

**SHIRLEY/PAPANUI COMMUNITY BOARD
AGENDA**

WEDNESDAY 14 APRIL 2010

AT 4PM

**IN THE BOARDROOM
PAPANUI SERVICE CENTRE
CORNER LANGDONS ROAD AND RESELL STREET**

Community Board: Yvonne Palmer (Chairperson), Ngaire Button, Kathy Condon, Pauline Cotter, Aaron Keown, Matt Morris, and Norm Withers

Community Board Adviser:
Peter Croucher
Phone 941 5414 DDI
Email: peter.croucher@ccc.govt.nz

**PART A - MATTERS REQUIRING A COUNCIL DECISION
PART B - REPORTS FOR INFORMATION
PART C - DELEGATED DECISIONS**

INDEX

- PART C 1. APOLOGIES**
- PART C 2. CONFIRMATION OF MINUTES – 31 MARCH 2010**
- PART B 3. PRESENTATION OF HOST RESPONSIBILITY AWARDS**
- PART B 4. DEPUTATIONS BY APPOINTMENT**
4.1 Inspector Al Stewart – New Zealand Police
4.2 Eru Waiti – Canterbury District Health Board
- PART B 5. PRESENTATION OF PETITIONS**
- PART B 6. NOTICES OF MOTION**
- PART B 7. BRIEFINGS**
7.1 Richard Ball – Unit Manager Strategy and Planning
- PART A 8. PROPOSED CONDELL AVENUE STREET RENEWAL PROJECT AND TRAFFIC AND PARKING AMENDMENT (CONDELL AVENUE) BYLAW 2010**
- PART C 9. REMOVAL OF STREET TREE 2 MAYO PLACE**
- PART C 10. SHIRLEY TOY LIBRARY**
- PART C 11. APPLICATION TO SHIRLEY/PAPANUI COMMUNITY BOARD'S YOUTH DEVELOPMENT FUND – STEPHANIE WATSON**
- PART B 12. SHIRLEY/PAPANUI 2008/09 STRENGTHENING COMMUNITIES FUND, SMALL GRANTS FUND, AND DISCRETIONARY RESPONSE FUND – END OF PROJECT ACCOUNTABILITY REPORTS**

- PART B 13. CORRESPONDENCE**
- PART B 14. COMMUNITY BOARD ADVISER'S UPDATE**
 - 14.1 Current Issues**
 - 14.2 Update on Local Capital Projects**
 - 14.3 Board Funding Update for 2009/10**
 - 14.4 CSR Report for March 2010**
- PART B 15. ELECTED MEMBERS INFORMATION EXCHANGE**
- PART B 16. QUESTIONS UNDER STANDING ORDERS**
- PART C 17. RESOLUTION TO EXCLUDE THE PUBLIC**

1. APOLOGIES

2. CONFIRMATION OF MINUTES– 31 MARCH 2010

The minutes of the Board's ordinary meeting of Wednesday 31 March 2010 have been separately circulated.

CHAIRPERSON'S OR STAFF RECOMMENDATION

That the minutes of the Board's ordinary meeting of Wednesday 31 March 2010 be confirmed.

3. PRESENTATION OF HOST RESPONSIBILITY AWARDS

The Host Responsibility Awards will be presented to the selected recipients.

4. DEPUTATIONS BY APPOINTMENT

4.1 INSPECTOR AL STEWART – NEW ZEALAND POLICE

Inspector Al Stewart will update the Board on policing matters in the ward.

4.2 ERU WAITI – CANTERBURY DISTRICT HEALTH BOARD

Eru Waiti will brief the Board on his involvement in the community.

5. PRESENTATION OF PETITIONS

6. NOTICES OF MOTION

6.1 The following notice of motion has been submitted by Yvonne Palmer pursuant to Standing Order 3.10.1:

That the Shirley/Papanui Community Board request staff to prepare a report on funding for Junior Neighbourhood Support from the Board's Discretionary Response Fund and, as this is not funded by the Council, that the Board as a principle continue to fund Junior Neighbourhood Support for schools identified with Principals and Junior Neighbourhood Support Co-ordinator.

7. BRIEFINGS

7.1 RICHARD BALL – UNIT MANAGER STRATEGY AND PLANNING

Richard Ball will provide a briefing on the Unit he manages

8. PROPOSED CONDELL AVENUE STREET RENEWAL PROJECT AND TRAFFIC AND PARKING AMENDMENT (CONDELL AVENUE) BYLAW 2010

General Manager responsible:	General Manager City Environment, DDI 941 8608
Officer responsible:	Transport and Greenspace General Manager
Author:	Transport Consultation Leader, Brian Boddy

PURPOSE OF REPORT

1. The purpose of this report is to request that the Shirley/Papanui Community Board recommends to Council that a special consultative procedure be commenced for the establishment of cycle lanes on both sides of Condell Avenue between Blighs Road and Matsons Avenue as part of the Condell Avenue Street Renewal Project, and the amendment of the Christchurch City Council Traffic and Parking Bylaw 2008.

EXECUTIVE SUMMARY

2. This project was initiated by the Transport and Greenspace Unit in June 2009 to renew the remaining kerb and dish channel in Condell Avenue. This project covers the 625m section of Condell Avenue between Matsons Avenue and Blighs Road. Condell Avenue forms the boundary between the Shirley/Papanui and Fendalton/Waimairi Community Board areas, so both Community Boards will be included in the consultation for this project.
3. Condell Avenue is a Collector Road, with an average traffic count of approximately 3,200 vehicles per day. The adjacent land use along the route is predominantly residential, although the route also contains a rest home, a retirement village, Laidlaw College and is used as a route to school for many children. Condell Avenue has a memorial street status.
4. In addition to replacing the kerb and channel, other objectives of the street renewal are to maintain and improve safety for all road users, and to renew street drainage pipes where required. Traffic calming facilities (kerb build-outs with scarlet oak trees) together with new magnolia vulcan trees down both berms will enhance the character of the area and street lighting will be upgraded. There will be no under grounding of the overhead services. Cycle lanes are proposed along both sides of the road, along with the addition of improved pedestrian crossing facilities. The proposed cycle lanes will link with existing cycle lanes in Blighs Road. Tactile pavers have been included in the plan at new pedestrian crossing points.
5. The City Plan requires cycle facilities to be considered for collector and arterial roads and the Council Infrastructure Design Standard states that cycle lanes must be included for all street works on collector and arterial roads. A cycle lane is classed as a special vehicle lane and under the Transport Act 1962, special vehicle lanes must be specified in a bylaw. The most appropriate way for Christchurch City Council (the Council) to achieve this is to amend Schedule 2 of the Christchurch City Council Traffic & Parking Bylaw 2008 (the Bylaw). Under the Council's bylaw making powers in section 72(1) (kb) of the Transport Act 1962, a special vehicle lane can only be created by specifying the road on which the lane is on in a bylaw. To ensure that the proposed cycle lane can be enforced it needs to be specified by inclusion in Schedule 2 of the Bylaw following a special consultative procedure for making amendments to the Bylaw. The Local Government Act (2002) specifies that any alterations or additions to a bylaw may only be undertaken following a special consultative procedure.
6. The Council's Cycling Strategy 2004 aims to create a cycle friendly city with the three objectives of increasing cycling, increasing the enjoyment of cycling and improving the safety of cycling in Christchurch. The strategy recognises the need to consider the National Engineering Design Guide when developing a cycle network for Christchurch. Enhancing the physical environment is a key method of achieving the Strategy's objectives. (The Council's Full Cycle Network Plan includes Blighs Road as part of the recommended route from Bishopdale to the city.) Provision of an improved physical cycling environment is also aligned with the New Zealand Land Transport Strategy and the National Walking and Cycling Strategy. The cycle network is made up of a mix of on-road and off-road cycle routes. Priority (of provision) is determined by many factors including cycle usage levels, reported cycle accidents and cyclist concerns.

8 Cont'd

7. The New Zealand Transport Agency Crash Analysis System shows a total of seven crashes occurred along this section of Condell Avenue over the last five years. 'Road factors' possibly contributed to four of these crashes. One crash occurred on the Blighs Road approach to the Blighs Road/Condell Avenue intersection. Along Condell Avenue one crash involved a vehicle undertaking with an unsafe overtaking manoeuvre (where excess speed was sited as a contributory factor), leading to a serious and two minor injuries, another when a cyclist changed lanes into the path of a car when approaching the Aorangi Road Intersection (resulting in no injury), and the final accident occurred when a vehicle tried to undertake a u-turn manoeuvre and was hit by a vehicle in a "rear-end shunt" style accident, resulting in a minor injury.
8. This street renewal project reduces the total number of carparks along this section of Condell Avenue. Parking surveys have been completed for the street and the proposed number of car parks more than caters for the maximum observed number of vehicles that park on the street. The reduction of car parking is due to a number of factors including: extending the no stopping beside the bus stops, so that the bus stops are marked in accordance with current design standards; including the standard 4.1 metre wide cut-downs at the entrances to driveways, which widens the majority of the existing entrances; including build-outs for traffic calming and landscaping; including the pedestrian islands to improve pedestrian safety when crossing the road; and including the associated tapers for the cycle lane. The result of these factors reduces the total number of car parks from approximately 84 existing car parks to approximately 64 proposed parks.
9. **Attachment 1** is a statement of proposal (including the proposed Traffic and Parking Amendment (Condell Avenue) Bylaw 2010, and the proposed plan **attachment 2**) is a summary of information, as required under the Local Government Act 2002, for formal approval by the Council. Refer to **attachment 3** for the consultation pamphlet and **attachment 4** for The Have your Say submission form.
10. The process for making the amendments to the Bylaw is as follows:
 - (a) The Council resolves that the amendments to the Bylaw are the most appropriate way to address the perceived problems (which are identified above) and that there are no inconsistencies with the New Zealand Bill of Rights Act (see recommendations below);
 - (b) The Council approves the statement of proposal and summary of information, publicises it to enable public submissions and appoints a hearings panel to hear submissions (see recommendations below);
 - (c) The special consultative procedure for this proposal will be from Friday 30 April to Monday 31 May 2010;
 - (d) If any submitters wish to be heard, hearings will take place between 28 and 30 June 2010;
 - (e) The Council will then receive a report from the hearings panel to consider the recommendations of the panel, and adopt the amendments to the Bylaw (**Attachment 1a**). Construction of the cycle lane may then take place.

FINANCIAL IMPLICATIONS

11. Funding is provided in the Capital Work Programme and covers all project costs from investigation through to implementation. Recent cost estimates indicate that this project can be completed within the allocated budget.

Do the Recommendations of this Report Align with the 2009-19 Long Term Council Community Plan (LTCCP) budgets?

12. The recommendations of this report align with the 2009-19 LTCCP budgets.

8 Cont'd

LEGAL CONSIDERATIONS/SECTION 155

13. Section 155 of the Act requires the Council to determine whether the making or amending of a bylaw is *"the most appropriate way to address the perceived problem"*. The Council is also required to determine whether the bylaw is in the most appropriate form and that there are no inconsistencies with the New Zealand Bill of Rights Act 1990 (NZBORA).

APPROPRIATE WAY TO ADDRESS PROBLEM

14. The following three options were considered for the Condell Avenue (Blighs to Matsons) street renewal project.
15. Option 1 includes maintaining the existing arrangements along the route, simply replacing the existing dish channel, with kerb and flat channel. No other changes are proposed. This do-minimum option meets few of the aims and objectives, replacing only the existing dish channel with kerb and flat channel. Existing arrangements in terms of street drainage, carriageway structure, footpaths, street lighting, signs and markings and other infrastructure are maintained, with no improvements made.

Conclusion - Option 1 has not been selected as the preferred option as it does not meet the project's aims and objectives.

16. Option 2 (refer **attachment 1**) includes providing two 3.1 metre traffic lanes, two 1.8 metre cycle lanes, two 2 metre parking lanes, using the remaining width to provide a 1.65 metre wide footpath, behind a 1.5 metre wide grass berm (within which all service poles will be located). Traffic calming will be provided in the form of three build-outs (outside 19, 55 and 71 Condell Avenue) and three pedestrian islands (outside 37, 95 and 107 Condell Avenue) providing pedestrian linkage to bus stops and Matsons Avenue. Build-outs will include tree pits, reflecting the 'memorial street' status of Condell Avenue, and the berms will be of a sufficient width to accommodate trees. The cycle lanes will be continued up to the Blighs Road intersection. Swept path assessments have been undertaken to ensure that a bus can still enter and exit Condell Avenue and Blighs Road.

Conclusion - Option 2 has been selected as the preferred option.

17. Option 3 includes narrowing of the carriageway to 12 metres, providing two 4 metre traffic lanes, two 2 metre parking lanes, using the remaining width to provide a 3 metre wide contra flow shared cycle/footpath on the north-east side of Condell Avenue, along with a 1.65 metre wide footpath on the south-west side, and two 1.73 metre berms. Traffic calming will be provided in the form of build-outs, which will include tree pits, reflecting the memorial status of Condell Avenue. The scheme will also provide a three pedestrian crossing facilities in the locations specified in Option 2. There is a reduction in the total number of car parks on the street.

In this option, only one cycle lane will be located on only one side of the road, which would likely reduce the use of the cycle lane. There would also be potential conflicts with entering and exiting the shared path due to the contra flow nature of the cycle lane.

Conclusion - Option 3 has not been selected as the preferred option.

Appropriate form of bylaw

18. The form in which the proposed amendment to the second schedule of the Bylaw has been drafted is considered appropriate in specifying the road where the special vehicle lane will be and the approximate location in the road, and is in accord with the format used in the Second Schedule of the Christchurch City Council Traffic and Parking Bylaw 2008 attached.

8 Cont'd

19. If a greater level of detail was specified, then if any changes were made to the road in the future which required the alteration of the special vehicle lane the bylaw would need to be amended. If the bylaw was not amended and the changes on the road were made, then that may make enforcement of the bylaw more difficult. The Second Schedule contains wording which provides that lanes will be marked as required/prescribed under the Land Transport legislation or at the officer's discretion in accordance with best practice guidelines.

New Zealand Bill of Rights Act (NZBORA) 1990

20. The only provision of the NZBORA which has a bearing on the proposed amendment to the Bylaw is section 18, which provides that everyone lawfully in New Zealand has the right to freedom of movement. Creating special vehicle lanes provides a limitation on this right, but the limitation is considered to be a reasonable restriction in a free and democratic society, in accordance with section 5 of the NZBORA. Persons can still move around the city, and in fact creating cycle lanes may uphold another right under the NZBORA: freedom from discrimination (cycle lanes may provide a safe option for those who cannot drive cars because of a disability or age). Therefore there are no inconsistencies between the draft amended bylaw and the NZBORA.

Legal requirements of a special consultative procedure

21. The special consultative procedure under the Act requires that the Council prepare a statement of proposal that must include:
 - “(a) as the case may be -
 - (i) A draft of the bylaw as proposed to be made or amended; or
 - (ii) A statement that the bylaw is to be revoked; and
 - (iii) The reasons for the proposal; and
 - (iv) A report on any relevant determinations by the local authority under section 155.”
22. The Act also requires the Council to determine the form of the summary of information. Section 89(c) requires that it be distributed "*as widely as reasonably practicable (in such a manner as is determined appropriate by the local authority, having regard to the matter to which the proposal relates)...*" Section 83(e) of the Act also requires that the Council must give public notice of the proposal and the consultation being undertaken.
23. The proposed amendment to the Bylaw concerns a road in one part of the Council's district. It is therefore proposed that the summary of information be distributed to all properties and businesses along the route and nearby properties in adjacent streets and any absentee owners identified within the distribution area. The summary of information will also be sent to other relevant stakeholders, including the Police, Spokes, Taxi Federation, transport groups, and any resident groups in the distribution area. Public notice of the proposal will be published in a local newspaper with a wide circulation in the Council's district. Copies of the consultation documents will be available from the Civic Offices, and selected Council service centres and libraries.

Decisions that are inconsistent with Council policies

24. If the Council decides to pursue an option that is significantly inconsistent with any of its adopted policies or strategies, it is required to comply with section 80 of the Local Government Act 2002. This section requires the Council to identify the inconsistency, the reasons for it and any intention to amend the policy to accommodate the decision.

8 Cont'd

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

25. Yes.

Do the recommendations of this report support a level of service or project in the 2009-19 LTCCP?

26. Yes.

ALIGNMENT WITH STRATEGIES

27. The proposed cycle lane is aligned to the following strategies:

- (a) Cycle Strategy 2004.
- (b) Draft Infrastructure Design Standard (2009).
- (c) Council's Parking Strategy (2003).
- (d) Metro Strategy.
- (e) Sustainable Energy Strategy.
- (f) Physical Recreation and Sport Strategy.
- (g) Road Safety Strategy.
- (h) National Walking and Cycling Strategy.
- (i) New Zealand Land Transport Strategy.

STAFF RECOMMENDATION

28. That the Shirley/Papanui Community Board through a Chairperson's report recommend that the Council:

- (a) Resolve that the proposed Traffic and Parking Amendment (Condell Avenue) Bylaw 2010, amending the CCC Traffic & Parking Bylaw 2008 and providing for special vehicle lanes (Cycle Lanes) on Condell Avenue between Blighs Road and Matsons Avenue, is the most appropriate way to address the objectives stated in paragraph 4 of this report.
- (b) Resolve that there are no inconsistencies between the amendments and the New Zealand Bill of Rights Act 1990, and that the draft amendments to the Bylaw are in the most appropriate form.
- (c) Resolve that the Council commence a special consultative procedure to make the Bylaw and that the attached Statement of Proposal (which includes the proposed Traffic and Parking Amendment (Condell Avenue) Bylaw 2010) and the Summary of Information be adopted for consultation and made available for public inspection at selected Council Service Centres, Council libraries and on the Council's website.
- (d) Determine that the Summary of Information be distributed to all properties and businesses along the route and nearby properties in adjacent streets, and any absentee owners identified within the distribution area, as well as to other relevant stakeholder groups, including Spokes, Taxi Federation, Transport Groups, and any resident groups in the distribution area.
- (e) Resolve that public notice of the proposal be published in a newspaper having a wide circulation in the Council's district.

14. 4. 2010

- 9 -

8 Cont'd

- (f) Appoint a hearings panel to consider submissions on the proposed Traffic and Parking Amendment (Condell Avenue) Bylaw 2010.
- (g) Note that this report is to be included in the Council agenda of 22 April 2010.

CHAIRPERSON'S RECOMMENDATION

That the staff recommendation be adopted.

8 Cont'd

BACKGROUND

29. The Shirley/Papanui and Fendalton/Waimairi Community Boards were advised by memorandum of the proposed works in November 2009. An initial survey was then taken with the residents, rest home, retirement village, college and property owners over November – December 2009. Their main concerns identified by the survey were landscaping (trees) and traffic speed.
30. Details of the proposed Condell Avenue (Blighs Road to Matsons Avenue) renewal project were presented as a seminar to the Shirley/Papanui and Fendalton/Waimairi Community Boards on 17 and 22 February 2010 respectively. The statutory special consultative procedure will follow the adoption of the recommendations of this report.
31. The objectives of this project are;
 - Meet budget and achieve lowest overall cost solution.
 - Maintain or improve user safety and level of service.
 - Renew the kerbs & channels to suit drainage & adjacent street drainage needs as required.
 - Renew street drainage pipes as required.
 - Renew carriageway(s) as required.
 - Renew footpaths as required.
 - Renew berms as required.
 - Renew streetlight assets as required.
 - Renew signs and markings as required.
 - Renew other Transport & Streets assets e.g. cycle, traffic signals, retaining walls, fences, railings, etc if required.
 - Install traffic calming infrastructure to suit the speed environment required.
 - Install new landscaping and street trees to meet Council's Community Outcomes.
 - Install additional assets to meet current standards and the new street layout.

KEY FEATURES OF THE PREFERRED OPTION

- Replaces the existing kerb and dish channel with kerb and flat channel;
- Provides a continuous cycle lane on each side of Condell Avenue from Blighs Road to Matsons Avenue;
- A reduction in the amount of car parking spaces spread along the street. Parking surveys indicate that the number of parks proposed will more than cater for the maximum parking demand observed on this street.
- Inclusion of a number of kerb build outs to accommodate tree planting and landscaping and to provide traffic calming measures;
- Improved pedestrian crossing points by the addition of three pedestrian islands at desired pedestrian crossing locations.
- The existing street trees, which are predominantly Silver Birches, are to be replaced with magnolia vulcan trees along the berms and scarlet oak trees in the kerb build outs.

9. REMOVAL OF STREET TREE 2 MAYO PLACE

General Manager responsible:	General Manager City Environment, DDI 941 8608
Officer responsible:	Transport and Greenspace Manager
Author:	Shane Moohan, City Arborist, Transport and Greenspace

PURPOSE OF REPORT

1. The purpose of this report is to obtain a decision on the future of a silver birch tree located on the berm at 2 Mayo Place (Corner Mayo Place and Ballymena Drive).

EXECUTIVE SUMMARY

2. The residents at 2 Mayo Place have contacted Council (Deputy Mayor Norm Withers) by email in September 2009 and November 2009 requesting the removal of the silver birch.
3. Reasons for removal are health issues (allergens), roots lifting footpath, roots encroaching into private property, tree blocking street light, debris from tree blocking spouting and causing rust.
4. An arboricultural assessment showed that the tree is reasonably healthy with no tree health and safety reasons that would require its removal.
5. The tree has a moderate form. This is a direct result of being inappropriately pruned by the resident, without the consent of the Council.
6. For this reason staff recommend that the tree be replaced at the applicants' cost.

FINANCIAL IMPLICATIONS

7. The cost to remove and replace the tree with PB95 grade tree is estimated at \$1,300 (including the cost of watering and mulching the tree over the first 3 years) which equates to 11% of the value of the asset.
8. The STEM evaluation score is 102 points. The STEM evaluation without the negative influences is 114 points. The STEM evaluation had the tree not been inappropriately pruned would be 120 to 126 points.

The STEM valuation is \$12,000.

- a) *STEM (A Standard Tree Evaluation Method) is the New Zealand national arboricultural industry standard for evaluating and valuing amenity trees by assessing their condition and contribution to amenity along with other distinguishable attributes such as stature, historic or scientific significance.*

Do the Recommendations of this Report Align with 2009-19 LTCCP budgets?

10. Obtaining reimbursement from the applicant to remove and replace structurally sound and healthy trees is consistent with the current LTCCP.

LEGAL CONSIDERATIONS

11. The Greenspace Manager has the following delegation with respect to trees:

"In consultation with any other units affected and the relevant Community Board, authorise the planting or removal of trees from any reserve or other property under the Manager's control".

12. While the Transport and Greenspace Manager has the delegation to remove the Birch trees, current practice is that in most cases requests to remove healthy and structurally sound trees are placed before the appropriate Community Board for a decision.

9 Cont'd

13. Under the delegations to Community Boards, the Board has the authority to “plant, maintain and remove trees on reserves, parks and roads” under the control of the Council within the policy set by the Council.
14. 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 provision of the Christchurch City Plan.
15. The following City Plan Policies may be of some benefit when considering the options:

VOLUME 2: SECTION 4 CITY IDENTITY

4.2.1 POLICY: TREE COVER

To promote amenity values in the urban area by maintaining and enhancing the tree cover present in the City.

- 1) Tree cover and vegetation make an important contribution to amenity values in the City. Through the redevelopment of sites, existing vegetation is often lost and not replaced. The City Plan protects those trees identified as “heritage” or “notable” and the subdivision process protects other trees which are considered to be “significant”. The highest degree of protection applies to heritage trees.
- 2) Because Christchurch is largely built on a flat plain, trees and shrubs play an important role in creating relief, contributing to visual amenity and attracting native birds.
- 3) The amount of private open space available for new planting and to retain existing trees is influenced by rules concerning building density and setback from boundaries. The rules do not require new planting for residential development but landscaping is required in business zones.

4.2.2 POLICY: GARDEN CITY

To recognise and promote the “Garden City” identity, heritage and character of Christchurch.

- 1) A key aspect of achieving this policy will be maintaining and extending environments and vegetation types which compliment this image. A broad range of matters influence and contribute to this image, including the following:
 - tree-lined streets and avenues
 - parks and developed areas of open space

14.3.2 POLICY: “GARDEN CITY” IMAGE IDENTITY

To acknowledge and promote the “Garden City” identity of the City by protecting, maintaining and extending planting which compliments this image

Volume 3: Part 8 Special Purpose Zone

14.3.5 Street Trees

- 1) Nearly half the length of streets within the city contains street trees, but the presence of very high quality street trees which add considerable presence to streets and neighbourhoods is confined to a relatively small proportion of the road network. These streets add particular character and amenity of the city, either in the form of avenues which form points into the city, or an important part of the local character of particular streets.
16. An application to prune or remove the tree may be made to the District Court under The Property Law Amendment Act 1975.

9 Cont'd

17. The District Court can order the pruning or removal of a tree under the Property Law Amendment Act 1975.
18. The removal and replacement of the tree is to be completed by a Council approved contractor.

Have you considered the legal implications of the issue under consideration?

19. Yes, as per above.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

20. Draft LTCCP 2009-19:

Streets and Transport – Pg. 81

- (a) Governance – By enabling the community to participate in decision making through consultation on plans and projects.
 - (b) City Development – By providing a well-designed, efficient transport system and attractive street landscapes.
22. Retention of the tree is consistent with the Activity Management Plan provided the tree is structurally sound and healthy.
 24. Removing and not replacing the tree is not consistent with the Activity Management Plan.

Do the recommendations of this report support a level of service or project in the 2009-19 LTCCP?

25. yes, as per above.

ALIGNMENT WITH STRATEGIES

26. Removing and replacing the tree would be consistent with the following strategies:
 - (a) Biodiversity Strategy.
 - (b) Christchurch Urban Design Vision.
 - (c) Garden City Image as per the City Plan.
27. There is currently no policy for the pruning or removing of trees in public places. A draft Tree Policy is being worked on.

Do the recommendations align with the Council's strategies?

28. Yes, as per above.

CONSULTATION FULFILMENT

29. The Consultation Leader contacted the applicant to advise that a Board report was being prepared regarding the street tree outside his property. One of the options seeks a financial contribution from the applicant for the removal, replacement and establishment of the tree. He advised that he will not provide any money for this work as he is of the view that the rates he pays should cover this work. Further to this he advised that, in his view, a replacement tree should not go back in this location due to damage to the footpath and obstruction of the street light. The applicant was advised that he would receive a letter confirming the Board meeting date and information about how to seek speaking rights at this meeting.

9 Cont'd

30. Should approval to replace the tree be forthcoming residents will be advised two weeks prior to the removal of the tree.

STAFF RECOMMENDATION

It is recommended that the Shirley/Papanui Community Board approves the removal and replacement of the silver birch at 2 Mayo Place, and that the cost of \$1,300 is borne by the applicant.

CHAIRPERSON'S RECOMMENDATION

That the staff recommendation be adopted.

9 Cont'd

Background

31. First recorded contact with the resident was in November 2007 when he requested the tree be removed. The reasons were allergies, roots disturbing the footpath and tree covering the street light. The tree was pruned by Council as a result of the call.
32. Since then the applicant (by his own admission – refer email dated 1 November 2009) has disfigured the tree leaving it in a moderate form (shape).
33. The tree is medium sized, and although some debris would be generated by the tree, the amount of debris can not be considered excessive.
34. There is minor footpath damage on Ballymena Drive that is likely to have been caused by roots from the tree. Previous footpath repairs have occurred within the immediate vicinity of the tree on Mayo Place. Footpath repairs commonly occur throughout the City where lifting and cracking is caused by tree roots as part of routine maintenance.
35. The tree is currently well clear of the street light.
36. In regard to removing silver birches and the effect it would have on the issue the Canterbury District Health Board have advised staff the following –

“...when it comes to intervention the main problem is that the lack of research in this area, so it comes down to theorising. Obviously if there were no birch trees in NZ no-one would become allergic to them (assuming no immigration/emigration) - what is unclear is how many would then become allergic to something else, and whether their symptoms would be more or less severe. This scenario is also obviously entirely theoretical, and once you move to an actual practical situation things become even more complex.the arguments about selecting new trees for planting based on allergenicity are probably stronger in scientific terms than the arguments for removing existing plantings”
37. Silver birch pollen is very small, is dispersed by wind, and therefore can travel a considerable distance. The pollen is produced at the time of year that coincides with perennial ryegrass pollen and Canterbury's naturally windiest period.
38. The advice from the DHB is that it is unknown as to whether or not a lack of silver birch trees would mean that people become allergy free or whether they are allergic to something else and continue to suffer.
39. Grass pollen is a well known allergen because of the amount of pollen it produces. Perennial ryegrass is considered among the worst. Christchurch is surrounded by large amounts of perennial ryegrass which results in heavily pollen laden air in spring and summer. This is due to the amount of pollen that grass produces combined with the strong winds that naturally occur in Canterbury at the time the pollen is produced. The pollen producing season is longer than that of silver birch (early spring to late autumn) and overlaps the birch pollen season at both ends. This means that people who think they may be allergic to silver birch may in fact be allergic to grass pollen (or another tree or shrub).
40. There is a significant number of common trees and shrubs (both native and exotic) that have a similar or worse allergen rating to that of silver birch. Included are Christchurch's five most commonly planted street and park trees along with most of Christchurch's iconic trees. Similarly, there are many shrubs in both street and park gardens, as well as private gardens, that have similar or worse allergen ratings to that of silver birch.
41. Council direction to staff in August 2007 was –

“There is to be no city wide removal and replacement of silver birches for supposed health associations. The removal of Silver Birches or similar, are to be evaluated on a case by case basis and only to be removed for tree health and safety reasons, with them being replaced by another tree species”.

9 Cont'd

Options

42. Decline the request to remove the silver birch tree outside 2 Mayo Place and continue to maintain the tree to internationally recognised and accepted arboricultural practices, standards and procedures.
43. Remove and replace the silver birch tree. Costs of \$1,300 are to be borne by the applicant. All work is to be carried out by an approved Council tree contractor.

10. SHIRLEY TOY LIBRARY

General Manager responsible:	General Manager, Community Services Group DDI 941 8607
Officer responsible:	Unit Manager, Community Support Unit
Author:	Bruce Meder, Community Development Adviser

PURPOSE OF REPORT

1. The purpose of this report is to present a request for funding of \$2,797 from the Shirley Toy Library to the Shirley/Papanui Community Board from its 2009/10 Discretionary Response Fund.
2. The request is for \$2,797 towards the purchase and installation of two safety gates to go over the fire exit doors. This application is being split with the Burwood/Pegasus Community Board.
3. There is currently a balance of \$21,696 remaining in the Boards 2009/2010 Discretionary Response Fund.

EXECUTIVE SUMMARY

4. Shirley Toy Library is a new toy library which has come about by the merging of two toy libraries: the St Albans Toy Library and the Burwood Toy Library. Each of these toy libraries has a 20 year history of service within their respective communities. The Shirley Toy Library shows a membership made up of 60% from the Shirley/Papanui Ward area and 40% from the Burwood/Pegasus Ward area.
5. The new site (Hammersley Park School) has proven to be a very good venue because it provides the space needed to run well and is accessible to people living in the local area. The Library has a membership of almost 300 families and a stock of over 2000 toys.
6. The managing committee believe that they can increase the membership within the Shirley community, especially as the library is now based at a decile one school.
7. Since the library opened they have become aware of the need to reduce the likelihood of young children getting out of the fire exit doors into the adjacent car park. At present they are doing this by having a volunteer at the door to prevent this happening. The purchase of safety gates would enable this volunteer to be more productively engaged.

COMMUNITY DEVELOPMENT CONTEXT

8. The area of Shirley has one of the densest proportions of children in Christchurch. There has been much research establishing the important role that play has in children's development in terms of: physical skills, cognitive concepts, language skills and social skills. Toy Libraries offer the chance for parents to obtain appropriately targeted toys at a reasonable expense.

FINANCIAL IMPLICATIONS

9. Shirley Toy Library have received two quotes for this work. One for \$2,797 and the other for \$3,619 (both inclusive of GST). Shirley Toy Library have opted for the first of these.
10. The installation of child safety gates is part of a larger upgrade and fit-out that the Toy Library is undertaking. This includes painting, an electrical refit, plastering, shelving, desks, boxes and scaffolding. The total cost of all of this project including the security gates is \$9,750. The Toy Library is contributing \$6,952.55 of their own funds towards these costs.
11. The latest Audited Accounts (to 31 March 2009) of the St Albans Toy Library show an annual turnover of slightly less than \$20,000 with a surplus of \$4,500. They had total assets of just over \$50,000 with \$37,000 of this being in fixed assets. The Audited Accounts of the Burwood Toy Library (also to 31 March 2009) show an annual turnover of almost \$30,000 with a surplus of almost \$4,000. They had total assets of almost \$32,000. A Financial Report for the new Shirley Toy Library to end of December 2009 shows a bank balance of \$10,000.

10 Cont'd

12. This is the first application for funding from the Shirley Toy Library to either Community Board. However in the past 3 years the old Burwood Toy Library received \$3,900 for rental purposes for the 2008/09 and 2009/10 financial years. The last time that the old St Albans Toy Library received funding was over 10 years ago.

Do the Recommendations of this Report Align with 2009-19 LTCCP budgets?

13. Yes page 184

LEGAL CONSIDERATIONS

Have you considered the legal implications of the issue under consideration?

14. Yes

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

15. Aligns with LTCCP and Activity Management Plans pages 172 and 176.

Do the recommendations of this report support a level of service or project in the 2009-19 LTCCP?

16. Yes Strengthening Communities page 172 (2009-19 LTCCP).

ALIGNMENT WITH STRATEGIES

17. This application meets the following Council Community Grants Funding Outcomes:
- Support, develop and promote the capacity and sustainability of community, recreation, sports, arts, heritage and environment groups.
 - Enhance community and neighbourhood safety.
 - Provide community based programmes which enhance basic life skills.

This application helps to meet the following goals of the Strengthening Communities Strategy:

- Ensuring that communities have access to community facilities that meet their needs.
- Enhancing the safety of communities and neighbourhoods.
- Improving basic life skills so that all residents can participate fully in society.

It also helps to meet the following Community Board objectives:

- Embraces diversity and strives to facilitate and advocate for a vibrant and engaged community without barriers to inclusion.
- Support and encourage sporting, recreational and cultural activities for a strong, happy community in which all residents in the ward have the opportunity to participate.
- Supports local lifelong learning opportunities in all forms and advocates for resources to empower all residents to up skill and grow.

DO THE RECOMMENDATIONS ALIGN WITH COUNCIL

18. Strengthening Communities Strategy

CONSULTATION FULFILMENT

19. Not applicable.

10 Cont'd

STAFF RECOMMENDATION

It is recommended that the Shirley/Papanui Community Board grant \$1,800 (60% of application) from its 2009/10 Discretionary Response fund to the Shirley Toy Library towards the purchase and installation of child safety gates.

CHAIRPERSON'S RECOMMENDATION

That the staff recommendation be adopted.

11. APPLICATION TO SHIRLEY/PAPANUI COMMUNITY BOARD'S YOUTH DEVELOPMENT FUND – STEPHANIE WATSON

General Manager responsible:	General Manager, Community Services, DDI 941-8607
Officer responsible:	Unit Manager, Community Support
Author:	Bruce Meder, Community Development Adviser

PURPOSE OF REPORT

1. The purpose of this report is to present a Youth Development Fund application for funding in the 2009/10 financial year to the Shirley/Papanui Community Board. The application is from Stephanie Watson.

EXECUTIVE SUMMARY

2. Stephanie Louise Watson is 12 years old and lives in Papanui. Stephanie is applying for funding to enable her to attend the New Zealand School of Dance Winter School in July 2010.
3. The Winter School of Dance (5 – 9 July 2010) is a five-day course offering intensive tuition in a range of dance styles for young students. The school is held in Wellington and includes the opportunity for students to learn from some of the best national and international teachers available.
4. Stephanie writes that this opportunity “will give me excellent training, make me a better dancer and bring me closer to my long term goal of being (accepted) into a major dance company.” Stephanie’s teachers refer to Stephanie as being “a very conscientious and dedicated student who strives for excellence” and “an extremely motivated student and she always strives to better herself.” Stephanie also displays her enthusiasm through regularly helping younger students in the dance classes.

FINANCIAL IMPLICATIONS

5. The total cost of this course is \$900, made up of: \$450 course fees, \$150 airfares and \$300 accommodation. Stephanie has been selling chocolates to help fundraise for this trip.
6. The Shirley/Papanui Community Board has available \$660 from the 2009/10 Youth Development Fund for allocation.

LEGAL CONSIDERATIONS

7. There are no legal considerations.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

8. Aligns with pages 172 and 176, 2009-19 LTCCP.

Do the recommendations of this report support a level of service or project in the 2009-19 LTCCP?

9. As above.

ALIGNMENT WITH STRATEGIES

10. Application aligns with the Council’s Youth Strategy, Strengthening Communities Strategy and local Community Board objectives.

Do the recommendations align with the Council’s strategies?

11. As above.

11 Cont'd

CONSULTATION FULFILMENT

12. Not applicable.

STAFF RECOMMENDATION

It is recommended that the Shirley/Papanui Community Board make an allocation of \$300 from the Board's 2009/2010 Youth Development Fund to Stephanie Louise Watson as a contribution towards the cost of attending the NZ School of Dance Winter School in July 2010.

CHAIRPERSON'S RECOMMENDATION

For discussion.

12. SHIRLEY/PAPANUI 2008/09 STRENGTHENING COMMUNITIES FUND, SMALL GRANTS FUND, AND DISCRETIONARY RESPONSE FUND – END OF PROJECT ACCOUNTABILITY REPORTS

General Manager responsible:	General Manager Community Services , DDI 941-8607
Officer responsible:	Community Support Manager
Author:	Bruce Meder, Community Development Adviser

PURPOSE OF REPORT

1. The purpose of this report is to provide the Board with an end of year accountability report for projects that received funding from the 2008/09 Strengthening Communities Fund, Small Grants Fund and Discretionary Response Fund.

EXECUTIVE SUMMARY

2. The amount of the Council's Strengthening Communities Funding (SCF) allocated by the Board for the 2008/09 financial year was \$280,000.
3. Successful applicants of the SCF are required to submit a six month accountability report and an end of project accountability report. Attached to this report, (**attachment 1**), is a matrix detailing the information received on the end of project accountability reports.
4. In 2008/09 a new reporting system using a Results Based Accountability framework was introduced. This system uses three key questions to measure the impact and efficacy of projects.
 - How much did you do?
 - How well did you do it?
 - Is anyone better off?
5. The amount of the Council's Small Grants Fund (SGF) allocated by the Board for the 2008/09 financial year was \$85,000
6. Successful applicants of the SGF are only required to submit an end of project accountability report. Attached to this report (**attachment 2**) is a matrix detailing which projects have returned an accountability report and includes staff comments where necessary.
7. The amount of the Community Board's Discretionary Response Fund (DRF) for the 2008/09 financial year was \$60,000.
8. Successful applicants of the DRF are also only required to submit an end of project accountability report. Attached to this report, (**attachment 3**), is a matrix detailing the information received on the end of project accountability reports.

FINANCIAL IMPLICATIONS

9. On 23 July 2008, the Board allocated its Strengthening Communities Funding (\$280,000) across 25 projects.
10. On 14 August 2008, the Board allocated its Small Grants Funding (\$85,000) across 45 projects.
11. During the period of 1 July 2008 to 30 June 2009, the Board allocated a total of \$47,018 from its Discretionary Response Fund across 15 projects.

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

12. Yes, see LTCCP page 103 regarding community grants schemes including Board funding

12 Cont'd

LEGAL CONSIDERATIONS

Have you considered the legal implications of the issue under consideration?

13. There are no direct legal issues involved in this review process.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

Do the recommendations of this report support a level of service or project in the 2006-16 LTCCP?

14. Yes, see LTCCP pages 99 and 100 regarding community grants schemes including Board funding.

ALIGNMENT WITH STRATEGIES

15. The funding allocation process carried out by Christchurch community boards is covered in the Council's Strengthening Communities Strategy.
16. Funding allocations made contributed to fulfilling the Council's 2006-16 Strategic Objectives (Strong Communities) and Community Outcomes (Governance and Community), are aligned with the Strengthening Communities Strategy 2007 and contribute to meeting the Board's Objectives for the 2006-09 period.

Do the recommendations align with the Council's strategies?

17. Yes, as per paragraph 15 above.

CONSULTATION FULFILMENT

18. Not required.

STAFF RECOMMENDATION

It is recommended that the Board receive the information.

CHAIRPERSON'S RECOMMENDATION

That the staff recommendation be adopted.

12 Cont'd

BACKGROUND

End of Project Accountability Reports

19. In total 85 projects received a grant in 2008/09 from Shirley/Papanui Community Board's Strengthening Communities Fund, Small Grants Fund, or the Discretionary Response Fund.
20. Staff are following up with any group that has not completed their end of project accountability report. It should be noted that groups who were allocated funding for the 2009/10 year did not have their funding released until an accountability report for 2008/09 had been received.

New accountability measures – Results Based Accountability

21. In 2008/09, a new accountability system, based on a Results Based Accountability framework developed by Mark Friedman, was implemented to better measure the impact and efficacy of the projects funded.
22. Results Based Accountability starts with the desired 'ends' and works backward, step by step, to the 'means'. For example – for communities, the ends are conditions of well-being for children, adults, families and the community as a whole such as residents with good jobs, a safe neighbourhood, or a clean environment.
23. The system uses three basic questions:
 - How much did you do?
 - How well did you do it?
 - Is anyone better off?
24. Mark Freidman is a speaker, consultant and author of the book '*Trying Hard Is Not Good Enough: How to Produce Measurable Improvements for Customers and Communities*'. Mr Friedman directs the Fiscal Policy Studies Institute (FPSI) in Santa Fe, New Mexico. His work has been used in over 40 states in America and countries around the world, including Australia, New Zealand, the United Kingdom, Ireland, the Netherlands and Norway.
25. Mark Freidman gave a presentation on the Results Based Accountability System for Elected Members on 10 June 2009 at Civic Chambers.
26. All groups that received funding in the 2008/09 year were invited to attend a seminar with Mark Friedman on 5 December 2008. The seminar explained the reasoning behind Results Based Accountability and showed groups how to measure their project's outcomes in this way.
27. Staff have also been trained on the Results Based Accountability System and have been available to groups to help them to complete their accountability reports.

13. CORRESPONDENCE

Any items of correspondence that have been received will be separately circulated to members.

14. COMMUNITY BOARD ADVISER'S UPDATE

14.1 CURRENT ISSUES

14.2 UPDATE ON LOCAL CAPITAL PROJECTS

That the Board receives the Local Capital Project Update for information (**attached**).

14.3 BOARD FUNDING UPDATE FOR 2009/10 (attached).

14.4 CSR REPORT FOR MARCH 2010 (attached).

15. ELECTED MEMBERS' INFORMATION EXCHANGE

The purpose of this exchange is to provide a short brief to other members on activities that have been attended or to provide information in general that is beneficial to all members.

16. MEMBERS QUESTION

17. RESOLUTION TO EXCLUDE THE PUBLIC

Attached.