

**SPREYDON/HEATHCOTE COMMUNITY BOARD**

**AGENDA**

**TUESDAY 15 DECEMBER 2009**

**AT 5.00PM**

**AT BECKENHAM SERVICE CENTRE**

**IN THE BOARDROOM,  
66 COLOMBO STREET, CHRISTCHURCH**

**Community Board:** Phil Clearwater (Chairperson), Oscar Alpers, Barry Corbett, Chris Mene, Karolin Potter, Tim Scandrett and Sue Wells.

**Community Board Adviser**

Jenny Hughey

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

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**CLAUSE**

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15.12. 2009

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1. **APOLOGIES**

2. **CONFIRMATION OF MEETING REPORT – 4 DECEMBER 2009**

The minutes of the Board's ordinary meeting of Friday 4 December 2009 are **attached**.

**CHAIRPERSON'S RECOMMENDATION**

That the minutes of the Board's meeting of 4 December 2009 be **confirmed**.

**3. DEPUTATIONS BY APPOINTMENT**

- 3.1 Susan Turnbull will speak regarding her concerns with access to 140 Colombo Street Shopping Centre from Tennyson Street.
- 3.2 Rebecca Wolt, Solicitor, representing several Sydenham business owners will speak in relation to Bus Priority and Sydenham Area Parking Plan.

**4. PETITIONS**

**5. NOTICE OF MOTION**

**6. CORRESPONDENCE**

**7. BRIEFINGS**

- 7.1 Staff will brief the Community Board on matters raised at the 17 November 2009 meeting regarding the Sydenham Parking Plan and the Colombo Street Bus Lanes.

## 8. COMMERCIAL SIGNAGE IN PUBLIC PLACES

<b>General Manager responsible:</b>	General Manager Regulation and Democracy Services, DDI 941-8462
<b>Officer responsible:</b>	Unit Manager Inspections & Enforcement
<b>Author:</b>	Anne Columbus, Investigations & Compliance Manager

### PURPOSE OF REPORT

1. This information only report provides the Spreydon/Heathcote Community Board with the relevant legal provisions and Council enforcement action undertaken in relation to complaints about signs in private and public places. Specific complaints received from the Board, and historical complaint numbers for the Spreydon/Heathcote are discussed.

### EXECUTIVE SUMMARY

2. The enforcement of commercial signage in public places was raised by the Spreydon/Heathcote Community Board as part of the Elected Members Information Exchange at their 13 October 2009 meeting. The Board requested information that covered the following:
  - (a) There are a number of signs in the Spreydon/Heathcote area that do not appear to be legal under the bylaws (with specific examples provided).
  - (b) The Board members are interested in knowing about the enforcement of these signs – particularly with respect to the strict enforcement of election signs, what the law allows and how signs are being policed.

### Relevant bylaw/legislation

3. Signage on public land within the city is governed by the Public Places Bylaw 2008. Under section 3 signs are interpreted as a commercial activity providing advertising for goods, services or events. Section 6 relates to commercial activities in public places whereby such activities may only be undertaken with written Council permission. In such permitted cases a permit is issued detailing such terms and conditions as the Council thinks fit.
4. The Signboards in Public Places operational policy informs the bylaw of the rules regarding sign location, size, design etc (refer **Attachment 3**). It also outlines the implications of contravention of the policy and provides for enforcement action to give written notification to the business/owner requesting compliance prior to any seizure/removal of non-compliant signs. Depending on the circumstances, remote signage, i.e. signage situated remotely from the business, is seized immediately and the business/owner is contacted to advise of seizure. Where the non-complying signage is immediately outside a business the Enforcement team provide the business with written notification of non-compliance and that seizure will be effective from the date of the notification. In situations where the relevant business or owner cannot be identified or there is repeated non-compliance the sign can be seized/removed under section 164 (1)(c), Local Government Act 2002. Seized/removed signs are returned to businesses/owners after payment of a \$150 fee.

### Complaints about Signage

5. Signage complaints tend to relate to four issues, these being:
  - (a) Signboards outside shop/business premises;
  - (b) Remote signage - signs on posts, fences etc not outside immediate business premises;
  - (c) Signage in breach of the City Plan, i.e., situated on private property; and
  - (d) Election Signage.
6. Any enforcement investigation and action follows a standard process as detailed in **Attachment 1**.

8 Cont'd

(a) Signboards and Remote Signage in Public Places

Enforcement team action is predominately undertaken on a complaint driven basis, although some proactive work is undertaken by Enforcement Officers depending on workload. All complaints come via the CCC Call Centre where a Customer Service request (CSR) is entered and allocated to the Enforcement team. The complainant is required to provide specific details about the nature of the complaint including the time, date and place observed. The CSR is assigned to the Enforcement Officer responsible for the area where the complaint has occurred, and investigation typically begins within one to two days of receiving the CSR complaint including undertaking background research/enquiries as well as a site visit. Where there are breaches of the bylaw, the process of education and/or incremental enforcement action is undertaken to the point where compliance is achieved.

(b) Signs in Breach of the City Plan (on Private Property)

The rules pertaining to signs on private property are governed under the City Plan which provides differing rules for differing City Plan zones. Where a sign is identified as being on private property the complaint is investigated under the Resource Management Act 1991 as a breach of City Plan rules. The enforcement action that may be undertaken in the absence of an appropriate resource consent may involve the issuing of an abatement notice or infringement notice. The issuing of an infringement notice is typically used for recidivist breaches by the same business/owner – where a warning had been previously issued.

(c) Election Sign Investigation Process

The investigation of complaints regarding election signage follows the same process as any general sign complaint, and is also complaint driven often by rival candidates. Given the politics that can be generated regarding election signage size, placement etc an ENF 16 investigation sheet (refer **Attachment 2**) was developed to support the process of election sign complaints in line with normal signage complaints to ensure consistency and fairness in investigation. However the temporary nature of the signage and the period of notice that must be given prior to seizing any sign typically means compliance is obtained prior to any need for further enforcement action.

**Complaints to date in the Spreydon/Heathcote Area**

- The Community Board provided specific and general examples of current signage issues within the Spreydon/Heathcote area. Table 1 details the subsequent enforcement investigation and/or outcomes pertaining to these matters. Logging a call ASAP with the Call Centre does increase the chances of locating businesses responsible for temporary or movable signage complaints.

<b>Sign and Location</b>	<b>Breach Y/N</b>	<b>Investigation Outcome</b>
Sign on a bridge beside 66 Colombo Street	Yes	Sign has been removed
Trailer advertising Wheelie Bin Storage	Breach of the Public Places Bylaw – Commercial Activity in a Public Place	Company responsible has not been identified; transient signage that frequently varies location
House of Travel Sign	Potential breach of Public Places bylaw – Commercial Activity in a Public Place	Not enough detail to help identify sign / business franchise responsible

## 8 Cont'd

<b>Sign and Location</b>	<b>Breach Y/N</b>	<b>Investigation Outcome</b>
Temporary Signage e.g. advertising school fairs, garage sales, sport clubs on fences, trees, sign posts, traffic islands	This type of signage is a breach of the bylaw; however given the community-based nature and the temporary nature of these signs we apply discretion – taking enforcement action when there are significant breaches or complaints about a particular sign or site. Also the period of notice that must be given prior to seizing any sign means that these community events are often over prior to the expiry of any notification period.	Discretionary enforcement action
Real Estate Signage	The sign advertising the sale must be placed within the bounds of the property concerned. Open home signs are allowed within reasonable proximity of the address for sale and must be removed after the open home has finished.	Where breaches are identified contact is made with the relevant Real Estate Agency requesting removal of signs.

Table 1: Specific and General

**Breaches in Spreydon/Heathcote Area**

8. There were 120 signage-related CSR's forwarded to the Enforcement team for investigation in the Spreydon/Heathcote area between 1 July 2004 and 30 June 2009 – see Table 2. Twenty CSR's related to complaints about signage on private land, with the remaining 100 CSR's involving signage in public places. It is common for an individual CSR to detail complaints about a multiple number of signs. The noticeable increase in signs in public place complaints is a result of improved processes introduced over the past two years by the Enforcement Team that better ensures capture of signage related complaints.

	<b>Private Place CSR's Received</b>	<b>Public Place CSR's Received</b>
2004 from 1 July	1	4
2005	2	7
2006	3	16
2007	7	32
2008	6	23
2009 to 30 June	1	18
<b>Total</b>	<b>20</b>	<b>100</b>

Table 2: Signage-related CSR's for Spreydon/Heathcote 2004 to 2009.

**FINANCIAL IMPLICATIONS**

9. Not applicable.

**Do the Recommendations of this Report Align with 2009-19 LTCCP budgets?**

10. Not applicable.

**8 Cont'd**

**LEGAL CONSIDERATIONS**

11. Section 1 details the relevant Council bylaw, City Plan and legislation relating to signage.

**Have you considered the legal implications of the issue under consideration?**

12. Not applicable.

**ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

13. Not applicable.

**Do the recommendations of this report support a level of service or project in the 2009-19 LTCCP?**

14. Not applicable.

**ALIGNMENT WITH STRATEGIES**

15. Not applicable.

**Do the recommendations align with the Council's strategies?**

16. Not applicable.

**CONSULTATION FULFILMENT**

17. Not applicable.

**STAFF RECOMMENDATION**

That the Board receive this information.

**CHAIRPERSONS' RECOMMENDATION**

That the staff recommendation be supported.



## 9. CURRIES RESERVE - PROPOSED UPGRADE

<b>General Manager responsible:</b>	General Manager City Environment, DDI 941-8608
<b>Officer responsible:</b>	Transport & Greenspace Manager
<b>Author:</b>	Ann Campbell, Consultation Leader Greenspace, DDI 941-5111

### PURPOSE OF REPORT

1. The purpose of this report is for the Spreydon/Heathcote Community Board to approve the final landscape plan LP321901 (**refer Attachment 1**) for Curries Reserve Proposed Upgrade, following public consultation.

### EXECUTIVE SUMMARY

2. Curries Reserve is located on Curries Road, Hillsborough. Properties in Curries Road consist of both residential houses and a busy industrial area.
3. It is well used by local residents as well as families of shift workers of the nearby industrial area.
4. The reserve has recently had a wooden play structure removed for health and safety reasons and a number of dead trees have also been removed.
5. Flooding is an issue within the reserve with wet ground meaning some tree species struggle to survive and paths become inaccessible.

### FINANCIAL IMPLICATIONS

6. The funding for this project is coming from three areas from the Transport and Greenspace Capital budget and is provided for in:
  - (a) 2009/10 Playgrounds Renewals;
  - (b) 2010/11 Park Paths Renewals and Open Water Systems Renewals.

### Do the Recommendations of this Report Align with 2009-19 LTCCP budgets?

7. Yes, based on current estimates, there is sufficient budget allocated to implement this project, which is programmed in the 2009/10 and 2010/11 years.

### LEGAL CONSIDERATIONS

8. All work will be carried out by a Council approved contractor.
9. The Spreydon/Heathcote Community Board has delegated authority to approve the attached concept plan. No other legal considerations have been identified.

### Have you considered the legal implications of the issue under consideration?

10. Yes – as per above.

### ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

#### LTCCP 2009-2019

11. **Parks, Open Spaces and Waterways – Page 117**
  - (a) *Safety – by ensuring our parks, open spaces and waterways are healthy and safe places;*
  - (b) *Community – by providing welcoming areas for communities to gather and interact;*

**9 Cont'd**

- (c) *Governance – by involving people in decision-making about parks, open spaces and waterways;*
- (d) *Health – By providing areas for people to engage in healthy activities;*
- (e) *Recreation – by offering a range of recreational opportunities in parks, open spaces and waterways;*
- (f) *City Development – by providing an inviting, pleasant and well cared-for environment*

**12. Parks and Open Spaces Activity Management Plan**

Council's objective with urban parks is to provide and manage Community Parks, Garden & Heritage Parks, Sports Parks and Riverbanks & Conservation Areas throughout the city that provide amenity values, areas for recreation and organised sport, garden environments and green corridors, that contribute to the city's natural form, character, heritage and Garden City image.

**ALIGNMENT WITH STRATEGIES**

**13. Safer Christchurch Strategy**

This strategy aligns injury prevention, road safety and crime prevention under the overarching aim of Christchurch becoming the safest city in New Zealand. One of the goals of this strategy is to enhance safety from crime through preventative and supportive actions, such as:

- (a) Ensure the phased adoption of Crime Prevention Through Environmental Design Principles (CPTED) into city-wide planning and policy;
- (b) To promote CPTED principles for application by owners and occupiers of existing buildings and spaces;
- (c) Provide active support to locally led initiatives that make significant contributions to reducing the incidence and effect of crime.

**14. Parks and Waterways Access Policy**

Improved access to parks and open space will increase equity as promoted by the City Council Policy on Equity and Access for People with Disabilities. Additionally, improved access has the potential to increase park use by enhancing comfort and convenience for all users and providing significant safety benefits.

**Do the recommendations align with the Council's strategies?**

15. Yes – as per above.

**CONSULTATION FULFILMENT**

- 16. In October 2009, a letter was posted to the local community with a proposed concept plan for the playground upgrade and additional landscaping, including a drainage swale. The letter and a poster of the plan were also hand distributed to local businesses. The project team sought feedback from the community to see whether the proposal was supported and asked for any comments.
- 17. The responses received were all positive and very much in support of the changes suggested.

**9 Cont'd**

18. We had a pleasing response rate to the consultation with 15 submissions received following the distribution of approximately 65 consultation documents. It was also pleasing to receive feedback from businesses/workers in the area.
19. Each submission received an interim reply letter, which acknowledged that the submission had been received and that it would be considered, once the consultation period had closed. Submitters were also advised that they would receive further correspondence prior to a decision being made. This would outline the outcome of the consultation, the projects teams preferred concept plan, the decision making process and how they can be involved in this, and the expected timeline for the project.
20. The following objectives were used when developing the concept plan:
  - (a) To inform the community about budgeted work in the current Capital Programme;
  - (b) To consider the needs of the local community within the constraints of the available funds;
  - (c) To acquire a local perspective on the value of the park to the neighbourhood;
  - (d) To provide an opportunity for local input and development of a sense of ownership of the park;
  - (e) To increase public awareness of the park;
  - (f) Assists the provision of a safe and clean park;
  - (g) To produce a favourable outcome for the park through the consultation process;
  - (h) To provide interesting play equipment that promotes physical activity, and is adventurous eg, encourages social and communication skills and helps develop fundamental movement skills;
  - (i) Provide a safe and accessible playground;
  - (j) Consider the visual effects of the playground on the adjoining properties;
  - (k) Integrate the playground into the site with appropriate landscape treatment;
  - (l) Assess the current status of trees within the reserve and remove/prune as necessary;
  - (m) Consider landscape work in relation to safety and flooding.
21. The main issues raised during the consultation were:
  - (a) **Concern regarding the swale and associated planting**

The swale will alleviate flooding which comes from the existing drain on the northern boundary in heavy rain, across the reserve towards the western boundary. All new planting will be no higher than the existing fenceline apart from a couple of slender specimen trees (Ribbonwoods, Lancewoods) placed adjacent to the side boundaries of adjoining properties.
  - (b) **Request for lighting within the reserve**

It is not Council practice to light parks at night as this gives the perception of safety and attracts people into the reserve at night.

**9 Cont'd**

**(c) Request for additional seating**

The Project Team feel that adequate seating is provided near the playground, there is no funding for any additional seating than what is indicated on the plan. Should there be proven demand for additional seating in the future, this can be programmed and delivered through the Parks Seat programme in future LTCCP years.

**(d) Rubbish bin located closer to seating and play area**

The rubbish bin will be relocated to the new play area when developed.

22. Another small change to the final plan is the proposed picnic table, originally proposed to be located on the grass area north east of the basketball court, will now be located on the hard surface area in the same corner to keep the maximum open space.
23. In summary the following changes have been made to the plan:
- (a) All planting along fence lines to be low and no higher than the fences;
  - (b) New slender specimen trees (Ribbonwoods, Lancewoods) to be planted on the park boundary adjacent to the side boundaries of adjoining properties so there is no adverse impact on existing houses;
  - (c) Relocate picnic table on northeast grass area onto the existing hard surface to maximise the open space;
  - (d) Rubbish bin to be relocated to new play area.
24. Overall the feedback received was very supportive and it was fantastic to get feedback from both local residents and businesses wanting to be involved with the improvements.

**STAFF RECOMMENDATION**

It is recommended that the Spreydon/Heathcote Community Board approve the Curries Reserve - Proposed Upgrade as shown on **Attachment 1**.

**CHAIRPERSONS' RECOMMENDATION**

For discussion.

15. 12. 2009

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10. **COMMUNITY BOARD ADVISERS' UPDATE**
11. **ELECTED MEMBERS INFORMATION EXCHANGE**
12. **MEMBERS QUESTIONS UNDER STANDING ORDERS**