

16. 2. 2006

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

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

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

**APOLOGIES:** An apology for absence was received and accepted from John Freeman.

Brendan Smith departed at 4.00 pm and was absent for clauses 1-4, 8, 10-14, 16 and 17.

Brenda Lowe-Johnson departed at 5.15 pm and was absent for clause 7.

The Board reports that:

**PART A - MATTERS REQUIRING A COUNCIL DECISION**

**1. PROPOSED GARAGE ENCROACHING ON LEGAL ROAD OUTSIDE 219 TAYLORS MISTAKE ROAD**

<b>General Manager responsible:</b>	General Manager City Environment
<b>Officer responsible:</b>	Transport and City Streets Manager
<b>Author:</b>	Weng Kei Chen, Asset Policy Engineer, DDI 941-8655

**PURPOSE OF REPORT**

1. The purpose of this report is to recommend that the Council commence road stopping procedures to stop the parcel of surplus land comprising approximately 77m<sup>2</sup> which is a 3.0m wide strip along the frontage of 219 Taylors Mistake Road.

**EXECUTIVE SUMMARY**

3. The owner of the property at 219 Taylors Mistake Road has requested the use of 9.0m<sup>2</sup> of road land to enable the construction of a double garage.
4. This is considered a reasonable request owing to the steepness of the site. To locate the structure totally on site would incur substantially more earthworks.
5. The encroachment is minor and will not compromise road users' movement along the frontage. In addition this section of roadway was only upgraded five years ago and any other upgrade is likely to be some time away.
6. The proposal for the garage has the support of the neighbours.
7. There is also an existing long single garage along the property frontage and it is entirely on legal road approximately 3.5m from the kerb. This land is surplus to road requirements.
8. The existing garage also acts as support to the bank and removal of this structure will require the construction of a new retaining wall.

**FINANCIAL AND LEGAL CONSIDERATIONS**

9. The Board has delegated power to approve the building of this garage on road. The Board's decision regarding the construction of the garage is recorded in clause 10 of this report.

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**1 Cont'd**

10. The disposal of this parcel of redundant land is insignificant and will have no effect on road users and hence it is appropriate to commence the road stopping procedures pursuant to the Public Works Act 1987.
11. There will be a financial return to the Council following the disposal of the surplus road land.

**OPTIONS**

12. Status quo.

Comment - Refusal of the application is likely result in added pressure on the street parking facilities.

13. Approve the garage and enter into a Deed of Licence to occupy legal road.

Comment - Not a good long term solution because the land is surplus to the Council's requirements.

14. Stop road and sell to owner.

Comment - This process will take some time and will delay construction of the garage.

15. Approve the garage on legal road and follow up with road stopping.

Comment - Enables owner to construct garage without delay and allows the Council to work towards land disposal.

**STAFF RECOMMENDATION**

That, following completion of the foundation of the garage, the Council commence the road stopping procedures pursuant to the Public Works Act 1987, to stop the 3m<sup>2</sup> strip of road land along the frontage of 219 Taylors Mistake Road.

**BOARD RECOMMENDATION**

That the staff recommendation be adopted.

**PART B - REPORTS FOR INFORMATION**

**2. ANTIGUA BOATSHEDS**

A report was submitted to the Board by Lewis Burn, Property Consultant, requesting the Board to support a proposal to authorise the Corporate Support Manager to negotiate and conclude a new lease of the Antigua Boatsheds site when the existing lease expired on 31 March 2006. As a decision was required prior to the Christmas break, the report was submitted to the 8 December 2005 Council meeting. The Board **decided** to support the granting of a new lease of the boatsheds, on the basis set out in the officer's report.

**3. ASSIGNMENT OF LEASE GOOD TASTE CAFE TO J & K COMPANY LIMITED**

A report was submitted to the Board by Bill Binns, Property and Leasing Adviser, requesting the Board to support the assignment of the lease of the Good Taste Cafe, located in the premises owned by the Council at 196 Tuam Street. As a decision on the proposed assignment of the lease was required prior to the Christmas break, the report was submitted to the 8 December 2005 Council meeting. The Board **decided** to support the assignment of the lease, on the basis set out in the officer's report.

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**4. COMMUNITY BOARD PRINCIPAL ADVISER'S UPDATE**

The Board **received** the information.

**5. CORRESPONDENCE**

A letter was received from Blanche Head, on behalf of Kidsfirst Kindergartens Bromley, thanking the Board for the allocation of \$2,008 of discretionary funding for the replacement of their drinking fountain.

The Board requested that a letter of thanks be sent to the organisation for returning the unused funding.

The Board **received** the letter.

**6. DEPUTATIONS BY APPOINTMENT**

**6.1 SUMNER SATO**

Tim Guthrie, owner of Sumner Salto addressed the Board regarding outside seating on the footpath in front of the Sumner Sato restaurant.

The Board **decided**:

1. To seek further information from the Transport and City Streets Manager on why this application was declined, including information on policies being breached by the applicant, and that this information be presented to the Board at its meeting on 14 December 2005.
2. That the Community Board Principal Adviser facilitate a meeting between Mr Guthrie and applicable Transport and City Streets Unit staff.

**6.2 AVON-HEATHCOTE IHUTAI ESTUARY TRUST**

Alex Drysdale, on behalf of the Avon-Heathcote Ihutai Estuary Trust, addressed the Board regarding an application for 2005/06 discretionary funding.

Mr Drysdale, on behalf of the Trust undertook to complete and return a funding application form to the Community Secretary, to enable the request to then be formally considered by the Board.

**PART C - REPORT ON DELEGATED DECISIONS TAKEN BY THE BOARD**

**7. CONFIRMATION OF REPORT**

The Board **resolved** that the report of the ordinary Board meeting held on Wednesday 9 November 2005, be confirmed.

**8. PROPOSED GARAGE ENCROACHING ON LEGAL ROAD OUTSIDE 57 CLIFTON TERRACE**

The Board considered a report from Weng Kei Chen, Asset Policy Engineer, requesting the Board to consent to the construction of a double garage and storage area partially on legal road outside 57 Clifton Terrace. Approval was also sought to initiate the required road stopping procedure to stop approximately 12.5m<sup>2</sup> of legal road outside the subject property, following completion of the foundation of the garage.

The Board **resolved** to decline the application for the construction of the proposed garage and storage area partially on legal road.

(Yani Johanson recorded his vote against the resolution.)

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9. ROAD LEGALISATION, ROAD STOPPING OF UNFORMED ROAD AND OCCUPATION OF ROAD AIRSPACE OUTSIDE 1 WHITEWASH HEAD ROAD

The Board considered a report seeking its recommendation to the Council:

- (a) To commence road stopping procedures in relation to approximately 59m<sup>2</sup> of unformed legal road outside 1 Whitewash Head Road as shown in the plan attached to the report.
- (b) To commence the formal process to dedicate the existing formed carriageway presently situated on land owned by the owners of 1 Whitewash Head Road as legal road. This process is consequential to the Court Order 6152280.
- (c) To permit the owners of 1 Whitewash Head Road to occupy approximately 90m<sup>2</sup> of legal road as airspace.
- (d) To require the owners of 1 Whitewash Head Road to enter into a Deed of Licence to permit their continued use of their existing garage situated on that part of their existing land intended to vest in the Council as legal road..

The Board **resolved**:

1. That the report be deferred until its meeting of 14 December 2005.
2. To hold a site visit with affected parties at 9.30 am on Wednesday 7 December 2005.

10. PROPOSED GARAGE ENCROACHING ON LEGAL ROAD OUTSIDE 219 TAYLORS MISTAKE ROAD

The Board considered a report from Weng Kei Chen, Asset Policy Engineer, seeking the Board's approval for the construction of a double garage located partially on legal road outside 219 Taylors Mistake Road. Approval was also sought to commence the required formal road stopping procedures to stop the parcel of surplus land comprising approximately 77m<sup>2</sup>, being a 3m wide strip along the frontage of the subject property.

The Board **resolved** to approve the construction of a double garage located partially on legal road outside 219 Taylors Mistake Road, as shown on the plan attached to the report, subject to the applicant entering into the required deed of licence to occupy legal road.

The Board also **decided** to recommend to the Council that it commence the required road stopping procedures to stop the affected portion of legal road pursuant to the Public Works Act 1987, on completion of the foundation of the garage. (This recommendation is separately recorded in clause 1 of the Board's report.)

11. OSBORNE STREET – GIVE WAY CONTROLS

The Board considered a report by Lorraine Wilmshurst, Roading Projects Manager, seeking approval for new/revised traffic controls at the intersections of Osborne Street/Laurence Street, and Osborne Street/Charles Street.

The Board **resolved**:

- (a) That the "Stop" traffic control against both the east and west approaches of Laurence Street at Osborne Street be revoked.
- (b) That the "Stop" traffic control against both the east and west approaches of Charles Street at Osborne Street be revoked.
- (c) That a "Give Way" traffic control be installed on all four approaches to the Laurence Street/Osborne street intersection.
- (d) That a "Give Way" traffic control be installed on all four approaches to the Charles Street/Osborne Street intersection.

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**12. PROPOSED GARAGE ENCROACHING ON LEGAL ROAD OUTSIDE 280 MAIN ROAD**

The Board considered report seeking its approval for the construction of a single garage wholly on legal road outside 280 Main Road, Redcliffs.

The Board **resolved**:

- (a) To approve the application to construct a single garage wholly on legal road outside 280 Main Road, Redcliffs.
- (b) That the final plan for the structure be approved by the Transport and City Streets Manager prior to resource and building consents being issued.

**13. STRUCTURE ON STREET APPLICATION FOR 40 KINSEY TERRACE**

The Board considered a report seeking its approval to erect a private structure partially on legal road at 40 Kinsey Terrace.

The Board **resolved** that the report be deferred until the 22 March 2006 meeting.

**14. HAGLEY/FERRYMEAD COMMUNITY BOARD: PROPOSED SCHEDULE OF MEETINGS FOR 2006**

The Board considered a report on a proposed schedule of ordinary meetings in 2006.

The Board **resolved** that Board meetings be held commencing at 3pm on the following dates in 2006:

Wednesday	8 and 22 February
Wednesday	8 and 22 March
Wednesday	12 and 26 April
Wednesday	10 and 24 May
Wednesday	14 and 28 June
Wednesday	12 and 26 July
Wednesday	9 and 23 August
Wednesday	13 and 27 September
Wednesday	11 and 25 October
Wednesday	8 and 22 November
Wednesday	13 December

**15. SUPPLEMENTARY REPORTS**

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

1. Avon-Heathcote Ihutai Estuary Trust – Application For Discretionary Funding.
2. Resolution to Exclude the Public.

**16. RESOLUTION TO EXCLUDE THE PUBLIC**

The Board **resolved** that the draft resolution to exclude the public, set out in the supplementary agenda, be adopted.

The meeting concluded at 5.25 pm.

**CONFIRMED THIS 14TH DAY OF DECEMBER 2005**

**BOB TODD  
CHAIRPERSON**