



Christchurch City Council

SPREYDON/HEATHCOTE COMMUNITY BOARD AGENDA

TUESDAY 7 FEBRUARY 2006

AT 5.00 PM

IN THE BOARDROOM,
SOUTH LIBRARY, SERVICE CENTRE AND LEARNING CENTRE,
66 COLOMBO STREET, CHRISTCHURCH

Community Board: Phil Clearwater (Chairperson), Oscar Alpers, Barry Corbett, Paul de Spa, Chris Mene, Sue Wells and Megan Woods.

Community Board Principal Adviser

Lisa Goodman

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- PART A - MATTERS REQUIRING A COUNCIL DECISION**
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Seminar meeting to follow after close of meeting.

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1. APOLOGIES

2. CONFIRMATION OF MEETING REPORT – 24 JANUARY 2006

The report of the meeting of 24 January 2006 has been circulated under separate cover.

CHAIRPERSON'S RECOMMENDATION

That the report to the Council of the Board meeting of 24 January 2006 be confirmed as a true and accurate record of that meeting.

3. DEPUTATIONS BY APPOINTMENT

4. YOUTH DEVELOPMENT FUND – REPORT BACK

Dale Clark will report back to the Board regarding his trip to Brazil to train and compete at the Del Ponte Futsal Centre of Excellence.

5. OPAWA EXPRESSWAY STAGE III – DISPOSAL OF LAND

General Manager responsible:	General Manager, City Environment
Officer responsible:	Don Munro, Transport and City Streets Unit Manager
Author:	Bill Morgan, Property Consultant DDI 941-8581 and Jeff Woodham, Property and Leasing Adviser, DDI 941-8771

PURPOSE OF REPORT

1. That the Board recommend to the Council that:
 - (a) The Council declare surplus, the balance of those properties not required for the Opawa Expressway.
 - (b) Delegations be granted to the Corporate Support Manager to approve the disposal of the surplus properties in Opawa Road and to purchase 209 Opawa Road from Ngai Tahu Properties Limited, should it be offered to the Council.

EXECUTIVE SUMMARY

2. The Opawa Road upgrade is currently under way. Land to facilitate this upgrade was purchased by the Council and Transit New Zealand over a number of years prior to the upgrade. The balance of the properties at 203 through to 279 Opawa Road are now surplus to requirements, with three of these properties currently being owned by Transit New Zealand. One of the Transit owned sections may be sold to Ngai Tahu Properties Limited, which may then offer it to the Council.
3. The land has been identified for disposal in the Transport and City Streets' Capital Programmes in 2005/06 and 2006/07, to offset the Opawa Expressway construction costs. The disposal of the land is therefore in compliance with this objective, but to facilitate disposal it is necessary for the Council to resolve that the properties are surplus to Council requirements.

FINANCIAL AND LEGAL CONSIDERATIONS

4. The Community Board does not have delegated authority to authorise the leasing or purchase of land – such a decision needs to be made by the full Council. The Board has, however, recommendatory powers to the Council.

5 Cont'd

5. Legal Services has confirmed the Council is bound by the offer back provisions of Section 40 of the Public Works Act 1981 and is therefore required to go through the offer back process for those properties (detailed as per Schedule I in Staff Recommendation (a)) as part of the process to dispose of the land.

BACKGROUND ON OPAWA EXPRESSWAY STAGE III – DISPOSAL OF LAND

6. At its meeting on 15 December 2005 the Council considered and approved the disposal of 257 and 261 Opawa Road to an adjoining owner, given the land was effectively landlocked. The Council was advised that Opawa Road from Garlands Road towards the Port of Lyttelton is part of the State Highway network in Christchurch. Transit New Zealand (Transit) is usually responsible for improvements of this network. However, some years ago the residents of Opawa Road raised concerns at the increasing volume of traffic on the road, and the adverse effects of increased traffic noise, vibration, local air pollution and accessibility to their properties. Realignment of the road was considered necessary to overcome all of these effects.
7. The Council subsequently reached an agreement with Transit and Transfund where the latter funds that part of the work it considers economically justified, and the Council pays the costs above and beyond that cost.
8. The Council subsequently approved funding to purchase the remaining ten properties for the road during the 2001/02 financial year which has been completed.
9. Construction of the road commenced in 2004/05 and is programmed to be completed in the current financial year.

SURPLUS LAND

10. The properties acquired for the expressway were purchased over many years by both the former Heathcote County Council, the Christchurch City Council and a number by Transit New Zealand.
11. Being State Highway, Transit has insisted that access to the road from adjacent properties be prohibited (with two exceptions) and as a consequence, access to the surplus land is to be provided by right-of-ways running off the side streets. Services (i.e. power, sewer, water etc.) are also required to be reticulated from the adjoining streets.
12. All of the land on the eastern side of Opawa Road between number 201 and 279 (Garlands Road to Curries Road – as depicted on the **attached** plan number TP162405) is surplus to requirements, with part being zoned Living and part Business. The zoned boundary lies between 261 and 265 Opawa Road with the properties to the north being zoned Business and to the south Living. Approximately two thirds of the properties are within the Business zone.
13. As indicated, the majority of the land is owned by the Council and the balance (205, 209, 239 and 267 Opawa Road) owned by Transit. Before considering a disposal strategy both the Council and Transit have to comply with the offer back requirements of the Public Works Act; but before it can do so, the Council is required to declare it is land surplus to requirements. The offer back on 239 Opawa Road was accepted by the previous owner.
14. Transit is required, should the previous owners not wish to take up the offer backs, to offer the land to Ngai Tahu Properties Limited before it may dispose of the land on the open market. It is understood that Ngai Tahu Properties Limited has declined the offer on 267 Opawa Road. Transit has agreed to transfer the land to the Council, at no cost, as part of their contribution towards the roading costs. Similarly, 205 Opawa Road is being transferred to the Council at no cost, because of the need to create a right-of-way over this section to facilitate the disposal of the adjacent sections. The size of the remaining land is too small to be developed but is a useful adjunct to the Council's adjoining land.

5 Cont'd

15. No decision has been made by Ngai Tahu Properties Limited over 209 Opawa Road which bisects the Council's holding. If taken up by Ngai Tahu Properties Limited and subsequently offered by them to the Council, it would be seen as a strategic purchase and a delegation is sought to the Corporate Services Manager to acquire the land providing the purchase price is within 10% of valuation. The purchase of the land would dramatically increase the Council's return on the adjoining properties.
16. Until the outcome of the Council's offer back process is known, the extent of, and the number of properties that may be placed on the open market, cannot be determined. It is anticipated, however, that this will be clearer by April/May 2006 on completion of the offer back process. Given that as part of its budgetary provision the Council had approved in principle the disposal of the land to offset the overall cost of the project, a delegation to the Corporate Support Manger is being sought to approve the subsequent sale of the surplus properties provided they are within 10% of valuation. This will enable the Council to respond quickly to market forces.
17. At the present time strong enquiry has been received from persons interested in purchasing both the Living and Business zoned land. The Council's current policy is to dispose of its surplus property by the tender process. However, it is believed that in this instance a degree of flexibility is required to respond to the "market" in the most appropriate manner and to keep the Council's options open in the disposal of the land. In some instances it may be more appropriate to sell individual lots by private treaty at a fixed price, and in others, if the demand is high (which it is anticipated will be the case for the commercial land) then it may be more appropriate to sell the properties by auction. In such circumstances a delegation is sought for the Corporate Support Manager to determine the most appropriate method of sale, having due regard to the respective properties and the demand at the time.
18. The properties situated at 2 Kennedy Place and 255 Opawa Road are being retained by the Council as Local Purpose (Drainage) Reserves. A stormwater basin, appropriately landscaped, is to be created to capture the first flush of water before entering Curries Drain. The Transport and City Streets Unit will be reimbursed for the value of the land by the Greenspace Unit.

OPTIONS

19. In approving funding for the road, the Council approved the sale of the surplus land as a line item in the Transport and City Streets Capital Programme (Property Sales Output) with \$847,000 being budgeted in 2005/06 and \$600,000 in 2006/07. The sales therefore are in compliance with the objectives of disposing of the surplus land to offset the roading costs.

STAFF RECOMMENDATIONS

It is recommended that the Board recommend to the Council that:

- (a) The properties described in the following schedule be declared surplus:

Schedule I

Address	Legal Description	Size m2	Zoning	Offer back
203 Opawa Rd	Pt LOT 1 DP 302185 Pt LOT 1 DP 42482	1363	B4	No
207 Opawa Rd	LOT 1 DP 25293	403	B4	No
207a Opawa Rd	LOT 2 DP 25293	433	B4	Yes
211a Opawa Rd	LOT 2 DP 18748	912	B4	No
211 Opawa Rd	LOT 1 DP 18748	487	B4	No
213 Opawa Rd	LOT 1 DP 20219	1054	B4	No
239a Opawa Rd	LOT 1 DP 82941 LOT 3 DP 82941	655	B4	No
241 Opawa Rd	Pt LOT 8 DP 412	710	B4	Yes
243 Opawa Rd	Pt LOT 9 DP 412	710	B4	No

5 Cont'd

Address	Legal Description	Size m2	Zoning	Offer back
245 Opawa Rd	Pt LOT 10 DP 412	706	B4	No
247 Opawa Rd	Pt LOT 11 DP 412	709	B4	No
249 Opawa Rd	Pt LOT 12 DP 412	719	B4	Yes
251 Opawa Rd	Pt LOT 13 DP 412	566	B4	No
253 Opawa Rd	LOT 1 DP 25769	402	B4	Yes
2 Kennedy Pl	LOT 1 DP 22932 - To Greenspace			
255 Opawa Rd	Pt RS 91 (BM 312) - To Greenspace			
263/265 Opawa Rd	LOT 2 DP 35997	2226	L1	Yes
269 Opawa Rd	LOT 1 DP 19432	585	L1	Yes
269a Opawa Rd	LOT 15 DP 27317	137	L1	No
271 Opawa Rd	LOT 1 DP 13838	596	L1	Yes
273 Opawa Rd	LOT 2 DP 13838	596	L1	Yes
275 Opawa Rd	LOT 3 DP 13838	589	L1	Yes
277 Opawa Rd	LOT 4 DP 13838	574	L1	Yes
279 Opawa Rd	LOT 5 DP 13838	573	L1	Yes

- (b) Pursuant to Section 40(4) of the Public Works Act 1981, the properties be disposed of and the offer back process be followed.
- (c) Following completion of the offer back requirements, the Corporate Support Manager be delegated authority to dispose of the remaining properties at a price less than 10% lower than the valuation as assessed by an independent registered public valuer.
- (d) The Corporate Support Manager be delegated authority to determine the most appropriate method of sale of the surplus land, having due regard to the market situation at the time of disposal.
- (e) Should Ngai Tahu Properties Limited offer to sell 209 Opawa Road to the Council, the Corporate Support Manager be delegated authority to acquire it, provided the price is within 10% of valuation as assessed by an independent registered public valuer.
- (f) Pursuant to Section 52(4) of the Public Works Act 1981, the Council hereby resolves to set apart the land in the Schedule II hereto for a Local Purpose (Drainage) Reserve, subject to Section 23 of the Reserves Act 1977 and to remain vested in the Christchurch City Council.

Schedule II

All those parcels of land situated in the Canterbury Land Registry being part Lot 1, DP 22932, containing 328m² and being all of the land contained in Certificate of Title 3D/270, together with part Rural Section 91 containing 195 m² and being all of the land contained in Certificate of Title 378/231.

CHAIRPERSON'S RECOMMENDATION

That the staff recommendations be supported.

6. SUGDEN STREET – ACCESSWAY ISSUES

General Manager responsible:	General Manager, City Environment
Officer responsible:	Don Munro, Transport and City Streets Unit Manager
Author:	Patricia Su, Traffic Engineer DDI 941-6428

PURPOSE OF REPORT

- The purpose of this report is to seek the Board's approval to the installation of broken yellow "no stopping" lines on both sides of Sugden Street adjacent to the pedestrian/cyclist accessway (see **attached** plan).

6 Cont'd

EXECUTIVE SUMMARY

2. The Council has received a request from a resident concerning cars parked across the accessway which makes it difficult for cyclists to enter and exit as the cars obstruct the access to the cycle path.
3. The request has been investigated and no consultation with the public has been undertaken. The installation of the broken yellow "no stopping" lines in these locations will not be in front of any properties, and therefore would not adversely affect any short term or long term parking needs of the nearby residences. Benefits would, however, be gained by the neighbouring residences who use the walking/cycle path facility.
4. The installation of a broken yellow "no stopping" line on both sides of the road for a distance of 4 metres adjacent to the pedestrian/cyclist accessway is considered the most cost effective and practical solution to the problem.

FINANCIAL AND LEGAL CONSIDERATIONS

5. Cost is minimal and provided for in the Transport and City Streets Unit's operational budget.
6. Land Transport Rule, Road User 2004 provides for this.

STAFF RECOMMENDATIONS

It is recommended that the Community Board resolve that:

- (a) The stopping of vehicles be prohibited at any time on the northern side of Sugden Street, commencing at a point 225 metres from Coronation Street and extending in an easterly direction for a distance of 4 metres.
- (b) The stopping of vehicles be prohibited at any time on the southern side of Sugden Street, commencing at a point 228 metres from Coronation Street and extending in an easterly direction for a distance of 4 metres.

CHAIRPERSON'S RECOMMENDATION

That the staff recommendations be supported.

7. SELWYN STREET – PROPOSED 60 MINUTE PARKING RESTRICTION

General Manager responsible:	General Manager, City Environment
Officer responsible:	Don Munro, Transport and City Streets Unit Manager
Author:	Geoff McGregor/Jeff Owen, Traffic Engineers, DDI 941-8971

PURPOSE OF REPORT

1. The purpose of this report is to seek the Board's approval for the installation of a 60 minute parking restriction outside a small block of retail/commercial activities on Selwyn Street near the Ruskin, Burke and Ward Streets intersection (see attached plan).

EXECUTIVE SUMMARY

2. The Council has received a request from the manager of "Everybody's Butchery" for a 60 minute parking restriction adjacent to a small commercial/retail area on Selwyn Street. The businesses are located on both the eastern and western side of Selwyn Street in close proximity to the Ruskin, Burke and Ward Streets intersection. The request is a result of the frustration being experienced by some businesses at the parking of vehicles for prolonged periods, thereby reducing the available parking for customers of the shops.

7 Cont'd

3. The request has been investigated and observations reveal that there can be vehicles parked outside the butchery and the paint shop across the road for long periods of time. These vehicles often do not appear to be directly associated with the shops. It is likely that they could be staff vehicles from the kindergarten located immediately south of the butchery, but this cannot be confirmed.
4. The property owners and occupiers of those premises directly affected by the change have been informed and were asked to comment on the proposal. These were 351-363 and 364-378 Selwyn Street. Either written or verbal support was forthcoming from 351-363 and 374-378 Selwyn Street. The Kindergarten located at 364-366 Selwyn Street did not support the initial proposal which was to install the parking restriction as far as the boundary between 351-363 Selwyn Street and on the western side. Subsequent to discussions with the Kindergarten on the final proposal to install the parking restriction up to the boundary between 351-357, Selwyn Street was agreed upon.

FINANCIAL AND LEGAL CONSIDERATIONS

5. The costs of the changes are within existing budgets.
6. The Land Transport Rules provide for the installation of parking restrictions.

STAFF RECOMMENDATIONS

It is recommended that the Board resolve that the parking of vehicles be restricted to a maximum of 60 minutes between the hours of 8.00am – 6.00pm Mondays to Fridays at the following locations:

- (a) The west side of Selwyn Street, commencing at a point 8.6 metres north of the Ward Street intersection and extending in a northerly direction for a distance of 30 metres.
- (b) The east side of Selwyn Street, commencing at a point 16.2 metres north of the Ruskin Street intersection and extending in a northerly direction for a distance of 43.4 metres.

CHAIRPERSON'S RECOMMENDATION

That the staff recommendations be supported.

8. BOARD FUNDS UPDATE

Attached are schedules with up-to-date information regarding the Board's 2005/06 Project, Discretionary, SCAP and Youth Development Funds.

CHAIRPERSON'S RECOMMENDATION

That the information be received.

9. COMMUNITY BOARD PRINCIPAL ADVISER'S UPDATE

The Community Board Principal Adviser will update the Board on current issues.

10. BOARD MEMBERS' INFORMATION EXCHANGE

Board members will have an opportunity to provide updates on community activities/Council issues.

11. QUESTIONS FROM MEMBERS