

9. STRUCTURE ON STREET APPLICATION FOR 13 THE SPUR (NAYLAND STREET)

General Manager responsible:	General Manager City Environment, DDI 941-8656
Officer responsible:	Transport and Greenspace Unit Manager
Author:	Tony Lange, Asset Engineer

PURPOSE OF REPORT

1. The purpose of this report is to seek approval from the Board to erect structures on street at 13 The Spur (Nayland Street).

EXECUTIVE SUMMARY

2. A structure on street application for a new garage and cableway compound sited on legal road has been made by a representative of the owners (see **attached** plan).
3. Staff have assessed the siting of the structures against the Structure on Street Policy and have deemed that the structures will have minimal effect of the function of the road now and in the future.
4. The owner has obtained consent from the adjoining landowners for the location of the garage in front of their property and the cableway that runs parallel to their properties.
5. The proposed garage structure and cableway compound will be constructed with a stone facing with roof planting (see cross section on **attached** plan). This will mitigate the loss of a mature Ngaio tree.
6. Approval to erect the structures will require the removal of a ngaio tree. A Council arborist has inspected the tree and while the tree is in good health there is a potential issue relating to the growth angle of the tree and its root structure with the rock wall (see **attached** memo).
7. It is recommended that the Board seek a contribution from the owner for the cost of a replacement tree to be sited close by. The cost of a suitable replacement tree is \$250 excluding GST.

FINANCIAL AND LEGAL CONSIDERATIONS

8. Community Boards have been delegated authority to approve structure on street applications for garages and parking platforms.
9. The application is subject to compliance with other Council requirements, ie resource and building consents.
10. The owner is responsible for the cost to relocate any services.
11. A Deed of Licence fee for the occupation of legal road will accrue to the Council.

STAFF RECOMMENDATIONS

It is recommended that the Board:

- (a) Approve the application for the structures located on legal road adjoining 13 The Spur (Nayland Street) subject to the following conditions:
 - Resource and building consents being obtained.
 - The owner being entirely responsible for the stability, safety and future maintenance of the bank, driveway and formation work associated with the structure.
 - The site being kept in a tidy condition at all times during the course of construction.
- (b) Enter into a Deed of Licence for the proposed single garage and cableway compound with the owner of 13 The Spur (Nayland Street).
- (c) Approve the removal of the Ngaio tree.
- (d) Recover costs from the owner of \$250 excluding GST for a replacement tree.

CHAIRPERSON'S RECOMMENDATION

For discussion.

BACKGROUND

12. The owners of 13 The Spur (Nayland Street) have made a structure on street application to erect a new single garage and cableway compound located on legal road (see **attached** plan).
13. The Structure on Street Policy states that when considering the application the Council must be satisfied that:
 - Safety of all road users is not compromised.
 - Legal right of access is maintained for individual property owners.
 - The applicant is unable to construct the structure on his or her land because of the nature of the terrain.
 - The proposal is consistent with the City Plan objectives on property access and parking requirements.
 - The road environment is not unduly compromised with the presence of the structure.
 - The visual intrusion to the streetscape will have minimal effect to road users. (road users include pedestrians, cyclists and other commuters).
14. Staff have assessed the location of the structures in terms of road status and any future plans for network growth. Nayland Street is classified as a local road. A road with this classification typically carries up to 1,000 vehicles per day and has a carriageway width of between 7.5 and 14 metres in width. The current width of the carriageway at this location is 8.8 metres. There are no future plans which require the carriageway to be widened in this location.
15. The topography of the site is such that there is little likelihood that any further widening will occur where the proposed garage is sited (see **attached** photos).
16. The proposed site consists of trees and vegetation. A mature Ngaio tree that occupies the site is of significance and will need to be removed to allow for the proposed structures. However, the design of the structures will mitigate the loss of the tree. The proposed structures will have stone facings and roof planting for the garage.
17. There are a number of existing structures located on Nayland Street that provide off street parking for residents of The Spur. An existing cableway operates in Nayland Street (see photos). On street parking demand will be eased by the owners request to provide off street parking.

OPTIONS

18. To decline the application.
19. To approve the application subject to the following conditions:
 - Deed of Licence being entered into with the Council.
 - Resource and building consents being obtained.
 - The owner being entirely responsible for the stability, safety and future maintenance of the bank, driveway and formation work associated with the structure.
 - The site being kept in a tidy condition at all times during the course of construction.
 - Maintaining clear access for pedestrians.
 - Recover costs for a replacement tree.

PREFERRED OPTION

20. To approve the application subject to approval for other consents and relocation of services (if required) as listed in paragraph 19.