



## Christchurch City Council

# HAGLEY/FERRYMEAD COMMUNITY BOARD AGENDA

14 FEBRUARY 2007

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 report of the Recess Emergency Committee meeting held on Wednesday 24 January 2007 has been circulated to Board members.

**CHAIRPERSON'S RECOMMENDATION**

That the report of the Recess Emergency Committee meeting held on Wednesday 24 January 2007 be confirmed.

**3. CORRESPONDENCE**

**4. COMMUNITY BOARD PRINCIPAL ADVISER'S UPDATE**

**4.1 CSR UPDATE SEPTEMBER-JANUARY 2007**

**Attached** for the information of members is a time series showing details of customer service requests for the period September-January 2007 for the Hagley/Ferrymead Community Board.

**4.2 UPDATE COMMUNITY ENGAGEMENT ADVISER**

Paula McGill, Community Engagement Adviser, will provide a brief update on current Engagement Team projects.

**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**

**6.1 INNER CITY WEST NEIGHBOURHOOD ASSOCIATION INC**

As decided at the 20 December 2006 meeting of the Board, speaking rights have been granted to the Inner City West Neighbourhood Association Inc in respect to the report on Chester Street West one way street proposal and changes to the existing 10 minute parking restriction.

## 7. CHESTER STREET WEST – ONE-WAY STREET PROPOSAL AND CHANGES TO EXISTING 10 MINUTE PARKING RESTRICTION

<b>General Manager responsible:</b>	General Manager City Environment, DDI 941-8656
<b>Officer responsible:</b>	Manager Transport and Greenspace
<b>Author:</b>	Barry Cook, Network Operations and Traffic Systems Team Leader Paul Burden, Traffic Engineer

### PURPOSE OF REPORT

1. The purpose of this report is to inform the Board of the findings of the investigation into the possible conversion of part of Chester Street West (Park Terrace to Cranmer Square) to a one-way street and to seek the Board's approval to change the operative days of the existing 10 minute parking restriction in Chester Street West.

### EXECUTIVE SUMMARY

2. At the request of the Board the Transport and Greenspace Unit commissioned an investigation into the possible conversion of part of Chester Street West between Park Terrace and Cranmer Square to a one-way street. The proposal was aimed at mitigating the current problems of car parking shortages and congestion that occur during peak student arrival and departure periods associated with the Cathedral Grammar School. This investigation was carried out by Streets in Sync Ltd (refer Report "Chester Street West – One Way Street", **Attachment 1**) and examined the advantages, disadvantage and operational issues associated with this concept including the following:
  - The existing traffic environment including current traffic volumes, capacity, safety and parking.
  - The existing travel patterns associated with the main traffic generator in the street being The Cathedral Grammar School.
  - The application of one-way street scenarios including any advantages and/or disadvantages over the current situation.
3. The Streets in Sync Ltd report concludes that creating a short length of one way street in Chester Street together with 45° angle parking will result in a small number of additional car parking spaces, but will not help the congestion. It is likely to create other problems and could reduce safety.
4. However, there is a need to resolve the discrepancies between the 'pedestrian mall' signs and the parking signs so that they both operate on 'school days only'.
5. This report was presented to the 20 December 2006 meeting of the Board. Consideration of the report was delayed to allow the Inner City West Neighbourhood Association the opportunity to consider it and make a deputation to a February meeting of the Board on this matter if it so wished.

### FINANCIAL AND LEGAL CONSIDERATIONS

#### Cost

6. Installation of signs, markings and posts is within existing budgets.

#### Legal

7. The Land Transport Rules provide for the installation of parking restrictions.

### STAFF RECOMMENDATIONS

That the Board resolve:

- (a) To receive the information in this report and attached documentation and agree not to pursue the option of creating a 'one way' section of Chester Street between Park Terrace and Cranmer Square.

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- (b) That the parking of vehicles be limited to 10 minutes maximum, 8.00-9.30 am and 2.00–4.00 pm, Monday to Friday, School Days Only on the north side of Chester Street West from a point 39 metres east of the Park Terrace intersection and extending in an easterly direction for a distance of 88 metres.
- (c) That the parking of vehicles be limited to 10 minutes maximum, 8.00–9.30 am and 2.00–4.00 pm, Monday to Fridays, School Days Only on the south side of Chester Street West from a point 39 metres east of the Park Terrace intersection and extending in an easterly direction for a distance of 66.5 metres.

**CHAIRPERSON'S RECOMMENDATION**

For discussion.

**BACKGROUND**

7. In May 2005 the Council was approached by the Cathedral Grammar School with a request to provide additional short term parking for student drop off/pick up on the western side of Cranmer Square outside the Junior and Preschool. Ultimately this request was not supported by the Board, however, the Board did request that converting the street to function in a "one-way" fashion be investigated to mitigate the current problems of car parking shortages and congestion that occurs during peak arrival and departure periods. This investigation was carried out in April 2006 by Streets in Sync Ltd (Report "Chester Street West – One Way Street") and examined the advantages, disadvantage and operational issues associated with this concept.
8. Chester Street West is classified as a "local" road in the City Plan. Traffic volumes are modest and generally the street performs its intended function of providing access. For a portion of the school day the majority of the street becomes a "Pedestrian Mall" and is closed to vehicular traffic (between 9.30 am–2.00 pm, Monday to Friday, School Days Only). During peak arrival and departure times, however, there is a much greater vehicle activity resulting in car parking shortages and congestion.
9. A number of possible scenarios regarding the conversion to a one-way street were considered including making the street either one-way east bound or one-way west bound over the entire length of the street or between the existing gates (refer Options, paragraphs 14/15/16).
10. Currently the present situation is resulting in car parking shortages and congestion problems around the peak student arrival and departure periods. Parking and occupancy surveys conducted during the investigation revealed that the general parking capacity of the street (outside the two peaks) was seldom exceeded, however, of note was the occurrence of illegal parking. Observations revealed that parking illegally seemed to be preferred over searching for a legal space once the street reached high occupancy levels. This is attributed to the perception when entering the street that there are no legal spaces available and the inconvenience associated with searching for a space amidst congested traffic conditions. The most common occurrence of illegal parking was "double parking" within the gated area. In operational terms this caused very few problems and enabled more vehicles to congregate in this area. Motorists tended to double park on one or both sides of the road but due to the ample roadway width a single traffic lane was generally available for other vehicles to progress along the street at slow speeds. The threat to the safety of children walking between the parked vehicles was significantly mitigated by the very low operating speeds of traffic caused by the congested conditions and single functioning traffic lane.
11. Advantages of converting Chester Street West to a one-way street include the potential to optimise the number of car parking spaces within the gated area where the roadway width is wide enough to accommodate 45° parking. This would produce an increase of approximately 8 spaces above the existing parallel parking situation. While increasing the number of spaces appears advantageous it is important to consider that the 45° car parking design also relieves the likelihood of double parking. This is because the design confines the useable through traffic lane and stopping in the aisle would effectively block any through traffic movement. From a road safety perspective this is positive, however, there is no evidence from the survey data in the Report that suggest double parking in the present layout poses a significant threat to the current level of road safety. The 45° angle parking does, however, introduce a further safety issue regarding motorist exiting the parking spaces reversing into the traffic flow and threatening the safety of pedestrians crossing the road, particularly small children who may be difficult to see by motorists.
12. No formal consultation was conducted while investigating this proposal, however, informal discussions with parents and staff revealed little support for a one-way street option. While most conceded that the current situation was not "ideal" it was accepted that the periods of intense activity were reasonably short lived and that vehicle speeds were low.
13. The report concludes that any advantages resulting from converting Chester Street West to a one-way street are limited to a minor increase in the capacity of complying car parking spaces. However, this needs to be balanced by the fact that the efficiencies of the parking in general will not increase and that vehicle speeds may well increase. Also a significant number of existing vehicle trips would be disrupted regardless of which direction of flow is favoured, however, a west bound one-way flow would produce greater disadvantages associated with right turns onto Park Terrace. In this situation parents are likely to favour Cranmer Square for dropping

off/picking up children resulting in a migration of the illegal parking and general congestion. This will have a greater impact on the wider community. The congestion in Chester Street generally only affects drivers who are dropping off or picking up students at Cathedral Grammar.

14. As a result the report recommends that the status quo remain. However, should a one-way operation proceed then it is important that it only applies over the gated section which will allow the balance of road space at either end of the street to be used for manoeuvring including drop off and pick up. Maintaining the status quo with respect to the car parking layout is also recommended as the current situation provides greater flexibility for motorists entering the street and looking for a car parking space. Conversion to 45° parking may create greater congestion as motorists block the central aisle waiting for vehicles to reverse out of spaces and is generally not a very adaptable design for periods of very intense parking.
15. Currently a 10 minute parking restriction (8.00–9.30 am and 2.00–4.00 pm, Monday to Friday) is operative within the gated area and on the north side of Chester Street West between the eastern gates and the Cranmer Square intersection. On street parking on the south side of Chester Street West between the eastern gates and the Cranmer Square intersection is currently unrestricted and is typically full with commuter parking throughout much of the day. On street parking between the western gates and the Park Terrace intersection is restricted to 30 minutes. The “*Pedestrian Mall*” in Chester Street West is operative between 9.30 am–2.00 pm, Monday to Friday, School Days Only. School staff have expressed concern over the ambiguous wording of the 10 minute parking restriction compared with the wording of the “*Pedestrian Mall*”; the Pedestrian Mall is operative Monday to Friday, School Days Only, however, the P10 restriction is operative Monday to Friday and is **not currently restricted to school days**. Visitors to the school on non “*school days*” have assumed the restriction only applied on “*school days*” and have been issued with infringement notices.
16. This situation can be resolved through the existing 10 minute parking restriction being changed so that it is operative on “*School Days Only*” and therefore is consistent with the “*Pedestrian Mall*” restriction eliminating the possibility of confusion.

#### OPTIONS

17. One-way west bound – this option was not favoured in the report (“Chester Street West – One Way Street) as it would result in disruption to the most number of vehicle movements. Access from the north would become circuitous in that motorists would be required to travel further south along Park Terrace before turning left into Armagh Street, left into Cranmer Square then left into Chester Street. All north bound vehicles departing Chester Street West would either have to turn right onto Park Terrace (already difficult) or travel a circuitous route involving a left turn onto Park Terrace, left onto Armagh, left onto Cranmer Square, left onto Kilmore Street before turning right onto Park Terrace through the traffic signals. This situation is likely to result in parents of school pupils choosing to park and/or drop children in Cranmer Square and Park Terrace rather than enter Chester Street West itself. Also when the gates are shut having the one-way situation apply to the entire length would effectively “trap” motorists from entering from either end.
18. One-way east bound – with reference to the survey results in the Report most trips involved vehicles travelling the entire length of Chester Street West in an east bound direction. This option would therefore disrupt the least number of vehicle movements, with no increase in travel distance for any approach or departure route and would reinforce the “loop” circuit utilising Kilmore Street for departure to the north. However, motorists arriving and departing from the east may choose to travel further along either Armagh or Kilmore Streets before turning into Park Terrace and Chester Street West. The alternative is to turn from either Kilmore Street or Armagh Street into Cranmer Square and then attempt to park in Cranmer Square where there are seldom any vacant spaces due to commuter parking. This may result in higher levels of illegal parking and manoeuvring. In this situation it is more likely that the forecast increase in activity will extend further into Cranmer Square causing congestion over a much broader areas that that which currently occurs. Also when the gates are shut having the one-way situation apply to the entire length would effectively “trap” motorists from entering from either end.
19. One-way within the gated area only – this option would allow motorists to utilise the end sections of Chester Street West (between the gated areas and the Park Terrace and Cranmer Square intersections). These sections between the gates and the intersections are likely to be focal points for vehicle activity under a one-way scenario. Some motorists are likely to choose not to

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enter the street and will drop off/pick up and attempt to park at either end of the street in preference of being required to enter and exit the street by a particular direction. It follows that the intersections will experience a greater concentration of vehicle activity. The accommodation of this activity would be assisted if motorists were able to utilise the end sections of Chester Street West in both directions thereby assisting turning and manoeuvring.

## 8. ST ASAPH STREET - PROPOSED EXTENSION OF P120 PARKING AREA TO INCLUDE TWO MOBILITY SPACES

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

### PURPOSE OF REPORT

1. The purpose of this report is to seek the approval of the Board to extend the current P120 parking restriction on the north side of St Asaph Street, immediately west of the Antigua Street intersection to include two mobility spaces.

### EXECUTIVE SUMMARY

2. Currently on-street parking on the north side of St Asaph Street between Antigua Street and Hagley Avenue is restricted to two hours. The two spaces immediately east of this restriction are unrestricted mobility spaces.
3. Frequent users of the Christchurch Hospital facilities, which these two mobility spaces service have reported concerns to the Council that on the majority of occasions the spaces are occupied by the same vehicles on a permanent basis. This results in disabled people having to park further from the facilities sometimes as far away as Hagley Avenue. A high demand for on street parking exists in the area.
4. St Asaph Street is classified as a "local" road in the City Plan and is located in a commercial/ light industrial area of the city with conflicting demands for on-street parking. The Christchurch City Council's Parking Strategy ranks short term private vehicle parking as having a higher priority than commuter parking in these situations.
5. The extension of the P120 parking restriction to include the two mobility spaces is considered the most cost effective and practicable solution, see **Attachment 1**.
6. The only property directly affected contains a number of departments servicing the Christchurch Hospital and support was forthcoming from Rachael Caddell, Canterbury District Health Board Support Services Manager who speaks on behalf of all departments and is responsible for such issues.

### FINANCIAL AND LEGAL CONSIDERATIONS

#### Cost

7. Installation of signs and posts is within existing budgets.

#### Legal

8. The Land Transport Rules provide for the installation of parking restrictions.

### STAFF RECOMMENDATIONS

It is recommended that the Board agree that:

- (a) The parking of vehicles is limited to 120 minutes maximum on the northern side of St Asaph Street commencing at a point 37 metres west of the Antigua Street intersection and extending 12.5 metres in a westerly direction.

### CHAIRPERSON'S RECOMMENDATION

That the staff recommendation be adopted.

## 9. TREE REMOVAL - 44 BAY VIEW ROAD, MONCKS BAY

<b>General Manager responsible:</b>	General Manager City Environment, DDI 941-8656
<b>Officer responsible:</b>	Manager Transport and Greenspace
<b>Author:</b>	Graham Clark, Arborist

**PURPOSE OF REPORT**

1. The purpose of this report is to seek approval for the removal of a large red flowering gum (*Eucalyptus ficifolia*). There are now two reasons for the removal request, the first being as per the original Board report of 11 October 2006 for the purpose of installation of a new vehicle crossing and the second being that following pruning for electrical services clearance the tree will no longer provide significant amenity value and replacement with an alternate tree would significantly improve the amenity value of the street as a whole.

**EXECUTIVE SUMMARY**

2. The executive summary detailed in the attached original Board report for the removal of this tree remains applicable to this report, see extract below:

***“EXECUTIVE SUMMARY - REPORT 11 OCTOBER 2006***

2. *In June 2006 Clifton Stemmer (then property owner) approached the Council with a request to remove the red flowering gum tree on the berm at 44 Bay View Road to allow a new vehicle crossing to be constructed. Since the approach was made the property has been sold on to Sally MacDonald and Alan Butts who are redeveloping the property and also require the removal of the red flowering gum to facilitate their project.*
3. *The proposed new vehicle crossing location for the new dwelling and garage directly conflicts with the location of the street tree.*
4. *Building consent for the construction of a new dwelling with attached garage and associated vehicle crossing was applied for on 7 July 2006 and granted by Council on 3 August 2006. The trees on the berm were not identified by the applicant on the design plans submitted.*
5. *The red flowering gum has good vigour and vitality, is of large size (approximately 7.4 metres in height with a canopy spread of 6.6 metres) and moderate form. The tree is situated mid-way across the grass berm in front of the property and contributes to the amenity of the street landscape (photos attached).*
6. *Following a site inspection it was discovered that the tree in question will require significant pruning in order to achieve electrical line clearance from the powerlines located directly above the tree (canopy of the tree currently encapsulates the service lines). This pruning will seriously affect the aesthetic appearance of the tree. If the tree is retained there will be significant future costs associated with ensuring overhead services clearance is maintained.*
7. *Should the removal be approved in principal by the Community Board, staff would like to replace the lost amenity value of the removed tree by planting a replacement pohutukawa tree close to the existing tree.*
8. *Adjacent and opposite neighbours will be notified prior to any work taking place.*
9. *This case does highlight a problem in the building/resource consent process in that the position of street trees are not always considered in relation to the building layout on the site and in particular the alignment of the garage and driveway crossing that is likely to affect them. Consent for buildings and driveway crossings may therefore be granted without having regard to the tree. The ability of community boards to make decisions under their delegated authority on the removal/retention of street trees is therefore pre-empted and/or compromised by these initial consents.*

10. *The whole process is, however, currently being investigated by the Units concerned with a view to establishing a procedure that ensures that the preservation of existing street trees is considered from an early planning stage. It is proposed that the accurate position of street trees will be shown by any applicant/developer on all consent applications and plans. At this early stage, every reasonable effort will be made by the Council, in consultation with the developer, to position a driveway sufficiently clear of an affected tree and to construct it in a manner that ensures the tree's preservation in a safe and healthy condition. If this is not possible for some reason, any proposal to remove a street tree will still be subject to "Council" approval along with any conditions under the appropriate delegation."*
3. Since the original report was submitted Council have received and actioned a Cut & Trim Notice (separately circulated) from Orion New Zealand Ltd who are the authority responsible for the power line which the tree affected. The tree was brought to their attention via a newspaper article in the Bay Harbour News (issue dated Wednesday 8 November 2006), a copy of which is also circulated. The Cut & Trim Notice details the extent of pruning which Council have had to action in respect to the gum tree outside 44 Bay View Road. This notice also details the timeframe within which the operation must be completed (45 working days from receipt of the notification).
4. Council have completed power line clearance operations in accordance with the Cut & Trim Notice received from Orion NZ Ltd and current legislation (a copy of the Electricity (Hazards from Trees) Regulations 2003 is tabled). As was alluded in the original Board report and is clearly shown in the attached arboricultural report (separately circulated) the structure of the red flowering gum tree has been severely affected by the clearance pruning (see **attached** photographs).
5. It must be noted that the STEM valuation submitted in the original report has now been revised following the pruning of the tree. The new valuation takes into account the effect the electrical pruning operation has had on the tree. The new value reached via STEM is \$4,700, this is a reduction in value of \$1,500. The revised calculation is separately circulated.
6. It is the opinion of the Council Transport and Greenspace Unit Arboricultural Section that the tree's structure has now been compromised to such an extent that it no longer adds significantly to the streetscape in Bay View Road, nor will its future growth following pruning, again this was detailed in the original Board removal report. Staff therefore recommend that the conclusions from the Board report submitted on 11 October 2007 be applied in this instance.
7. As requested by the Board adjacent and opposite neighbours have been consulted about the removal of the tree. The results of these consultations can be summarised as follows:
  - In support of the tree removal           6 responses
  - Against the tree removal               12 responses
  - A summary of all of the submissions received is also separately circulated for information.
8. Should the removal be approved in by the Board, staff would like to replace the lost amenity value of the removed tree by planting a replacement pohutukawa tree approximately two metres to the east of the existing tree.
9. Adjacent and opposite neighbours will be notified prior to any work taking place.

#### **FINANCIAL AND LEGAL CONSIDERATIONS**

10. Any healthy street tree can only be removed with approval from the appropriate Board and any protected street trees can only be removed by a successful application under the Resource Management Act. These trees are not listed as protected under the provisions of the Christchurch City Plan.
11. Removing and replacing the tree without obtaining reimbursement from the applicant is inconsistent with the current LTCCP as funding has not been allocated in the Transport and Greenspace Unit operational budget for the removal of healthy trees to allow for vehicle crossings.
12. Obtaining reimbursement from the applicant to remove and replace the trees is consistent with the current LTCCP.

13. Funding is available in the Transport and Greenspace Unit operational budget under Street Tree Maintenance for the removal and replacement of trees which are no longer appropriate in their current position.
14. The actual cost to remove the tree and replace it with a pb95 grade tree is:
  - Removal of Eucalyptus \$500 excl GST
  - Replacement planting \$215 excl GST
15. The original valuation for the tree using STEM was: \$6,200 (pre clearance pruning)  
The revised valuation for the tree using STEM is: \$4,700 (post clearance pruning)
16. STEM is the national arboricultural industry standard for evaluating and valuing amenity trees. STEM is used as a valuation tool by other Councils such as Auckland, Tauranga, Lower Hutt and Wellington.
17. STEM valuations on the tree concerned are detailed on the attached valuation sheets (**Attachment 3**).
18. All tree work will be carried out by Council's Street Tree Maintenance Contractor.

#### **STAFF RECOMMENDATIONS**

It is recommended that the Board adopts Option (B) and approves:

- (a) That the red flowering gum tree located on the Bay View Road berm outside No 44 be removed to allow for a new vehicle crossings to be constructed.
- (b) That the red flowering gum removed is replaced with another tree, pb95 grade pohutukawa, as close to the original tree's location as is practicable.
- (c) That the Council pays the removal costs of \$500 excl GST.
- (d) That the applicant is charged for the replacement planting cost of \$215 excl GST (which includes the purchase cost for the tree).
- (e) That the Council does not apply STEM valuation in this case as the removal would have been recommended as part of the regular maintenance cycle for the city's tree asset (the tree's location and condition do not warrant its retention).

#### **CHAIRPERSON'S RECOMMENDATION**

For discussion.

**OPTIONS****Option (A)**

19. Remove the red flowering gum tree from the berm outside 44 Bay View Road, Moncks Bay. All costs to be borne by the applicant including the cost of removing the tree, replacement planting and the STEM valuation:
20. Actual cost of \$715 excl GST to remove and replace the tree is borne by the applicant.
- (a) Applicant to be charged the full STEM valuation for the red flowering gum tree of \$4,700.
- (b) Total cost of \$5,415 excl GST.
- (c) STEM valuation monies received will be utilised to enable planting of new trees both within the Bay View Road and the immediate neighbourhoods streets and parks.

	<b>Benefits (current and future)</b>	<b>Costs (current and future)</b>
<b>Social</b>	Tree is removed and Council recovers the lost amenity value of the tree removed. Council utilises the monies received under the STEM valuation to enhance the street tree planting both within Bay View Road and the immediate neighbourhood's streets and parks. This will improve local area character and identity. Replacement tree to be a pohutukawa which will compliment and enhance the current planting in the street.	Cost to the applicant may be considered as unreasonable given the size of the tree and their proximity to the overhead power lines. Should the tree remain Council will be required to undertake remedial pruning that will have a detrimental effect on the tree's amenity value.  Cost of compliance may be offset by an increase in the applicant's property value.
<b>Cultural</b>	Pohutukawa is a New Zealand icon tree.	No costs identified.
<b>Environmental</b>	Replacement of the tree with a newly planted pohutukawa will mitigate the effects of removal of the existing tree and over time maintain the general streetscape appearance. This is one of the few areas in the City where pohutukawa trees can thrive and prosper and thus the new planting will enhance the biodiversity of the city.  STEM valuation monies recovered will allow council to further enhance the amenity planting within the immediate neighbourhood.	Possibility of future shading and leaf fall issues.
<b>Economic</b>	There is no cost to Council to remove or replace the tree as all costs are borne by the applicant. STEM valuation from flowering gum tree allows further planting to occur within the immediate neighbourhood at a reduced cost to Council.	Future general maintenance costs for the trees planted.
<p><b>Extent to which community outcomes are achieved:</b> Primary alignment with community outcomes:</p> <p>"... a place where people enjoy living".</p> <p>"... a thriving, healthy environment".</p> <p>"... the most attractive city in New Zealand".</p> <p><b>Impact on Council's capacity and responsibilities:</b> No impacts on Council's capacity and responsibilities have been identified.</p>		

**Effects on Maori:**

No specific effects on Maori identified.

**Consistency with existing Council policies:**

Consistent with Urban Renewal Policy, Parks and Open Spaces Activity Management Plan

**Views and preferences of persons affected or likely to have an interest:**

Following consultation with immediate and opposite neighbours a brief summary of opinions is as follows:

In support of the tree removal	6 responses
Against the tree removal	12 responses

A more detailed summary of all of the submissions received is also attached for information (**Attachment 4**).

**Other relevant matters:**

Following receipt on 30 November 2006 of a Cut & Trim Notice from Orion NZ Ltd, Council staff have completed power line clearance operations in accordance with current legislation and accepted international arboricultural standards. This pruning operation has, in the opinion of staff, seriously compromised the aesthetic appearance and the environmental value of the tree.

**Option (B)**

21. Remove the red flowering gum tree from the berm outside 44 Bay View Road, Moncks Bay. All costs for removal to be borne by the Council (\$500 excl GST) as we would have recommended the removal of the tree in the course of normal maintenance operations. Applicant to pay for replacement planting for amenity value.
22. Applicant is not to be charged the full STEM valuation for the red flowering gum tree due to trees condition and location.
- (a) Total Cost to Applicant \$215.

	<b>Benefits (current and future)</b>	<b>Costs (current and future)</b>
<b>Social</b>	<p>Red flowering gum is removed and Council recovers a proportion of the lost amenity value of the tree removed with the replacement planting being undertaken.</p> <p>Replacement tree is a pohutukawa and will enhance the current street tree planting in this area. It is in the mutual interest of both Council and the applicant to have the tree removed.</p>	Cost of compliance may be offset by an increase in the applicant's property value.
<b>Cultural</b>	Pohutukawa is a New Zealand icon tree.	No costs identified.
<b>Environmental</b>	Replacement of the red flowering gum tree with newly planted pohutukawa tree will mitigate the effects of the tree removal and over time improve the general streetscape appearance. This is one of the few areas in the City where pohutukawa trees can thrive and prosper and thus the new planting will enhance the biodiversity of the city.	Possibility of future shading and leaf fall issues.
<b>Economic</b>	<p>Council cost benefit achieved through reduced cost incurred by Council to provide a replacement tree. Applicant to pay purchase and replanting costs for replacement tree.</p> <p>Applicant can complete development operations on site with greater ease and reduced cost.</p>	General maintenance costs for new tree planted.
<p><b>Extent to which community outcomes are achieved:</b>            Primary alignment with community outcomes:            "... a place where people enjoy living".            "... a thriving, healthy environment".            "... the most attractive city in New Zealand".</p> <p><b>Impact on Council's capacity and responsibilities:</b>            No impacts on Council's capacity and responsibilities have been identified.</p> <p><b>Effects on Maori:</b>            No specific effects on Maori identified.</p> <p><b>Consistency with existing Council policies:</b>            Consistent with Urban Renewal Policy, Parks and Open Spaces Activity Management Plan.</p>		

**Views and preferences of persons affected or likely to have an interest:**

Following consultation with immediate and opposite neighbours a brief summary of opinions is as follows:

In support of the tree removal      6 responses  
Against the tree removal            12 responses

A more detailed summary of all of the submissions received is also attached for information.

**Other relevant matters:**

Following receipt on 30 November 2006 of a Cut & Trim Notice from Orion NZ Ltd, Council staff have completed power line clearance operations in accordance with current legislation and accepted international arboricultural standards. This pruning operation has, in the opinion of staff, seriously compromised the aesthetic appearance and the environmental value of the tree.

**Option (C)**

23. Remove the red flowering gum tree from the berm outside 44 Bay View Road, Moncks Bay. All costs for the removal and replacement planting to be shared by the applicant and the Council on a 50/50 basis.
24. Actual cost of \$715 excl GST to remove and replace the red flowering gum tree is borne jointly by Council and the applicant.
25. Applicant is not to be charged the full STEM valuation for the red flowering gum tree due to trees condition and location.
- (a) Total cost to applicant \$357.50.

	<b>Benefits (current and future)</b>	<b>Costs (current and future)</b>
<b>Social</b>	Red flowering gum is removed and Council recovers 50% of the costs to remove and replant. It is in the mutual interest of both Council and the applicant to have the tree removed.  Replacement tree is a pohutukawa and will compliment the existing street tree planting.	Cost of compliance may be offset by an increase in the applicant's property value.  Applicant's proposed garage development can proceed with greater ease and reduced associated development costs.
<b>Cultural</b>	Pohutukawa is a New Zealand icon tree.	No costs identified.
<b>Environmental</b>	Replacement of the red flowering gum tree with newly planted pohutukawa tree will mitigate the effects of the tree removal and over time improve the general streetscape appearance. This is one of the few areas in the City where pohutukawa trees can thrive and prosper and thus the new planting will enhance the biodiversity of the city.	Possibility of future shading and leaf fall issues.
<b>Economic</b>	Council costs reduced by 50% in respect of removal and replanting therefore better use of Council funding.	Future general maintenance costs for new tree planted.
<p><b>Extent to which community outcomes are achieved:</b>            Primary alignment with community outcomes:            "... a place where people enjoy living".            "... a thriving, healthy environment".            "... the most attractive city in New Zealand".</p> <p><b>Impact on Council's capacity and responsibilities:</b>            No impacts on Council's capacity and responsibilities have been identified.</p> <p><b>Effects on Maori:</b>            No specific effects on Maori identified.</p> <p><b>Consistency with existing Council policies:</b>            Consistent with Urban Renewal Policy, Parks and Open Spaces Activity Management Plan.</p> <p><b>Views and preferences of persons affected or likely to have an interest:</b>            Following consultation with immediate and opposite neighbours a brief summary of opinions is as follows :            In support of the tree removal           6 responses            Against the tree removal               12 responses            A more detailed summary of all of the submissions received is also attached for information.</p>		

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**Other relevant matters:**

Following receipt on 30 November 2006 of a Cut & Trim Notice from Orion NZ Ltd. Council has completed power line clearance operations in accordance with current legislation and accepted international arboricultural standards. This pruning operation has, in the opinion of staff, seriously compromised the aesthetic appearance and the environmental value of the tree.

**Option (D)**

26. Status quo. Do not remove the red flowering gum tree. Tree is to be maintained to accepted international arboricultural standards and pruned for power-line legal clearance. Approved development is to take account of the fact that the tree is to be retained and all operations around the tree must be undertaken in such a fashion as to not damage the trees structure either above or below the ground.

	<b>Benefits (current and future)</b>	<b>Costs (current and future)</b>
<b>Social</b>	Nil.	Council may be seen as unreasonable.  Council may be viewed as a bad neighbour.
<b>Cultural</b>	Nil.	Nil.
<b>Environmental</b>	Trees remain on site and continues to contribute the overall amenity value of the streetscape albeit in a significantly reduced quantity and quality.	The tree will have its amenity value affected due to power line clearance operations required under NZ law. Tree will be misshapen and of very poor form as a result of the pruning required.
<b>Economic</b>	Nil.	Future general maintenance of tree.
<p><b>Extent to which community outcomes are achieved:</b> No community outcomes are achieved.</p> <p><b>Impact on Council's capacity and responsibilities:</b> No impacts on Council's capacity and responsibilities have been identified.</p> <p><b>Effects on Maori:</b> No specific effects on Maori identified.</p> <p><b>Consistency with existing Council policies:</b> Consistent with Urban Renewal Policy, Parks and Open Spaces Activity Management Plan.</p> <p><b>Views and preferences of persons affected or likely to have an interest:</b> Following consultation with immediate and opposite neighbours a brief summary of opinions is as follows: In support of the tree removal       6 responses Against the tree removal           12 responses A more detailed summary of all of the submissions received is also attached for information.</p> <p><b>Other relevant matters:</b> Following receipt on 30 November 2006 of a Cut &amp; Trim Notice from Orion NZ Ltd, Council staff have completed power line clearance operations in accordance with current legislation and accepted international arboricultural standards. This pruning operation has, in the opinion of staff, seriously compromised the aesthetic appearance and the environmental value of the tree.</p>		

**10. STRUCTURE ON STREET - JADE STADIUM, STEVENS STREET**

<b>General Manager responsible:</b>	General Manager City Environment, DDI 941-8656
<b>Officer responsible:</b>	Manager Transport and Greenspace
<b>Author:</b>	Tony Lange, Asset Engineer (Transfund and Systems)

**PURPOSE OF REPORT**

1. The purpose of this report is to obtain the Board's recommendation to the Council to approve a structure on street application as part of the upgrade to Jade Stadium, on its Stevens Street frontage. An application has been made to occupy road air space by extending the proposed structure out such that it can be used as a balcony.

**EXECUTIVE SUMMARY**

2. Staff have received a request from a consultant acting on behalf of Jade Stadium Ltd to occupy airspace by extending portions of the concourse area out over the Stevens Street pedestrian area as part of the proposed development of Jade Stadium.
3. The application is in conflict with Council policy.
4. Sufficient space is available on site to meet the owner's needs.
5. The height of the proposed concourse, four metres, and width of overhang, three metres, will not impact on cleaning vehicles or pedestrian movement along the footpath of Stevens Street.
6. The external walls of the balcony should be constructed in a material that prohibits the posting of food and prevents liquids from being thrown on to pedestrians walking below the balcony.
7. The applicant has noted that:
  - (a) Extending the concourse out over Stevens Street will seek to 'frame' the protected War Memorial Gates.
  - (b) It allows for concession areas at both ends of the War Memorial Gates.
  - (c) It provides a congregation point for those waiting to move across the narrow concourse corridor that runs parallel with the War Memorial Gates.
8. If approved by the Council a Deed of Licence would be entered into for the ongoing lease of the airspace.
9. Approval for the structure does not remove the applicant from obtaining relevant building and resource consents.

**FINANCIAL AND LEGAL CONSIDERATIONS**

10. A Deed of Licence would be entered into for the long term lease of the airspace with terms and rental acceptable to the Corporate Support manager.

**STAFF RECOMMENDATIONS**

Subject to the Board's decision in favour of the applicant; it is recommended that the Board propose that the Council:

- (a) Approve the use of airspace at Stevens Street to construct a balcony subject to the applicant obtaining relevant building and resource consents.
- (b) Require the walls of the balcony to be constructed from a material that prohibits the posting of food and liquids on to the footpath below.
- (b) Subject to (a) above, delegate to the Corporate Support Manager the authority to enter into a Deed of Licence, in respect of the balcony over Stevens Street, at such rental and terms as shall be acceptable to him.

**CHAIRPERSON'S RECOMMENDATION**

For discussion.

#### BACKGROUND

11. The application is in conflict with Council policy since it is proposed to use 'road' space for private activities. The Airspace Policy states that *"the Council will not generally grant rights to space above roads for the sole purpose of creating additional floorspace (ie for an overbuilding) unless there are exceptional circumstances, such as where there is a clearly demonstrated need for increased floorspace that cannot be met in any other way, ie by expansion upwards, sideways or backwards or by moving to another site"*.
12. There is sufficient space available on site to provide for the needs of the owner with out encroaching onto the road (plan P4.3) (**Attachment 2**).
13. One point made by the applicant to support the application was that the intrusion will "frame" the War Memorial Gates. This is a subjective point of view given that people will not see the intrusion when approaching Jade Stadium from Lancaster Street (see **attached** photos).
14. There is insufficient detail on the plans to identify what the external wall detail is. On plan P4.4 (**Attachment 2**) the walls in question are shown as a mesh. This raises a health and safety issue of patrons, to Jade Stadium using the balcony, posting liquids and food, through the mesh, on to the pedestrian traffic below.
15. Given the nature of the site staff require that the balcony walls are made of a material that will prohibit the posting of liquid and food on to pedestrians walking under the balcony.

#### OPTIONS

16. The only options are to approve or decline the applicants request.

#### PREFERRED OPTION

17. For discussion.

## 11. ROAD LEGALISATION, ROAD STOPPING OF UNFORMED ROAD OUTSIDE 1 WHITEWASH HEAD ROAD

<b>General Manager responsible:</b>	General Manager City Environment, DDI 941-8656
<b>Officer responsible:</b>	Manager Transport and Greenspace
<b>Author:</b>	Weng Kei Chen, Asset Policy Engineer

### PURPOSE OF REPORT

1. The purpose of this report is to seek the Board's recommendation that the Council adopt formal resolutions pursuant to the Public Works Act 1981 to stop and declare land for road. The parcel of road to be stopped is 64m<sup>2</sup> in area and is denoted as Sec 3 on the **attached** Survey Office Plan 381098 and the land for road is 36m<sup>2</sup> in area and denoted as Section 1 on the Survey Office Plan 381098 (**attached**).

### EXECUTIVE SUMMARY

2. The Council, at its meeting on 6 March 2006, resolved to commence road stopping of an unformed portion of Whitewash Head Road and undertake the necessary road legalisation procedures to legalise the current position of the carriageway presently situated on and forming part of 1 Whitewash Head Road.
3. Council officers have negotiated an agreement with the owners of 1 Whitewash Head Road to give effect to the Council's resolution subject to all statutory obligations being fulfilled with the road stopping procedure.
4. The existing road carriageway is shown as Sec 1 and Sec 2 on the attached Survey Office Plan 381098. (See also topographical survey plan separately circulated).
5. The declaration of the land for road will need to proceed in two stages.
6. At this stage it is necessary to declare Sec 1 SO 381098 as road, but to delay dealing with Sec 2. This is because Sec 1 is unencumbered with other legal interests and may be dealt with immediately. Sec 2 is subject to multiple right of way easements in favour of the landowners above Whitewash Head Road and the rights of these owners will need to be dealt with before Sec 2 can be legalised as road.

## BACKGROUND

7. On 23 November 2005 a report was presented to the Board seeking the Board's recommendation to Council to:
  - (a) Commence road stopping procedures in relation to approximately 59m<sup>2</sup> of unformed legal road outside 1 Whitewash Head Road as shown in the attached plan 246913 prepared by Eliot Sinclair.
  - (b) Commence the formal process to dedicate the existing formed carriageway presently situated on land owned by the owners of 1 Whitewash Head Road as legal road. This process is consequential to the Court Order 6152280.
  - (c) Permit the owners of 1 Whitewash Head Road to occupy approximately 90m<sup>2</sup> of legal road as airspace.
  - (d) Require the owners of 1 Whitewash Head Road to enter into a Deed of Licence to permit their continued use of their existing garage situated on the part of their existing land intended to vest in the Council as legal road.

These recommendations were adopted at the Council's meeting on 6 March 2006.

8. An agreement has been reached with the owners of 1 Whitewash Head Road enabling this project to proceed.
9. The original proposal was to declare the land east of the existing carriageway amounting to an area of 202m<sup>2</sup> as legal road and for the Council to grant a Deed of Licence for the existing garage. However, this course was discarded due to the likely high cost of acquiring this larger area for road. Consequently, it has been agreed that only Sec 1 and Sec 2 will be acquired by the Council for road.
10. The declaration of land for road will need to occur in two stages. The first stage is to secure Sec 1 and dispose of the surplus road land to the owner of 1 Whitewash Head Road enabling the new development by the owner of 1 Whitewash Head Road to proceed.
11. Sec 2 is subject to easement rights in favour of the owners of the 25 properties along Whitewash Head Road. Before Sec 2 can be declared as road these easement rights need to be surrendered. It is expected that this process may take up to 12 months or more to achieve.
12. The demolition of the existing house has commenced allowing the stabilisation of the existing carriageway. This work is required to be completed prior to the construction of the new building. During the period of road work and construction of the new building vehicle access along the section of the carriageway will be interrupted intermittently. Road-works and emergency services will be given prior notice when these interruptions will likely occur.

## FINANCIAL AND LEGAL CONSIDERATIONS

13. The consideration for the road to be stopped and land required for road has been agreed on the basis of an assessment determined by registered valuer Simes and Co Limited. The agreed value of Sec 3 at \$4,000 per square metre is \$256,000. The agreed value of Sec 1 at \$4,000 per square metre is \$144,000.
14. The Council is contributing \$20,000 to the legal and surveying costs involved and budget for this work has been allowed in the Transport and Greenspace Subdivision budget.
15. The Road stopping and its disposal and the declaration of land for road will be in accordance of Public Works Act 1981 and the following sections will apply;
  - (a) Section 116 Public works Act 1981 - Stopping Roads

This Section provides that, subject to the written consent of the territorial authority and the owner(s) of the land adjoining the road, the road can be declared formally stopped by notice in the Gazette. There will be no loss of public access to this small section of unformed road and the final outcome is a formed legal road joining Scarborough Road and the upper portion of Whitewash Head Road.

(b) Section 117(1) Public Works Act 1981 - Dealing with Stopped Roads

This Section provides that the Council may deal with roads stopped under the Public Works Act in the same manner as if the road has been stopped pursuant to the Local Government Act 1974. Subsection (3) provides that stopped road may be vested in or otherwise disposed of to the owner of any adjoining land if the Council considers it equitable to do so. The parcel of "stopped road" will be transferred to Lane Neave Nominec Ltd.

(c) Section 120(3) Public Works Act 1981 - Registration

This Section provides for the road to be amalgamated with the adjoining land and vesting of the same in the registered proprietor for the time being of the land in that certificate of title.

(d) Section 114 Public Works Act 1981 - Declaring Road to be Land

This Section provides that any land with the consent of the owner(s) and all other parties who have an interest, may be declared to be road. On publication of a notice in the gazette the land vests in the Local Authority.

**STAFF RECOMMENDATIONS**

That the Board recommends to the Council it adopts the following resolutions:

- (a) That pursuant to Section 114(1) of the Public Works Act 1981, the Council hereby resolves to declare as land for road that parcel of land shown on Survey Office Plan 381098 (**attached**) as Sec 1 being part of Lot 1 Deposited Plan 380733 being part of the land comprised in Certificate of Title 323256.
- (b) That pursuant to Sections 116(1), 117(3) (b) and 120(3) of the Public Works Act 1981, the Council hereby resolves to stop that parcel of road shown on Survey Office Plan 381098 (**attached**) and described in the schedule below and to amalgamate that parcel with the adjoining property. The Council certifies that it considers it equitable to vest the road described in the schedule below, when stopped, in Lane Neave Nominec Ltd being the adjoining owner.

**SCHEDULE**

<b>Being</b>	<b>Adjoining</b>	<b>Title Reference</b>	<b>Area</b>
Section 3	Lot 1 DP 380733	CT 323256	64m <sup>2</sup>

**CHAIRPERSON'S RECOMMENDATION**

That the staff recommendation be adopted.

## 12. NEW ZEALAND COMMUNITY BOARD CONFERENCE 2007

<b>General Manager responsible:</b>	General Manager Regulation and Democracy Services, DDI 941-8549
<b>Officer responsible:</b>	Secretariat Manager
<b>Author:</b>	Elsie Ellison, Community Board Principal Adviser (F/W and S/P)

**PURPOSE OF REPORT**

1. The purpose of this report is to seek nominations from each Board to attend the New Zealand Community Boards' Conference 2007 being hosted by the Manukau City Council on behalf of the Auckland region.

**EXECUTIVE SUMMARY**

2. The conference is being held at the TelstraClear Pacific Events Centre, Manukau City, on 7-9 June 2007 and begins with an official opening and gala dinner at 5.30 pm hosted by Sir Barry Curtis.
3. The focus for this conference will be on "Leading to Safer Communities".
4. The conference programme will include:
  - Guest speakers with national and international expertise.
  - Presentations from Community Boards who have found successful ways of combating crime in their areas.
  - New community initiatives.
  - Workshops on training new Board members and to help members prepare to be re-elected in the up coming elections.
  - Presentation of the Best Practice Awards at a gala dinner. The Awards are presented to Boards which have made significant contributions to the process of achieving excellence in local government.

**FINANCIAL AND LEGAL CONSIDERATIONS**

5. The cost of attending the conference is detailed as follows:

(a)	Registration fees prior to 1 March 2007 (early bird) \$500 plus GST or \$590 plus GST after 1 March 2006 (includes gala dinner to be held on Thursday).	500
(b)	Accommodation at the Manuka Height Motor Lodge - three nights at \$135 per person per night plus GST.	405
(c)	Return airfares.	267
<b>TOTAL</b>		<b>\$1,172</b>

**OPTIONAL SOCIAL FUNCTIONS****Villa Maria Vineyard Function** - Friday, 8 June 2007 6.00pm - 8.00pm

Wine tasting, snacks and wine tour of the Villa Maria Vineyards which is establishing a reputation as one of the great wine companies of the world.

Cost - \$50 plus GST

**Auckland Highlights by Night** - Saturday, 9 June 2007 5.00pm – 10.30pm

A mystery tour of some of Auckland's greatest landmarks. This will be a fun evening where you will be taken into the heart of Auckland, have an opportunity to enjoy the harbour and be wined and dined along the way.

Cost - \$75 plus GST

6. This brings the costs per person to attend this conference to approximately \$1,172 plus GST exclusive of the two optional social functions or \$1,297 plus GST inclusive of both social functions.

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7. Each Board has an operational budget set for attending conferences so that the number of delegates that each Board may send may be constrained by the remaining balances.

**STAFF RECOMMENDATION**

For discussion.

**CHAIRPERSON'S RECOMMENDATION**

For discussion.

## 13. BARNETT PARK PLAYGROUND UPGRADE

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

**PURPOSE OF REPORT**

1. The purpose of this report is to seek Board approval to the plan for the upgrade of the playground at Barnett Park following consultation with the local community.

**EXECUTIVE SUMMARY**

2. Board members will recall that options for the upgrade of the playground at Barnett Park were presented to the Board on 25 October 2006 prior to the Transport and Greenspace Unit carrying out consultation with the local community.
3. The public information leaflet was distributed to approximately 600 households in the Redcliffs-Moncks Bay area, along with a number of identified key stakeholder groups. There was a very good response from the local community with a total of 123 residents returning the comment form providing feedback on the proposed options. Many respondents indicated that they had consulted with their children and grandchildren when doing so. Overall we received a very positive response from the community with the feedback indicating a high level of support for the proposed upgrade of the playground.

<b>Support for proposal</b>	<b>Number of responses</b>	<b>%</b>
Option One	86	67.7
Option Two	35	27.5
Either/No preference	3	2.4
Multiple responses	2	
Not stated	3	2.4
<b>Total number of responses</b>	<b>127</b>	<b>100%</b>
<b>Total number of response forms</b>	<b>123</b>	

(Note: The total number of responses does not equal the total number of response forms as two response forms indicated multiple replies, that is, different members of the household supporting different options.)

4. A very clear majority of 86 (67.7%) respondents were in favour of Option One which includes:
  - Provision of a new Nexus 'Velocity' climbing frame, 'Flexus' balance activity and rotating 'Spica' for school aged children.
  - Provision of a new 'Racer' spring toy and a 'Fantail' spinning carousel for younger children.
  - Retention of the existing swings, see-saws and slide, with the slide repainted and the see-saws repositioned.
  - Removal of the rocking horse and fort structures.
5. In recognition of this feedback, the Transport and Greenspace Unit proposes that Option One be approved and implemented (refer **attached** plan).
6. Two minor changes have been made to the original plan as follows:
  - (a) The area to be occupied by the planned crèche is shown. This development will not conflict with the layout of the upgraded playground.
  - (b) The existing pedestrian access point on Main Road has been shown on the plan for further investigation.
7. Within each of the options presented, the combination of play equipment was chosen to provide a variety of play experiences for different aged children within the available budget. However 19 of those respondents who indicated their preference for Option One considered that this option provided a wider range of new equipment that would be more entertaining and challenging for children of different ages.

8. A need for the playground at Barnett Park to be different from others playgrounds was also identified, with three respondents also noting that the octagonal play-net in Option Two was duplicating that already present in another nearby park. The need for diversity was a common issue in the findings of the *Hagley Ferrymead Community Board Leisure, Parks and Waterway Study (2003)*.
9. Although five respondents did believe that the play-net in Option Two provided activities for children of different ages, eight others expressed various concerns about its use. These included the play-net being physically dangerous for younger children, its use being dominated by older children, and it being prone to vandalism.
10. The safety of the existing slide for younger children was an issue for 5 respondents. Transport and Greenspace Unit staff have noted that it can still be used by younger children, or parents have the option of lifting them onto lower part of slide and supervising accordingly.
11. Concern has been expressed about the proposed removal of the rocking horse by 11 respondents as this has been a very popular item of play equipment over many years. However, it is showing considerable wear due its age, and now has a limited life. Unfortunately it would not be economic to repair and retain it, nor is replacement possible as these horses are no longer being manufactured. This type of rocking horse also may present a safety hazard when in use. Five children of different ages and sizes can be on the horse at any one time, often with an older child at the front and in control of its movement. Younger children may get out of rhythm with the motion of the horse, and the other children, and hit their face on the back of the head of the child in front. They may also be unable to hold on and are catapulted off. A younger child in particular has no control over the motion of the horse and cannot get off. A similar problem exists with the older style roundabouts. The proposed "Racer" has a similar rocking motion, and is more suited to a younger age group.
12. Similarly, concerns about the proposed removal of the old adventure fort and pipes on the western slope of the park have been expressed by eight respondents as these have provided opportunities for adventure play for many years. This equipment has also reached the end of its useful life. The fort structure would not now meet playground safety standards, and its timbers are beginning to split and rot. Similarly, the various timber poles are rotting. The concrete on the ends of the pipes is beginning to break off which will eventually expose the ends of the steel reinforcing rods within. The principles of Crime Prevention Through Environmental Design (CPTED) are incorporated in to the design of Council amenities including parks and playgrounds in accordance with Council policy. The location of these play structures where they are partially screened by overhanging trees and other vegetation would not comply with a CPTED audit. The playground equipment needs to be located in one area where it is clearly visible and children are easily seen and supervised. However children are not being prevented from playing and using the tracks within the natural areas of Barnett Park.
13. Several respondents expressed a desire for additional play equipment or recreational facilities to be provided. At this time, there is no funding available for other pieces of equipment in addition to those shown on the concept plans, and similarly, for other facilities such as a BMX track or volleyball court. The park currently provides plenty of open grassed space for visitors to play informal games such as volleyball, and there are a number of large trees around the playground that provide shade. A formal volleyball or other court would be a significant encroachment upon the grassed open space available.
14. A range of issues with the proposed grit pathways in the playground were raised by two respondents. These included questioning the need for a path; the difficulty of walking barefoot or pushing buggies over this surface material; the potential for children to throw the grit around; and difficulties in mowing the area. Under Council's *Parks and Waterways Access Policy (2002)*, playgrounds are required to be serviced by an access route. All paths are required to be constructed with materials that are both firm and stable, and slip and skid resistant firm. Soft surfaces such as grass and sand can be difficult to negotiate for children, and their parents or caregivers, with limited mobility, balance or vision, and for prams and wheelchairs. The high cost of some surfacing that allows easy access is acknowledged in the policy with provision for the use of other surfaces as per the playground safety standards. The material proposed for the paths is crusher dust which is a fine material with a particle size of less than 5mm that compacts down to a firm surface. It complies with accessibility standards, cannot be easily thrown about, and is kinder to bare feet. The current budget cannot support sealing of the paths with asphalt hot mix. This is also unpleasant for bare feet in hot weather.

15. The safety of pedestrian access to the playground and the park was also considered. The proposed installation of the low post and cable fence along the boundary with the driveway and car-park was supported by three respondents. There were no comments in opposition. The frequent parking of vehicles on the grass and playground area, particularly when the sports-fields are in use, has created a safety hazard for children using the playground. One respondent also identified the need for safe pedestrian access to the park that is clearly differentiated from the vehicle access. A current constraint to providing easy pedestrian access to the playground from Main Road is the raised bund along most of this front boundary. This bund plays an essential role in the management of land surface water drainage of the neighbourhood. The height of this bund is crucial to its effective functioning therefore any pedestrian access point cannot lower its height. However the entrance must still be of the right gradient and design for accessibility. Staff will continue to investigate options for improving pedestrian access, including the possibility for further development of an existing informal access point from Main Road in the south-east corner of the park, and the extension of the path from the playground area to this point.
16. A number of issues were raised by submitters that were considered to be outside the scope of this particular project, including rubbish, the upgrade of the public toilets, walking tracks, and land drainage. The provision of rubbish bins is consistent with current practice for a park of this size. It is also considered to be a more environmentally sustainable practice to encourage people to take responsibility for their own rubbish by taking it away for recycling rather than leaving it behind in the park. The public toilets at the road entrance to the park are being monitored for usage during this calendar year to determine if either upgrading or removal is justified. There are additional toilets available to the public in the sports-club building adjacent to the car-park. Other issues have been referred to other staff within Council as appropriate.
17. All respondents who supplied their contact details have been sent a letter of reply thanking them for their input. The letter also informed respondents that the final plan would be presented to the Board for approval. Details of the meeting were provided so that any interested people could attend.

#### **FINANCIAL AND LEGAL CONSIDERATIONS**

18. The current Greenspace Capital Works Programme has funding available to undertake the playground upgrade at Barnett Park with \$80,000 available in the current 2006/07 year. Subject to any unavoidable delays, the works will be completed within the current financial year.
19. The upgrade of the playground will comply with the New Zealand Standard NZS 5828:2004 *Playground equipment and surfacing* in accordance with Council policy.

#### **STAFF RECOMMENDATIONS**

It is recommended that the Board approve option (B): that the plan (Option One) for the upgrade of the playground at Barnett Park be approved, and the Transport and Greenspace Unit commence the construction programme.

#### **CHAIRPERSON'S RECOMMENDATION**

That the staff recommendation be adopted.

#### **OPTIONS**

20. There are two options:

- (a) Do nothing/maintain the status quo.

This is not considered a viable option as the current playground has a limited range of equipment and is outdated.

- (b) Approve the plan (Option One) for the upgrade of the playground at Barnett Park, and the Transport and Greenspace Unit commence the construction programme. This will allow the Transport and Greenspace Unit to provide an improved playground with an improved design that provides better facilities and play opportunities for children using the reserve and their caregivers.

**PREFERRED OPTION**

21. The preferred option is (b).

**ASSESSMENT OF OPTIONS****The Preferred Option**

22. Approve the plan (Option One) for the upgrade of the playground at Barnett Park, and the Transport and Greenspace Unit commence the construction programme.

	<b>Benefits (current and future)</b>	<b>Costs (current and future)</b>
<b>Social</b>	Improved play opportunities for both children in this immediate area, and those visiting the park from other area, improved facilities for caregivers, improved safety for users with play equipment and traffic, improved access.	None identified.
<b>Cultural</b>	No cultural benefits identified.	None identified.
<b>Environmental</b>	Enhancement of recreational facilities and landscape values.	None identified.
<b>Economic</b>	No positive economic impact for the community identified.	\$80,000 already in capital programme for 2006/07 year. May be increased maintenance costs for additional equipment.
<p><b>Extent to which community outcomes are achieved:</b>            Primary alignment with community outcomes:            A City for Recreation, Fun and Creativity.            A Healthy City.            Also aligns with:            A City with a Sustainable Natural Environment - Our City's natural resources, biodiversity, landscapes and ecosystem integrity are protected and enhanced.</p> <p><b>Impact on Council's capacity and responsibilities:</b>            No impacts on Council's capacity and responsibilities have been identified.</p> <p><b>Effects on Maori:</b>            This is an upgrade of an existing facility. No effects on Maori have been identified by staff. Maori were given the opportunity to provide feedback during the consultation with the local community and through local runanga as identified key stakeholders.</p> <p><b>Consistency with existing Council policies:</b>            Parks and Waterways Access Policy.            Children's Play Equipment on Parks Policy.            Safer Christchurch Strategy.            Children's Policy.            Physical Recreation and Sport Strategy.</p> <p><b>Views and preferences of persons affected or likely to have an interest:</b>            A good response was received from the local community and user groups, with a high level of support for the proposed upgrade of the playground, and a clear majority in favour of Option One. A number of persons expressed concerns about the proposed removal of the rocking horse and fort.</p> <p><b>Other relevant matters:</b>            None identified.</p>		

**Maintain The Status Quo (If Not Preferred Option)**

23. Do nothing/maintain the status quo.

	<b>Benefits (current and future)</b>	<b>Costs (current and future)</b>
<b>Social</b>	None identified.	Recreation experience for children visiting this park is not enhanced by existing outdated facilities.
<b>Cultural</b>	None identified.	None identified.
<b>Environmental</b>	None identified.	None identified.
<b>Economic</b>	No immediate financial cost of upgrade.	Eventual removal of old equipment.
<p><b>Extent to which community outcomes are achieved:</b> None identified.</p> <p><b>Impact on Council's capacity and responsibilities:</b> No impacts on Council's capacity and responsibilities have been identified.</p> <p><b>Effects on Maori:</b> As this would involve no change to an existing facility, no effects on Maori have been identified by staff. Maori were given the opportunity to provide feedback during the consultation with the local community and through local runanga as identified key stakeholders.</p> <p><b>Consistency with existing Council policies:</b> N/A.</p> <p><b>Views and preferences of persons affected or likely to have an interest:</b> Those residents who did respond indicated a high level of support for the proposed upgrade.</p> <p><b>Other relevant matters:</b> None identified.</p>		

**14. STRUCTURE ON STREET - 165 CASHEL STREET**

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

**PURPOSE OF REPORT**

1. The purpose of this report is to obtain the Board's recommendation that the Council approve a structure on street application for 165 Cashel Street. An application has been made to occupy road air space by allowing an existing veranda to be modified and used as a balcony.

**EXECUTIVE SUMMARY**

2. Staff have received a request from the owners of 165 Cashel Street to occupy 6.2 square metres of airspace by modifying an existing veranda to function as a balcony.
3. The property at 165 Cashel Street was the site of Inland Revenue NZ. The current owners have now started work on converting the building from office space to a hotel. Relevant building and resource consents have been obtained. (See **attached** photographs and plans).
4. Most of the existing veranda will be retained therefore the clearance height of the balcony will not impact on cleaning vehicles.
5. The applicant has noted that:
  - (a) The balcony will not impact on the street scene in an adverse way.
  - (b) It will allow a smoking area for guests.
  - (c) It does not protrude when compared with the existing veranda.
6. If approved a Deed of Licence would be entered into for the ongoing lease of the airspace.
7. There is a conflict between the proposal and Council policies.

**FINANCIAL AND LEGAL CONSIDERATIONS**

8. A Deed of Licence would be entered into for the long term lease of the airspace and at a rental acceptable to the Corporate Support Manager if the application is approved.

**STAFF RECOMMENDATIONS**

Should the Board support the application, that the Board recommend that the Council:

- (a) Approve the use of airspace at 165 Cashel Street to construct a balcony.
- (b) Subject to (a) above, delegate to the Corporate Support Manager the authority to enter into a Deed of Licence, in respect of the balcony over 165 Cashel Street, at such rental and terms as shall be acceptable to him.

**CHAIRPERSON'S RECOMMENDATION**

For discussion.

**BACKGROUND**

9. Current Council policy does not support situations where it is proposed to use 'road' space for private activities. The Airspace Policy states that *"the Council will not generally grant rights to space above roads for the sole purpose of creating additional floorspace (ie for an overbuilding) unless there are exceptional circumstances, such as where there is a clearly demonstrated need for increased floorspace that cannot be met in any other way, ie by expansion upwards, sideways or backwards or by moving to another site"*.
10. It should be noted that the "Footpath Extensions to Expand Cafes Policy" states *"that the Council adopt the view that in the central city use of extension of outdoor seating and tables onto the footpath/roadway be encouraged"*.

**OPTIONS**

11. The only options are to approve or decline the applicant's request.

**PREFERRED OPTION**

12. For discussion.

**15. EASEMENT OVER RESERVE - MAJOR HORN BROOK RESERVE**

<b>General Manager responsible:</b>	General Manager City Environment, DDI 941-8656
<b>Officer responsible:</b>	Manager City Water and Waste
<b>Author:</b>	Bill Morgan, Property Consultant

**PURPOSE OF REPORT**

1. The purpose of the report is to seek the Board's approval to the granting of a sewage easement over Major Hornbrook Reserve.

**EXECUTIVE SUMMARY**

2. An application has been received from Neil Construction Ltd to discharge sewage from its proposed subdivision on Major Hornbrook Road into an existing sewage outfall situated on the north-west boundary of the Reserve.
3. Under Section 48 of the Reserves Act 1977, provision exists to grant such easements where the Reserve will not be materially altered or permanently damaged. The application by the company falls into this category and as such approval has been recommended subject to appropriate conditions.

**FINANCIAL AND LEGAL CONSIDERATIONS**

4. As indicated above, the application complies with the provisions of Section 48 of the Reserves Act 1977 which permits Local Authorities to approve applications for easements over Reserves under certain circumstances and as this application complies there is no legal impediment why it should not be approved.
5. All costs associated with the easement are to be borne by the applicant who will also be liable for compensation which will be paid prior to the issue of the 224 Certificate on completion of the subdivision.

**STAFF RECOMMENDATIONS**

It is recommended that the Board approve the application on the terms and conditions recommended within the report.

**CHAIRPERSON'S RECOMMENDATION**

That the staff recommendation be adopted.

## BACKGROUND

6. The Board, at its meeting on 13 December 2006, considered and approved an application to discharge stormwater into Morgans Valley. The Board was advised that Neil Construction Ltd had recently acquired the property at 300 Major Hornbrook Road and had submitted a plan of subdivision creating 24 residential allotments over the property. The subdivision is depicted on the **attached** plan together with the proposed stormwater discharge points. A right to drain sewage has now been sought to service Lots 12, 13, 14 and 15 on the plan. The proposed line is marked AM, J, AL, AK ,AJ, AH and AG and will connect with an existing gravity sewage outfall. As the line will be underground it will not materially alter or permanently damage the reserve.
7. Following consideration of the application it is recommended that it be approved on the following terms and conditions.
  - (a) The sewage line be restored to the Council's satisfaction following completion of the excavation and be appropriately planted.
  - (b) A bond being posted prior to construction commencing to ensure completion of the work.
  - (c) The application being approved by the Department of Conservation under the Reserves Act 1977.
  - (d) The company paying the Council compensation for the easement as assessed by Ford Baker, Registered Public Valuers, on the Council's behalf, at the rate of \$50m<sup>2</sup> for the easement line. The area of the line is to be defined accurately on completion of the work and the sum assessed accordingly.

## OPTIONS

8. Given it is believed that the application will not materially alter or permanently damage the Reserve, its approval is recommended subject to the Department of Conservation's consent being obtained.
9. There are no other practical solutions to the sewage discharge.

**16. SUMNER-REDCLIFFS HISTORICAL SOCIETY**

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

**PURPOSE OF REPORT**

1. The purpose of the report is to seek approval from the Board for a grant of \$500 for the Sumner Redcliffs Historical Society.

**EXECUTIVE SUMMARY**

2. On Saturday 24 February 2007, the Board is holding a meeting at the Sumner Community Centre and War Memorial to mark the 100<sup>th</sup> anniversary of the Sumner Borough Council building at the request of the Sumner-Redcliffs Historical Society.

The Board would like to recognise the large amount of work done over the years by the Historical Society and would like to give a grant of \$500 towards the costs of their organisation.

**FINANCIAL AND LEGAL CONSIDERATIONS**

3. The board has approximately \$54,000 remaining in its discretionary fund for the 2006/07 financial year.

**OPTIONS**

There are two options - either the Board decides to fund the grant or decline it.

**STAFF RECOMMENDATIONS**

It is recommended that the Board:

- (a) Agree to provide a grant of \$500 to the Sumner-Redcliffs Historical Society.

**CHAIRPERSON'S RECOMMENDATION**

That the staff recommendation be adopted.