



**Christchurch City Council**

# **FENDALTON/WAIMAIRI COMMUNITY BOARD AGENDA**

**TUESDAY 6 SEPTEMBER 2005**

**AT 4.00 PM**

**IN THE BOARD ROOM  
CHRISTCHURCH CITY COUNCIL FENDALTON  
CORNER JEFFREYS AND CLYDE ROADS**

**Community  
Board:**

Mike Wall (Chairman), Sally Buck, Faimeh Burke, Val Carter, Cheryl Colley,  
Pat Harrow, Andrew Yoon

**Community Board Principal Adviser**

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**1. APOLOGIES****2. CONFIRMATION OF MEETING REPORT – 2 AUGUST 2005****CHAIRMAN'S RECOMMENDATION**

That the report of the ordinary meeting of the Board held on 2 August 2005, as circulated, be taken as read and confirmed.

**3. DEPUTATIONS BY APPOINTMENT****4. WORKS, TRAFFIC AND ENVIRONMENT COMMITTEE – REPORT OF 15 AUGUST 2005**

<b>General Manager responsible:</b>	General Manager Regulation and Democracy Services
<b>Officer responsible:</b>	Secretariat Manager
<b>Author:</b>	Peter Dow, DDI 941-6728

The purpose of this report is to submit the following outcomes of the Committee's 15 August 2005 meeting.

**Report of a meeting of the Works, Traffic and Environment Committee  
held on Monday 15 August 2005 at 8.00 am  
in Meeting Room 1, CCC Fendalton**

**PRESENT:** Cheryl Colley (Chairman), Faimeh Burke, Val Carter, Pat Harrow, Mike Wall and Andrew Yoon.

**1. APOLOGIES**

An apology for absence was received and accepted from Sally Buck.

**2. STATE HIGHWAY 73/POUND ROAD—INTERSECTION IMPROVEMENTS**

The Chairman welcomed several members from the Riccarton/Wigram Community Board who were in attendance for the presentation by Maunsell Limited on behalf of Transit New Zealand regarding potential improvement options for the intersection.

Mr. Brendan Bisley elaborated on the location and site characteristics of the intersection and explained the options investigated and the next steps in the process.

The option preferred was for a dual lane roundabout, the details of which were displayed and discussed. It was indicated that subject to approval by Transit's Board, construction was scheduled for the 2006/07 year.

Nearby residents and the local residents' association had been consulted and feedback so far received had not identified any major concerns.

The members indicated their general support for the proposed works as outlined.

The Chairman thanked the Riccarton/Wigram Community Board members for their attendance and for the officers involved, for their input.

**COMMITTEE RECOMMENDATION**

That the information be received.

#### 4. Cont'd

##### 3. LOCAL PROJECT UPDATES

The Committee **received** information updates on the following local projects:

###### 3.1 Millbrook Reserve

Staff advised that feedback on the consultation plan had been positive and that a formal report, seeking approval for the plan, will be made to the Board in September.

Members expressed their support and appreciation for the contents of the plan.

###### 3.2 McDougall Avenue (Papanui Road to Murray Place)

Staff presented details of the intended consultation plan for the reconstruction of McDougall Avenue and responded to questions raised by members.

(Pat Harrow retired from the meeting.)

###### 3.3 Mansfield Avenue (Papanui Road to Browns Road)

Staff presented details of the consultation plan for the kerb and channel renewal in Mansfield Avenue.

###### 3.4 Beverley Street

Details were presented on the proposed consultation plan for the kerb and channel renewal in Beverley Street.

##### COMMITTEE RECOMMENDATION

That the consultation plans for the McDougall Avenue, Mansfield Avenue, and Beverley Street projects be approved to allow circulation to occur prior to the September meeting of the Board.

The meeting concluded at 9.01 am.

##### CHAIRMAN'S RECOMMENDATION

That the report be received and the recommendations therein be adopted.

#### 5. SHEFFIELD CRESCENT – NEW BUS SHELTER LOCATION

<b>General Manager responsible:</b>	General Manager, City Environment
<b>Officer responsible:</b>	Transport and City Streets Manager
<b>Author:</b>	Ken Stevenson, DDI 941-8555

##### PURPOSE OF REPORT

1. The purpose of this report is to seek the Board's approval to install a bus shelter at 35 Sheffield Crescent.

##### EXECUTIVE SUMMARY

2. Bus patrons have requested a bus shelter at the bus stop outside 35 Sheffield Crescent. This stop is the terminus of the three cross town routes at the central city, Barrington and to Sommerfield. In the mid week about 90 bus trips per day commence from this bus stop. This bus stop meets the criteria for a bus shelter.
3. Discussions have been ongoing with the owners of 35 Sheffield Crescent in an attempt to get their agreement to place the shelter in front of their property. To date no agreement has been reached and it is unlikely such agreement will be reached.

**5. Cont'd**

4. Under s339 of the Local Government Act (1974) the Council has the right to erect a shelter on footpaths of any road subject to a number of conditions. One of those is giving a formal notice to the occupier and owner of land likely to be affected by the erection of the shelter and giving them an opportunity to formally object.
5. The options available to the Board are to either approve this location and give staff the approval to issue the formal notice to the owners and occupiers of 35 Sheffield Crescent, or to decline the request, which will mean staff will need to find another location.
6. If approval is given by the Board, and a formal notice is issued, and a written objection is received then the Council must hear that objection. Community Boards do not have the delegated authority to hear objections. This has been delegated to the Council Hearings Panel and this Panel will make the final decision as to whether or not to allow the objection. If a written objection is not received within the required time then the shelter will be installed.

**FINANCIAL AND LEGAL CONSIDERATIONS**

7. Under s339 of the Local Government Act (1974) the Council may erect on the footpath of any road a shelter for use by intending public-transport passengers or taxi passengers provided that no such shelter may be erected so as to unreasonably prevent access to any land having a frontage to the road. The Council is required to give notice in writing to the occupier and owner of property likely to be injuriously affected by the erection of the shelter, and shall not proceed with the erection of the shelter until after the expiration of the time for objecting against the proposal or, in the event of an objection, until after the objection has been determined.
8. Should the shelter be approved the site will be offered as a suitable location for an Adshell shelter. If accepted, there would be no cost to the Council. If Adshell do not accept the site then the cost to the Council would be \$10,000. Sufficient budget exists in the Passenger Transport Infrastructure budget for this shelter.

**STAFF RECOMMENDATION**

It is recommended that the Board:

- (i) Approve the installation of a bus shelter at the bus stop along the frontage of 35 Sheffield Crescent.
- (ii) Authorise staff to issue the appropriate notices in terms of s339 of the Local Government Act (1974).

**CHAIRMAN'S RECOMMENDATION**

That the staff recommendation be adopted.

**6. 39 SPRINGFIELD ROAD – PROPOSED ROAD STOPPING**

<b>General Manager responsible:</b>	General Manager, City Environment
<b>Officer responsible:</b>	Transport and City Streets Manager
<b>Author:</b>	Deborah Harris, Property Consultant, DDI 941-8940

**PURPOSE OF REPORT**

1. This report is submitted to the Community Board for information and to add its views as appropriate, for consideration by the Council with the balance of the report.
2. To discuss and obtain the Council's authority to commence the road stopping procedure as set out in the Public Works Act 1981, for the portion of road shown as Section 1 on Scheme Plan SM1522-01.

## EXECUTIVE SUMMARY

3. The area of road proposed to be stopped comprises 93 square metres and adjoins 39 Springfield Road. A property location map (**Attachment 1**) is appended to this report.
4. The area of road is incorporated, by way of a fence, into the property at 39 Springfield Road, and the eastern side of the existing house is located on the property boundary. Scheme Plan SM1522-01 (**Attachment 2**) delineates the area of road that is the subject of this report.
5. The property at 39 Springfield Road was sold in mid 2004 and one of the conditions of sale was that the vendor would pursue the purchase from the Council of the area of road.
6. The Transport and City Streets Unit is of the opinion that the subject portion of road is not required by the Council for road purposes and therefore it supports the road stopping application.
7. It is proposed to facilitate the road stopping pursuant to the Public Works Act 1981. However the Council's consent to commence this process should be conditional on the applicant agreeing to:
  - (a) pay the market value for the land as determined by an independent valuer; and
  - (b) pay the costs associated with the road stopping process including survey fees, LINZ and gazettal disbursements and the Council's reasonable legal fees; and
  - (c) the stopped road being amalgamated with the property title for 39 Springfield Road.
8. A final report will be submitted to the Council seeking its formal consent to stop the road once all survey requirements have been met and the Agreement for Sale and Purchase has been finalised.

## FINANCIAL AND LEGAL CONSIDERATIONS

### Financial

9. Simes Limited assessed a current market value for the area of road of \$65,000 including GST. This information was being conveyed to the applicants at the time of preparing this report.
10. The applicants were advised at the outset that they would be responsible for payment of the road stopping costs. These costs include survey fees, LINZ and gazettal disbursements and the Council's reasonable legal fees, expected to range between \$5,000-\$7,000.

### Legal

11. The Community Board does not have authority to resolve to commence a road stopping, nor to declare road stopped - such decisions need to be made by the full Council.
12. The Council has the ability to stop roads pursuant to the Public Works Act 1981 and the Local Government Act 1974. The latter Act requires the Council to publicly notify the proposed road stopping and to call for objections or submissions. Conversely, the Public Works Act process does not require public submission, however the Council and adjoining landowner(s) must consent in writing to the proposal.
13. If the proposed road stopping is potentially contentious then the Council should process the road stopping application pursuant to the Local Government Act. If not, the Public Works Act process can be followed.

**6. Cont'd**

14. It is proposed to process this application pursuant to the Public Works Act 1981 because:
- (i) the owner of 39 Springfield Road is the only logical purchaser of the subject area; and
  - (ii) the area of road has been incorporated within the property and occupied by the landowners both prior and subsequent to the road upgrade in 1992.
  - (iii) there will not be any change to the physical situation as for all intended purposes the area is part of the property at 39 Springfield Road.

15. Section 116 Public Works Act 1981 – Stopping Roads

This Section says that, subject to the consent of the territorial authority and the owner(s) of the land adjoining the road in writing to the stopping, then the road can be declared formally stopped by notice in the Gazette.

16. Section 345(1)(i)(a) Local Government Act 1974 – Disposal of land not required for road-

In relation to stopped road that is no longer required by the local authority, this Section says that the Council may sell that part of the stopped road to the owner(s) of any adjoining land.

This Section goes on further to say that the price for the stopped road can be fixed by a competent valuer appointed by the Council to value that part or if the owner(s) is not prepared to pay the fixed price, the Council may sell the land by public auction or private tender.

17. Section 345(2) – Amalgamation of stopped road with adjoining land-

This Section enables the Council to require the amalgamation of stopped road with adjoining land.

**STAFF RECOMMENDATION**

It is recommended:

That the Council commence the road stopping procedures in respect of the parcel of road marked Section 1 on Scheme Plan SM 1522-01 situated at 39 Springfield Road subject to the applicant agreeing to:

- (i) pay the market value for the land as determined by Simes Limited; and
- (ii) pay the costs associated with the road stopping process including survey fees, LINZ and gazettal disbursements and the Council's reasonable legal fees; and
- (iii) the stopped road being amalgamated with the property title for 39 Springfield Road.

**CHAIRMAN'S RECOMMENDATION**

That the staff recommendation be adopted.

## 6. Cont'd

## SIGNIFICANCE

Significance:		High/ Medium/ Low
Impact on social, economic, environmental or cultural wellbeing.		L
Impact on Council's capacity		L
Alignment with the LTCCP or Annual Plan		L
Expenditure Required and magnitude of the decision in terms of its net cost to the Council.		L
Potential Effects radically different		L
Degree of controversy		L
Reversibility of the decision.		L
Certainty of information.		H
Impact on Strategic Assets		L
Change to mode of delivery of a Group of Activities.		L
Change to level of service of a Group of Activities.		L
If this is a <u>significant decision in relation to land or a body of water</u> , how does it take account of the relationship of M ori to ancestral land, water, sites, waahi tapu, valued flora and fauna, and other taonga?		-
Should the proposal be decided through LTCCP (or amendment)?		No



**6. Cont'd****CONSISTENCY WITH COUNCIL GOALS AND POLICY:**

<b>Links to, and Consistency With:</b>		
	<b>Description of link and the consistency or inconsistency</b>	<b>Reference</b>
Community Outcomes	-	
LTCCP/Annual Plan	-	
Key Council Strategies	-	
Statutory Requirements	-	
City Plan	-	
Other Council Strategies/Policies	-	
Funding Policies	-	
Asset Management Plans	-	
Board Statements	-	
Other legal obligations	-	

**VIEWS OF AFFECTED AND INTERESTED PARTIES:**

What research, communication or consultation has been undertaken? (including considering information already held by the Council)	Not Applicable.
What was done to encourage interested or affected persons to present their views?	Not Applicable.
What consideration has been given to community views on this matter?	The Community Board will have an opportunity to comment on the proposal for Council's consideration.
What opportunities were Maori given to contribute to the proposed decision?	Not Applicable
Is there a legal requirement to consult? What?	Yes – Public Works Act 1981 requires the local territorial authority and any adjoining landowners to the road proposed to be stopped, to consent to the stopping in writing.
Is a Special Consultative Procedure Required Prior to Decision? Why	No
Must the decision be made through an LTCCP? Why?	No

**UNIT CONSULTATION:**

Units Consulted	Comments on Proposal
Corporate Support	Supports recommendations.
Transport and City Streets	Supports recommendations.

7. **COMMUNITY SERVICES COMMITTEE – REPORT OF 10 AUGUST 2005**

<b>General Manager responsible:</b>	General Manager Regulation and Democracy Services
<b>Officer responsible:</b>	Secretariat Manager
<b>Author:</b>	Peter Dow, DDI 941-6728

The purpose of this report is to submit the following outcomes of the Committee's 10 August 2005 meeting.

**Report of a meeting of the Community Services Committee  
held on Wednesday 10 August 2005 at 8:00 am  
in the Board Room, Fendalton.**

**PRESENT:** Val Carter (Chairman), Sally Buck, Faimeh Burke, Pat Harrow (clauses 1-5 only), Mike Wall and Andrew Yoon.

**1. APOLOGIES**

An apology for absence was received and accepted from Cheryl Colley.

**2. 2004/05 COMMUNITY WORKERS SUPPORT FUND – NORTH WEST MENTORING TRUST, ACCOUNTABILITY AND OUTCOMES REPORT**

The Community Development Adviser submitted an outcomes report on the activities of the North West Mentoring Trust.

The report identified the achievements against agreed objectives and outcomes, the community and family participation and the future directions, which the Co-ordinator (Matthew Button) has programmed.

A Strategic Plan will be published shortly that will identify potential areas for growth and development, and how and when this may happen.

Members discussed the need for more government agencies commitment and resourcing.

The Committee **received** the report.

**3. 2004/05 COMMUNITY WORKERS SUPPORT FUND – BISHOPDALE COMMUNITY TRUST, ACCOUNTABILITY AND OUTCOMES REPORT**

The Committee Development Adviser submitted an outcomes report on the 2004/05 activities of the Bishopdale Community Trust.

The extensive report covered community programmes, Sundbye House and volunteer training.

The Committee **received** the report.

**4. 2004/05 SCAP FUNDING, ACCOUNTABILITY AND OUTCOMES REPORT**

This report summarised outcomes achieved by three community groups who had received SCAP funding, namely Waimairi District Guides, St. Timothy's Parish of Burnside & Zhonghua Chinese Society.

The Committee **received** the report.

**5. COMMUNITY RECREATION – END OF YEAR REPORT**

The Community Recreation Adviser provided a summary report of local programmes, events and activities delivered during the 2004/05 year funded by the Community and Recreation Unit and the Board.

The Committee **received** the report.

**7. Cont'd**

**6. FENDALTON /WAIMAIRI PUBLIC ART PROJECTS – UPDATE**

The Community Recreation Adviser sought consideration of Board representation on the Working Party to progress the Waimairi Public Art Project (Wairakei Reserve) and the Fendalton Interactive Art Project (Jeffreys Park) through their various stages to completion.

**COMMITTEE RECOMMENDATIONS**

1. That Val Carter, Andrew Yoon and Faimeh Burke be appointed as Board representatives on the Public Art Projects Working Party.
2. That Mr. R. Gardiner and Mrs. Barbara Stewart be appointed to the Working Party, as community representatives.
3. That the Working Party decide on any further community representation, if required.
4. That the artwork commissioning responsibilities be assigned to the Working Party.
5. That the Working Party oversee both the Waimairi Public Art Project and the Fendalton Interactive Art Project.
6. That the Working Party make progress reports back to the Board on these projects.

**7. VIDEO PRESENTATION**

A video presentation was made to the Committee containing messages of thanks from several of the community groups who had received Board funding during the 2004/05 year.

The meeting concluded at 9.00 am

**CHAIRMAN'S RECOMMENDATION**

That the report be received and the recommendations therein be adopted.

**8. PRESBYTERIAN SUPPORT - FUNDING APPLICATION FROM THE 2005/06 SCAP FUND**

<b>Officer responsible</b> Community and Recreation Unit Manager	<b>Author</b> Maryanne Lomax, DDI 941-6730
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**PURPOSE OF REPORT**

1. The purpose of this report is to provide information in relation to an application for funding from Presbyterian Support for \$1,215 from the Board's 2005/06 SCAP fund.

**EXECUTIVE SUMMARY**

2. Presbyterian Support - Upper South Island have made an application for funding to the Board for \$1,215 to provide a 'Parenting with Confidence' programme starting in October 2005 targeted at low income families in the Fendalton/Waimairi area with pre-school children.

**FINANCIAL AND LEGAL CONSIDERATIONS**

3. The organisation has applied for funding which is appropriately funded from the Board's 2005/06 Strengthening Communities Action Plan (SCAP) fund. There is currently \$40,000 unallocated in this fund.

**8. Cont'd**

**STAFF RECOMMENDATION**

It is recommended:

That the Board approve the application for funding from Presbyterian Support and allocate \$1,215 from its 2005/06 SCAP fund.

**CHAIRMAN'S RECOMMENDATION**

That the above recommendation be adopted.

**8. Cont'd****BACKGROUND**

4. Presbyterian Support - Upper South Island are acting as an umbrella organisation for the St Stephen's Family and Community Worker, Marcel van der Weerden, to request funding from the Board for a 'Parenting with Confidence' programme.
5. The Board currently provides financial support for the Family and Community Worker's position through Board project funds.
6. The Family and Community Worker's main role is to provide counselling to families within the Fendalton Waimairi area, particularly low income families in the Bryndwr area. This has grown to a full client load and the main issue his clients are presenting with is parenting challenges of various kinds.
7. To respond to this identified need the Family and Community Worker wishes to support these parents by providing an accessible parenting programme targeted at parents of pre-schoolers.
8. The 'Parenting with Confidence' programme has been chosen due to the high quality material included and it is also a nationally recognised programme which may make it more attractive to parents.
9. The course runs over a six week period with one three hourly session each week. The standard course fees for this programme range between \$60 to \$90. The funding they are requesting will reduce this fee to \$10 which will make the course a great deal more accessible to the parents they wish to target. There will be 14 places available on this course for parents.
10. Childcare is also a barrier which stops families from attending these courses. This funding will also provide childcare for the parents during course time.
11. The total cost of the project is \$2,315 of which the organisation will contribute \$1,100 and are requesting \$1,215 from the Board to cover the use of the Parenting with Confidence Course fee and childcare costs.

**OPTIONS**

12. In relation to this application the Community Board could choose to:
  - a) grant \$1,215 to Presbyterian Support for the purpose of running a parenting programme
  - b) grant a portion of the amount requested
  - c) decline the application

**9. FINANCE AND PLANNING COMMITTEE – REPORT OF 17 AUGUST 2005**

<b>General Manager responsible:</b>	General Manager Regulation and Democracy Services
<b>Officer responsible:</b>	Secretariat Manager
<b>Author:</b>	Peter Dow, DDI 941-6728

The purpose of this report is to submit the following outcomes of the Committee's 17 August 2005 meeting.

**Report of a meeting of the Finance and Planning Committee  
held on Wednesday 17 August 2005 at 8.00 am in  
Meeting Room 1 CCC, Fendalton**

**PRESENT:** Mike Wall (Chairman), Sally Buck, Faimeh Burke, Val Carter, Pat Harrow, and Andrew Yoon.

**1. APOLOGIES**

An apology for absence was received and accepted from Cheryl Colley.

**9. Cont'd**

**2. FENDALTON/WAIMAIRI COMMUNITY BOARD – VISION OUTCOMES AND OBJECTIVES**

The Committee was invited to consider establishing an agreed process in developing the future vision, outcomes and objectives for the Board in relation to the next Long Term Council Community Plan and for the balance of the current Board term.

Information was also presented and discussed regarding the proportion of Board funding allocated against three of the Council's strategic directions in relation to project funding allocations for the 2005/06 year.

The Committee **agreed** that the preparation of new Board outcomes and objectives be initiated via a Board workshop and that an independent facilitator be utilised for this purpose.

**3. FINANCIAL REPORTING TEMPLATE**

Members indicated their support for the intended quarterly financial reporting arrangements in relation to Board funding allocations and projects.

The Committee **received** the information presented.

The meeting concluded at 8.55 am.

**CHAIRMAN'S RECOMMENDATION**

That the report be received.

**10. GOOD NEWS STORIES**

**11. QUESTIONS**