

**AKAROA-WAIREWA COMMUNITY BOARD
AGENDA**

WEDNESDAY 7 JULY 2010

AT 9.30AM

**IN THE BOARD ROOM OF THE
LITTLE RIVER SERVICE CENTRE,
4238 CHRISTCHURCH-AKAROA ROAD, LITTLE RIVER**

Community Board: Stewart Miller (Chairman), Bryan Morgan (Deputy Chairman), Jane Chetwynd, Claudia Reid, Pam Richardson and Eric Ryder.

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- 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 MEETING MINUTES – 11 JUNE 2010**
- PART B** 3. **DEPUTATIONS BY APPOINTMENT**
- PART B** 4. **PRESENTATION OF PETITIONS**
- PART B** 5. **NOTICES OF MOTION**
- PART B** 6. **CORRESPONDENCE**
- PART B** 7. **RESERVE MANAGEMENT COMMITTEE MINUTES**
 - 7.1 **Awai-iti Reserve Management Committee - 1 April 2010**
 - 7.2 **Little Akaloa Reserve Management Committee – 20 May 2010**
 - 7.3 **Duvauchelle Reserve Management Committee – 10 May 2010**
- PART B** 8. **AKAROA DESIGN AND APPEARANCE ADVISORY COMMITTEE –
3 JUNE 2010**

7. 7. 2010

- PART C 9. PIGEON BAY BOAT PARK LAND EXCHANGE
- PART C 10. AKAROA/WAIREWA STRENGTHENING COMMUNITIES FUNDING 2010/11
ALLOCATIONS
- PART C 11 PROPOSED ROAD AND RIGHT OF WAY NAMING
- PART B 12. REVIEW OF CHARACTER HOUSING MAINTENANCE GRANT FUND
- PART A 13. PROPOSED TREE POLICY FOR TREES ON PUBLICLY OWNED LAND OR
SPACES
- PART B 14. BRIEFINGS
14.1 Richard Ball, Unit Manager, Strategy and Planning
 Brigitte de Ronde, Programme Manager, District Planning
14.2 Andrea Wild, Community Engagement Adviser
- PART B 15. COMMUNITY BOARD ADVISER'S UPDATE
15.1 Board Funding Balances as at 7 July 2010
15.3 June Update on Local Capital Projects
- PART B 16. ELECTED MEMBERS INFORMATION EXCHANGE
- PART B 17. QUESTIONS UNDER STANDING ORDERS

7. 7. 2010

1. **APOLOGIES**

2. **CONFIRMATION OF MEETING MINUTES – 11 JUNE 2010**

The minutes of the Board's ordinary meeting of Friday 11 June 2010 are **attached**.

STAFF RECOMMENDATION

That the minutes of the Board's ordinary meeting held on Friday 11 June 2010 be confirmed.

7. 7. 2010

3. DEPUTATIONS BY APPOINTMENT
4. PRESENTATION OF PETITIONS
5. NOTICES OF MOTION
6. CORRESPONDENCE

7. 7. 2010

7. RESERVE MANAGEMENT COMMITTEE MINUTES

7.1 AWA-ITI RESERVE MANAGEMENT COMMITTEE – 1 APRIL 2010

The minutes of the Awa-iti Reserve Management Committee meeting of 1 April 2010 are **attached**.

STAFF RECOMMENDATION

That the Board receive the minutes of the Awa-iti Reserve Management Committee meeting held on Thursday 1 April 2010.

7.2 LITTLE AKALOA RESERVE MANAGEMENT COMMITTEE – 20 MAY 2010

The minutes of the Little Akaloa Reserve Management Committee meeting of 20 May 2010 are **attached**.

STAFF RECOMMENDATION

That the Board receive the minutes of the Little Akaloa Reserve Management Committee meeting held on Thursday 20 May 2010.

7.3 DUVAUCHELLE RESERVE MANAGEMENT COMMITTEE – 10 MAY 2010

The minutes of the Duvauchelle Reserve Management Committee meeting of 10 May 2010 are **attached**.

STAFF RECOMMENDATION

That the Board receive the minutes of the Duvauchelle Reserve Management Committee meeting held on Monday 10 May 2010.

8. AKAROA DESIGN AND APPEARANCE ADVISORY COMMITTEE – 3 JUNE 2010

General Manager responsible:	General Manager, Regulation & Democracy Services DDI 941-8462
Officer responsible:	Planner, Environmental Policy and Approvals Unit
Author:	Liz Carter, Community Board Adviser

PURPOSE OF REPORT

The purpose of this report is to submit the outcomes of the Akaroa Design and Appearance Advisory Committee meeting held on Thursday 3 June 2010.

The meeting was attended by Committee members Stewart Miller (Chairman, Akaroa/Wairewa Community Board), William Fulton, Philip Kennedy, Eric Ryder and Lynda Wallace.

Also in attendance were Dave Margetts (New Zealand Historic Places Trust) and Rod Armstrong (Planner).

Opening the meeting the Chairman welcomed Mr Fulton and Mr Kennedy, the two new appointees to the committee.

1. APOLOGIES

Apologies for absence were received and accepted from Victoria Andrews and John Davey.

2. REPORT OF PREVIOUS MEETING

2.1 Ordinary Meeting – 1 April 2010

The Committee **received** the minutes of the Akaroa Design and Appearance Advisory Committee meeting held on Thursday 1 April 2010.

3. PLANS TO CONSIDER

3.1 Evan and Jennifer Still, 21 Aylmers Valley Road - Dwelling

Members were informed that the applicants proposed to construct a house with an attached garage on a site at 21 Aylmers Valley Road.

The Committee expressed its concern that the plan in its present form was a substantial deviation from the Akaroa Design Guidelines, which although consulted, had clearly not been taken into consideration. The Committee questioned why the architect had not taken guidance from the Design Guidelines when preparing a proposal for the Akaroa Historic Area.

Committee members expressed disappointment at receiving a plan like this one, when the Design Guidelines had been in place for some time. It was noted that it was common for urban design considerations to now take into account the overall streetscape.

In particular, the Committee noted that the following aspects of the design were far removed from what was in the guidelines:

- Shape of building (box shape)
- Size and shape of windows – lack of vertical orientation – lack of reveals
- Roof forms/roof line – lack of pitched roof elements
- Cladding and texture – blank / featureless
- Colours
- No breaking up of the form
- Streetscape and landscaping considerations.

7. 7. 2010

The Committee also had misgivings about the driveway being pushed out to the boundary fence, which gave no opportunity for greenery to be planted, therefore relying heavily on neighbours to provide landscaping along the boundary.

Members asked that the design be revisited and that the plan be represented to the Committee taking into account the comments of the Committee:

- An assessment of the plan in relation to other buildings in the street and the context of the wider environment of the Residential Conservaton Zone.
- The level of road on the east elevation to be shown on any future plan submitted.
- Important to identify what can actually be seen from the street view, as the present plan does not show the height above natural ground level.
- Scale of the house requires breaking down – the façade is too long with no breaking up other than the garage.
- Pitched roof preferred and would be more in keeping with the area. The Panel would rather see a more appropriate designed dwelling with a height non compliance than an inappropriate design that complied with the height.
- Colour scheme, cladding and texture needs to be identified.
- A landscape proposal to be submitted.
- The Akaroa Design Guidelines need to be fully considered.

3.2 Remote Sign Frames

Greg Barnard, Public Transport Infrastructure Coordinator, Transport and Greenspace, and Steffan Thomas, Transport and Engineering Team Leader briefed the Committee on the following issues:

- Design for the remote sign frames.
- Intersection locations provided for in the Bylaw.
- Review of activities to date.
- Timeline for intended installation.

Staff informed the committee that the remote sign frame must comply with standards set out in the Banks Peninsula Public Places and Signs Bylaw and would be consistent throughout the nine locations identified in that bylaw. The frames would contain five blades and only businesses situated off the main street would have their names on a blade. What could be printed on the blades was also stipulated in the bylaw.

The Committee expressed a desire to ensure that directional signage on street corner posts, such as the one on Rue Grehan remain, as such signage highlighted the character of Akaroa. The main concern, it was felt, was that sandwich boards cluttered the footpaths and action needed to be taken to eliminate them.

Members favoured the plane black hoop design with cream blades and a different colour lettering to make them more attractive.

3.3 Britomart Reserve

Ian Jackson, Area Contract Manager briefed the Committee on improvements to the Britomart Reserve and fence.

Members were informed that the seats and fencing posts needed replacing along with the chain fence, which had very little of the original spike chain remaining.

It was pointed out that the Britomart Reserve was part of Akaroa's heritage and that the spiked chain and the original posts are considered as heritage fabric having been identified as being at least 102 years old. Members agreed that the present spike chain suited the area. It was suggested that it could be used just on the north boundary of the reserve from Beach Road back towards the wharf.

7. 7. 2010

The Committee made the following comments:

- That the chain as at present be retained and relocated to the north boundary of the reserve.
- That the wooden posts be retained if possible and an inspection carried out on conserving these posts.
- That a pedestrian opening be situated on the corner of the reserve to deter the public from climbing over the chain fence.
- That the seats be replaced but that they not necessarily be the same design as elsewhere in the township and be of a more simple design in keeping with the reserve.

4. COMMUNITY BOARD ADVISER'S UPDATE

Nil

5. COMMITTEE MEMBERS EXCHANGE OF INFORMATION

Nil

The meeting closed at 12.00noon.

STAFF RECOMMENDATION

That the Board receive the minutes of the Akaroa Design and Appearance Advisory Committee meeting held on Thursday 3 June 2010.

9. PIGEON BAY BOAT PARK LAND EXCHANGE

General Manager responsible:	General Manager City Environment DDI 304-8608
Officer responsible:	Transport & Greenspace Manager
Author:	Justin Sims, Property Consultant

PURPOSE OF REPORT

1. The purpose of this report is to seek the Community Board's approval to undertake the next process step, being consultation through public advertising under the Reserves Act for a proposed exchange of lands involving part of Pigeon Bay Boat Park (classified as recreation reserve) and an equivalent area of adjoining privately owned land.

EXECUTIVE SUMMARY

2. Sage Properties Ltd (Sage) own property at 130 Wharf Road, Pigeon Bay which adjoins Pigeon Bay Boat Park Reserve. The property owner is currently renovating the homestead sited on the property and as part of the enhancement works wishes to improve vehicular access by realigning the driveway.
3. The re-aligned driveway is proposed to cut through part of the Reserve shown as Lot 7 DP 301575 on the attached plan (**Attachment 1**).
4. Sage has proposed that a land swap is undertaken whereby they will swap a parcel of their land (**Section 1 on Attachment 1**) for that located in the Reserve (**Section 2 on Attachment 1**). The parcel sought by Sage is a sloping triangular section which is not useable for boat parking purposes whilst the parcel offered to be exchanged is flat and would therefore be capable of beneficial use.
5. There is also potential benefit on regatta days for the driveway being located off the inland part, rather than the coastal part of Wharf Road, as the road between the yacht club and the main area of the Reserve can get congested with vehicles, boats and pedestrians on these days.
6. As part of the agreement, Sage are also proposing to undertake native plantings to the existing Reserve, the section to be swapped with Council and also contribute to other planting initiatives around the bay as indicated on the plan (**Attachment 2**).
7. Section 15 of the Reserves Act 1977 ("the Act") enables the exchange of reserves for other land. The Community Board has delegated authority to approve such an exchange. However the first step in that process is to publicly notify the proposal to establish if there are any objections. Subsequent to this and the satisfaction of any objections the matter of proceeding with the exchange itself will be formally reported back to the Community Board for resolution. At that time issues such as landscaping, Department of Conservation approval and authority for entering into the required contractual arrangements will be attended to. Any objections not satisfied will need to be attended to through a separate process; this is outlined in paragraph 15 below.

FINANCIAL IMPLICATIONS

8. The two land parcels are the same size and it is therefore considered that they have the same value. All other costs associated with the reserve land exchange such as consultation requirements of section 15 of the Reserves Act 1977 and all associated staff time, including survey costs, will be borne by Sage. There will therefore be no cost to the Council in agreeing to and completing the land exchange.
9. Future maintenance of all the plantings are also to be borne by Sage and they have also entered into an agreement that if the property is sold, the title will be encumbered with the liability for this future maintenance.

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

10. No, but the cost of the land swap is to be borne by Sage.

LEGAL CONSIDERATIONS

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

11. The Community Board has delegated authority to approve an exchange of reserves for other land under Section 15 of the Reserves Act 1977.
12. Section 15 of the Reserves Act 1977 – exchange of reserves for other land, provides that the Minister of Conservation may authorise the exchange of the land comprised in any reserve for any other land to be held for the purposes of that reserve subject to the Council passing a resolution requesting the exchange, following a public notification process.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

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

13. Yes. Refer Page 118 of Volume 1 of the LTCCP, level of service under parks, open spaces and waterways.

ALIGNMENT WITH STRATEGIES

Do the recommendations align with the Council's strategies?

14. Open Space Strategy

CONSULTATION FULFILMENT

15. The land exchange is to be completed in accordance with section 15 of the Reserves Act 1977 and will therefore require a months notice with opportunity for any objections to be heard. The process for this is that staff will endeavour to informally satisfy any objections. If this is achieved then the matter will be reported back to the Community Board for resolution on whether to proceed with the exchange or not. Should there be any objections that are unable to be informally satisfied, or objectors wish to be heard, then the matter will need to be referred to an independent commissioner or hearings panel. In this instance due to the Council's interest in acquiring a portion of privately owned land there is sufficient risk to claim the matter requires some independence and therefore a process using a commissioner rather than a hearing is recommended. In that event, a commissioner will be appointed by the Council Secretary.

STAFF RECOMMENDATION

It is recommended that the Community Board support commencement of the consultation process as required under section 15 of the Reserves Act for the land exchange as shown on drawing RPS259.

10. AKAROA/WAIREWA STRENGTHENING COMMUNITIES FUNDING 2010/11 ALLOCATIONS

General Manager responsible:	General Manager Community Services
Officer responsible:	Carolyn Gallagher, Unit Manager Community Support
Author:	Sue Grimwood, Community Development Adviser

PURPOSE OF REPORT

- 1.. The purpose of this report is for the Akaroa/Wairewa Community Board to allocate the Akaroa/Wairewa Strengthening Communities Fund for 2010/11.

EXECUTIVE SUMMARY

2. This report provides information to Community Board Members on the applications received for the Strengthening Communities Fund and includes updated information following Board discussions at the Akaroa/Wairewa Board Funding Workshop on 11 June 2010.
3. The total pool available for allocation in 2010/11, as outlined in the LTCCP, is \$29,865. Applications totalling \$21,050 were received. Current staff recommendations total \$17,100.
4. Attached (**Attachment 1**) is a decision matrix, which outlines the projects that funding is being sought for. Following staff collaboration meetings, staff have ranked all projects as either Priority 1, 2, 3 or 4 and have made recommendations as to funding.
5. The Akaroa/Wairewa Board Funding Workshop on 11 June 2010 gave Community Board members the opportunity to go through the applications received in order to clarify any issues or questions about applications.
6. The Akaroa/Wairewa Board has put forward one project as a Key Local Project in 2010/11. These projects are not included on the attached matrix as they now appear on the Metropolitan matrix. The Akaroa/Wairewa Board has no existing KLPs.

FINANCIAL IMPLICATIONS

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

7. Yes, see LTCCP pages 176 and 177 regarding community grants schemes including Board funding.

LEGAL CONSIDERATIONS

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

8. Yes. Community Board funding decisions are made under delegated authority from the Council.

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?

9. Yes Strengthening Communities Funding and Community Board Funding, see LTCCP pages 176 and 177 regarding community grants schemes, including Board funding.

ALIGNMENT WITH STRATEGIES

Do the recommendations align with the Council’s strategies?

10. The funding allocation process carried out by Christchurch Community Boards is covered in the Council’s Strengthening Communities Strategy.

7. 7. 2010

CONSULTATION FULFILMENT

11. Not applicable.

STAFF RECOMMENDATION

It is recommended that the Board give consideration to the projects detailed in the attached decision matrix and approve allocations from the Akaroa/Wairewa Community Board Strengthening Communities Funding for 2010/11.

BACKGROUND

Strengthening Communities Strategy

12. The Council adopted the Strengthening Communities Strategy on 12 July 2007. The Strengthening Communities Grants Funding Programme comprises four funding schemes:
 - (a) Strengthening Communities Fund
 - (b) Small Grants Fund
 - (c) Discretionary Response Fund
 - (d) Community Organisations Loan Scheme
13. For detailed information on the Strengthening Communities Strategy's Outcomes and Priorities please see **Attachment 2**. The specific criteria for the Strengthening Communities Fund is also attached, as **Attachment 3**.

The Decision Matrix

14. Information on the projects is presented in a Decision Matrix, attached as Attachment 1. To ensure consistency, the same Decision Matrix format and presentation has been provided to the Metropolitan Funding Committee.
15. Applications are project-based; information is provided that relates specifically to the project for which funding is being sought, not the wider organisation.
16. All applications appearing on the Decision Matrix have been assigned a Priority Rating. The Priority Ratings are:
 - Priority 1** Meets all eligibility criteria and contributes significantly to Funding Outcomes and Priorities. Highly recommended for funding.
 - Priority 2** Meets all eligibility criteria and contributes to Funding Outcomes and Priorities. Recommended for funding.
 - Priority 3** Meets all eligibility criteria and contributes to Funding Outcomes and Priorities but to a lesser extent than Priority 2 applications. Not recommended for funding.
 - Priority 4** Meets all eligibility criteria and has minimum contribution to Funding Outcomes and Priorities; or Insufficient information provided by applicant (in application and after request from Advisor); or Other funding sources more appropriate. Not recommended for funding.
17. Staff have used the following criteria to determine whether an application is a Priority One:
 - Impact the project has on the city
 - Reach of the project
 - Depth of the project
 - Value for Money
 - Best Practice
 - Innovation
 - Strong alignment to Council Outcomes and Priorities
 - Noteworthy leverage or partnership/match funding from other organisations or government departments.
18. A draft matrix was presented to the Board at a workshop on 11 June, no decisions were made at the workshop. The purpose of the workshop was to enable the Board and staff to discuss the projects, clarify any issues and seek further information, if necessary.

Key Local Projects

19. Each Board may nominate Key Local Projects (KLPs) in its area that are put forward to the Metropolitan Funding Committee for consideration for metropolitan funding.

7. 7. 2010

20. The Akaroa/Wairewa Board has put forward one project as a Key Local Project in 2010/11. These projects are not included on the attached matrix as they now appear on the Metropolitan Strengthening Communities Fund matrix.

Timeline and Process

21. Community Boards have delegated authority from the Council to make final decisions on the Strengthening Communities Funding for their respective wards. The Board's decisions will be actioned immediately following the decision meeting. All groups will then be informed of the decisions and funding agreements will be negotiated where relevant. All funding approved is for the period of September to August each year, therefore grants will be paid out in early September 2010.

11. PROPOSED ROAD AND RIGHT OF WAY NAMING

General Manager responsible:	General Manager Regulation & Democracy Services, DDI 941-8462
Officer responsible:	Environment Policy & Approvals Manager
Author:	Vil Vabulis, Subdivisions Team Leader

PURPOSE OF REPORT

1. The purpose of this report is to obtain the Board's approval for one new road name.

EXECUTIVE SUMMARY

2. The approval of proposed new road and right of way names is delegated to Community Boards.
3. The Subdivision Officer has checked the proposed name against the Council's road name database to ensure it will not be confused with names currently in use.
4. The new road to be named comes off Woodills Road and is required to service a new eight lot subdivision next to the Akaroa camping ground (map **attached**). The subdivider has proposed that the new road be named "Feltham" Road. There were no second or third preferences provided.

Feltham Road would be named after Thomas Feltham who was a well-known early settler in Akaroa. He lived in a 10-acre property (80 Woodills Road) adjacent to the new road from about 1865 to his death in 1898. He and his wife opened the first school in Akaroa in 1854 and after moving to the Woodills Road property he devoted himself to his garden and orchard. He became a renowned nurseryman and seedsman and supplied fruit and trees all over Canterbury. These trees included apples, pears, walnuts, plums, peaches, cherries and quince. He also grew roses for sale. The large walnut orchard he established is still thriving, as are some of the other early fruit trees. According to his obituary he was "highly esteemed for his geniality and general desire to do good to his fellow colonists". He was married twice but there is no evidence of him having children. His second wife died shortly after him in 1898 and the property was sold in 1899.

Comments by the subdivider:

"We have selected Feltham Road as it is a simple and straightforward name that we do not believe will be confused with any other in Akaroa. We think "Road" is appropriate as the new road comes off Woodills Road. Woodills Road was named after another distinguished early resident, John Woodill, who lived closed to Thomas Feltham. We think it is appropriate to name Feltham Road in a similar way to Woodills Road."

FINANCIAL IMPLICATIONS

5. There is no financial cost to the Council. The administration fee for road naming is included as part of the subdivision consent application fee, and the cost of name plate manufacture is charged direct to the developer.

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

6. Not applicable.

LEGAL CONSIDERATIONS

7. Council has a statutory obligation to approve road names.

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

8. Yes. There are no legal implications.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

9. Not applicable.

7. 7. 2010

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

10. Not applicable.

ALIGNMENT WITH STRATEGIES

11. Not applicable.

Do the recommendations align with the Council's strategies?

12. Not applicable.

CONSULTATION FULFILMENT

13. Where proposed road or right of way names have a possibility of being confused with names in use already, consultation is held with Land Information New Zealand and NZ Post. Where a Maori name is proposed Ngāi Tahu are consulted

STAFF RECOMMENDATION

It is recommended that the Board consider and approve the proposed road name as submitted.

12. REVIEW OF CHARACTER HOUSING MAINTENANCE GRANT FUND

General Manager responsible:	General Manager, Strategy and Planning DDI 941-8281
Officer responsible:	Programme Manager Liveable Cities
Author:	Katie Smith, Neighbourhood Planner

PURPOSE OF REPORT

1. This report is to review the existing Character Housing Maintenance Grants Policy and propose a revised policy for consideration by the eight Community Boards for grant funding of maintenance of character houses located within Christchurch City and Banks Peninsula. The views of the Community Board's will be reported back to the Council's Regulatory and Planning Committee.

EXECUTIVE SUMMARY

2. In March 2004 the Council resolved to provide grant funding towards the external maintenance of pre-1945 character houses to assist in their retention and continuing contribution to the residential amenity and identity of their local areas. This was implemented for a period of four years from July 2006 to run until July 2010. The Character Housing Maintenance Grants Policy required a review of the success of the grants after this initial four year period.
3. The historic fabric of Christchurch comprises both heritage listed and non-listed character buildings in both residential and commercial use. City Plan Listed Heritage Buildings and Items are protected by the rules set out in the City Plan and entitled to grants for internal and external repairs and maintenance under the Heritage Incentive Grants Policy. Listed heritage, however, makes up a small proportion of the older housing stock that contribute to the character and heritage of the city.
4. The Character Housing Maintenance Grants fulfil an important role in the retention of non-listed heritage buildings which contribute to the character and heritage of Christchurch. Without these maintenance grants there is no other source of financial help or encouragement for property owners to retain these buildings and the loss of such buildings has been noted in many areas of the city as eroding the character of the older suburbs.
5. The Character Housing Maintenance Grants were intended to provide a small financial contribution towards the external upgrading and maintenance of homes which have a distinctive visual character and make a key contribution to the quality of the local streetscape and the community identity. In 2009/10 a total of \$47,500 was available through the Character Housing Grant Fund with an average grant approval of \$1,408 over the 25 applications approved. Staff time on administration of the grants is approximately 0.3 of a full time equivalent position.
6. The objectives of the review are to ensure the Fund operates effectively both for Council and the applicants, that it supports the retention of character homes, and to raise awareness of this grant fund.
7. The policy sets out the criteria by which the effectiveness of the grant scheme will be assessed and includes community acceptance, improvements in street amenity and local identity and retention of character houses. The policy also requires the Character Housing Maintenance Grants Panel to consider each annual round against these criteria. Those annual discussions have led to a number of the recommendations in this report aimed at making the Character Housing Maintenance Grants more effective. Feedback has also been received from some of the grant applicants.
8. The effectiveness of the grants against the criteria is assessed in the following:
 - *Community acceptance*; there has been a significant interest in the grant scheme as shown by the receipt of 154 applications, and numerous enquiries each year.
 - *Improvements in street amenity and local identity*; of the 154 applications, 72 (approx 50 per cent) have uplifted grant funding in the past four years. These grants have been for a range of works including external painting, window and roof replacement and replacement/repair of building features such as veranda details. These improvements have all contributed to the amenity of the street scene and the identity of the local area.

7. 7. 2010

- *Retention of character houses in an area including those that have not received grants*; the grant process requires the applicant to commit to non demolition or relocation of the property for the next 10 years thereby ensuring the property continues to contribute to the street scene and local identity. It is difficult to quantify the impact upon the retention of character properties that have not received a grant as there are many other factors that would influence their retention including market conditions over the past four years.
 - *Effectiveness of the management and administration of the programme*; each year the grant fund has not been fully allocated nor all grants uplifted. The review identifies that there are three main factors that limit the success of the grants: the low quantum of grant funding; the restrictive grant conditions and criteria; the administrative process. All of these issues are explained in more detail in the background section of this report.
9. On the basis of this assessment the Character Housing Maintenance Grants have been a cost effective mechanism for recognising the contribution that character homes make towards street scene and local identity. The additional recommendations in this report are aimed at reinforcing the intention of the grants to focus at the local level and further supporting that effectiveness and administrative efficiency.
10. The background section of this report contains a summary of the effectiveness of the grant process, a review of the selection criteria, conditions of the grant and options for a revised policy.
11. Three options have been considered:
- the status quo;
 - continuing with the current Character Housing Maintenance Grants with minor changes to the existing policy and process;
 - applications being approved by each Community Board with the fund allocated between the eight Community Boards who can determine applications throughout the year, along with minor changes to the existing policy and process;

It is recommended that the third option is progressed. The share of the fund will be based on the number of residential properties within each ward built before 1945 (source: *Christchurch City Council Valuation Hub Database*).

12. The proposed revisions to the Character Housing Maintenance Grants Policy, should the preferred option be adopted, are shown in the **attachment**. The revised Policy will be reviewed in three years to monitor the effectiveness of the revised grants system.

FINANCIAL IMPLICATIONS

13. Provision has been made for a Character Housing Maintenance Grant Fund of \$45,310 per annum for 2010/11. Each property is restricted to a total maximum grant funding of \$5,000. Staff time is provided for in operational budgets.
14. The current policy has one pool of funding and is allocated by the Character Housing Grants Panel. In the preferred option outlined in this report each Community Board is allocated a proportion of the Character Housing Maintenance Grant Fund. Allocating a proportion of the grant fund to each of the Community Boards will enable each Board to be responsible for making decisions on the grant applications it receives, reinforces an original intention of the grants scheme to focus at the local level and would provide a stronger mechanism to encourage applications. The proportion for each Community Board is based on the number of properties located within its ward that were built before 1945. Table 1 below details the proposed distribution of funding between the Community Boards (note that figures have been rounded).

Table 1: Character Housing Maintenance Grants Community Board Funding Allocation

Community Board	Number of properties pre-1945	% of properties pre-1945	Budget
Lyttelton-Mt Herbert	760	4.1%	\$1,860
Akaroa-Waiwera	221	1.2%	\$540
Burwood-Pegasus	1,571	8.5%	\$3,845
Fendalton-Waimairi	1,977	10.7%	\$4,835
Hagley-Ferrymead	5,311	28.7%	\$12,990
Riccarton-Wigram	797	4.3%	\$1,950
Shirley-Papanui	2,966	16.0%	\$7,260
Spreydon-Heathcote	4,918	26.6%	\$12,030
Total Christchurch	18,521	100.0%	\$45,310

15. The current policy requires that grants not uplifted within the financial year lapse.
16. The preferred option allows a period of 11 months for applicants to complete the works and uplift the grant. This will require the end of year carry forward of funds for those grants that will not be uplifted until the following financial year.
17. The current policy restricts the grant funding to a maximum of 10 per cent of the total costs of the external maintenance works (excl GST) up to a maximum of \$5,000 per property.
18. The preferred option will give each Community Board the discretion to award applicants between 10 per cent and 20 per cent of the external maintenance cost (excl GST) up to a maximum of \$5,000 per property. This increases from a maximum of 10 per cent in the current policy. It will also allow for additional applications for properties to be submitted once the original grant has been uplifted and will be dependent upon available funds and to a maximum limit of \$5,000 in total grants per property.

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

19. Yes, the Character Housing Maintenance Grant Fund is provided for on pages 194 and 198 of the 2009-19 LTCCP.

LEGAL CONSIDERATIONS

20. The current policy requires the non-demolition and non-relocation of the property for a period of ten years. This condition has been dealt with through a written agreement from the applicant not to demolish or relocate the property and is monitored by placing a property note on the Land Information Memorandum (LIM). Whilst this does not have the legal standing of a covenant, it does require the owner to state their intention to retain the property and the agreement will be highlighted to the Council's consent planners should any application for demolition or relocation be received.
21. The preferred option will retain this need for the property owner to agree in writing not to relocate or demolish the property within 10 years of the uptake of the grant and will continue to be monitored through the LIM note on the property file. This is considered an appropriate form of agreement for implementing the non-demolition and non-relocation requirements of the policy given the low value of the individual grants.
22. The current policy is not explicit about grant payback should demolition or relocation occur within the ten-year period. The preferred option is to include a clause requiring payback under these circumstances. Should the grant recipient decide not to pay back the grant money upon demolition or relocation of the building then consideration would need to be taken on a case-by-case basis as to what, if any, legal proceedings should follow.

7. 7. 2010

23. The existing Character Housing Maintenance Grants Policy also requires that should the property be sold within five years of the grant payment then the applicant must repay the grant to the Council for future reallocation. There have been a number of grants paid back due to applicants selling their properties within five years, yet post-sale these properties continue to contribute to the street scene. This approach is also inconsistent with the Heritage Incentive Grants, where there is no requirement for grants to be paid back should the property be sold.
24. The preferred option will not require the payback of the grant should the property be sold. The intent of the policy is around the character of the property and the contribution of the property to the street environment. This revision will not impact upon the intent of the policy and may encourage more applications.

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

25. Yes, see above

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

26. The Character Housing Maintenance Grants are accounted for in the 2009-2019 LTCCP and align with the Activity Management Plans, Activity 1.4: Heritage Protection by providing grants in order to maintain and protect heritage items and values which contribute to a unique city and community identity, character and sense of place and provide links to the past.

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

27. Yes.

ALIGNMENT WITH STRATEGIES

28. The Character Housing Maintenance Grants align with the Liveable City Strategic Directions and the Greater Christchurch Urban Development Strategy in that it maintains and enhances the quality of the development and renewal of the city's built environment by protecting Christchurch's heritage buildings and neighbourhood character.

Do the recommendations align with the Council's strategies?

29. Yes, the recommendations will enable the Character Housing Maintenance Grants Fund to operate effectively.

CONSULTATION FULFILMENT

30. Each of the eight Community Boards will be consulted with in regards to the proposed changes to the policy and process and a summary of the Community Boards comments and recommendations will be provided to Council.
31. Comments from the Character Housing Grant Panel and grant applicants have been taken into consideration in formulating the revised policy.

STAFF RECOMMENDATION

It is recommended that the Community Boards:

- (a) Consider the Character Housing Maintenance Grants Fund Review report and provide feedback for staff to report to the Council's Regulatory and Planning Committee.
- (b) Note the preferred option, Option C, for the allocation of the Character Housing Maintenance Grants to be determined by the individual Community Boards and the process as set out in the revised Operational Policy **attached**.

BACKGROUND (THE ISSUES)

32. The Character Housing Maintenance Grants have been available to owners of character dwellings in Christchurch and Banks Peninsula since July 2006 and have offered grants of 10 per cent (up to a maximum of \$5,000 excl GST) for external maintenance works to upgrade the external appearance of residential properties that make a key contribution to the quality and identity of local streets.
33. The existing policy has been operating for the past four years with a budget of \$100,000 in the first three years and \$47,500 in the final year. The allocation of funds for each year are as shown in Table 2 below.

Table 2: Annual allocation of Character Housing Grants

Financial Year	Number of grants approved	Total value of grants approved	Total number of grants uplifted	Total value of grants uplifted
2006/07 Fund available \$100,000	42 of 64 applications	\$47,573.00 (ave \$1,133.00)	22	\$22,883.00 (ave \$1,040.00)
2007/08 Fund available \$100,000	26 of 28 applications	\$33,039.00 (ave \$1,271.00)	17	\$19,844.00 (ave \$1,167.00)
2008/09 Fund available \$100,000	27 of 36 applications	\$43,573.00 (ave \$1,614.00)	17	\$25,893.00 (ave \$1,523.00)
2009/10 Fund available \$47,500	25 of 26 applications	\$35,192.00 (ave \$1,408)	TBC	TBC

34. Decisions on grant applications are currently made by the Character Housing Grants Panel (comprising one member from each Community Board), following consideration and a recommendation by the relevant Community Board. The means that for each grant there is a two step process. This has resulted in a lengthy time from application to decision-making, and for the size of the fund and scale of the grants, increased the associated administration. The intention of this grants scheme was for this to remain focused at the local level. The preferred option reinforces this intention, recommending responsibility for decision making lies with each Community Board based upon an annual allocation of grant funds.
35. Operation of the grant system over the past four years has highlighted a number of weaknesses and disincentives associated with the current policy that provide areas for consideration in this review, including the following:
36. **Financial incentive**
- The grant fund has not been fully allocated.
 - Uptake of grants approved has been low, on average this is less than 25 per cent of total grant fund.
 - The maximum of 10 per cent of the total cost of the project excl GST (max \$5,000) is too little to act as an effective incentive to promote retention of character houses. Average grants are \$1,243.
37. **Grant conditions and criteria**
- If ownership changes within five years the applicant is required to pay back the grant, although the property will continue to make a contribution to the character of the area and street scene.
 - The Policy requires a non-demolition or relocation clause for 10 years.
 - The Policy only allows for one grant per property, there is no time limit after which further applications may be considered.
 - The criteria requires that the proposed works must be visible from a public place which excludes character houses on rear sections and essential maintenance works such as piling which are important to the retention of the building.
 - The policy excludes non-residential buildings which can make a significant contribution to the streetscape, character and history of the local area.

7. 7. 2010

38. Administrative process

- (a) The grant process from opening the fund and receipt of applications through to completion of works spans just one financial year. The process results in only one window of opportunity for applicants to apply for a grant each year.
 - (b) The decision making process can take up to four months and restricts time for completion of works to a maximum of seven months in order to claim the grant before the end of the financial year.
 - (c) If works are not complete by the end of the financial year the grant offer lapses and the applicant either foregoes the grant or has to reapply to another funding year.
 - (d) There are no opportunities to consider grants for urgent repair works or retrospective applications where works have been completed between the cut off in one financial year and the opening date in the next.
 - (e) The Policy does not allow for funding to be carried forward to the next financial year even for those grants offered but where work is unable to be completed within the timeframe, even if the work has commenced.
39. These issues have been considered in light of the original intent of the policy and operational guidelines and that the Community Board involvement be retained as an important part of the decision making process.
40. Following recognition of these weaknesses and a review process a number of solutions were considered that would improve grant effectiveness including; making the grants more of an incentive by offering a greater quantum of funding; amending conditions; allowing access to the grants throughout the year and improving the process to allow for greater uplift of the grants.
41. Giving the Community Boards the discretion to award grants for between 10 per cent and 20 per cent would enable the opportunity to provide more of an incentive for those applications considered to make more of a contribution to the street scene and identity of the local area and will be more in line with the quantum of grant funding offered by the Heritage Incentives Grants Policy and should provide for a full allocation of the fund. This will also give the Community Boards the opportunity to make the decisions for properties within their wards and promote the grants within their ward.
42. Removing the condition to repay the grant should the property be sold within five years of the issuing of the grant, allows owners to sell a property. The grant funding is provided to retain the character house, irrespective of who owns the property and is consistent with the Heritage Incentive Grants Policy. The non demolition and relocation clause will be retained with a payback requirement.
43. Providing the opportunity for applicants to apply for subsequent grants after the first grant is uplifted, and dependent upon available funds, allows applicants to stage their maintenance works and manage their budgets for such works.
44. The criteria restricts the funding to properties that make a contribution to the street scene or public space therefore excluding character houses on rear sections and buildings in commercial use. Due to the reduction in the overall fund it is considered these conditions are appropriate.
45. Currently there is one opportunity for grant applications to be submitted each year. Allowing applications for grants to be submitted throughout the year will provide greater accessibility to the fund and enable applicants needing to undertake urgent repair works to access the grants within an appropriate timeframe. These changes to the process will allow for greater accessibility to the grants and will improve speed in decision making.
46. Changing the requirement for works to be completed within the same financial year that the grant was offered and allowing applicants 11 months for the uplift of their grant will provide greater accessibility to the fund and facilitate uptake and allocation of the fund. There are numerous examples whereby applicants have been unable to complete the works within the current prescribed timeframe. This makes the fund more in line with the Heritage Incentive Grants that are allowed 18 months for uplift their grant.
47. An amended policy has been formulated to address these issues to enable a more effective and efficient use of the grant funding. A revised policy is set out in **attachment**.

THE OBJECTIVES

48. To efficiently and effectively administer the Character Housing Maintenance Grants to provide a real incentive to property owners to maintain and enhance character houses that display character elements and contribute to the street scene and the character and identity of the area.

THE OPTIONS

- (a) Maintain the Status Quo with the addition of a new review clause.
To continue the Character Housing Maintenance Grants as per the current policy.
- A three year review of the Fund to evaluate success and report to Council
- (b) Continue the Character Housing Maintenance Grants with minor changes to the existing policy and process to:-
- Allow applications to be submitted twice a year dependent upon available funds.
 - Require the Grants Panel to sit twice a year.
 - Increase potential grant funding for each application to 10 per cent to 20 per cent (maximum \$5,000) at the discretion of the Grants Panel.
 - Allow 11 months from offer of grant for completion of works.
 - Allow applicants to apply for additional grants for further works once first grant completed dependent upon available funds and limited to a maximum of \$5,000 per property.
 - Remove the payback clause if the property is sold as the property still retains a relationship with the street scene or public open space.
 - Retain the non-demolition and non-relocation clause in the policy with an added payback requirement .
 - A three year review of the Fund to evaluate success and report to Council.
- (c) Fund allocation to be determined by the Community Boards with the fund allocated between the eight Community Boards who can determine applications throughout the year by altering the policy and process to:-
- Allow decisions on grants to be taken at Community Board level.
 - Allow applications to be submitted throughout the year.
 - Allocation of fund to Community Boards is based on the number of pre-1945's houses in each ward.
 - Increasing potential grant funding for each application to 10 per cent to 20 per cent (maximum \$5,000) at the discretion of the Community Board.
 - Allow 11 months from offer of grant for completion of works.
 - Remove the payback clause if property sold as property still retains relationship with street scene or public open space.
 - Retain the non-demolition and non-relocation clause in the policy with an added payback requirement.
 - A three year review of the Fund to evaluate success and report to Council.

ASSESSMENT OF OPTIONS

The Preferred Option - Option C

49. Each Community Board will be given a share of the overall Character Housing Maintenance Grant Fund to allocate to applicants of properties located within their ward. The share of the fund will be based on the number of residential properties within their ward built before 1945 (source: *Christchurch City Council Valuation Hub Database*,

The Community Boards will take responsibility for decision making for Character Housing Maintenance Grants in their ward based on the policy guidelines.

- (a) Applications can be submitted throughout the year and taken before the relevant Community Board for a decision on the quantum of grant funding dependent upon available funds.
- (b) Increasing potential grant funding for each application to 10 per cent and 20 per cent (maximum \$5,000) at the discretion of the individual Community Board on the merits of each application.
- (c) Applicants be permitted 11 months from approval of the grant to complete works and uplift the grant.

7. 7. 2010

- (d) Allow applicants to apply for additional grants for further works once first grant completed dependent upon available funds and limited to a maximum of \$5,000 per property.
- (e) Retain the non-demolition and non-relocation clause in the policy with a payback requirement.
- (f) Remove the payback clause if the property is sold as the property still retains a relationship with the street scene or public open space.
- (g) A three year review of the Fund to evaluate success and report to Council.

	Benefits (current and future)	Costs (current and future)
Social	Community Board take responsibility for allocation of grants within their ward and support promotion of this grant scheme.	Potential for inconsistent application of the guidelines and grant approvals.
Cultural	Continuity of sense of place and community through reduction in loss of older housing.	
Environmental	Community Boards can promote improved amenity and character for streetscapes within each of their wards.	
Economic	Equitable distribution of funds across the city. Sustainable maintenance of a broader city housing stock. Expected to result in improved allocation and uplift of grants.	Reduces administrative complexity with simplified process. Will involve an accrual of funds for grants not uplifted within financial year.

Extent to which community outcomes are achieved:

Aligns with Liveable City outcomes
Contributes to a Cultural City

Impact on the Council's capacity and responsibilities:

Improves the Council's contribution to the community and neighbourhood identity in a consistent process for improvements to local residential streetscapes.

Effects on Maori: N/A

Consistency with existing Council policies:

Improved consistency with Heritage Incentive Grant Fund Process.

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

The process allows more direct input by the Community Boards into applications within their own ward area. This report seeks feedback from the Community Boards on the revised process.
Addresses feedback from applicants and the Grants Panel on the current process.
No extra administrative work for Community Boards but retains administrative tasks currently undertaken by the Strategy and Planning Group.

Other relevant matters:

This brings the Character Housing Maintenance Grants process more in line with Community Board initiatives to promote positive outcomes for their ward.
The focus remains on the retention of older character houses which make a contribution to the local streetscape and identity of the residential area through their street presence as perceived by the local community.

7. 7. 2010

Maintain the Status Quo (if not preferred option) – Option A

50. The Community Boards recommend applications to the Character Housing Grants Panel who consider and determine grant approvals. A new review clause is added to allow for a three year review of the grant scheme.

	Benefits (current and future)	Costs (current and future)
Social	Community Boards retain their input into the decision making process via the Grants Panel.	
Cultural	Continuity of sense of place and community through reduction in loss of older housing.	Limited success of current policy and process to date.
Environmental	Shared responsibility between Community Boards for improved amenity and character for streetscapes across the whole city.	Limited success of system to date with poor awareness of the grant scheme.
Economic	Sustainable maintenance of a broader city housing stock.	Administrative complexity and high costs when compared to limited success of policy and process so far. Limited allocation of fund and uplift of grants.
<p>Extent to which community outcomes are achieved:</p> <p>Alignment with community outcomes for a Liveable City. Contributes to a Cultural City</p> <p>Impact on the Council's capacity and responsibilities:</p> <p>Maintains the Council's contribution to the community and neighbourhood identity in a consistent process for improvements to local residential streetscapes.</p> <p>Effects on Maori:</p> <p>NA.</p> <p>Consistency with existing Council policies:</p> <p>Some conditions of the grants are more onerous than the Heritage Incentive Grants Fund and process more complex.</p> <p>Views and preferences of persons affected or likely to have an interest:</p> <p>Community Boards to retain a limited influence over grants within their ward. Applicants feedback on current process will not be addressed.</p> <p>Other relevant matters:</p> <p>The focus remains on the retention of older character houses which make a contribution to the local streetscape and identity of the residential area through their street presence as perceived by the local community.</p>		

7. 7. 2010

Continue with the Character Housing Maintenance Grants with minor amendments to Policy and Process. – Option B

51. To make minor changes to the existing policy and process by:
- (a) Increasing potential grant funding for each application to between 10 per cent and 20 per cent (maximum \$5,000) at the discretion of the Grants Panel.
 - (b) Allow applications to be submitted twice a year dependent upon available funds.
 - (c) Require the Grants Panel to sit twice a year.
 - (d) Allow 11 months from offer of grant for completion of works.
 - (e) Allow applicants to apply for additional grants for further works once the first grant has been uplifted and dependent upon available funds.
 - (f) Remove the payback clause if the property is sold as the property still retains a relationship with the street scene or public open space.
 - (g) Retain the non-demolition and non-relocation clause in the policy with a payback requirement.
 - (h) A three year review of the Fund to evaluate success and report to Council.

	Benefits (current and future)	Costs (current and future)
Social	Community Boards retain their input into the decision making process in a similar way to previous process but now biannually.	
Cultural	Continuity of sense of place and community through reduction in loss of older housing	
Environmental	Shared responsibility between Community Boards for improved amenity and character for streetscapes across the whole city.	
Economic	Will enable a more flexible process for applicants to apply for and to uplift grants. Will improve allocation and uplift to a limited degree.	Will double the administrative process and the time involvement for the Community Boards and Grants Panel. Will involve an accrual of funds for grants not uplifted within the financial year.
<p>Extent to which community outcomes are achieved:</p> <p>Alignment with community outcomes for a Liveable City. Also contributes to a Cultural City.</p> <p>Impact on the Council's capacity and responsibilities:</p> <p>Greater commitment to scheme with biannual process shows a greater commitment to enhancing residential identity and amenity.</p> <p>Effects on Maori:</p> <p>NA.</p> <p>Consistency with existing Council policies:</p> <p>Emphasis on local and Community Board participation.</p> <p>Views and preferences of persons affected or likely to have an interest:</p> <p>Greater input from Community Boards and Grants Panel as process will need to be undertaken twice a year and will address some of the feedback from applicants and Grants Panel.</p> <p>Other relevant matters:</p> <p>The focus remains on the retention of older character houses which make a contribution to the local streetscape and identity of the residential area through their street presence as perceived by the local community.</p>		

13. PROPOSED TREE POLICY FOR TREES ON PUBLICLY OWNED LAND OR SPACES

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

PURPOSE OF REPORT

1. To present the Proposed Tree Policy for consultation with the Community Boards including proposed amendments to the Council's existing delegations on trees.

EXECUTIVE SUMMARY

2. Workshops with Councillors were held in June and September 2008 to discuss suggested changes to the current tree delegations.
3. The Combined Community Board Chairs Forum on 13 October 2008 requested that a working party made up of both staff and one nominated member from each Community Board be formed to work through issues relating to a City wide Tree Policy.
4. Since then the Tree Policy Working Party has met five times to prepare the Proposed Tree Policy document (**Attachment 1**). Issues that arose during these discussions that were outside of the scope of the Working Party are documented and were presented to Council in a memorandum on 10 December 2010 (**Attachment 2**).
5. An initial draft policy was developed which encompassed suggested changes to the current delegations as well as operational issues for planting, maintaining and removing trees. It did not cover future direction for trees in Christchurch as this would be more appropriately addressed in a strategic document.
6. On 16 October 2009 the Combined Community Board Chairs Forum recommended –
 - (a) That this initial draft Proposed Tree Policy be presented to Council for adoption.
 - (b) That the Working Party Memorandum be presented to Council for consideration.
7. The Council workshop on 23 February 2010 requested that an amended Proposed Tree Policy be presented to Council with the recommendation that it be adopted for consultation with Community Boards.

The amendments to the Proposed Tree Policy included changes to –

- (a) 3.1 Tree Management
- (b) 3.4 Removal of Trees in Public Spaces, clauses (i) (k) and (m).
- (c) 6 Definitions, Affected Community and Publicly Owned Land.
- (d) 4 Relevant Delegations, Where the relevant Community Board and the Transport and Greenspace Manager do not agree on the recommended course of action, the matter will be referred to Council for a decision.

A full break down of the amendments is found in paragraph 43.

8. On 25 March 2010 the Council adopted the amended Proposed Tree Policy for consultation with Community Boards.
9. The amended Proposed Tree Policy is now **attached**, together with a comments form template (**Attachment 6**), tree removal process map (**Attachment 3**), tree maintenance process map (**Attachment 4**) and tree planting process map (**Attachment 5**) to assist Boards with their discussions.

7. 7. 2010

10. The recommendation is that the amended Proposed Tree Policy be adopted subject to formal consideration of the comments offered by all of the Community Boards.

FINANCIAL IMPLICATIONS

11. Adoption of the Proposed Tree Policy is not expected to have significant effects on operational or capital budgets.
12. The Proposed Tree Policy suggests that there is a “user pays” process for some tree planting (3.3.1 Commemorative Trees), some tree pruning (3.7 Pruning Trees in Public Spaces) and some tree removals (3.4 Removal of Trees in Public Spaces, 3.5 Requests to Remove Trees in Public Spaces, 3.6 Cost of Removal of Trees in Public Spaces). This involves the actual cost to complete the work and the cost incurred in gathering sufficient information for Community Boards to make an informed decision where the requested service is not considered ‘business as usual’ and falls outside of approved Activity Management Plan levels of service .
13. The Proposed Tree Policy also suggests that for some tree removals that applicants pay for the value of the tree (3.6 Cost of Removal of Trees in Public Spaces). The value of the tree is based on the Standard Tree Evaluation Method (STEM) which is the nationally recognised system for evaluating and valuing trees (see “Definitions” in Proposed Tree Policy).
14. Should the suggested “user pays” process for tree removal and pruning be adopted, this will have financial implications for some members of the public.
15. Should the suggested user pays system be adopted this will need to be incorporated into the Council’s Fees and Charges Schedule under Section 12 Local Government Act 2002.

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

16. The recommendations align with the current LTCCP budgets.

LEGAL CONSIDERATIONS

17. Alignment with Principal legislation –
 - (a) Resource Management Act 1991.
 - (i) Banks Peninsula District Plan.
 - (ii) City of Christchurch City Plan.
 - (b) Reserves Act 1977.
 - (c) Biosecurity Act 1993.
 - (d) Health and Safety in Employment Act 1992 plus amendments and regulations.
 - (e) Electricity Act 1992 plus regulations.
 - (f) Telecommunications Act 2001.
 - (g) Property Law Act 2007.
 - (h) Public Works Act 1981.
 - (i) Local Government Act 1974 and 2002.
 - (j) Christchurch City Council Parks and Reserves Bylaw 2008.

7. 7. 2010

18. The following Council Policies will need to be rescinded –
- (a) Tree Planting in Streets Policy.
 - (b) Banks Peninsula District Council Tree and Vegetation Policy Resolutions 98/178 and 97/404.
 - (c) Banks Peninsula District Council Tree Trimmings (Private Plantings) Policy Resolution 94/636.
 - (d) Banks Peninsula District Council Tree Planting on Reserves Policy Resolution 99/236.
 - (e) Banks Peninsula District Council Wildling Trees – Removal from Road Reserve Resolution 98/178.

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

19. The Council has the legal right to adopt the Proposed Tree Policy.
20. Irrespective of Council Policies and Strategies the District Court can order the pruning or removal of trees under The Property Law Act 2007.
21. Irrespective of Council Policies and Strategies some pruning and removal of protected trees may require a Resource Consent to be granted prior to work being undertaken.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

22. Recommendation aligns with current LTCCP and Activity Management Plans.

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

23. Supports the following Levels of Service –
- (a) 6.0 Neighbourhood Parks.
6.06 Planted areas and trees.
 - (b) 6.1 Sports Parks.
6.1.8 Maintain planted areas and trees.
 - (c) 6.2 Garden and Heritage Parks.
6.2.9 Planted areas and trees.
 - (d) 6.3 Regional Parks
6.3.2 Protecting biodiversity values
 - (e) 6.4 Cemeteries.
6.4.8 Maintain planted areas and trees.
 - (f) 6.5 Waterways and Land Drainage
6.5.3 Cost of maintaining waterways and land drainage system.
 - (g) 10.0 Road Network.
10.0.11 Road landscaping and street trees.
24. Supports the Capital tree replacement programmes for street and park trees.

ALIGNMENT WITH STRATEGIES

25. There is currently no overarching city wide policy for vegetation management. In the Memorandum from the Tree Policy Working Party (**Attachment 2**) it is suggested that funding for the commencement of a City wide policy be included for consideration in the next LTCCP.

7. 7. 2010

26. The Proposed Tree Policy aligns with the following Strategies–
- (a) New Zealand Biodiversity Strategy.
 - (b) Christchurch City Council Biodiversity Strategy 2008-2035.
27. The Proposed Tree Policy aligns with Council Policies –
- (a) Traffic Calming Policy.
 - (b) Sponsorship of Trees and Other Plantings on Reserves.
 - (c) Proposed Central City Street Tree Plan.
 - (d) Central City Streetscape Plan.
 - (e) Consultation Policy.

28. The Proposed Tree Policy aligns with the following sections of the Christchurch City Plan -
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.

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.

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.

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.

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:

- (a) Tree-lined streets and avenues.
- (b) 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

7. 7. 2010

14.3.5 Street Trees

Nearly half the length of streets within the city contain 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 to 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.

CONSULTATION FULFILMENT

29. All eight Community Boards appointed representatives to the Tree Policy Working Party to ensure their Ward's views and concerns were represented.
30. On 16 October 2009 the Combined Community Board Chairs Forum recommended that the Proposed Tree Policy be presented to Council for adoption.
31. No public consultation has been undertaken as this document is intended for internal use.

STAFF RECOMMENDATIONS

That the Community Board:

- (a) Review and provide comment on the attached Proposed Tree Policy and the proposed changes to delegations.
- (b) Recommend to the Council that the Proposed Tree Policy be adopted subject to formal consideration of the comments offered by all of the Community Boards.
- (c) Recommend to the Council that the following policies be rescinded:
 - (i) Tree Planting in Streets Policy.
 - (ii) Banks Peninsula District Council Tree and Vegetation Policy Resolutions 98/178 and 97/404.
 - (iii) Banks Peninsula District Council Tree Trimmings (Private Plantings) Policy Resolution 94/636.
 - (iv) Banks Peninsula District Council Tree Planting on Reserves Policy Resolution 99/236.
 - (v) Banks Peninsula District Council Wildling Trees – Removal from Road Reserve Resolution 98/178.
- (d) Recommend to the Council that the following delegations be rescinded:

Greenspace Manager:

"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. (CR 23.10.96)"

Community Boards:

"To plant, maintain and remove trees on reserves, parks and roads under the control of the Council within the policy set by the Council. (CR 13.12.07)"

- (e) Recommend to the Council that the following changes to delegations be made -

That the following delegations for the policy be made:

- (i) The Transport and Greenspace Manager on the recommendation of the City Arborist and relevant infrastructure Manager where appropriate has delegated authority for the planting of trees under Section 3.3 and the removal of trees under Section 3.4 and the pruning of trees under Section 3.7 of this policy.

7. 7. 2010

- (ii) The relevant Community Board has delegated authority in consultation with the Transport and Greenspace Manager and relevant infrastructure Manager to decide on any tree matter that either falls outside of the Transport and Greenspace Manager's delegation or, after consultation with affected parties, has remained contentious and is unable to be resolved by the Transport and Greenspace Manager.
- (iii) In emergency situations, the Transport and Greenspace Manager or the City Arborist have full delegated powers to negate immediate danger.
- (iv) Where the relevant Community Board and the Transport and Greenspace Manager do not agree on the recommended course of action, the matter will be referred to the Council for a decision.

BACKGROUND

32. On 12 June 2008 a workshop was held to discuss potential changes to the tree delegations.

Currently delegations are:

Greenspace Manager -

"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. (CR 23.10.96)"

Community Boards -

"To plant, maintain and remove trees on reserves, parks and roads under the control of the Council within the policy set by the Council. (CR 13.12.07)"

33. Changes were suggested to enable:

- (a) Clear parameters over what decisions staff can make.
- (b) Greater clarity over when decisions are to be made by Community Boards.
- (c) Timely and pragmatic decisions for residents requesting tree removals.

34. As a result of this meeting a Memo was issued to the Mayor, Councillors and Community Board Members on 1 August 2008 outlining the current tree delegations for the Community Boards and the Greenspace Manager, suggesting changes to the delegations, the reasons why the changes were being suggested and safe guards.

35. On 29 September 2008 a further workshop was held providing an outline of issues faced by the arborists. These included -

- (a) Removal, replacement, removing otherwise healthy trees.
- (b) Pruning trees under power lines causing disfigurement to the tree.
- (c) Removing trees which are overcrowded.
- (d) Removing trees of poor shape.
- (e) Removing trees which pose a health and safety risk.

36. Proposals to clarify staff delegations were mainly around tree removal and tree planting. Some guidelines around staff decisions on tree removal and planting were suggested. These included the significance of the tree to be removed and the agreement of affected parties. Guidelines around tree planting included aligning to strategies or plans or direction, maintaining design integrity (e.g. Living Streets), maintaining existing levels of service for provision of street and park trees, and agreement of affected parties.

37. On 13 October 2008 the Combined Community Board Chairs forum requested that a working party made up of both staff and one nominated member from each Community Board be formed to work through issues relating to a tree policy.

38. The Working Party was made up of the following Community Board Members –

Paula Smith	Lyttleton/Mt Herbert (Chairperson)
Matt Morris	Shirley/Papanui (Deputy Chairperson)
Tim Carter	Hagley/Ferrymead
Mike Mora	Riccarton/Wigram
Val Carter	Fendalton/Waimairi

7. 7. 2010

Stewart Miller	Akaroa/Wairewa
Linda Stewart	Burwood/Pegasus
Karolyn Potter	Spreydon/Heathcote
Tim Scandrett	Spreydon/Heathcote (proxy)

39. The following Terms of Reference were drawn up to guide the Working Party in its discussions -
- (a) Clarify understanding around proposed changes to the tree delegations.
 - (b) Clarify staff and Community Board roles in tree maintenance i.e. business as usual vs pruning for views or shade or light and cost recovery with pruning for views or shade or light.
 - (c) Clarify staff and Community Board roles in tree planting and removals and cost recovery with tree removal and replacement planting.
 - (d) Consider the application of STEM (Standard Tree Evaluation Method) in its application to tree maintenance and removal decision making.
 - (e) Recommend any changes to existing delegations or the implementation of a Tree Policy following on from discussions over the above.
40. During Working Party discussions matters that were outside of the scope were raised. These were detailed in a Memorandum from the Working Party and presented to Council.
41. On 16 October 2009 the Combined Community Board Chairs recommended that the Proposed Tree Policy be forwarded to the Council for adoption.
42. On 10 December 2009 the Proposed Tree Policy went to the Council for adoption with the following recommendations –
- (a) Rescind the following Policies –
 - (i) Tree Planting in Streets Policy.
 - (ii) Banks Peninsula District Council Tree and Vegetation Policy Resolutions 98/178 and 97/404.
 - (iii) Banks Peninsula District Council Tree Trimmings (Private Plantings) Policy Resolution 94/636.
 - (iv) Banks Peninsula District Council Tree Planting on Reserves Policy Resolution 99/236.
 - (v) Banks Peninsula District Council Wildling Trees – Removal from Road Reserve Resolution 98/178.
 - (b) Adopt the Proposed Tree Policy including the following delegations:
 - (i) The Transport and Greenspace Manager on the recommendation of the City Arborist and relevant infrastructure Manager where appropriate has delegated authority for the planting of trees under Section 3.3 (Planning and Planting of Trees in Public Spaces) and the removal of trees under Section 3.4 (Removal of Trees in Public Spaces) and the pruning of trees under Section 3.7 (Pruning Trees in Public Spaces) of this policy.

7. 7. 2010

- (ii) The relevant Community Board has delegated authority in consultation with the Transport and Greenspace Manager and relevant infrastructure Manager to decide on any tree matter that either falls outside of the Transport and Greenspace Manager's delegation or, after consultation with affected parties, has remained contentious and is unable to be resolved by the Transport and Greenspace Manager.

43. At a February 2010 workshop Council requested that an amended Proposed Tree Policy be brought to Council with the recommendation that it be adopted for consultation with Community Boards.

The suggested amendments were –

3.1 Tree Management

Delete - "ecology - by"

Insert - "Enhancing and protecting the surrounding environment and safeguarding biodiversity"

3.4 Removal of Trees in Public Spaces

- (i) Delete - "significant" and insert "have only a minor detrimental effect".
- (k) Insert - "Control of roadside pests that are listed in the Canterbury Regional Pest Management Strategy 2005-2015 in Banks Peninsula remain the responsibility of the adjacent land owner".
- (m) Insert - "that is not listed as a threatened or endangered species either locally or nationally or internationally".

Section 4 - Relevant Delegations

Insert - paragraph 3.

"Where the relevant Community Board and the Transport and Greenspace Manager do not agree on the recommended course of action, the matter will be referred to Council for a decision".

6. Definitions

Affected Community table – delete - "<" and insert - "approximate maximum"

Affected Community table Local Park – delete - "key stakeholders e.g. sports groups, lessees"

Affected Community (a) – delete - "significant" and insert - "important"

Publicly owned land - delete "regional parks, sports parks, cemeteries" after "road reserve either formed or unformed" insert "excluding arterial roads"

44. On 25 March 2010 the Council adopted the amended Proposed Tree Policy for consultation with Community Boards.

7. 7. 2010

14. BRIEFINGS

- 14.1 **RICHARD BALL, UNIT MANAGER, STRATEGY AND PLANNING**
BRIGITTE DE RONDE, PROGRAMME MANAGER, DISTRICT PLANNING

Unit Manager briefing.

- 14.2 **ANDREA WILD, COMMUNITY ENGAGEMENT ADVISER**

Briefing in response to a Board request to discuss communication and consultation with the Akaroa/Wairewa community, following a poor response to the Climate Smart Strategy consultation.

15. COMMUNITY BOARD ADVISERS UPDATE

- 15.1 **BOARD FUNDING BALANCES**

Attached for members' information is the spreadsheet showing the balances for the Board's funding allocations for 2009/10.

- 15.2 **JUNE UPDATE ON LOCAL CAPITAL PROJECTS**

The June Update on Local Capital Projects will be circulated to Board members by email.

7. 7. 2010

16. ELECTED MEMBERS INFORMATION EXCHANGE

17. QUESTIONS UNDER STANDING ORDERS