

**FENDALTON/WAIMAIRI COMMUNITY BOARD
AGENDA**

TUESDAY 15 FEBRUARY 2011

AT 4PM

**IN THE BOARDROOM
FENDALTON SERVICE CENTRE
CORNER JEFFREYS AND CLYDE ROADS**

Community Board: Val Carter (Chairperson), Cheryl Colley (Deputy Chairperson), Sally Buck, Faimeh Burke, David Cartwright, Jamie Gough and David Halstead.

Community Board Adviser
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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 MINUTES – 14 AND 15 DECEMBER 2010 |
| PART B | 3. | DEPUTATIONS BY APPOINTMENT |
| | 3.1 | Mr Malcolm Penny – Western Motorway and Four Laning of Russley Road |
| PART B | 4. | PRESENTATION OF PETITIONS |
| | 4.1 | Poynder Avenue |
| PART B | 5. | NOTICE OF MOTION |
| PART B | 6. | CORRESPONDENCE |
| | 6.1 | New Zealand Transport Agency |
| PART B | 7. | BRIEFINGS |
| | 7.1 | Infrastructure Rebuild Project |
| | 7.2 | Disability Advisory Group |
| | 7.3 | Western Interceptor |
| | 7.4 | ‘Welcome to Christchurch’ Sign – Memorial Avenue |
| | 7.5 | Richard Shaw - Western Motorway |
| PART A | 8. | FENDALTON OPEN-AIR SCHOOL SPEED ZONE – VARIABLE SPEED LIMIT |
| PART C | 9. | FENDALTON/WAIMAIRI COMMUNITY BOARD – SMALL GRANTS FUND ASSESSMENT COMMITTEE FOR 2010/13 TERM |
| PART C | 10. | NEW ZEALAND COMMUNITY BOARDS’ EXECUTIVE COMMITTEE – ZONE 5 REPRESENTATIVES - ELECTION |

INDEX

PART B & C	11.	COMMUNITY BOARD ADVISER'S UPDATE
	11.1	Current Issues
	11.2	Update on Local Capital Projects
	11.4	Customer Services Request Report for December 2010 and January 2011
PART B	12.	ELECTED MEMBERS INFORMATION EXCHANGE
PART B	13.	QUESTIONS UNDER STANDING ORDERS

1. APOLOGIES

2. CONFIRMATION OF MEETING MINUTES – 14 AND 15 DECEMBER 2010

The minutes of the Board's ordinary meeting of Tuesday 14 December 2010 (**Attachment 1**) and the Joint Fendalton/Waimairi and Shirley/Papanui Community Board meeting of Wednesday 15 December 2010 (**Attachment 2**) are **attached**.

CHAIRPERSON'S OR STAFF RECOMMENDATION

That the minutes of the Board's ordinary meeting and the Joint Fendalton/Waimairi and Shirley/Papanui Community Board meeting be confirmed.

3. DEPUTATIONS BY APPOINTMENT

3.1 MR MALCOLM PENNY – WESTERN MOTORWAY AND FOUR LANING OF RUSSELY ROAD

Mr Malcolm Penny, a resident of Russley Road will be in attendance to present his concerns regarding the impact of the New Zealand Transport Agency proposals on his property.

4. PRESENTATION OF PETITIONS

4.1 POYNDR AVENUE

Mr Marshall Mercer will be in attendance to hand a petition to the Board regarding flooding in Poynder Avenue.

5. NOTICES OF MOTION

6. CORRESPONDENCE

6.1 NZ TRANSPORT AGENCY

Attached is correspondence from Richard Shaw of New Zealand Transport Agency in reply to the Board's feedback on the Western Motorway project.

7. BRIEFINGS

7.1 INFRASTRUCTURE REBUILD PROJECT

Mary Hay, Stakeholder Management - Infrastructure Rebuild Management Office, will brief the Board on the Infrastructure Rebuild project, with an emphasis on the stakeholder engagement framework. This informal presentation will describe the project structure, context and roles. Mary will also introduce the relevant Council stakeholder liaison staff members that will be working in/with the communities.

7.2 DISABILITY ADVISORY GROUP

Shailer Hart, Team Leader - Metropolitan Community Team will be in attendance to talk about the role of Disability Advisory Group and to highlight some of the good things that are happening and identify some of the barriers for disabled people in the ward.

7. Cont'd

7.3 WESTERN INTERCEPTOR

Peter Brocklehurst will be in attendance to give a general update on this project.

7.4 'WELCOME TO CHRISTCHURCH' SIGN – MEMORIAL AVENUE

Richard Stokes, Unit Manager - Marketing will be in attendance to update members on this matter.

7.5 WESTERN MOTORWAY

Richard Shaw of New Zealand Transport Agency will be in attendance to give a general update on this matter.

8. FENDALTON OPEN-AIR SCHOOL SPEED ZONE – VARIABLE SPEED LIMIT

General Manager responsible:	General Manager City Environment Group, DDI 941-8608
Officer responsible:	Transport and Greenspace Unit Manager
Author:	Jennie Hamilton, Capital Development Unit, Consultation Leader

PURPOSE OF REPORT

1. The purpose of this report is to request that the Fendalton/Waimairi Community Board endorses the installation of a new variable speed limit (40 kilometre per hour school zone) on Clyde Road, outside Fendalton Open-Air School, and that the Board recommends to Council the approval of a new variable speed limit and its inclusion in the Christchurch City Speed Limits Register.

EXECUTIVE SUMMARY

2. The Council has a programme of installing 40 kilometre per hour variable speed limits (known as 'school zones') outside schools according to a prioritisation process (see paragraph 21). To date 33 schools have benefited from this treatment. Fendalton Open-Air School is now ranked No.2 on the Council's prioritisation list. The proposed 'school zone' will operate on school days between 8.30am and 9.00am and 3.00pm and 3.20pm.
3. Since adopting the **Christchurch City Council Speed Limits Bylaw 2010**, which became operative on 1 January 2010, the Council can resolve to make new variable speed limits. Infrastructure for school speed zones cannot be commissioned until the variable speed limits have been formally resolved by Council.

FINANCIAL IMPLICATIONS

4. The recommendations of this report align with 2009 - 2019 Long Term Council Community Plan budgets.
5. The budget for school speed zones in 2010/11 is \$112,678. There is sufficient funding to install the Fendalton Open-Air School speed zone in the current financial year.

LEGAL CONSIDERATIONS

6. The proposed variable speed limit complies with the conditions specified and published by the Director of Land Transport New Zealand in the *New Zealand Gazette* (2/6/2005, No. 3459, page 2051) approving a variable speed limit of 40 kilometres per hour in school zones and setting out conditions for those speed limits. A Council resolution is required to implement the speed limit restrictions.
7. The proposed variable speed limit also complies with the Land Transport Rule: Traffic Control Devices 2004.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

8. This report's recommendations support the project objectives as outlined in the 2009-19 LTCCP (School Speed Zone Signs: page 247).

ALIGNMENT WITH STRATEGIES

9. This project is consistent with key Council strategies including the Road Safety Strategy, the Pedestrian Strategy and Cycling Strategy.

CONSULTATION FULFILMENT

10. A memorandum advising the Fendalton/Waimairi Community Board of plans to install a school speed zone in Clyde Road outside Fendalton Open-Air School was sent on Thursday 18 November 2010. For a copy of the proposal see **Attachment 1**.

8. Cont'd

11. Before the Council can set a variable speed limit pursuant to Clause 5(1) of the Christchurch City Speed Limits Bylaw 2010, the public consultation requirements set out in Section 7.1 of the Land Transport Rule Setting of Speed Limits 2003 Rule 54001 must be complied with. Section 7.1(2) provides that the persons who must be consulted before the Council sets a speed limit are:
 - (a) road controlling authorities that are responsible for roads that join, or are near, the road on which the speed limit is to be set or changed;
 - (b) a territorial authority that is affected by the existing or proposed speed limit;
 - (c) any local community that the road controlling authority considers to be affected by the proposed speed limit;
 - (d) the Commissioner of Police;
 - (e) the Chief Executive Officer of the New Zealand Automobile Association Incorporated;
 - (f) the Chief Executive Officer of the Road Transport Forum New Zealand;
 - (g) other organisation or road user group that the road controlling authority considers to be affected by the proposed speed limit; and
 - (h) The Director of Land Transport New Zealand now the New Zealand Transport Agency (NZTA).
12. **Section 7.1(3) of the Rule provides:**

A road controlling authority must consult by writing to the persons in 7.1(2) advising them of the proposed speed limit and giving them a reasonable time, which must be specified in the letter, to make submissions on the proposal. In terms of Section 7.1(2)(a) and 7.1(2)(b) there are no road controlling authorities or territorial authorities that are required to be consulted in respect of any of the proposed variable speed limits.
13. Representatives of the Commissioner of Police, the Director of New Zealand Transport Association, the Chief Executive Officer of the New Zealand Automobile Association Incorporated and the Chief Executive Officer of the Road Transport Forum of New Zealand have received written advice of the proposed new variable speed limit in accordance with Section 7.1(2) (d), (e), (f) and (h). No other organisation or road user group is considered to be affected by the proposed speed limits. No neighbouring road controlling authority is affected. No issues were raised.
14. A spokesperson for the New Zealand Transport Agency supported the proposed Fendalton Open-Air School zone from No. 186 to No. 152 Clyde Road. He commented that the zone would assist children from both Fendalton Primary School and Cobham Intermediate who crossed this arterial route.
15. A spokesperson for the New Zealand Road Transport Association supported the proposal to limit traffic speed in Clyde Road to 40 kilometres per hour before and after school. This enabled "everyone to share the roads", she said.
16. A consultation plan was circulated to 80 residents and absentee property owners on 24 November 2010. The school also provided details to its school community via its newsletter.
17. Comments were received from six stakeholders, four of them supportive. Another submitter sought clarification on the location of a sign and the sixth suggested other methods to improve the management of school traffic.

8. Cont'd

18. Submitters were sent a copy of the plan for Council approval, and a letter outlining the project team's responses to their suggestions and concerns. They were also advised of the Community Board meeting date and time, and how to contact the Board Adviser if they wished to seek speaking rights.
19. A spokesman for the Russley, Avonhead and Memorial Residents' Association has indicated support for the proposed school speed zone in Clyde Road.
20. Fendalton Open-Air School administrators support the installation of a variable speed limit outside their school and are prepared to operate it.

STAFF RECOMMENDATION

That the Fendalton/Waimairi Community Board recommends that the Council approves:

- (a) The installation of the new variable speed limit (school speed zone) of 40 kilometres per hour on Clyde Road specified below in accordance with Section 7.1 of the Land Transport Setting of Speed Limits Rule 2003.
- (b) That pursuant to Clause 5(1) of the Christchurch City Speed Limits Bylaw 2010 a variable speed limit of 40 kilometres per hour applies on Clyde Road, commencing at a point 83 metres south of Jeffreys Road and extending in a southerly direction along Clyde Road for a distance of 358 metres. The variable speed limit of 40 kilometres per hour is to apply on school days between 8.30am and 9.00am and between 3.00pm and 3.20pm.
- (c) That the above-mentioned variable speed limit shall come into force on the date of adoption of the Council's resolution, and will be enforceable following the installation of the variable speed limit signage as per the Land Transport Rule: Traffic Control Devices 2004 and New Zealand Transport Agency Traffic Note 37: 40 kilometres per hour variable speed limits in school zones – Guidelines.

8. Cont'd

BACKGROUND

21. Fendalton Open-Air School is currently No. 2 on the Council's prioritisation list for installation of new school speed zones. This process ranks each road fronting a school by scoring the following 10 factors: road classification (i.e. local, major arterial etc), traffic volume, traffic speed, road environment (distractions, visibility etc), community interest, kerbside activity, number of children crossing the roadway, cyclist volume, percentage of trucks, and whether a school patrol exists. There are 293 frontage roads at the 162 schools in the Christchurch City area.
22. Two options were considered by the project team. The first and preferred option is to install a 40 kilometre per hour variable speed limit using electronic and static signage that operates outside Fendalton Open-Air School on school days from 8.30am to 9.00am and 3.00pm to 3.20pm. The other option is to maintain the status quo. The school is keen to see a speed zone installed in Clyde Road to improve safety for pupils.

9. FENDALTON/WAIMAIRI COMMUNITY BOARD – SMALL GRANTS FUND ASSESSMENT COMMITTEE FOR 2010/13 TERM

General Manager responsible:	General Manager Regulation and Democracy Services, DDI 941 8462
Officer responsible:	Democracy Services Manager
Author:	Edwina Cordwell, Community Board Adviser

PURPOSE OF REPORT

1. The purpose of the report is to seek the Board's approval to establish the Fendalton/Waimairi Small Grants Fund Assessment Committee for the 2010/13 term.

EXECUTIVE SUMMARY

2. It is proposed that the Board establish its Small Grants Fund Assessment Committee. The Small Grants Fund provides small grants to eligible not-for-profit groups whose activities provide opportunities in the areas of community, social, recreation, sports, arts, environment or heritage to the wider community or to specifically defined communities of interest. The emphasis is on small projects which assist community groups to enhance their capacity and/or increase participation in their activities.
3. Community Boards have delegated authority to determine final funding decisions for their respective Community Board Small Grant Funds; this was determined by the Council on 24 July 2008.
4. In December 2009, the Council adopted the *Grants Working Party Criteria Changes* Report, consequently the Community Boards have the opportunity to decide whether or not to appoint community representatives to the Board's Small Grants Fund Assessment Committee for the next three years of funding rounds.
5. Each Community Board will have a Small Grants Fund Assessment Committee to allocate their Small Grants Fund (SGF). Total \$72,529 for this Board.
6. If the Community Board decides to appoint community representatives to the Board's Small Grants Fund Assessment Committee, staff will begin the nomination process for representatives early in 2011. The following involvement areas/skills will be advertised when calling for community nominations and are seen as a guideline to assist in covering the various sectors within your local community:
 - Disabled, sport and recreation, arts and culture, welfare and social services, Maori, ethnic groups, environment and heritage
 - Interest and involvement in community issues/groups.
 - Some experience in committee processes
 - Knowledge of various communities of interest.
 - The ability to be articulate and assertive.
7. After nominations have been received, staff will report back to the Community Board (Public Excluded Report) with details of nominees in order for the Board to decide upon their chosen representatives.
8. The membership of the Small Grants Fund Assessment Committee needs to be set by the Board including the number of community representatives if so determined. As a guideline, it is suggested that there be up to five Board members and four to six community representatives.
9. The term of appointment for community representatives will be for three years, i.e. until 2013/14, and will be on a voluntary basis.
10. It should be noted that the Fendalton/Waimairi Small Grants Fund Assessment Committee has historically comprised all members of the Community Board. For the 2010/2011 funding round the Board further decided that there should be no community representatives on the Committee due to the 'one off' nature of the Committee's business.

9. Cont'd

FINANCIAL IMPLICATIONS

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

11. Provision is made in the 2009–19 LTCCP on page 156 for the elected member representation and governance support.

LEGAL CONSIDERATIONS

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

12. A Council, or Community Board, may appoint committees, subcommittees other subordinate decision making bodies and joint committees (clause 30, Schedule 7). Council's and Community Board's also have the power to appoint or discharge any member of a committee (clause 31(1)). Such committees, etc are "*subject in all things to be control of the local authority [or read community board], and must carry out all general and special directions of the local authority given in relation to the committee or other body or the affairs of the committee or other body*" (clause 30(3)),
13. The minimum number of members for a "committee" is three, with a quorum being two (one of whom must be an elected member), or the quorum can be a greater number, as determined by the Community Board. At least one member of a committee must be an elected member of the Community Board, but an employee of the local authority cannot be a member (if they are acting in the course of their employment). Clause 31 also provides:
14. "(3) The members of a committee or subcommittee may, but need not be, elected members of the local authority [community board], and a local authority or committee may appoint to a committee or subcommittee a person who is not a member of the local authority or committee if, in the opinion of the local authority, that person has the skills, attributes, or knowledge that will assist the work of the committee or subcommittee."
15. Clause 26(3) is also relevant, as it provides that the Council/Community Board may appoint a member of a committee to be the chairperson of the committee, or if a chairperson is not appointed then the power of appointment may be exercised by the committee. A deputy chairperson can also be appointed to act in the absence of a chairperson (clause 26(4)). This person will preside at any meeting if the chairperson is absent from a meeting. However, if a deputy chair has not been appointed or if they are also absent then the members of the committee that are present must elect one of their number to preside at the meeting.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

16. Page 156 of the LTCCP level of service under democracy and governance.

ALIGNMENT WITH STRATEGIES

Do the recommendations align with the Council's strategies?

17. Not applicable.

CONSULTATION FULFILMENT

18. Not applicable.

9. Cont'd

STAFF RECOMMENDATION

It is recommended that the Fendalton/Waimairi Community Board:

- (a) Establish the Fendalton/Waimairi Small Grants Fund Assessment Committee with the following Term of Reference:
 - To allocate annually under delegated authority, the Fendalton/Waimairi Community Board's Small Grants Fund – Local, in accordance with Council policy and the LTCCP
- (b) Decide whether or not to appoint community representatives to the Fendalton/Waimairi Small Grants Fund Assessment Committee.
- (c) Determine the number of Board members to be appointed to the Fendalton/Waimairi Small Grants Fund Assessment Committee for the funding rounds 2011/12, 2012/13 and 2013/14 .
- (d) Authorise the Fendalton/Waimairi Small Grants Fund Assessment Committee to appoint a Chairperson and Deputy Chairperson at its first meeting.
- (e) Set a quorum of five members for the Fendalton/Waimairi Small Grants Fund Assessment Committee, one of whom must be an elected member.

10. NEW ZEALAND COMMUNITY BOARDS' EXECUTIVE COMMITTEE – ZONE 5 REPRESENTATIVES - ELECTION

General Manager responsible:	General Manager Regulation and Democracy Services, DDI 941-8462
Officer responsible:	Democracy Services Manager
Author:	Peter Dow, Community Board Adviser

PURPOSE OF REPORT

1. The purpose of this report is to have the Board vote in the election for the Zone 5 New Zealand Community Boards' Executive Committee Representative and Deputy Representative positions. As more than one nomination was received for each position, an election is required.

EXECUTIVE SUMMARY

2. The election is being conducted under the auspices of Local Government New Zealand by postal vote using the preferential voting system.
3. The **attached** memorandum (**Attachment 1**) from the Chief Executive of Local Government New Zealand acting as Returning Officer refers and includes a sample of the voting paper to be used. The Curriculum Vitae provided by the candidates are **separately circulated** to members.
4. The candidates for the Zone 5 Representative election are:
 - David East, Burwood/Pegasus Community Board
 - Danny Gresham, Geraldine Community Board
 - Mike Mora, Riccarton/Wigram Community Board.
5. The candidates for the Zone 5 Deputy Representative election are:
 - Pauline Cotter, Shirley/Papanui Community Board
 - David East, Burwood/Pegasus Community Board
 - Mike Mora, Riccarton/Wigram Community Board
 - Michael (Mik) Symmons, Golden Bay Community Board.
6. The voting process requires the Chairperson, or an authorised alternative member of the Board, to:
 - (a) Mark on the voting paper the number "1" in the box next to the name of the candidate who is the Board's first preference, and
 - (b) Mark on the voting paper further consecutive numbers in descending order of preference in any or all of the remaining boxes next to the names of the remaining candidates.
7. Completed voting papers must be returned to the Returning Officer at Local Government New Zealand by Wednesday 23 February 2011.
8. The outcome of the election will be notified by Local Government New Zealand as soon as possible after the election. The appointments will take effect on Monday 28 February 2011 and will continue until their successor assumes office.

FINANCIAL IMPLICATIONS

9. There are no direct financial considerations for the Council regarding these appointments. The Zone Representative and Deputy Representative would, when required, have any relevant costs met by Local Government New Zealand.

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

10. Not applicable, refer clause 9 above.

10. Cont'd

LEGAL CONSIDERATIONS

11. Not applicable.

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

12. Not applicable.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

13. Not applicable.

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

14. Not applicable.

ALIGNMENT WITH STRATEGIES

15. Not applicable.

Do the recommendations align with the Council's strategies?

16. Not applicable.

CONSULTATION FULFILMENT

17. Not applicable

STAFF RECOMMENDATION

It is recommended:

- (a) That the Board decide the order of preference in which it wishes to vote for the candidates standing for election as the Zone 5 Representative and the Deputy Representative respectively, to the New Zealand Community Boards' Executive Committee, and;
- (b) That the Board Chairperson, or an alternative Board member, be authorised to complete the marking of the voting papers in relation to (a) above.

11. COMMUNITY BOARD ADVISER'S UPDATE

11.1 CURRENT ISSUES

(a) Committee Meeting Dates for 2011

At its 30 November 2010 meeting the Board resolved as follows:

“(a) There should be two standing committees; Community Finance and Planning and Works, Traffic and Environment comprising of all members.”

A proposed timetable for these committee meetings was developed and circulated to the members for their consideration at the end of last year. The Board is now requested to adopt the proposed timetable.

Staff Recommendation

(a) That the Board approve the Committee meeting dates for 2011 as follows.

Works, Traffic and Environment Committee	Community Finance & Planning Committee
	Wednesday 23 February
Monday 7 March	Wednesday 30 March
Monday 4 April	Wednesday 27 April
Monday 2 May	Wednesday 25 May
Tuesday 7 June	Wednesday 29 June
Monday 4 July	Wednesday 27 July
Monday 1 August	Wednesday 31 August
Monday 5 September	Wednesday 28 September
Monday 3 October	Wednesday 26 October
Monday 7 November	Wednesday 30 November
Monday 5 December	

(b) Meetings to be held in the Boardroom, Fendalton Service Centre, corner of Jeffreys and Clyde Roads at 4.30pm.

11.2 UPDATE ON LOCAL CAPITAL PROJECTS

Attached

11.3 CUSTOMER SERVICE REQUEST REPORT FOR DECEMBER 2010 AND JANUARY 2011

Attached

12. ELECTED MEMBERS' INFORMATION EXCHANGE

13. QUESTIONS UNDER STANDING ORDERS