



## Christchurch City Council

# BURWOOD/PEGASUS COMMUNITY BOARD AGENDA NO 244

WEDNESDAY 1 NOVEMBER 2006

5.00 PM

IN THE BOARDROOM,  
CNR BERESFORD AND UNION STREETS  
NEW BRIGHTON

**Community Board:** Glenda Burt (Chairperson), Carole Evans, Carmen Hammond, Caroline Kellaway, Tina Lomax, Don Rowlands, Gail Sheriff

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**PART A - MATTERS REQUIRING A COUNCIL DECISION**

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**1. APOLOGIES**

**2. CONFIRMATION OF REPORT**

The report of the ordinary meeting of the Burwood/Pegasus Community Board held on Wednesday 18 October 2006 has been circulated to Board members.

**STAFF RECOMMENDATION**

That the report of the ordinary meeting held on Wednesday 18 October 2006 be confirmed.

**3. PETITIONS**

**4. CORRESPONDENCE**

**4.1 YOUTH DEVELOPMENT FUND RECIPIENT**

The **attached** letter was received from Jayden Richards, who received Youth Development funding of \$250, which allowed him to attend a soccer tournament in Australia.

**4.2 ECO-VILLAGE**

The following letter was received from Jane Quigley regarding developing an eco-village in Christchurch:

*"I'm contacting you regarding the recent contact our group, Ngaio Eco-Neighbourhood, has had with the CCC in respect to the declining of all tenders for purchase of the land at 80 Owles Tce.*

*Our group wishes to talk further with the Council as I understand there has been a recommendation to consider an eco-village on an area of land set aside for further development. I have sought information on the size of this area and understand it to be 10,398m<sup>2</sup>. This area as it is would be too small for sustainable eco-village in the sense that we had planned. We do note however that as the planned development site is now to become a riverside park would it be possible to use the area that is playing fields as an eco-village development incorporating playing fields into three areas that is now being considered for a reserve.*

*If this is not possible our group is keen to talk further with Council regarding seeking land for the purpose of developing an eco-village in Christchurch."*

**5. DEPUTATIONS BY APPOINTMENT**

**6. RESIDENTS' ASSOCIATIONS/COMMUNITY GROUPS**

Time is allocated at Board meetings for Residents' Association/Community Group representatives to address the Board on local matters. Each group is being invited to do this in rotation.

**7. ASSIGNMENT OF LEASE - WATERFRONT CAFÉ, PIER TERMINUS**

|                                     |  |
|-------------------------------------|--|
| <b>General Manager responsible:</b> | General Manager Community Services, DDI 941-8534 |
| <b>Officer responsible:</b>         | Community Support Unit Manager                   |
| <b>Author:</b>                      | Lewis Burn, Property Consultant                  |

**PURPOSE OF REPORT**

1. The purpose of this report is to seek the Board's recommendation to Council to consent as landlord to the assignment of a Deed of Lease from Waterfront Holdings Limited to Ollivers SDC Limited.

**EXECUTIVE SUMMARY**

2. The Council is obliged to consent to the assignment of the lease subject to fulfilment of the conditions under the assignment clause, refer background section of this report.
3. The current tenant, Waterfront Holdings Limited (Directors, Dr John Cook and Sally Cook), have fulfilled the assignment conditions of the lease (subject only to signing a deed of assignment) and therefore consent to the assignment of the lease cannot be arbitrarily or unreasonably withheld.
4. The prospective purchaser, Ollivers SDC Limited, is the trading entity used by Jason Ian Olliver and Karen Marie Whalley, the sole Directors and Shareholders, who will become the guarantors on assignment of the lease.

**FINANCIAL AND LEGAL CONSIDERATIONS**

5. The Board does not have delegated authority to give the consent of Council such a decision needs to be made by the full Council. The Board does however have recommendatory powers to the Council.
6. The lease premises are situated within the Pier Terminus Building, which is sited on land held by Council under the provisions of the Local Government Act 2002. The Pier Terminus Building function has impact on users across the city and is in the category of a metropolitan facility.

**STAFF RECOMMENDATION**

That the Board recommend that the Council approve the consent to the assignment of the Deed of Lease for the Waterfront café situated within the Pier Terminus Building from Waterfront Holdings Limited to Ollivers SDC Limited subject to:

- (a) A deed of assignment and guarantee in customary form being signed by the parties.
- (b) That the vendor and purchaser meet all costs of the assignment of the lease as agreed between the parties.

**BACKGROUND ON ASSIGNMENT OF LEASE - WATERFRONT CAFÉ, PIER TERMINUS**

7. An agreement for sale and purchase has been entered into between the parties for sale of the café business with settlement and possession to be given on 27 November 2006 subject to Council consent. Clause 36.1 of the lease provides that the Council shall give that consent if certain conditions are satisfied. These conditions in the main provide for the landlord being satisfied as to the proposed assignee's character, financial resources and that there is no breach of lease conditions. A deed of assignment to the satisfaction of the Council is also to be signed between the parties. The information provided to Council has satisfied these conditions. A customary deed of assignment and deed of guarantee is to be executed by the principal shareholders of the assignee company.
8. The prospective new owners, Jason Ian Oliver and Karen Maree Whalley will be purchasing the business outright in the name of their Company, Ollivers SDC Limited without initial resort to borrowing and will run the business on the basis of an owner operator with part time staff. A change of name of the Company is being contemplated by the purchaser but this will not be a change in the structure, effective management or control of the company.
9. The current term of the lease is for six years from 17 December 2005 with one further term of six years to finally expire 16 December 2017. The lease rent is reviewable at two yearly intervals with the next review due 17 December 2007. There are no outstanding payments due under the lease.

**OPTIONS**

10. N/A

**PREFERRED OPTION**

11. N/A

## 8. CHARACTER HOUSING MAINTENANCE GRANTS

|                                     |   |
|-------------------------------------|---|
| <b>General Manager responsible:</b> | General Manager Strategy and Planning, DDI 941-8177 |
| <b>Officer responsible:</b>         | Liveable City Programme Manager                     |
| <b>Author:</b>                      | Katie Smith, Neighbourhood Planner                  |

### PURPOSE OF REPORT

1. The purpose of the report is to put before the Board those applications for Character Housing Maintenance Grants that have been received by Council for funding in the 2006/07 financial year for properties located within the Burwood/Pegasus Ward.

### EXECUTIVE SUMMARY

2. At its meeting on 4 May 2006 the Council adopted guidelines and associated procedures for the processing and administration of applications for Character Housing Maintenance Grants.
3. Under the policy and guidelines approved by the Council applications for grants are to be reported back to the relevant Board, who will then make recommendations to the Character Housing Grants Panel to will make the final decision on grant applications.
4. The Character Housing Grants Panel will consist of a representative from each Board, and Strategy and Planning Group staff will provide specific heritage, urban design and neighbourhood planning advice to assist the panel in its decision-making.
5. This report puts forward those eligible applications received for Character Housing Maintenance Grants that fall within this Board area for consideration by the members of the Board. A summary sheet for each application is attached as **Appendix A**. Details and photographs as submitted in each application will be displayed at the Board meeting.
6. Four Character Housing Maintenance Grant applications have been received for the Burwood/Pegasus Community Board, three applications have been assessed as eligible for consideration the other application is incomplete.
7. Board members are to assess applications with regard to their local knowledge and the criteria set out in the Character Housing Maintenance Grants Policy (attached as **Appendix B**) and recommend those applications they consider suitable for a grant to be forwarded to the Character Housing Grants Panel. To assist in the decision-making process for each application a list of criteria together with a weighting structure has been attached as **Appendix C**. The Boards are to consider the merits of each application whilst the Character Grants Panel will consider the level of funding for each application.

### FINANCIAL AND LEGAL CONSIDERATIONS

8. There are no financial implications as the financing of the Character Housing Maintenance Grants has already been approved by the Council and the funds set aside in the 2006-2016 LTCCP for this year and the following three years.

### STAFF RECOMMENDATIONS

It is recommended that the Board:

1. Receive this information.
2. Consider the Character Housing Maintenance Grant applications as set out in **Appendix A**.
3. Recommend those applications they wish the Character Housing Grants Panel to consider for a grant.

## 9. BEXLEY RESERVE PLAYGROUND DEVELOPMENT

|                                     |  |
|-------------------------------------|--|
| <b>General Manager responsible:</b> | General Manager City Environment, DDI 941-8656   |
| <b>Officer responsible:</b>         | Transport and Greenspace Manager                 |
| <b>Author:</b>                      | Kim Swarbrick, Parks and Waterways Area Advocate |

### PURPOSE OF REPORT

1. The purpose of this report is to confirm Board support for the plan of Bexley Reserve Playground following community consultation.

### EXECUTIVE SUMMARY

2. Bexley Reserve is an important site being rehabilitated to create a high value Greenspace asset for the local community. Each year another capital project is completed as a step towards implementing the Master Plan concept developed in 1992. So far projects have all concentrated on tidying up the reserve front area. The next step (2007/08 financial year) will be tidying and landscaping the Knights Pond area.
3. Whilst there is a proposal on the Master Plan to install a theme playground there is currently no play equipment on site. The area designated for a theme playground is yet to have the ground prepared and is not programmed for another 10 years. However, the recent availability of the disestablished New Brighton play equipment has created the opportunity to upgrade and repaint this equipment and offer the use of it at Bexley Reserve.
4. Council staff initially met with the Bexley Residents' Association and Board members to gain an understanding of whether it would be considered appropriate, or not, to relocate this equipment to Bexley Reserve. The concept received unanimous support so a location was sought for maximum safety and consultation undertaken.
5. A preliminary development plan was circulated to key stakeholders in August 2006 to obtain feedback on its design. The final plan, which is **attached** to this report, aims to reflect the views of the community and has been refined in response to community feedback.

### FINANCIAL AND LEGAL CONSIDERATIONS

6. There is \$20,000 available in the Greenspace 2006/07 financial year to implement the playground. Whilst this is not a significant amount, obtaining the play equipment recently removed from New Brighton has made the provision of Bexley playground achievable. The play equipment will be re-painted and renovated before installation.

### STAFF RECOMMENDATION

It is recommended that the Board approve option (b) to accept the Bexley Reserve Playground Development Plan.

## **BACKGROUND**

7. A public information leaflet seeking responses on the preliminary plan was distributed to residents and key stakeholder groups in August 2006. Residents were asked to indicate their acceptance/non-acceptance of the plan and were given the option to comment. In total, 63 response forms have been received from the 400 consultation packages delivered.
  - 94% Accept the proposed plan (59)
  - 3% Do not accept the proposed plan (2)
  - 3% Did not indicate a preference (2)
8. A number of suggestions and comments were made that have been considered and where appropriate integrated into the design.
9. A copy of the final plan will be circulated to residents and key stakeholder groups prior to the construction date.

## **OPTIONS**

10. There are two possible options:
  - (a) Do nothing or status quo. This option is not practical as Transport and Greenspace Unit sees merit in offering a playground facility. Especially when there is equipment available and no other playground provision would be available for many years.
  - (b) Accept the Bexley Playground Development Plan with its minor changes to the original plan in recognition of residents' feedback.

## **PREFERRED OPTION**

11. To adopt option (b) and accept the Bexley Playground Development Plan. Thus providing community with a valuable asset that would otherwise be unavailable for many years.



**10. COLLINGWOOD STREET/OWLES TERRACE PROPOSED “GIVE WAY” CONTROL**

|                                     |   |
|-------------------------------------|---|
| <b>General Manager responsible:</b> | General Manager City Environment, DDI 941-8656            |
| <b>Officer responsible:</b>         | Transport and Greenspace Manager                          |
| <b>Author:</b>                      | Geoff McGregor/Malcolm Taylor - Area Engineer (Community) |

**PURPOSE OF REPORT**

1. The purpose of this report is to seek the Board's approval for the installation of a “Give Way” control against Collingwood Street at the Owles Terrace intersection (see **attached** plan).

**EXECUTIVE SUMMARY**

2. The intersection of Collingwood Street and Owles Terrace is essentially an uncontrolled “T” junction with the normal “*give way to the right*” rule applying. The Council has been approached by a local resident with concerns in relation to visibility at the intersection.
3. Whilst there have been no reported crashes at this intersection within the last ten years, there are perceived safety issues relating to visibility. Visibility of southbound traffic on Owles Terrace from the Collingwood Street intersection is perceived to be significantly reduced due to a slight bend in Owles Terrace north of the Collingwood Street intersection. However, the intersection does comply with the recommended approach site distances as indicated in *Austroads Part 5 – Intersections at Grade*. In addition, as it currently exists the intersection lacks delineation and vehicles are inclined to cut across the intersection when turning right into Collingwood Street from Owles Terrace.

Owles Terrace is classified as a Minor Arterial Route in the City Plan whilst Collingwood Street is classified as a Local Road.

4. It is worth noting that the Beresford Street/Owles Terrace intersection, which is a similar layout and is situated approximately 300 metres to the north of this intersection is “Give Way” controlled.
5. The preferred option to address the corner cutting issue and improve the perception of road safety is the installation of a “Give Way” sign against Collingwood Street at the Owles Terrace intersection. This would require all vehicles exiting Collingwood Street to give way to all vehicles on Owles Terrace.
6. There is adequate visibility such that this method of control is considered appropriate. This option would help resolve any issues relating to confusion and corner cutting and will be cost effective. The visibility available will allow for the safe operation of the intersection resulting in only the minimum number of stops necessary. This will produce a safer and more efficient intersection.

**FINANCIAL AND LEGAL CONSIDERATIONS****Cost**

7. Sign and markings are provided for within existing budgets.

**Legal Considerations**

8. The Land Transport Rules provide for the installation of “Give Way” controls.

**STAFF RECOMMENDATION**

It is recommended that the Board approve the installation of a “Give Way” control against Collingwood Street at the Owles Terrace intersection.

**11. LONSDALE STREET/SHAW AVENUE - PROPOSED "NO STOPPING" RESTRICTION**

|                                     |  |
|-------------------------------------|--|
| <b>General Manager responsible:</b> | General Manager City Environment, DDI 941-8656         |
| <b>Officer responsible:</b>         | Transport and Greenspace Manager                       |
| <b>Author:</b>                      | Paul Burden/Malcolm Taylor - Area Engineer (Community) |

**PURPOSE OF REPORT**

1. The purpose of this report is to seek the Board's approval to install four sections of broken yellow "no stopping" lines on Lonsdale Street at the Shaw Avenue intersection and four sections of broken yellow "no stopping" lines on Shaw Avenue at the Lonsdale Street intersection (refer attached).

**EXECUTIVE SUMMARY**

2. The Council has received complaints from road users regarding safety and visibility problems at the Lonsdale Street/Shaw Avenue intersection. Concerns have been raised regarding the presence of vehicles parked on the north and south side of Lonsdale Street west of the Shaw Avenue intersection and the west side of Shaw Avenue immediately north of the Lonsdale Street intersection.
3. The New Brighton Catholic School is located on Lonsdale Street west of the Lonsdale Street/Shaw Avenue intersection. Observations have shown that during the period 2.40-3.10 pm Monday to Friday (school days) there is congestion caused by parents waiting to collect their children. Available on-street car parking spaces are limited during this time resulting in vehicles being parked too close to the intersection resulting in safety and visibility problems.
4. Currently there are no restrictions or controls present on the Lonsdale Street/Shaw Avenue intersection. The area is residential and complaints have been made to both the Council and the school regarding the issue.
5. To improve road safety and visibility for road users it is proposed that eight lengths of broken yellow "no stopping" lines be installed at the Lonsdale Street/Shaw Avenue intersection. This is considered the most cost-effective and practical solution to the problem.
6. Consultation has been carried out with the school and affected residents in the area and support has been forthcoming with one exception. The resident located at 154 Shaw Avenue has expressed concern over losing on-street parking in front of his property on both Lonsdale Street and Shaw Avenue. However, this property has adequate car parking off-street and the benefits to road safety are considered to outweigh the loss of kerbside parking.

**FINANCIAL AND LEGAL CONSIDERATIONS****Cost**

7. The installation of road markings is within operational budgets.

**Legal**

8. The Land Transport Rules provide for the installation of parking restrictions including broken yellow (no stopping) lines.

**STAFF RECOMMENDATIONS**

It is recommended that the Board approve that the stopping of vehicles be prohibited at any time in the following areas:

- (a) The northern side of Lonsdale Street commencing at the Shaw Avenue intersection and extending in a westerly direction for a distance of 19.5 metres.
- (b) The southern side of Lonsdale Street commencing at the Shaw Avenue intersection and extending in a westerly direction for a distance of 12 metres.
- (c) The northern side of Lonsdale Street commencing at the Shaw Avenue intersection and extending in an easterly direction for a distance of 10 metres.

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- (d) The southern side of Lonsdale Street commencing at the Shaw Avenue intersection and extending in an easterly direction for a distance of 10 metres.
- (e) The eastern side of Shaw Avenue commencing at the Lonsdale Street intersection and extending in an northerly direction for a distance of 9 metres.
- (f) The western side of Shaw Avenue commencing at the Lonsdale Street intersection and extending in an northerly direction for a distance of 22 metres.
- (g) The eastern side of Shaw Avenue commencing at the Lonsdale Street intersection and extending in a southerly direction for a distance of 12.8 metres.
- (h) The western side of Shaw Avenue commencing at the Lonsdale Street intersection and extending in a southerly direction for a distance of 10 metres.

## **12. COMMUNITY BOARD PRINCIPAL ADVISER'S UPDATE**

### **12.1 NOTICE OF UPCOMING BOARD REPORTS**

- Horseshoe Lake Dog Park
- New Brighton Road Bus Stop

### **12.2 DRAFT COMMUNITY DEVELOPMENT STRATEGY**

The Council has been working on the Community Development Strategy to provide a framework which will guide the Council's future contribution to community development in this city. As part of the Strategy's development, the Council has also been reviewing its community group grants and the Council's future role in providing community facilities.

It is expected that the draft Community Development Strategy will be released for public consultation following its adoption by Council on 2 November 2006. Comments on the draft Strategy will close on 22 December 2006.

As part of the public consultation process, a series of workshops (**attached**) will be held throughout the city to present the core principles guiding the draft Strategy.

Following consideration of all submissions and comments, the draft Strategy will be revised and presented to Council for adoption in February 2007.

### **12.3 CSR UPDATE (June to October 2006)**

**Attached.**

### **12.4 2007 COMMUNITY BOARD CONFERENCE AND BEST PRACTICE AWARDS**

A request has been received for Boards who are involved in a programme or project that they believe displays a high degree of excellence, to enter for a Best Practice Award (see **attached** information). Entries to be received by 5 April 2007.

## **13. NOTICES OF MOTION UNDER STANDING ORDERS 2.16**

## **14. QUESTIONS UNDER STANDING ORDERS 4.1**

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.

## **15. BOARD MEMBERS' INFORMATION EXCHANGE**

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