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**HAGLEY/FERRYMEAD COMMUNITY BOARD
14 FEBRUARY 2007**

**A meeting of the Hagley/Ferrymead Community Board
was held on Wednesday 14 February 2007 at 3.00 pm**

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

APOLOGIES: An apology for lateness was received from Brendan Smith who arrived at 3.05 pm and was absent for part clause 10.

An apology for lateness was received from Brenda Lowe-Johnson who arrived at 3.15 pm and was absent for part clause 10.

An apology for lateness was received from David Cox who arrived at 3.40 pm and was absent for clauses 2, 3 and part 10.

An apology for early departure was received from Brendan Smith who retired at 5.28 pm and was absent for clauses 2-4 and 15-17.

An apology for early departure was received from Anna Crighton who retired at 5.40 pm and was absent for clauses 2-4 and 15-17.

The Board reports that:

PART A - MATTERS REQUIRING A COUNCIL DECISION

1. STRUCTURE ON STREET - JADE STADIUM, STEVENS STREET

General Manager responsible:	General Manager City Environment, DDI 941-8656
Officer responsible:	Manager Transport and Greenspace
Author:	Tony Lange, Asset Engineer (Transfund and Systems)

PURPOSE OF REPORT

1. The purpose of this report is to seek the approval of the Council to a structure on street application as part of the upgrade to Jade Stadium, on its Stevens Street frontage. An application has been made to occupy road air space by extending the proposed structure out such that it can be used as a balcony.

EXECUTIVE SUMMARY

2. Staff have received a request from a consultant acting on behalf of Jade Stadium Ltd to occupy airspace by extending portions of the concourse area out over the Stevens Street pedestrian area as part of the proposed development of Jade Stadium.
3. The application is in conflict with Council policy.
4. Sufficient space is available on site to meet the owner's needs.
5. The height of the proposed concourse, four metres, and width of overhang, three metres, will not impact on cleaning vehicles or pedestrian movement along the footpath of Stevens Street.
6. The external walls of the balcony should be constructed in a material that prohibits the throwing of food and liquids on to pedestrians walking below the balcony.
7. The applicant has noted that:
 - (a) Extending the concourse out over Stevens Street will seek to 'frame' the protected War Memorial Gates.
 - (b) It allows for concession areas at both ends of the War Memorial Gates.

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- (c) It provides a congregation point for those waiting to move across the narrow concourse corridor that runs parallel with the War Memorial Gates.
- 8. If approved by the Council a Deed of Licence would be entered into for the ongoing lease of the airspace.
- 9. Approval for the structure does not remove the applicant from obtaining relevant building and resource consents.

FINANCIAL AND LEGAL CONSIDERATIONS

- 10. A Deed of Licence would be entered into for the long term lease of the airspace with terms and rental acceptable to the Corporate Support Manager.
- 11. The application is in conflict with Council policy since it is proposed to use 'road' space for private activities. The Airspace Policy states that *"the Council will not generally grant rights to space above roads for the sole purpose of creating additional floorspace (ie for an overbuilding) unless there are exceptional circumstances, such as where there is a clearly demonstrated need for increased floorspace that cannot be met in any other way, ie by expansion upwards, sideways or backwards or by moving to another site"*.
- 12. There is sufficient space available on site to provide for the needs of the owner with out encroaching onto the road (plan P4.3) (**Attachment 2**).
- 13. One point made by the applicant to support the application was that the intrusion will "frame" the War Memorial Gates. This is a subjective point of view given that people will not see the intrusion when approaching Jade Stadium from Lancaster Street (see **attached** photos).
- 14. There is insufficient detail on the plans to identify what the external wall detail is. On plan P4.4 (**Attachment 2**) the walls in question are shown as a mesh. This raises a health and safety issue of patrons, using the balcony, throwing liquids and food through the mesh, on to the pedestrian traffic below.
- 15. Given the nature of the site staff require that the balcony walls are made of a material that will prohibit the throwing of liquids and food on to pedestrians walking under the balcony.

OPTIONS

- 16. The only options are to approve or decline the applicant's request.

PREFERRED OPTION

- 17. For discussion.

STAFF RECOMMENDATIONS

Subject to the Board's decision in favour of the applicant, it is recommended that the Board recommend that the Council:

- (a) Approve the use of airspace at Stevens Street to construct a balcony subject to the applicant obtaining relevant building and resource consents.
- (b) Require the walls of the balcony to be constructed from a material that prohibits the posting of food and liquids on to the footpath below.
- (c) Subject to (a) above, delegate to the Corporate Support Manager the authority to enter into a Deed of Licence, in respect of the balcony over Stevens Street, at such rental and terms as shall be acceptable to him.

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BOARD'S RECOMMENDATION

1. That the Council grant approval in principle for the use of airspace at Stevens Street for the construction of a balcony subject to the following conditions:
 - (a) The applicant obtaining the relevant building and resource consents.
 - (b) The applicant consulting with the Returned Services Association on this project.
2. That the applicant be required to obtain and submit to both the Community Board and the Council a report from an independent qualified conservation architect on the proposal.
3. That final approval or otherwise of the proposal be withheld pending receipt and consideration by both the Community Board and the Council of the independent report sought in (2) above.

2. STRUCTURE ON STREET - 165 CASHEL STREET

General Manager responsible:	General Manager City Environment, DDI 941-8656
Officer responsible:	Manager Transport and Greenspace
Author:	Tony Lange, Asset Engineer

PURPOSE OF REPORT

1. The purpose of this report is to seek the approval of the Council to a structure on street application for 165 Cashel Street. An application has been made to occupy road air space by allowing an existing veranda to be modified and used as a balcony.

EXECUTIVE SUMMARY

2. Staff have received a request from the owners of 165 Cashel Street to occupy 6.2 square metres of airspace by modifying an existing veranda to function as a balcony.
3. The property at 165 Cashel Street was the site of Inland Revenue NZ. The current owners have now started work on converting the building from office space to a hotel. Relevant building and resource consents have been obtained. (See **attached** photographs and plans).
4. Most of the existing veranda will be retained therefore the clearance height of the balcony will not impact on cleaning vehicles.
5. The applicant has noted that:
 - (a) The balcony will not impact on the street scene in an adverse way.
 - (b) It will allow a smoking area for guests.
 - (c) It does not protrude when compared with the existing veranda.
6. If approved a Deed of Licence would be entered into for the ongoing lease of the airspace.
7. There is a conflict between the proposal and Council policies.

FINANCIAL AND LEGAL CONSIDERATIONS

8. A Deed of Licence would be entered into for the long term lease of the airspace and at a rental acceptable to the Corporate Support Manager if the application is approved.
9. Current Council policy does not support situations where it is proposed to use 'road' space for private activities. The Airspace Policy states that *"the Council will not generally grant rights to space above roads for the sole purpose of creating additional floorspace (ie for an overbuilding) unless there are exceptional circumstances, such as where there is a clearly demonstrated need for increased floorspace that cannot be met in any other way, ie by expansion upwards, sideways or backwards or by moving to another site"*.

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10. It should be noted that the "Footpath Extensions to Expand Cafes Policy" states *"that the Council adopt the view that in the central city use of extension of outdoor seating and tables onto the footpath/roadway be encouraged"*.

OPTIONS

11. The only options are to approve or decline the applicant's request.

PREFERRED OPTION

12. For discussion.

STAFF RECOMMENDATIONS

Subject to the Board's decision in favour of the applicant, it is recommended that the Board recommend that the Council:

- (a) Approve the use of airspace at 165 Cashel Street to construct a balcony.
- (b) Subject to (a) above, delegate to the Corporate Support Manager the authority to enter into a Deed of Licence, in respect of the balcony over 165 Cashel Street, at such rental and terms as shall be acceptable to him.

BOARD'S RECOMMENDATION

That the Council approve the use of air space at 165 Cashel Street for the construction of a balcony subject to:

- (a) Any necessary building consents being obtained for the proposed structure (alcohol free) which is to be constructed in a manner that precludes the throwing of objects from an elevated area.
- (b) Delegate to the Corporate Support Manager the authority to enter into a Deed of Licence, in respect of the balcony over 165 Cashel Street, at such rental and terms as shall be acceptable to him.

PART B - REPORTS FOR INFORMATION

3. ROAD LEGALISATION, ROAD STOPPING OF UNFORMED ROAD OUTSIDE 1 WHITEWASH HEAD ROAD

This item was forwarded to the Council meeting of 23 March by way of a Chairman's report.

4. EASEMENT OVER RESERVE - MAJOR HORNBROOK RESERVE

This item was forwarded to the Council meeting of 15 March 2007 by way of a Chairperson's Report.

PART B - REPORTS FOR INFORMATION

5. CORRESPONDENCE

5.1 HON. PETE HODGSON, MINISTER OF HEALTH

The Board **received** an acknowledgement from the Hon. Pete Hodgson, regarding correspondence relating to the sale of party pills.

5.2 HEATHCOTE VALLEY COMMUNITY ASSOCIATION INC.

The Board considered correspondence from the Heathcote Valley Community Association expressing concern at not being advised of a limited consent application (planning).

The Board **decided** that this matter be referred to the Environmental Policy and Approvals Manager for comment.

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6. QUESTIONS FROM MEMBERS

John Freeman asked how disabled people using wheeled transport could cross dry sand to the more user friendly wet sand at the new disabled ramp at Sumner.

7. DEPUTATIONS BY APPOINTMENT

7.1 INNER CITY WEST NEIGHBOURHOOD ASSOCIATION INC

Mr Bruce Bellis, Secretary, spoke in respect of item 7 on the agenda "Chester Street West - One-Way Street Proposal and Changes to Existing 10 Minute Parking Restriction". The Association recommended that the street be made one-way east bound, (the favoured direction in the staff report) and a 'Drop Off' zone be installed on the northern side.

The Board **received** the deputation.

8. COMMUNITY BOARD PRINCIPAL ADVISER'S UPDATE

The Board **received** a report on relevant matters.

In addition the Board **resolved**:

- (a) To confirm the submission on the draft Community Development Strategy.
- (b) To confirm the submission on the draft Social Housing Policy.
- (c) To make a submission on the draft Ageing Together Policy and to hold a meeting for this purpose at 10.00 am on Wednesday 21 February 2007.

9. COMMUNITY ENGAGEMENT ADVISER'S UPDATE

The Board **received** a report on relevant matters.

10. UPDATE ON PROGRAMMED WORKS

10.1 FITZGERALD AVENUE AND HARVEY TERRACE SAFETY AND IMPROVEMENTS PROJECT

Andrew Hensley (Consultation Leader, Capital Programmes) and Lorraine Wilmshurst (Project Manager, Capital Programmes, Roading) updated the Board on the Safety Improvements Project at the above intersection, pointing out that the proposal is currently going through the consultation process. They responded to questions from Board members.

10.2 UPDATE ON RANDOLPH AND BASS STREET RENEWAL/PUMP STATION 11 PROJECT

Kate Purton (Capital Works Co-ordinator) provided an oral status report on the above project and answered questions from Board members.

PART C - REPORT ON DELEGATED DECISIONS TAKEN BY THE BOARD

11. CONFIRMATION OF REPORTS

The Board **resolved** that the report of the Recess Emergency Committee meeting held on Wednesday 24 January 2007 be confirmed.

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12. CHESTER STREET WEST – ONE-WAY STREET PROPOSAL AND CHANGES TO EXISTING 10 MINUTE PARKING RESTRICTION

The Board considered a report from Barry Cook, Network Operations and Traffic Systems Team Leader and Paul Burden, Consultant Traffic Engineer, informing it of the findings of the investigation into the possible conversion of part of Chester Street West (Park Terrace to Cranmer Square) to a one-way street and seeking the Board's approval to change the operative days of the existing 10 minute parking restriction in Chester Street West.

The report signalled a proposal aimed at mitigating the current problems of car parking shortages and congestion that occur during peak student arrival and departure periods associated with the Cathedral Grammar School.

The Board **resolved**:

1. (a) That the parking of vehicles be limited to 10 minutes maximum, 8.00-9.30 am and 2.00-4.00 pm, Monday to Friday, school days only on the north side of Chester Street West from a point 39 metres east of the Park Terrace intersection and extending in an easterly direction for a distance of 88 metres.
- (b) That the parking of vehicles be limited to 10 minutes maximum, 8.00-9.30 am and 2.00-4.00 pm, Monday to Friday, school days only on the south side of Chester Street West from a point 39 metres east of the Park Terrace intersection and extending in an easterly direction for a distance of 66.5 metres.
- (c) That the existing restriction on the parking of vehicles for a maximum of 10 minutes, from 8.00-9.30 am and 2.00-4.00 pm, Monday to Friday in the following locations be revoked:
 - The north side of Chester Street West commencing from a point 17.3 metres west of the Cranmer Square intersection and extending 91 metres in a westerly direction.
 - The south side of Chester Street West commencing from a point 43.2 metres west of the Cranmer Square intersection and extending 69 metres in a westerly direction.
- (d) That the parking of vehicles be restricted to a maximum of 5 minutes, from 8.00-9.30 am and 2.00-4.00 pm, school days, in the following locations:
 - The north side of Chester Street West commencing from a point 17.3 metres west of the Cranmer Square intersection and extending 91 metres in a westerly direction.
 - The south side of Chester Street West commencing from a point 43.2 metres west of the Cranmer Square intersection and extending 69 metres in a westerly direction.
2. That staff obtain permission from Land Transport New Zealand to trial 'Drop Off' signs on the northern side of Chester Street West.
3. That staff investigate a more definitive wording for the advisory sign located at the "pedestrian mall".

Yani Johanson took no part in the discussion or voting on this clause.

13. ST ASAPH STREET - PROPOSED EXTENSION OF P120 PARKING AREA TO INCLUDE TWO MOBILITY SPACES

The Board considered a report from Paul Burden, Consultant Traffic Engineer and Malcolm Taylor, Traffic Engineer, seeking approval to extend the current P120 parking restriction on the north side of St Asaph Street, immediately west of the Antigua Street intersection to include two mobility spaces.

The report highlighted the frustrations experienced by disabled people having to park a considerable distance away from facilities at the Christchurch Hospital.

The Board **resolved** that the parking of vehicles be limited to 120 minutes maximum on the northern side of St Asaph Street commencing at a point 37 metres west of the Antigua Street intersection and extending 12.5 metres in a westerly direction.

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14. TREE REMOVAL - 44 BAY VIEW ROAD, MONCKS BAY

The Board considered a report from Graham Clark, Arborist, seeking approval for the removal of a large flowering gum (*Eucalyptus ficifolia*) for two reasons:

1. New vehicle crossing.
2. Electrical services clearance notice.

The Board **resolved**:

- (a) That the red flowering gum tree located on the Bay View Road berm outside No 44 Bay View Road be removed to allow for a new vehicle crossing to be constructed.
- (b) That the red flowering gum removed be replaced with another tree, pb95 grade pohutukawa, as close to the original tree's location as is practicable.
- (c) That the Council pay the removal costs of \$500 excl GST.
- (d) That the applicant be charged for the replacement planting cost of \$215 excl GST (which includes the purchase cost for the tree).
- (e) That the Council not apply STEM valuation in this case as the removal would have been recommended as part of the regular maintenance cycle for the city's tree asset (the tree's location and condition do not warrant its retention).

The above resolution was carried on division number one by four votes to two, the voting being as follows:

For: (4) Anna Crighton, John Freeman, Brenda Lowe-Johnson and Brendan Smith.

Against: (2) David Cox and Yani Johanson.

15. NEW ZEALAND COMMUNITY BOARD CONFERENCE 2007

The Board considered a report from Elsie Ellison, Community Board Principal Adviser, seeking nominations from each Board regarding attendance at the New Zealand Community Boards' Conference, 7-9 June 2007, at the TelstraClear Pacific Events Centre, Manukau City.

The Board **resolved** that it be represented at the above conference by Yani Johanson (full costs) and Brenda Lowe-Johnson (registration costs only).

16. BARNETT PARK PLAYGROUND UPGRADE

The Board considered a report from Joanne Walton, Parks and Waterways Area Advocate, seeking approval to the plan for upgrading the playground at Barnett Park, following public consultation with the local community.

The report signalled a preference for Option One of the two options proposed.

The Board **resolved** to adopt the plan (Option One) for upgrading the playground at Barnett Park, and that the Transport and Greenspace Unit be requested to commence the construction programme.

17. SUMNER-REDCLIFFS HISTORICAL SOCIETY

The Board considered a report from Clare Sullivan, Community Board Principal Adviser, seeking approval for a grant to be made to the Society, to acknowledge the large amount of research and work carried out by members.

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The Board **resolved** that a grant of \$1,000 be made to the Sumner-Redcliffs Historical Society and presented at the Board meeting being held at Sumner on Saturday, 24 February 2007.

John Freeman took no part in the discussion or voting on this clause.

The meeting concluded at 6.25 pm.

CONFIRMED THIS 28TH DAY OF FEBRUARY 2007

**BOB TODD
CHAIRPERSON**