

21. 4. 2005

**HAGLEY/FERRYMEAD COMMUNITY BOARD
23 MARCH 2005**

**A meeting of the Hagley/Ferrymead Community Board
was held on Wednesday 23 March 2005 at 3.00pm**

PRESENT: Bob Todd (Chairperson), David Cox, Anna Crighton, John Freeman, Yani Johanson, Brenda Lowe-Johnson and Brendan Smith.

Anna Crighton departed at 6.00 pm and was absent for clauses 12 and 13.

Brendan Smith departed at 6.15 pm and was absent for part of clause 13.

John Freeman departed at 6.30 pm and was absent for part of clause 13.

The Board reports that:

PART B - REPORTS FOR INFORMATION

1. COMMUNITY BOARD PRINCIPAL ADVISER'S UPDATE

DISCRETIONARY FUND UPDATE

The Board **received** the information.

2. DEPUTATIONS BY APPOINTMENT

2.1 TIM GUTHRIE, 278 MAIN ROAD, REDCLIFFS

Mr Guthrie addressed the Board regarding a personal request to build a garage at 280 Main Road.

Mr Guthrie was displeased that he had not received a letter from the Council acknowledging his request or any other correspondence regarding his application.

Mr Guthrie met with Council staff in August 2004, lodged his application in August 2004 then wrote to the Council in January 2005 in an attempt to follow up on his application. In February 2005 Mr Guthrie advised his lawyer to write to the Council. At the present time no response had been received from the Council.

The Board **resolved** that staff be requested to respond to Mr Guthrie's letters by 5 April 2005 and that the Hagley/Ferrymead Community Board members be copied in on the response.

Mr Guthrie is to liaise with the Chairperson if he is not happy with the progression of this matter.

2.2 SUMNER RESIDENTS' ASSOCIATION - BROWNLEE RESERVE CONCEPT PLAN

Brian Swale, Secretary of the Sumner Residents' Association addressed the Board regarding the Brownlee Reserve Concept Plan.

Mr Swale submitted that the following issues were of concern:

1. The two week consultation period.
2. The design of the questionnaire.
3. That Option B presented, limiting tree removal to a maximum of 30m (falling distance) from the boundary of the reserve resembled a very similar option to removing the trees, Option C.

2 Cont'd

The Board thanked Mr Swale for his presentation and decided to hear from all speakers on the Brownlee Reserve Concept Plan before considering the staff report.

The Board's decision in relation to this matter is recorded in clause 4 (Part C) of this report.

2.3 **LAWRENCE MOTE - BROWNLEE RESERVE CONCEPT PLAN**

Lawrence Mote, a resident of Clifton Terrace, addressed the Board regarding the Brownlee Reserve Concept Plan.

Mr Mote submitted that:

- The reserve should be treated holistically and that the Council should not just be dealing with the tree issue but should consider enhancing the whole reserve.
- Easily recognisable crossing points needed to be developed between the reserve for children.
- His own submission was not listed in the Council findings.
- If the park were to be developed he would like to see reserve contributions put towards making the entranceways into the park safer and also for the Council to consider road safety issues around the reserve.

The Board's decision in relation to this matter is recorded in clause 4 (Part C) of this report.

2.4 **ADRIENNE JACKSON- BROWNLEE RESERVE CONCEPT PLAN**

Mr and Mrs Jackson, residents of Clifton Terrace, addressed the Board regarding the Brownlee Reserve Concept Plan.

Mr and Mrs Jackson submitted their objection to:

- The proposal to fell 51 trees in Brownlee Reserve and to the enhancement of the park.
- The community consultation. They stated that simple and emotive language used in the consultation document combined with the two-week timeframe was unreasonable and gave the community no certainty that its interests were being safeguarded.

Mr and Mrs Jackson further submitted that they did not want a themed, more formal viewing area. They believed what the developer proposed would be a corruption of the reserve and an act of environmental vandalism.

The Board's decision in relation to this matter is recorded in clause 4 (Part C) of this report.

2.5 **JAMES EASTMAN - BROWNLEE RESERVE CONCEPT PLAN**

James Eastman, a resident of Revelation Drive addressed the Board regarding the Brownlee Reserve Concept Plan.

Mr Eastman expressed concern over the removal of the trees. Mr Eastman submitted that the pine trees provided natural shelter and shade, acted as a natural wind break and low growing natives would not afford the same protection. Redeveloping the park would spoil its beauty.

Mr Eastman further submitted that if the park were to be developed he would like to see reserve contributions put towards a tennis/netball/basketball court.

The Board's decision in relation to this matter is recorded in clause 4 (Part C) of this report.

2.6 **KATHLEEN GUY, CLIFTON NEIGHBOURHOOD COMMITTEE - BROWNLEE RESERVE CONCEPT PLAN**

Kathleen Guy, Chairperson of the Clifton Neighbourhood Committee, addressed the Board regarding the Brownlee Reserve Concept Plan.

Mrs Guy expressed concern about the simplicity of the consultation document and the emotive language used.

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Mrs Guy submitted that the proposed area for the removal of the trees was one of the very few flat areas on Clifton Hill. It was used by many people as a picnic spot and had been used in this way for many past generations.

The Clifton Neighbourhood Committee had adopted a resolution to protect the Eucalyptus trees. The Committee would like to see this resolution followed through by the Board.

The Board's decision in relation to this matter is recorded in clause 4 (Part C) of this report.

PART C - REPORT ON DELEGATED DECISIONS TAKEN BY THE BOARD

3. CONFIRMATION OF REPORT

The Board **resolved** that the report of the ordinary meeting held on 9 March 2005 be confirmed subject to an amendment under apologies to record that Anna Crighton was absent for clauses 2-4 of the report.

4. BROWNLEE RESERVE CONCEPT PLAN

The Board considered a report seeking its approval of the amended concept plan for Brownlee Reserve including the felling of some trees as requested by a developer. Approval was also sought to spend reserve contribution funds from the possible adjacent development on implementing the approved concept plan.

Three options relating to the proposed tree removal and replanting of Brownlee Reserve were identified and assessed. These were:

- (a) Decline the application, with minimum pruning for safety of users and adjoining residents to Brownlee Reserve, as required.
- (b) Limit tree removal proposed in the application to a maximum of 30m (falling distance) from the boundary of Brownlee Reserve.
- (c) Allow removal of trees as shown on the Brownlee Reserve concept plan and replanting with more sustainable native plants (the preferred option).

STAFF RECOMMENDATION

The staff recommended:

1. That the Board:
 - Approve the development concept plan for Brownlee Reserve.
 - Approve the application by Globe Holdings Ltd to remove trees from the boundaries of the company's land and undertake associated native replanting as generally shown in the development concept plan for Brownlee Reserve subject to the on site approval of the City Arborist and Design Leader (landscape). All costs to be met by the applicant.
2. That the Council approve the expenditure of reserve contribution funds from the development of 116-118 Clifton Terrace on implementing the Brownlee Reserve Development Concept Plan, subject to the on site approval of the City Arborist and Design Leader (landscape).

BOARD DECISION

Pursuant to delegated authority the Board **resolved**:

1. To decline the application, and that minimal pruning of the existing trees be carried out as required, to ensure the safety of users and adjoining residents.

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2. That a management plan for Brownlee Reserve be prepared for the staging of any future work and/or enhancement and that the plan be developed in liaison with local residents, groups and Globe Holdings Ltd.

With respect to the question of the reserve contribution the Board **recommends** that the Council approves the expenditure of reserve contribution funds from the development of 116-118 Clifton Terrace on implementing the Brownlee Reserve Concept Plan, subject to the on site approval of the City Arborist and Design Leader (landscape).

The foregoing resolution and recommendation was **adopted** on division no 1 by six votes to one, the voting being as follows:

For (6): David Cox, Anna Crighton, John Freeman, Yani Johanson, Brenda Lowe-Johnson and Bob Todd

Against (1): Brendan Smith

It was further **resolved** that the Board seek an urgent report on a set of basic minimum standards for consultation as required under the principles of the Local Government Act 2002.

5. WALTHAM OVERBRIDGE ARTWORK

The Board considered a report on the appointment of a Board representative on the Waltham Overbridge Artwork selection panel.

The Board **resolved** that Anna Crighton be appointed to represent the Board on the Waltham Overbridge Artwork selection panel.

6. DUBLIN STREET CONSTRUCTION ZONE

The Board considered a report seeking its approval to install two "Construction Zone Authorised Vehicles Only" areas on the south west side of Dublin Street.

The Board **resolved** to approve the installation of two "Construction Zone Authorised Vehicles Only" areas on the south-west side of Dublin Street as outlined in recommendations 1-5 inclusive of the Transport and City Streets Manager's report.

7. BEVERIDGE STREET "LOADING ZONES"

The Board considered a report seeking its approval for the installation of two loading zones in Beveridge Street.

The Board **resolved** that the report be deferred until the Victoria Neighbourhood Committee had been consulted.

The Board asked that a seminar be arranged on inner city parking and the effects on residents.

8. ENSORS ROAD RESERVE: SEATING AND ENHANCEMENTS

The Board considered a report seeking an alteration to Board resolutions of 25 March 2004 (pre public consultation) and 29 July 2004 (post public consultation) regarding the Ensors Road Reserve.

The Board **resolved** to rescind its earlier decision on plant types and to approve the alternative planting proposed in the report.

The Transport and City Streets Unit was asked to increase rubbish collection from around the statue.

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9. RICHMOND NEIGHBOURHOOD COTTAGE

The Board considered a report advising the outcome of discussions with the Richmond Neighbourhood Cottage Management Committee relating to the management of the Richmond Cottage.

The Board **resolved**:

1. To accept with regret the request of the Richmond Neighbourhood Cottage Committee to relinquish management of the Cottage and to formally record its gratitude for the work of the committee.
2. That staff of the Community and Recreation Unit be requested to assist the committee to revise its constitution and reform as the Richmond Residents' Association by 30 June 2005.
3. To formally acknowledge the work that the committee has carried out in managing the Richmond Neighbourhood Cottage.

10. PASSENGER CABLEWAY - 284A AND 286 MAIN ROAD CLIFTON

The Board considered a report seeking its approval for the construction of a passenger cableway and associated monorail over legal road and Council land on the slopes of Clifton Hill to service private residential property.

The Board **resolved** to grant P L and D M Weir, as the owners of 284A Main Road, Clifton, a licence of the road berm and a lease of the Council's Title CT 30A/319 for the footprint of a private passenger cableway subject to:

1. A deed of licence for a structure on the legal road being entered into.
2. The term of the separate lease of that part of the Council land not forming part of the road reserve not exceeding a duration of 35 years, less one day, including renewals.
3. The terms and conditions of the licence and lease to be negotiated and concluded by the Facility Assets Unit to include conditions (a) to (k) listed in the report under the heading 'Legal and Financial Considerations'.
4. Any further conditions considered appropriate by the Council's legal advisers.
5. All costs incidental direct or otherwise associated with design, statutory consents, construction, documentation, ongoing maintenance and compliance being met by the applicants.

11. SUPPLEMENTARY REPORT

The Board **resolved** that the following supplementary deputation be received and heard at the present meeting:

Kathleen Guy, Clifton Neighbourhood Committee.

12. RESOLUTION TO EXCLUDE THE PUBLIC

The Board **resolved** that the draft resolution to exclude the public set out on page 30 of the agenda be adopted.

The meeting concluded at 6.35 pm.

CONFIRMED THIS 13TH DAY OF APRIL 2005

**BOB TODD
CHAIRPERSON**