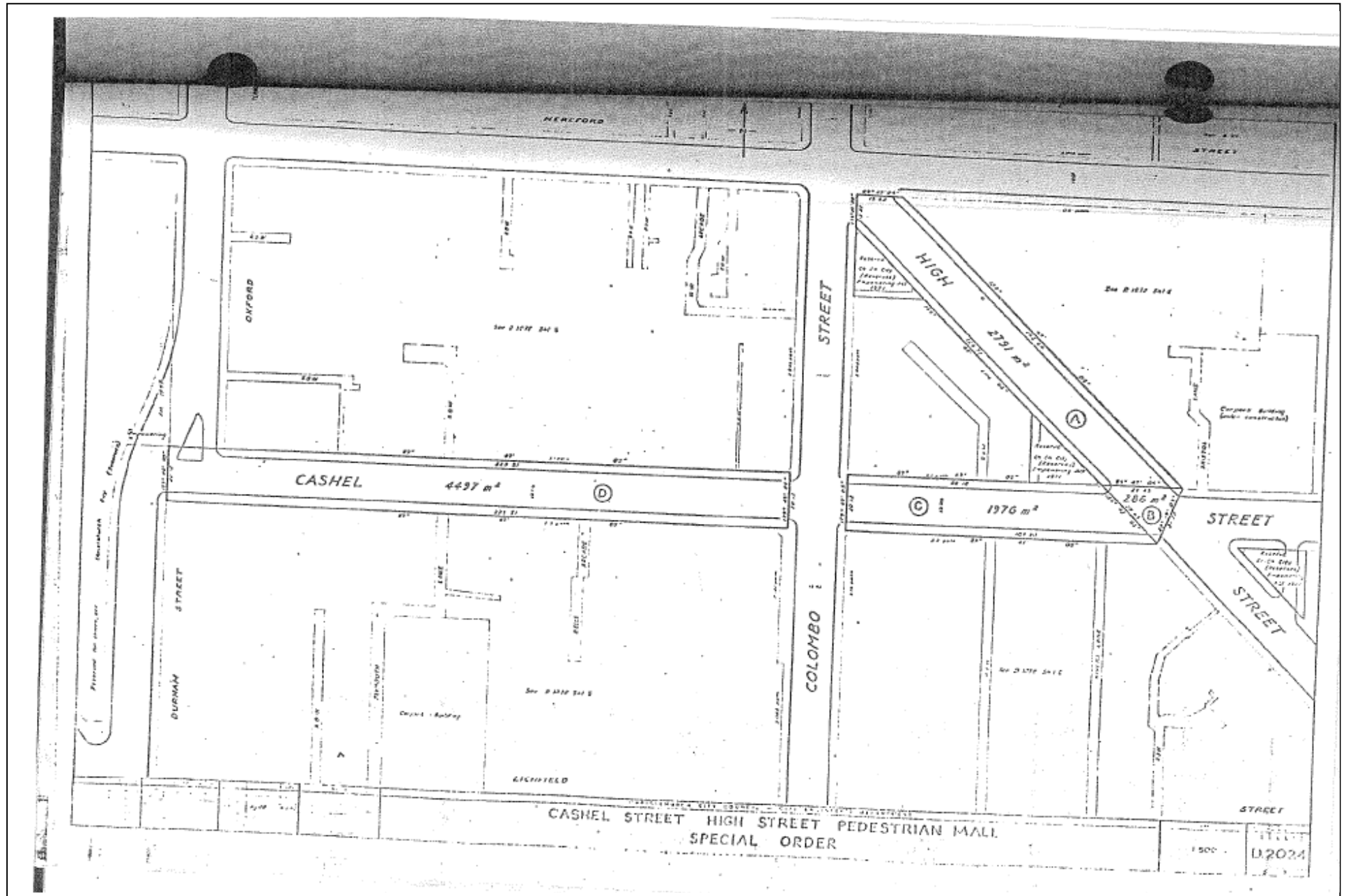
This area being 1976m² or thereabouts is shown on the attached plan as C.

4. Cashel Street within the area contained by the west boundary of Colombo Street AND the extension westwards of the north boundary of Cashel Street AND the extension northwards of the east boundary of Durham Street.

This area being 4497m² or thereabouts is shown on the attached plan as D. “

See next page for plan from Notices of Motion 16.2.1981.

Plan of City Mall from Notices of Motion 16.2.1981



THE OXFORD TERRACE PART TIME PEDESTRIAN MALL DECLARATION

AS PROPOSED IN THIS STATEMENT OF PROPOSAL

“Pursuant to section 336 of the Local Government Act 1974 the Christchurch City Council declares that the part of Oxford Terrace between Hereford Street and Cashel Street be declared a pedestrian mall between 11pm and 5 am daily, to be known as the Oxford Terrace Part-time Pedestrian Mall and that within that part of Oxford Terrace:

- (a) The driving, riding or parking of any vehicle, or the riding of any bicycle or the riding of any animal be prohibited between the hours of 11pm and 5am daily with the following exceptions:
 - (i) trams
 - (b) Nothing in this declaration prohibits or restricts the use of the Mall by any police, fire appliance, ambulance or other vehicle where it is necessary for that appliance, ambulance or vehicle to enter the Mall or portion thereof for the protection of human life or of property.