

**FENDALTON/WAIMAIRI COMMUNITY BOARD
AGENDA**

MONDAY 30 APRIL 2012

AT 4.30PM

**IN THE RESOURCE CENTRE, HEATON INTERMEDIATE SCHOOL
125 HEATON STREET, MERIVALE**

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

Community Board Adviser

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1. APOLOGIES

Val Carter.

2. CONFIRMATION OF MEETING MINUTES – 17 APRIL 2012

The minutes of the Board's ordinary meeting of Tuesday 17 April 2012 is **attached**.

CHAIRPERSON'S OR STAFF RECOMMENDATION

That the minutes of the Board's ordinary meeting be confirmed.

3. DEPUTATIONS BY APPOINTMENT

3.1 SILVER BIRCH TREES ALONG ARLINGTON WALKWAY

Anna Engelbrecht will be in attendance to speak to the Board regarding the silver birch trees along Arlington Walkway from Arlington Street to Memorial Avenue. (Clause 6 refers)

3.2 BISHOPDALE CRÈCHE

Sarah Straver, Centre Manager will be in attendance to speak to the Board regarding the future of Bishopdale Crèche.

3.3 VEHICLE DRIVEWAYS

Jan Ford will be in attendance to speak to the Board regarding repairing damaged vehicle driveways on roads that do not have footpaths.

4. PRESENTATION OF PETITIONS

5. NOTICES OF MOTION

6. CORRESPONDENCE

6.1 SILVER BIRCH TREES ALONG ARLINGTON WALKWAY

Attached is correspondence from Anna Engelbrecht regarding the silver birch trees along the walkway between Arlington Street and Memorial Avenue.

7. BRIEFINGS

7.1 HARPER AVENUE/PARK TERRACE INTERSECTION

Sean Lewis, Team Leader Traffic Systems will be in attendance to brief the Board on their request for reinstatement of the right turn at the intersection of Harper Avenue and Park Terrace.

8. FLETCHER'S HUB EXTENSION IDRIS RESERVE



General Manager responsible:	General Manager City Environment, DDI 941-8608
Officer responsible:	Unit Manager Asset and Network Planning
Author:	Eric Banks – Parks and Waterways Planner

PURPOSE OF REPORT

1. To enable the Fendalton/Waimairi Community Board to consider an application made under the Canterbury Earthquake (Reserves Legislation) Order No 2 2011 ("the Order") for an extension of the Fletcher's Earthquake Repair Hub at Idris Reserve and, after considering the application, to make a recommendation to Council.

EXECUTIVE SUMMARY

2. The Council, through the powers vested to the Chief Executive Officer, granted Fletcher's a warrant of occupation pursuant to the Canterbury Earthquake (Reserves Legislation) Order 2011 to occupy the Fendalton Scouts building in Idris Reserve, on Idris Road, which is leased to Scouting New Zealand. The warrant is shown at **Attachment 1**. This is for the purpose of an administration office from which to administer the undertaking of repairs to earthquake damaged private dwellings in the adjacent residential area. This repair work is being undertaken after full assessments have been completed by the Earthquake Commission (EQC).
3. The warrant of occupation was signed on 7 June 2011 and initially due to expire with the expiry of the Order on 31 March 2012. The Order has now been extended to expire in 2016. The Warrant provides for Fletcher's occupation of the reserve and Scouting building until such time as the Council decides earthquake related repair work in the area covered by this hub is completed to the extent the hub is no longer required, or until 31 March 2014, whichever is the sooner.
4. Currently there is no scout group operating from this hall, although the building has been regularly used by Scouts for events and activities. Scouting New Zealand has been able to relocate any activities to another nearby hall and is happy with the arrangement to lease its building to Fletcher's on a temporary basis.
5. At present there are 16 staff working out of this building. At the time the initial application was made, discussions were held with Council staff about the need in the future to increase the size of the office to accommodate more staff. This being required to administer the increase in the number of repairs, resulting from a greater number of assessments of earthquake damage to properties being completed by EQC.
6. The Council has received an application to extend the site from the original application and site one portacom adjacent to the present building, as shown in the plans included in the application (refer **Attachment 2**). This portacom measuring 6 x 3 metres is required to accommodate the moving of the customer meeting room from the existing building to enable more staff to be accommodated within the scouts building. This portacom will be located between the scouts building and the road.
7. The site of this portacom was previously occupied by a brick clad MED substation. This substation was badly damaged in the December and February earthquakes and has since been removed. There is another smaller electricity kiosk on the site adjacent to the road (refer **Attachment 3**).
8. The plans of the proposed temporary extension to the hub will be attached to the current "Warrant of Occupation" (refer **Attachment 1**), the warrant itself being altered to accommodate the temporary portacom being placed on the site.
9. The reserve is a Local Purpose Community Buildings Reserve vested in the Council under the Reserves Act 1977. The legal description is Lot 2 DP 83543 being of 1321 square metres in area being held in CT CB48A/596.

8. Cont'd

10. Staff believe the siting of a 6 x 3 metre portacom will have little impact on the park itself, next to none in the long term. Any damage to the grassed or sealed areas of the park will be made good by Fletcher's following the cessation of Fletcher's Warrant of Occupation agreement, including the gravel car park which can be restored to its original condition.

FINANCIAL IMPLICATIONS

11. Scouting New Zealand owns the building which is being leased to Fletcher's and is collecting \$150 per week rental.
12. The Council will be charging a bare ground rental to Fletcher's Earthquake Recovery for their occupation of the park land on which their additional temporary building is to be placed, this being delegated to the Corporate Support Manager and staff to manage.

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

13. There are no budgetary implications associated with the proposed hub extension.

LEGAL CONSIDERATIONS

14. In response to the circumstances arising from the 22 February 2011 earthquake, the Government enacted the Canterbury Earthquake (Reserves Legislation) Order (No 2) 2011, (the Order), pursuant to the Canterbury Earthquake Response and Recovery Act 2010 to enable reserves to be used for certain purposes which would not normally be permissible under the Reserves Act 1977, or other similar legislation, and thereby to avoid unnecessary delays in responding to circumstances arising from the earthquake.
15. The Order enables some temporary solutions to issues caused by the earthquakes to be accommodated on park and reserve land. The Order expires on 18 April 2016, this being the expiry date of the empowering legislation under which the Order has been made. The Order does not allow the use of parks and reserves for earthquake related purposes after its expiry date, unless the use would normally comply with uses allowed under the relevant legislation that the park and reserve is held under, and a permanent occupation right in accordance with that legislation has been granted, before the expiry of the Order.
16. The Council has the power under the Order to acquire the use of the building for earthquake repair purposes subject to complying with section 7 (Rights and Obligations of Third Parties Subject to Council Powers) of the Order. Clause 5(b)(ix) of the Order provides that the Council, or any person authorised in writing by the Council, or the Council's Chief Executive, may use a reserve or erect a structure on a reserve for works site offices.
17. The Order also provides that when the Council authorises any such use of a reserve that it does not need to comply with any relevant management plan or the usual Reserves Act processes. However, under the warrant, Council has required Fletcher's to take all reasonable steps to protect the integrity of the reserve and to ensure that the reserve is reinstated at the end of the use as closely as practicable to its prior condition as required by section 6(2) (a) and (b) of the Order. Refer to warrant attached in **Attachment 1**.
18. In addition to Council authorisation under the Order, Fletcher's will also need to obtain all necessary resource and building consents required (if any) under the Building Act 2004 and the Resource Management Act 1991 or any Orders applicable to these acts made under the Canterbury Earthquake Response and Recovery Act 2010 for the proposed use. Approval under the Reserves Legislation Order does not constitute consent under those Acts.
19. The reason approval for the site offices is being sort under the Order is because occupations of park and reserve land for the purpose of temporary site offices for administration of repairs on other land is not allowed under the Reserves Act 1977.

8. Cont'd

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

20. Yes, as above.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

21. Yes – earthquake recovery.

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

22. As above.

ALIGNMENT WITH STRATEGIES

23. Not applicable.

Do the recommendations align with the Council's strategies?

24. Not applicable.

CONSULTATION FULFILMENT

25. Clause 6 of the Order expressly provides that the Council may act under the Order without complying with the Reserves Act 1977 (including any provision relating to public notification or the hearing of objections).
26. Clause 7 of the Order requires the Council to give notification to parties who have an easement, lease, licence, covenant or other legal right over the area of reserve to be temporarily occupied under the Order. Officers are making contact with Scouting New Zealand and Orion who have legal interests in the park to make them aware of the permission being granted to Fletcher's to extend their occupation of the site as is required by clause 7 of the Order.
27. In addition, the Canterbury Earthquake (Local Government Act 2002) Order 2010 exempts the Council from compliance with some of the decision-making processes set out in the Local Government Act 2002. These include the requirement that the Council considers community views and preferences.
28. The exemptions can be relied upon in this case because it is necessary for the purpose of ensuring that Christchurch, the Council, and its communities respond to and recover from the impacts of the Canterbury Earthquakes.
29. The park is normally open to the public to use when not being utilised by scouts. Because of the small size of the park and the coverage of it by Fletcher's, the site is not able to be used by the public during their occupation. Staff do not see this being a problem in this case because of the small amount of use by the public of the site to be occupied by the temporary portacom or the park as a whole. There are no public facilities located on the reserve apart from a relatively small lawn area. There is a much more frequented local park (Daresbury) within 300 metres.

STAFF RECOMMENDATION

It is recommended that, pursuant to clause 5(b)(ix) of the Canterbury Earthquake (Reserves Legislation) Order 2011, the Fendalton/Waimairi Community Board recommend to the Council that:

- (a) It authorises the siting of a temporary building within Idris Reserve for use by Fletcher Construction Company Limited as is approximately shown on the application plan attached to this report (refer **Attachment 2**).

8. Cont'd

- (b) It agrees that the period for which the authority referred to in paragraph (a) of this recommendation shall apply is that period commencing on the date of this authority until the 31 March 2014 or until a date the Council shall determine the hub is no longer required, whichever is the sooner, as set out in the current warrant.
- (c) It approves for the charging of a bare ground rental to Fletcher's Earthquake Recovery for their occupation of the park land on which their additional temporary building is placed, this being delegated to the Corporate Support Manager and staff to manage.
- (d) The warrant be altered to reflect the additional portacom being placed upon the site, and the plan of the site on which is shown the position of the new portacom be appended to the existing warrant.

9. APPLICATION TO THE BOARD'S YOUTH DEVELOPMENT SCHEME – WILLIAM FRASER

General Manager responsible:	General Manager, Community Services, DDI 941-8986
Officer responsible:	Unit Manager, Recreation and Sports
Author:	Ken Howat, Community Recreation Adviser

PURPOSE OF REPORT

1. The purpose of this report is to seek approval for an application for funding from the Board's 2011/12 Youth Development Scheme.
2. There is currently \$3,500 in the 2011/12 Youth Development Scheme.

EXECUTIVE SUMMARY

3. The applicant is William Fraser a 13 year old Christchurch Boys High School student living in St Albans.
4. William has been selected to represent New Zealand in men's artistic gymnastics at the Australian Gymnastics Nationals in Sydney in May this year. William has been a consistently high performer within the sport nationally and has won numerous team and individual titles. He has been a member of the Canterbury team since 2009, qualifying for the nationals every year.
5. William is a member of the Christchurch School of Gymnastics and has been selected for the New Zealand National Under 14 Talent ID squad.

FINANCIAL IMPLICATIONS

6. The total cost to attend the event is \$2,750 which includes airfares, accommodation, entry fee, team management and uniforms. William and his family are active fundraisers within the club which is an ongoing activity to offset the costs of regular competition.
7. This is the first time that the applicant has applied to the Board for financial support.

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

8. This application is seeking funding from the Community Board's 2011/12 Youth Development Scheme which was established as part of the Board's 2011/12 Discretionary Funding.

LEGAL CONSIDERATIONS

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

9. There are no legal implications in regards to this application.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

10. Aligns with page 170 LTCCP, regarding Community Board Project funding.

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

11. As above.

ALIGNMENT WITH STRATEGIES

12. Application aligns with the Council's Youth Strategy and local Community Board objectives.

Do the recommendations align with the Council's strategies?

13. As above.

9. Cont'd

CONSULTATION FULFILMENT

14. Not applicable.

STAFF RECOMMENDATION

It is recommended that the Board make a grant of \$350 to William Fraser towards the cost of competing at the Australian Gymnastics Nationals.

10. APPLICATION TO THE BOARD'S YOUTH DEVELOPMENT SCHEME – TAYLOR ALDRIDGE

General Manager responsible:	General Manager, Community Services, DDI 941-8986
Officer responsible:	Unit Manager, Recreation and Sports
Author:	Ken Howat, Community Recreation Adviser

PURPOSE OF REPORT

1. The purpose of this report is to seek approval for an application for funding from the Board's 2011/12 Youth Development Scheme.
2. There is currently \$3,500 in the 2011/12 Youth Development Scheme.

EXECUTIVE SUMMARY

3. The applicant is Taylor Aldridge a 14 year old Burnside High School student living in Avonhead.
4. Taylor is requesting funding towards the cost of attending the Spirit of Adventure programme in May this year. The Spirit of Adventure Trust was established to provide the youth of New Zealand with access to a character development programme conducted in a maritime environment. It is a unique environment for youth development, where the focus of learning for participants is on team-work and developing skills of communication, self-reliance, self-discipline, self-esteem, resilience, confidence and leadership.
5. Taylor will be participating in a five day Spirit Trophy course which targets Year 10 Students. Teams of 10 students from four schools, with one teacher per team, compete against each other over the five day period. The team with the most points at the end of voyage wins the Spirit Trophy. All events include teamwork, problem solving, debating, ship handling and aquatic sports. Teams also go ashore for a day and complete a task that involves ingenuity, leadership, reward and fun.
6. Taylor has been selected by the school to attend the programme due to her leadership potential and contribution to her sport. She is a Canterbury hockey and touch rugby representative and coaches her younger sister's hockey team at Merrin Primary School and also coaches the Burnside Year 9 hockey team.

FINANCIAL IMPLICATIONS

7. The total cost to attend the Spirit of Adventure Trophy Course is \$850. Taylor has been actively fundraising running cake stalls, sausage sizzles and has part time work time keeping for hockey games at Nunweek Park.
8. This is the first time that the applicant has applied to the Board for financial support.

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

9. This application is seeking funding from the Board's 2011/12 Youth Development Scheme which was established as part of the Board's 2011/12 Discretionary Funding.

LEGAL CONSIDERATIONS**Have you considered the legal implications of the issue under consideration?**

10. There are no legal implications in regards to this application.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

11. Aligns with page 170 LTCCP, regarding Community Board Project funding.

10. Cont'd

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

12. As above.

ALIGNMENT WITH STRATEGIES

13. Application aligns with the Council's Youth Strategy and local Community Board objectives.

Do the recommendations align with the Council's strategies?

14. As above.

CONSULTATION FULFILMENT

15. Not applicable.

STAFF RECOMMENDATION

It is recommended that the Community Board make a grant of \$200 to Taylor Aldridge towards the cost of attending the Spirit of Adventure voyage.

11. COMMUNITY BOARD ADVISER'S UPDATE

11.1 CURRENT ISSUES

12. ELECTED MEMBERS' INFORMATION EXCHANGE