



Christchurch City Council

HAGLEY/FERRYMEAD COMMUNITY BOARD AGENDA

10 MAY 2006

3.00 PM

IN THE BOARDROOM, LINWOOD SERVICE CENTRE
180 SMITH STREET

Community Board: Bob Todd (Chairperson), David Cox, Anna Crighton, John Freeman, Yani Johanson, Brenda Lowe-Johnson and Brendan Smith

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1. APOLOGIES

2. CONFIRMATION OF REPORTS

The reports of the ordinary meeting (both open and public excluded sections) held on Wednesday 26 April 2006 and the extraordinary meeting held on 1 May 2006 have been circulated to Board members.

CHAIRPERSON'S RECOMMENDATION

That the reports of the ordinary meeting (both open and public excluded sections) held on 26 April 2006 and the extraordinary meeting held on 1 May 2006 be confirmed.

3. CORRESPONDENCE

OUTDOOR MOVIE INITIATIVE

A letter was received from Neil Curtis, a teacher at Shirley Intermediate (see attachment). Mr Curtis compliments the Christchurch City Council and the Hagley/Ferrymead Community Board on the outdoor movie initiative.

10. 5. 2006

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4. COMMUNITY BOARD PRINCIPAL ADVISER'S UPDATE

2005/06 PROJECT AND DISCRETIONARY FUND

The schedule shows the allocations in the Board's Discretionary and Project Funds, since 1 July 2005. Schedule attached.

5. QUESTIONS FROM MEMBERS

Members may at any ordinary meeting put a question to the Chairperson concerning any matter relevant to the role or function of the Community Board concerning any matter that does not appear on the order paper. All questions are subject to Standing Orders 4.1.1 to 4.1.5.

6. DEPUTATIONS BY APPOINTMENT

7. SCARBOROUGH FARE RESTAURANT AND CAFÉ LEASE TENDER

General Manager responsible:	General Manager Corporate Services, DDI 941-8540
Officer responsible:	Acting Corporate Support Manager
Author:	Bill Morgan, Property Consultant

PURPOSE OF REPORT

1. The purpose of this report is to seek delegated authority from the Council to authorise the Corporate Support Manager to consider and accept an appropriate tender for the lease of the Scarborough Fare Restaurant and Café generally as outlined in this report. (See attachment).

EXECUTIVE SUMMARY

2. As the lease of the facility has expired tenders have been called in accordance with Council policy from interested parties to take a new lease of the facility with the closing date being 10 May 2006. In accordance with the tender conditions there is a requirement to accept a tender by 31 May 2006. Given the timeframes, delegation to do so is sought to the Corporate Support Manager following appropriate evaluation.
3. As possession of the facility is required to be given or taken by 14 June 2006, the date which the sitting tenant wishes to vacate the premises if its tender is unsuccessful, it is critical that the acceptance and handover dates be met to ensure there is a continuity of business.

FINANCIAL AND LEGAL CONSIDERATIONS

4. All of the costs associated with the proposed new lease of the facility together with the legal costs associated with the preparation and issue of a new lease will be borne by the successful tenderer. There are no issues for the Council to consider.

STAFF RECOMMENDATION

It is recommended that the Council approve a delegation to the Corporate Support Manager to accept a tender for the lease of the facilities known as Scarborough Fare Restaurant and Café generally as outlined in this report subject to an appropriate evaluation process being complied with.

The acceptance of any tender is conditional upon the Department of Conservation's consent being obtained to the granting of a lease, pursuant to Section 54(1)(d) of the Reserves Act 1976, on the terms and conditions outlined within the report.

CHAIRPERSON'S RECOMMENDATION

That the staff recommendation be adopted.

BACKGROUND

5. The Scarborough Fare and Restaurant and Café is located within Scarborough Park, which is held as a reserve for recreational purposes under the Reserves Act 1977. The facility has been operated as a café and restaurant for a considerable period of time with the current lease being issued in 1990 and expiring on 22 October 1995. Given the difficulties of marketing and letting the premises over the Christmas and holiday period the existing tenant has been allowed to continue in operation on a monthly basis.
6. Because strong interest has been expressed in leasing the facility, a decision was taken to offer the lease by tender to ensure fair competition in the market place.

TENDER DETAIL

7. The proposal calls for tenders to lease the existing facility together with a right to use the outside dining area. The lease offered is for a term of six years with a right of renewal for a further six years.
8. Tenderers are required to submit an annual base rent together with an annual percentage rent based upon the gross turnover per annum. The proposed lease provides that rent reviews will be undertaken every three years.
9. The uses permitted are prescribed as being a restaurant and catering business including (but not limited to) lunches, morning and afternoon teas and dinners. A public take-away service is also to be provided to beach patrons for the provisions of ice-creams and other refreshments.
10. The usual provisions are included regarding the standard lease requirements in terms of the tenants' obligations to maintain the facility to ensure compliance with the normal health and safety regulations as well as the usual provisions in relation to the assignment or subletting of the premises and arbitration.
11. The following information is required to be confirmed by all tenderers:
 - (a) Premises - A description and artist's impression of the alterations and any additions to the Premises proposed by the Tenderer together with a description of the fitout intended to be undertaken.
 - (b) Permitted Use - A description of the proposed business use including:
 - (i) A short business plan;
 - (ii) Details of the proposed menu and service style;
 - (iii) Days/hours of operation - Specify the proposed days of operation and hours of operation, identifying any seasonal variations;
 - (iv) Staffing - Confirm whether the tenderer intends to be an owner/operator and/or the extent to which staff will be employed;
 - (v) Quality Control - Provision for quality control measures and standards;
 - (vi) Marketing Strategy - Proposals for the marketing of the premises; and
 - (vii) Financial projections and cash flow forecast.
 - (c) HASIE plan - Provide a copy of the tenderer's proposed health and safety management plan (under the Health and Safety in Employment Act 1992) relating to the tenderer's business.
 - (d) Details of the tenderer's experience, financial resources, operational ability and expertise including:
 - (i) Full details of the tenderer's business experience;
 - (ii) The tenderer's financial backing (the Council would prefer to receive three years financial accounts but accepts that some tenderers may object to this on the grounds of commercial sensitivity and/or confidentiality. Alternative ways of satisfying this requirement should be discussed with the Council's agent before lodgement of the tenderer); and
 - (iii) Two (or more) referees, who can be contacted.

- (e) Details of preferred lease terms and conditions, including:
 - (i) Proposed rental and method of calculation; and
 - (ii) Details of any additions or alternatives to the proposed lease.

OPTIONS

12. Given that the existing facility is servicing the need in the area as well as providing light refreshment for those people using the beach and promenade, it is believed that the continued use of the facility for these purposes is essential.

8. YOUTH DEVELOPMENT FUND APPLICATION - JENNA HOLLAND

General Manager responsible:	General Manager Community Services, DDI 941-8534
Officer responsible:	Acting Community Support Manager
Author:	Claire Milne, Community Development Adviser

PURPOSE OF REPORT

1. The purpose of this report is to present an application to the Board for Youth Development Scheme funding.

EXECUTIVE SUMMARY

2. Jenna Holland is a 16 year old, non-hearing student, seeking funds to assist in attending a one year AFS (American Field Scholar) Exchange Programme departing in August 2006 and returning in July 2007.
3. This is the first time the applicant has approached the Board for funding support.

FINANCIAL AND LEGAL CONSIDERATIONS

4. There are no legal issues to be considered. The following table provides a breakdown of the funding requested:

Jenna Holland	
Expense	Cost (\$)
Airfare (return)	2,662.50
Comprehensive medical insurance	1,331.25
AFS United States administration including AFS support from a network or trained volunteers and staff.	5,325.00
AFS New Zealand and International Office fees- orientation pre and post exchange	1,331.25
Total Cost	\$10,650.00
Amount Raised by Applicant (not including spend monies)	300.00
Other Funding Raised	3,450.00
Amount Requested from Community Board	\$800.00

5. AFS is a registered charity. The national office of AFS in Wellington will ensure that all monies received are dedicated to Jenna Holland's Exchange and can provide documentation to enable the sponsor/funder to verify the use of these monies.
6. This application is eligible under the Council's Youth Development Scheme guidelines. It aligns with providing support or assistance to an individual aged 12-25 years under the educational and personal capacity building categories. The Board agreed at its meeting on 12 October 2005, to consider applications using these guidelines, on a case by case basis from Discretionary funding.
7. Currently there is a shortfall of \$6,900. At the point of report writing there has been indication of a further \$1,200 sponsorship to be confirmed in writing.

STAFF RECOMMENDATION

It is recommended that the Board allocate \$800 Youth Development Funding to Jenna Holland toward her AFS Exchange Programme opportunity.

CHAIRPERSON'S RECOMMENDATION

That the staff recommendation be adopted.

BACKGROUND

8. Jenna Holland lives in Woolston, attends Linwood High school and is affiliated with Van Asch Deaf Education Centre in Sumner. The school is supportive of her taking time away from her studies for this opportunity.
9. Jenna has been selected to go on a one year AFS (American Field Scholar) Exchange Programme in July/August 2006.
10. AFS has a history of volunteerism, exchange programmes proven to contribute to the development of cultural, educational and employment skills and values of programme participants.
11. Jenna is non-hearing and is from a total non-hearing family unit. Her family are keen to host a non-hearing student to show their appreciation for the support shown to Jenna, and the opportunity to be part of the AFS exchange programme.
12. A letter of support from AFS states, "Jenna has demonstrated that she possesses the qualities which are required of AFS participants. She will continue to be supported by AFS, through orientation sessions and chapter activities". During the course of background checking to process this application the CDA spoke to Claire Becker-Gledhill, from AFS, who could not speak highly enough of Jenna and the commitment of both her and her family to this process. This discussion confirmed that Jenna would benefit greatly from financial assistance and verified the efforts that Jenna has made to earn money toward this opportunity.
13. During discussion with Jenna and her mother on Thursday 6 April, they divulged that Jenna was travelling to Wellington the following day to perform the National Anthem, in New Zealand sign, as part of a submission to Parliament.
14. The total required funding of the trip is \$10,650 (not including spending money) and covers travel, educational, camping and medical fees. Jenna has currently raised \$3,450 from varying charitable trust funds, \$300 from a sausage sizzle at Jade Stadium, and is awaiting a response from three recent applications. Jenna is, and has been, working consistently to raise spending money for her year away. She currently cleans a motel on weekends and in the holidays, cleans a house once a week, delivers home care products three times a week, collects cans for recycling, sells fudge and performs babysitting twice weekly. Also, she held another sausage sizzle at Jade Stadium on 7 April.
15. Jenna has agreed to present to the Board on her return and consented to allow us to assist in obtaining a sign language interpreter should one be available.

9. STREET TREE REMOVAL - WAKEFIELD AVENUE

General Manager responsible:	General Manager, City Environment, DDI 941-8656
Officer responsible:	Greenspace Manager
Author:	Joanne Walton, Parks and Waterways Area Advocate Graham Clark, Arborist

PURPOSE OF REPORT

1. The purpose of this report is to seek Board approval for the removal of a street tree situated on the grass berm outside 34 Wakefield Avenue, Sumner, to enable the construction of a single vehicle access to a proposed multi-unit residential development. (See attachment).

EXECUTIVE SUMMARY

2. A request has been received from WJA Builders through their agents Middleton Williams & Co Ltd, and the Environmental Services Unit Linwood Area Development Team, for the removal of a street tree growing in the grass berm outside 34 Wakefield Avenue, Sumner.
3. The site is currently occupied by a building and car park for the Returned Servicemens' Association Sumner/Redcliffs Ltd. The applicant proposes to redevelop the site with eight new residential units, and the removal of the street tree will enable the construction of a new vehicle crossing to the site.
4. Resource consent (RMA20015053) for the construction of eight new residential units contained in one two-storied building with basement car parking was first applied for by the Returned Servicemens' Association Sumner/Redcliffs Ltd on November 2003, and granted 18 January 2005. A new resource consent application (RMA20022143), incorporating amendments to the building design, was subsequently lodged by WJA Builders on 15 February 2006, and is currently suspended.
5. The presence of this street tree was not indicated on either application and was first brought to the attention of the Greenspace Unit on 10 March 2006.
6. The applicants propose to redevelop the site with a single building containing eight two-storied residential units with basement car parking.
7. All vehicular access to the site will be via a single 4.6 metre wide entrance from Wakefield Avenue into a basement garage which is located in the south-east corner of the site. A cobblestone pathway separates the garage entrance from the boundary with the adjoining property to the south, making a total entrance width of 6.0 metres.
8. The tree is situated 4.5 metres from this boundary.
9. The proposed development will require a new vehicle crossing to be formed as the existing crossing is not in a suitable location for the design of the new complex. The position of the basement entrance to the rear south-east corner of the site enables the residential units to have outdoor living areas with access to sunlight on the northern side of the building. The positioning of the vehicle crossing to the south-east also preserves a section of stone wall that is part of the ANZAC Memorial Gates, dedicated 25 April 1947, situated across the north-east corner of the site.
10. There are also other street trees on the berm to the east of the existing crossing.
11. To alter the position of the basement entrance, and hence the new vehicle crossing, so that it is clear of this street tree would require a major alteration to the engineering design of the building.
12. Arborists from the Greenspace Unit have assessed the tree as follows:

Species: Prunus x Kanzan
 Hybrid: yedoensis x serrulata purpurascens
 Common Name: Flowering Cherry
 Height: 3.5 metres
 Crown spread: 2.3 metres

13. The tree is in excellent condition, with a good canopy structure and is showing vigorous growth. It is free from major structural defects and is of a size currently that would allow for transplantation. There is no arboricultural reason for its removal.
14. There are very few quality trees located along Wakefield Avenue at present and the loss of this tree will reduce the amenity value of the street to some degree.
15. The species, condition and size lend themselves to the prediction of a successful transplantation should that option be chosen. However, the current location of the tree under the electricity supply lines and above the water main is not ideal as these factors would add significantly to the cost element and risk to infrastructure if relocation is to be carried out. Relocation costs are estimated to be in the region of \$1,800 (GST exclusive) due to the fact that power and water services will be affected by the operation should it be undertaken.
16. If the existing tree is removed, there are several potential planting positions located around the immediate vicinity of 34 Wakefield Avenue for the planting of a replacement tree. Greenspace Unit arborists have calculated the cost of the removal of the tree in question and the provision of a replacement tree, including planting and establishment costs, to be \$1,027.86 (GST exclusive). This does not include the costs of removal of the existing accessway and reconstruction of the berm.
17. The applicant's agent has indicated that the applicant accepts that a replacement tree will need to be planted on the berm.
18. To create a potential replanting site and improve the general landscape amenity of the berm, the original vehicle crossing will need to be returned to grass berm once a new vehicle crossing is constructed. This would include the removal of the sealed surface and sub-surface of the crossing, installing kerbing, soil and grass to the Christchurch City Council standards and specifications. It is understood that this will be undertaken under the resource and building consent process.

FINANCIAL AND LEGAL CONSIDERATIONS

19. Funding for the tree removal and replacement planting, including full reinstatement of the berm, will be met by the owner of the property as part of the new vehicle crossing construction.
20. All tree work will be carried out by a Council approved contractor with the appropriate health and safety and work site management controls in place.
21. The tree is not listed as protected under the provisions of the Christchurch City Plan therefore resource consent is not required for this work.
22. Resource and building consents for the development have been applied for and are currently suspended pending further information.
23. A separate vehicle crossing permit will be required and it is understood that this is yet to be applied for.

STAFF RECOMMENDATIONS

It is recommended that the Board approve Option C:

1. That the flowering cherry tree located outside 34 Wakefield Avenue be removed, and replacement planting with a new tree be undertaken to Christchurch City Council standards, the species and location of the new tree to be determined by a Greenspace arborist.
2. That the applicant pay the full cost of removing the existing tree, and of providing and planting the replacement tree.

CHAIRPERSON'S RECOMMENDATION

That the staff recommendation be adopted.

OPTIONS

24. There are three options:

- (A) Do nothing/maintain the status quo and decline the request to remove the tree.

This is not considered a viable option as it would leave the Council exposed to a charge of being unreasonable or obstructive to access to the new development.

- (B) Decline the request to remove the tree but allow for the transplanting of the tree.

The species, condition and size of the tree lend themselves to the prediction of a successful transplantation. However the current location of the tree in relation to electricity and water services would add significantly to the cost element and risk to infrastructure if relocation is to be carried out. Taking into account the tree's age and location in relation to services, this option is not considered feasible from a financial perspective, and is therefore not recommended.

- (C) Approve the removal of the tree and the planting of a replacement tree, with the applicant meeting full costs.

This option will provide the simplest, cheapest and quickest solution. The planting of a replacement tree, in conjunction with the removal and replanting of the original vehicle crossing, will mitigate the effects of removal of the tree and improve the general landscape appearance of the streetscape. It is suggested that work on the removal of the tree does not commence until all other consents, including resource and building consents, and vehicle crossing permits, are granted, and work has begun on the development.

PREFERRED OPTION

25. The preferred option is Option C.

Under this option, the proposed course of action would be as follows:

- (a) Removal of the street tree (including stump/roots).
- (b) Replacement planting with a new tree to Christchurch City Council standards. The species and location for the new tree shall be determined in liaison with a Greenspace arborist.

10. CHURCH OF THE GOOD SHEPHERD PROJECT

General Manager responsible:	General Manager Regulation and Democracy Services, DDI 941-8549
Officer responsible:	Secretariat Manager
Author:	Clare Sullivan, Community Board Principal Adviser

PURPOSE OF REPORT

1. The purpose of this report is for the Board to consider options for the \$2,500 allocated to the Church of the Good Shepherd project.

EXECUTIVE SUMMARY

2. On 1 April 2005 the Board approved its Project and Discretionary Fund allocations for 2005/06. One of the projects the Board approved was \$2,500 for the Church of the Good Shepherd project. The grant was requested to help establish and initiate a project such as the Friends of the Church of the Good Shepherd to start restoring the church in Phillipstown (Phillips Street). While the request noted the possibility of the project occurring be done under the Phillipstown Community Centre Charitable Trust alongside the Phillipstown Strengthening Community Project, this has not been confirmed with either group.
3. At the time the staff recommendation was that Community Engagement staff facilitate an investigation of the project's viability.
4. The Board decided to fund \$2,500.
5. The church is still owned and run by the Anglican Diocese. They have the overall responsibility for the church.
6. Information from Yani Johanson notes that as at 20 March there have been two meetings of interested parties and stakeholders. A decision has been made to establish the Phillipstown Heritage Trust (modelled on the successful Sydenham Heritage Trust that was set up to save the Sydenham Church) to act as the mechanism for the delivery of heritage provision and protection of the Church of the Good Shepherd. A larger public meeting is to be held within the next two months to formalise a constitution and representation arrangements on the Trust.
7. It is staff understanding however that at the moment there is no partnership/agreement with the Anglican Church nor with the Phillipstown Community Centre Charitable trust.
8. Staff are of the view that in light of the fact that the church still own and are responsible for the church the \$2,500 will not be able to be spend by 30 June 2006 and should therefore be transferred to the Board's Discretionary Fund.

FINANCIAL AND LEGAL CONSIDERATIONS

9. There is currently no legal entity to dispose the funds to. Once such a group is formed the group may apply for funding to be considered.

STAFF RECOMMENDATIONS

It is recommended that the Board return the \$2,500 to its Discretionary Fund for reallocation.

CHAIRPERSON'S RECOMMENDATIONS

That the staff recommendation be adopted.