

14. 2. 2008

**HAGLEY/FERRYMEAD COMMUNITY BOARD RECESS COMMITTEE  
21 DECEMBER 2007**

**A meeting of the Hagley/Ferrymead Community Board Recess Committee  
was held on 21 December 2007 at 11am**

**PRESENT:** Bob Todd (Chairperson), Brenda Lowe-Johnson and John Freeman

**APOLOGIES:** Nil

The Recess Committee reports that:

**PART B – REPORTS FOR INFORMATION**



**1. DEPUTATIONS BY APPOINTMENT**

1.1 Mr Philip Wright expressed his concern at the application of the Tramway Historical Society Incorporated's request to open the northern section of the tramline on the Ferrymead Reserve, and advised that he was against the application. Mr Wright noted that there was a long-standing difference of opinion on issues regarding the operation of trams at Ferrymead. Of particular concern to Mr Wright was:

- The operation of trams so close to the boundary of his property
- The historical significance of the land to both Maori and European, which in Mr Wright's view meant that the operation of trams on the land was inappropriate
- The very short notice given to him about the application
- The Ombudsman's earlier ruling, which Mr Wright stated concluded that the Council was causing a nuisance and an annoyance
- Legal concerns over the status of the land
- His view that the Society had failed to keep to its agreements in the past.

Mr Wright referred to an agreement that only horse-drawn trams would be used on the line and provided a copy of a 1973 letter to the Chairperson.

The Chairperson thanked Mr Wright for his submission.

1.2 Dave Hinman, Secretary of the Tramway Historical Society Incorporated, and Dave Carr, Society member and member of the Tramway Trust and Deputy Chair of the Ferrymead Trust, spoke to the meeting in support of the Society's request to open the tramway. Mr Hinman responded to some of the issues raised by Mr Wright, and noted that the Ombudsman's decision preceded the Management Plan. Errors were noted in the memorandum of the Community Board Adviser.

The Chairperson thanked Mr Hinman for his submission.

**PART C – DELEGATED DECISIONS**

**2. APPOINTMENT OF A CHAIRPERSON**

Bob Todd was appointed Chairperson of the Recess Committee.

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**3. REQUEST OF THE TRAMWAY HISTORICAL SOCIETY**

The request was considered in light of the submissions made by Mr Wright and the Tramway Historical Society Incorporated.

The Chair invited Ian Thomson, Council Solicitor, forward to respond to questions raised in a letter from Mr Wright's solicitor. It was noted that these issues were outside of the consideration of the request to open the northern section of the tramline and were matters which would be more appropriately addressed to the City Council than the Community Board.

The Committee asked that staff check both the ownership of the land and the agreement to use the reserve land by the former Heathcote County Council.

The Recess Committee **resolved**:

- (a) That the tram be permitted to run between 12 noon and 5pm on 6 January 2008, and also for one trip for maintenance purposes around 10am on Saturday 29 December 2007.
- (b) That the Society advise Mr Wright of the time of the maintenance run, prior to this taking place.
- (c) Mr Wright was advised that the matters he addressed in the letter from his lawyer should be taken up with the Council's Legal Services Manager.

The meeting concluded at 11.50am.

**CONFIRMED THIS 30TH DAY OF JANUARY 2008**

**BOB TODD  
CHAIRPERSON**