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Christchurch City Council

SHIRLEY/PAPANUI COMMUNITY BOARD AGENDA

WEDNESDAY 1 AUGUST 2007

AT 4.00 PM

IN THE BOARDROOM, PAPANUI SERVICE CENTRE, CNR LANGDONS ROAD AND RESTELL STREET

Community Board: Yvonne Palmer (Chairperson), Myra Barry (Deputy Chairperson), Ngaire Button, Bill Bush, Graham Condon, Megan Evans, Norm Withers.

Community Board Principal Adviser
Phone 941 6701

Acting Community Board Secretary
Janet MacDougall
Phone 941 6726
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PART A - MATTERS REQUIRING A COUNCIL DECISION
PART B - REPORTS FOR INFORMATION
PART C - DELEGATED DECISIONS

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1. APOLOGIES

2. CONFIRMATION OF REPORT – BOARD MEETING 18 JULY 2007

The report of the ordinary meeting of 18 July 2007 is circulated.

CHAIRPERSON'S RECOMMENDATION

That the report of the Board's ordinary meeting of 18 July 2007 be confirmed as a true and accurate record.

3. GOOD NEIGHBOUR AWARD

3.1 Mr Keith Hardwick, 39 Prestons Road

For many years Mr Hardwick has made a valuable contribution to the Redwood area. Now in his early 80's he has been mowing lawns and tending gardens for residents in the neighbourhood for the past 10 years Mr Hardwick is one of those rare people who is prepared to help out others without expectation or financial reward. Such contact with the people in the area is part of the glue that holds neighbours and the community together.

4. DEPUTATIONS BY APPOINTMENT

4.1 Ann Kennedy

Ann Kennedy will address the Board on her experiences and perspectives having recently attended the 2007 Community Boards' Conference in Auckland.

4.2 Jennifer Dalziel of 60 Chancellor Street

Jennifer Dalziel will address the Board on her concerns regarding the growth of trees in the Shirley Community Centre bordering on the Play centre area.

5. PETITIONS

Nil.

6. NORTHWOOD FOUNTAIN/SCULPTURE REDESIGN

General Manager responsible:	General Manager City Environment Group DDI 941-8656
Officer responsible:	Manager Transport and Greenspace
Author:	Mary Hay, Consultation Leader and Maria Adamski, Parks and Waterways Contract Manager Premier Parks

PURPOSE OF REPORT

1. The purpose of this report is to:

   (a) seek the support of the Shirley/Papanui Community Board to remove the water component of the Nor' West Arch;

   (b) seek the approval of the Council to remove the water component of the Nor' West Arch;

   (c) subject to Council approval of the removal of the fountain's water component, to seek approval from the Shirley/Papanui Community Board for the replacement landscaping in the water race.

6. contd.

EXECUTIVE SUMMARY

2. The Northwood fountain is located at the entrance to Northwood in a traffic island, which is intersected by Northwood Boulevard, O'Neill Avenue and Mounter Avenue. The fountain is part of a sculpture known as the Nor' West Arch, which was designed by John Marsh, for R D Hughes, the developer of the Northwood subdivision.

3. Since mid 2005 the local Northwood Residents' Association has been responsible for the maintenance of the fountain. However, in recent times, there have been some ongoing issues with the maintenance of the fountain, which requires a high level of service to maintain it appropriately. The Residents' Association, at its AGM held in March 2007, voted to discontinue the maintenance of the fountain and asked that it be decommissioned as a water feature.

4. In May/June 2007, the local community was consulted about a proposal that replaced the water with boulders. There was strong support for the proposal to change to the fountain's current use as a water feature into a passive sculpture. (see **attachment 1**)

Feedback	Number of responses	Percentage of responses
"Yes, I support the redesign of the fountain/sculpture"	389	82%
"No, I do not support the redesign of the fountain/sculpture"	82	17%
Position not indicated	5	1%

5. Given that a number of residents raised concerns about the proposed redesign of the fountain, these comments have been considered and the concept will be amended to reflect community views, where possible.

6. The designer has developed two new alternatives to the initial concept, while keeping to the original intent of the design, which was supported by the vast majority of submitters. The three options are outline below and included as **attachment 3**.

   Option 1 - replaces the water with riverstone. This makes only a very subtle change to the existing picture by removing the water and replacing it with more riverstone to conceal the concrete weir structures. The Nor' West Arch/Canterbury Plains theme is essentially retained intact. This option is the cheapest and was proposed in the consultation. Cost approximately $8,000.

   Option 2 - replaces the water with the softer textures of planting. Plants proposed are Phormium 'Pepe' – a dwarf green flax and Chionochloa flavicans – a dwarf snow tussock with Toe toe like plumes. These will give a green textural contrast to the green Hebe ground covers behind, with their spikey or grass like foliage. The creamy plumes on the snow tussock will give some seasonal change to the planting as they are very 'showy' when they first appear. Riverstone would be used as mulch beneath these plants. Cost approximately $18,000.

   Option 3 - is a combination of the above options incorporating Chionochloa flavicans and the riverstone boulders. Cost approximately $11,000.

7. The preferred concept is Option 3 the combination of plantings and riverstone boulders (refer to **attachment 3** - Option 3 'The Preferred Option'). This option is only moderately more expensive than the option that was proposed to the community and responds to the call for more plantings and/or colour within the sculpture, while maintaining the well supported braided river theme. This solution is in keeping with the original intent of the design and will have minimal requirements in terms of ongoing maintenance.

8. If the removal of the water component of the Nor' West Arch is approved by Council, and the redesign includes planting, then it is expected that work will be coordinated around the next planting season. Work would proceed around April 2008.

6. contd.

FINANCIAL IMPLICATIONS

9. The funding from council is being provided from the Transport and Greenspace Capital Programme and operational budget. Specifically:

- $11,000 Transport and Greenspace Capital Programme (2007/08) 542/1178/2/8 Landscaping renewals.

- $700 Annual Operation budget 561/123/9 Fountains, Clocks and Statues.

Do the Recommendations of this Report Align with 2006-16 LTCCP budgets?

10. Yes. Funding is provided from within the Transport and Greenspace Capital Programme in the 2006-16 LTCCP and the Transport and Greenspace operational budget.

LEGAL CONSIDERATIONS

11. Advice was sought from the Legal Service Unit about the appropriate delegations for the decommissioning and redesign of the Northwood fountain. This issue was researched and it was found that none of the delegations specifically refer to a power to redesign structures already erected on roads. However, it is likely that a power to erect or construct also implies a power to repair or reconstruct that same thing, and therefore any delegation of such a power would also include that implication.

12. The approval by the Council for the erection of the fountain on the traffic island followed the approval for the traffic island as part of the subdivision consent. This, and the fact there are no conditions, is confirmed by the report to Council, which was adopted by the Council on 19 April 2000 without amendment. The actual recommendation adopted by the Council on 19 April 2000 was:

"1. That the concept of the construction of the architectural feature on a legal road be endorsed.
2. That care be taken that the water feature be well designed to reduce the need for maintenance in the future.
3. That the developers be congratulated for the proposal to enhance the round-about in this way."

Relevant legislation

Roads

1. Under the Local Government Act 1974 the Council's powers, in relation to roads, includes section 319, which provides:

"The council shall have power in respect of roads to do the following things:
*(a) To **construct, upgrade, and repair all roads** with such materials and in such manner as the council thinks fit:*
(b) Repealed.
(c) To lay out new roads:
*(d) **To divert or alter the course of any road**:…"*

2. Sections 333(1) and 334(1) have more specific powers, as follows:

"333…
(1) The council may on any road construct, erect, or grow thereon or remove therefrom such barriers, dividing strips, guiding or sign posts, pillars or other markers, trees, hedges, lawns, gardens, and other devices as are, in the opinion of the council, necessary for separating, guiding, or warning traffic, intercepting glare, or for any other purpose."

"334 …
(1) The council may—
(a) Construct and enclose any part of a road as a pedestrian safety area:

6. contd.

(b) Lay out or plant grass plots or flower beds or trees on any road, and prohibit traffic, in whole or in part, on any such plots and flower beds laid out in roads (whether laid out before or after the commencement of this Part of this Act) by or under the authority of the council:
(c) Erect on any road a monument, statue, or other such erection:
(d) Construct or provide on, over, or under any road facilities for the safety, health, or convenience of the public, or for the control of traffic or the enforcement of traffic laws:

***Provided that** no such construction, erection, laying out, or planting shall be carried out, unless **in the opinion of the council the construction, erection**, laying out, or planting **will not unduly impede vehicular traffic entering or using the road** (not being a road or part of a road that has been declared a pedestrian mall under section 336)."*

3. The Land Transport Rule 54002: Traffic Control Devices 2004 defines a roundabout as "an intersection with 1 or more marked lanes or lines of traffic, all of which are for the use of vehicles travelling in a clockwise direction around a central traffic island" and traffic island means "a defined area within a roadway, which may be flush with the roadway or raised, and from which vehicular traffic is intended to be excluded."

4. Section 7 of the Land Transport Rule 54002: Traffic Control Devices 2004 contains provisions specific to traffic islands:

"7.7 Traffic islands

7.7(1) A road controlling authority may provide a traffic island to:

(a) channel traffic;

(b) provide protection for pedestrians, cyclists or other road users crossing a road;

(c) give advance warning of an intersection to approaching traffic;

(d) provide for, and protect, traffic control devices;

(e) prevent undesirable or unnecessary traffic movements.

Raised traffic islands

7.7(2) When providing a raised traffic island, a road controlling authority must:

(a) install, on the traffic island, reflectorised traffic signs complying with section 4 that the road controlling authority considers are necessary to guide drivers around the traffic island; and

(b) place markings or delineators on the roadway beside the traffic island to inform drivers of the presence and extent of the traffic island.

7.7(3) ***A raised traffic island must not have permanent growth, a traffic control device or other object placed on it (unless the device or object is protected) that presents a hazard to road users."***

13. The decision maker for the redesign of the fountain, as a structure that was erected on legal road under the powers in section 334(1), is the Council.

14. The Council has delegated the power to approve the design of landscape plans on roads to Community Boards.

15. The safety considerations in section 7 of the Land Transport Rule 54002: Traffic Control Devices 2004, and the proviso in section 334(1), will need to be taken into consideration in the redesign of the fountain.

6. Contd.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

16. **LTCCP 2006-2016**

Parks, Open Spaces and Waterways – Page 123

Environment – By offering opportunities for people to contribute to projects that improve our city's environment.

Governance – By involving people in decision-making about Parks, open spaces and waterways

Streets and transport – Page 151

City Development – By providing a well-designed, efficient transport system and attractive street landscapes

ALIGNMENT WITH STRATEGIES

17. Registration and Maintenance of Statues, Fountains, Clocks, Memorials and Other Public Artworks and Structures Policy.

CONSULTATION FULFILMENT

18. Extensive consultation has been undertaken will the local community via a letterbox drop and comment form to the local community. (see **attachment 2**) In addition the original developer, sculpture and landscape designer, the Transport and Greenspace Unit and Councils Arts Advisor have been consulted.

STAFF RECOMMENDATIONS

It is recommended:

(a) That the Shirley/Papanui Community Board support recommending to the Council, the removal of the water component of the Nor' West Arch

(b) That the Shirley/Papanui Community Board, subject to Council approval for the removal of the water component of the Nor' West Arch, approve a combination of plantings and riverstone boulders in the fountain's water race. (refer to **attachment 3** - Option 3 'The Preferred Option')

(c) That the Council approve the removal of the water component of the Nor' West Arch.

CHAIRPERSON'S RECOMMENDATION

That the staff recommendation be adopted.

6. contd.

BACKGROUND

19. The Nor' West Arch provides a significant 'sculptural' landmark at the entrance to the community. The original sculpture was designed as a stand alone concrete structure with the green back drop of poplars and the sky. The addition of the water element, in the form of the in the relatively passive 'water race', provided a sense of movement and light. The Nor' West Arch/Canterbury plains theme behind the concept was embellished by riverstones around the 'waters edge' in reference to braided rivers. The various elements of the composition draw inspiration from the Canterbury climate, the alluvial shingle fans that lie beneath the plains, the water races that sustain production and the shelter belts that previously criss-crossed the site providing shelter from the nor' west winds.

20. Water is recycled by pumping from the lower ponds back to the top ponds. The ponds are an element that requires ongoing maintenance to ensure water quality is kept at satisfactory levels to prevent algae growth. To do this efficiently, in a closed system such as this, it requires similar monitoring, chemical dosing and filtering, to that of a small swimming pool. Where these resources are not available, the water will become contaminated putting the pumping system under stress, which in turn needs further maintenance and monitoring. The level of maintenance carried out at present, in addition to the inability to chemically dose, is not sufficient for the sculpture to operate in a clean, presentable and fully functional way.

21. Since mid 2005 the local Northwood Residents' Association have been responsible for the maintenance of the fountain. However, in more recent times, there have been some ongoing issues with the maintenance of the fountain, which requires a high level of service to maintain it appropriately. The Residents' Association, at its AGM held in March 2007, voted to discontinue the maintenance of the fountain and asked that it be decommissioned as a water feature.

22. Given that the fountain is located within a larger sculpture, it is possible to remove the water component, while retaining the original intention of the work by highlighting its sculptural elements. An alternative design for the Nor' West arch, which includes replacing the water with boulders, has been drafted by the sculpture's architect. In this design the water is an implied element, as it is replaced by river stones, which are always associated with water and braided rivers. Visually this proposal is not significantly different from the present sculpture/fountain, without the water. Practically, this proposal would involve turning off the water supply, draining out the water and filling the ponds with river stones. The electrical outlet would remain because this is used annually for Christmas lights.

23. In May/June 2007 a letter was distributed to approximately 1560 residences and key stakeholders. This letter included a summary of the concept, an artist's impression of the proposal (refer **attachment 1**) and a feedback form, asking whether they supported the decommissioning of the water feature and the proposal to replace the water with river stones. The purpose of this consultation was to determine whether the community supported the option of removing the water component of the Nor' West arch and determining acceptable landscaping to replace the water. Therefore a design proposal that replaced the water with boulders was drafted by the sculpture's architect and presented to the community.

24. There was a very strong response to this request for feedback with the receipt of 476 responses, which is a 31% response rate. There was strong support for the proposal to change to the fountain's current use as a water feature into a passive sculpture.

Feedback	Number of responses	Percentage of responses
"Yes, I support the redesign of the fountain/sculpture"	389	82%
"No, I do not support the redesign of the fountain/sculpture"	82	17%
Position not indicated	5	1%

6. contd.

25. Community feedback was generally very positive about the proposed redesign of the Northwood fountain/sculpture. While comment on the proposed redesign was not specifically sought as part of this consultation, a number of submitters (42) did offer feedback on the design (refer consultation feedback in **attachment 2**). Half of the comments that were provided sought an amended design, predominantly suggesting the inclusion of plantings or more colour. The following issues were raised by the community:

    - amended design (flowers/colour, plantings, less stones, tiles)
    - vandalism (loose boulders)
    - waste of money (should not come out of rates)
    - query cost of decommissioning
    - keep water in fountain
    - conserve water (need more flow in the Kaputone Stream)
    - remove sculpture
    - query name of fountain
    - maintenance issues

26. Given that a number of residents raised concerns about the proposed redesign of the fountain, these comments have been considered and the concept will be amended to reflect community views, where possible.

27. As a result of the public consultation, the Northwood Residents' Association advised that a number of residents had expressed concern regarding the 'blandness' of the proposed design and sought more colour in the area. In terms of the design they felt that further planting of grasses and natives would not add to the impact of the entrance way and suggested flower beds or flowering shrubs such as Camellias. The results of the public consultation run by the City Council indicate that only eight submitters specifically sought flowers or colour planting and one respondent specifically asked that flowers not be included in the design. The vast majority of submitters (76%) supported the design, as proposed. However, as a number of submitters sought changes to the design, the request for colour will be considered alongside other community feedback and project constraints, such as budget, design and maintenance requirements.

28. The maintenance issues that have been raised will be considered by the maintenance team. In particular, consideration has been given to the potential hazard raised by using unattached boulders in the redesign. The boulders in the existing sculpture are not fixed. There has been some disturbance of these by vandals, who have removed them and put them in the water race. This is expected to diminish with the removal of the water component. The sculpture is located on a highly visible roundabout, which is not designed for recreation and it not a legitimate space to be used by the public. Reporting by local residents to the police and/or Council staff would be the best way of combating these problems.

29. A number of submitters queried the cost of decommissioning. An approximate breakdown of the cost of the original proposal, to replace the water with riverstones, is included below.

    - Decommissioning of plant/drainage $1500
    - Remove/replace/ transport riverstones $3000
    - Remediate site $2500
    - Administration $1000

30. Feedback was also sought from the original developer of the site, RD Hughes. The view of the developer was that they were disappointed to see their attempts to create a point of difference in landscaping design removed by a Local Authority. However they also noted that "*if it is was an overwhelming vote by the Northwood Residents' Association to replace the water with river stone there is little left for the developers to say."* The developer also noted that the annual $15,000 maintenance cost was not significant in relation to the rating revenue taken by Council.

6. contd.

31. In response to the advice supplied by Legal Service Unit, consideration was given to the need for a new safety audit of the traffic island. However it was determined by the Asset Policy Engineer that an additional safety audit was not required due to there being no change in the physical shape of the island and minimal impact to traffic.

32. The designer has developed two new alternatives to the initial concept, while keeping to the original intent of the design, the braided river theme, which was supported by the vast majority of submitters. The three options are outlined below and included as **attachment 3**. The suggested options for replacing the water race are both restrained in character to allow the Nor' West Arch to remain the dominant element, while adding a 'quiet' textural contrast to the setting.

Option 1 - replaces the water with riverstone.

33. This makes only a very subtle change to the existing picture by removing the water and replacing it with more riverstone to conceal concrete weir structures. The Nor' West Arch/Canterbury Plains theme is essentially retained intact. This option is the cheapest and was proposed in the consultation. Cost approximately $8,000.

Option 2 - replaces the water with the softer textures of planting.

34. Plants proposed are Phormium 'Pepe' – a dwarf green flax and Chionochloa flavicans – a dwarf snow tussock with Toe Toe like plumes. These will give a green textural contrast to the green Hebe ground covers behind, with their spikey or grass like foliage. The creamy plumes on the snow tussock will give some seasonal change to the planting as they are very 'showy' when they first appear. Riverstone would be used as mulch beneath these plants. Cost approx $18,000.

Option 3 – Combination of the above

35. Is a combination of the above options incorporating Chionochloa flavicans and the riverstone boulders. Cost approximately $11,000.

PREFERRED OPTION

Option 3

36. The preferred concept is Option 3 the combination of plantings and riverstone boulders (refer to **attachment 3** - Option 3 'The Preferred Option'). This option is only moderately more expensive than the option that was proposed to the community and responds to the call for more plantings and/or colour within the sculpture, while maintaining the well supported braided river theme. This solution is in keeping with the original intent of the design and will have minimal requirements in terms of ongoing maintenance.

37. If the removal of the water component of the Nor' West Arch is approved by Council, and the redesign includes planting, then it is expected that work will be coordinated around the next planting season. Work would proceed around April 2008.

7. NOTICES OF MOTION

8. CUSTOMER SERVICE REQUEST REPORT - JULY 2007

See **attached** for information.

9. UPDATE OF BOARD FUNDS

Schedules detailing the Board's 2007/2008 Discretionary, SCAP, Youth Development and Sport and Recreation Funds are **attached** for the Board's information.

STAFF RECOMMENDATION

That the information be received.

CHAIRPERSON'S RECOMMENDATION

That the staff recommendation be adopted.

10. UPDATE FROM COMMUNITY BOARD PRINCIPAL ADVISER

10.1 Current Issues

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

10.2 Police Act Review – Board Submission

Retrospective approval is requested to adopt a Board submission on the review of the Police Act.

11. UPDATE ON TRANSPORT ISSUES

Peter McDonald, Senior Liaison with Transport and Greenspace will verbally update the Board on current and past issues.

12. CORRESPONDENCE

- Dennis Hills, email regarding the Heritage Awards process.
- Blair and Leah Brady, email on the proposed extension of the No 11 Styx Mill bus service.
- Blair and Leah Brady and others, copy of submission to Environment Canterbury stating reasons against the proposed extension of the No 11 Styx mill bus route.
- Denise Falconer, email regarding extension of cycle track that terminates at Northcote Road.
- Denise Falconer, email on bike access route from Northwood to Regent's Park.
- Registration for Small Enterprise Conference 2007.

13. CHAIRPERSON'S AND BOARD MEMBERS' INFORMATION EXCHANGE

Board members will be provided with an opportunity to give an update on community issues/activities.

14. MEMBERS' QUESTIONS (If any have been submitted in accordance with Standing Orders 4.1.1 to 4.1.5)