

FENDALTON/WAIMAIRI COMMUNITY BOARD
WORKS, TRAFFIC AND ENVIRONMENT COMMITTEE
AGENDA

WEDNESDAY 24 JUNE 2009

(Please note: This meeting was previously
scheduled for Monday 22 June 2009.)

AT 8.00AM

IN THE BOARDROOM
FENDALTON SERVICE CENTRE
CORNER JEFFREYS AND CLYDE ROADS

Committee: Cheryl Colley (Chairperson), Sally Buck, Faimeh Burke, Val Carter, Jamie Gough, Mike Wall
and Andrew Yoon.

Community Board Adviser
Graham Sutherland
Phone 941 6728 DDI
Email: graham.sutherland@ccc.govt.nz

PART A - MATTERS REQUIRING A COUNCIL DECISION
PART B - REPORTS FOR INFORMATION
PART C - DELEGATED DECISIONS

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1. APOLOGIES

2. DEPUTATIONS BY APPOINTMENT

2.1 NIGEL ATHERFOLD – TREE REMOVAL REQUEST OUTSIDE 16 RUGBY STREET

Mr Nigel Atherfold will be in attendance to discuss the above item (clause 3).

3. TREE REMOVAL REQUEST OUTSIDE 16 RUGBY STREET

General Manager responsible:	General Manager City Environment, DDI 941-8608
Officer responsible:	Manager Transport and Greenspace
Authors:	Jonathan Hansen, Street Tree Arborist Lorraine Correia, Consultation Leader, Greenspace

PURPOSE OF REPORT

1. The purpose of this report is to consider a resident’s request for the removal of one (or two) silver birch trees located outside 16 Rugby Street, Merivale.

EXECUTIVE SUMMARY

2. A request has been made to the Fendalton/Waimairi Community Board, from Nigel Atherfold, the owner of 16 Rugby Street, to consider the removal of either both or the larger of the two silver birch trees outside their property. A copy of the letter is attached (**attachment 1**).
3. Mr Atherfold’s concerns are to do with shading caused by the two silver birch trees outside his property and their perceived health associations. A photograph of these trees is attached (**attachment 2**).
4. There are currently two mature deciduous trees and a hedge in the front section of the property that would also contribute to shading issues, a picture of the trees and hedge is attached (**attachment 3**).
5. Mr Atherfold has owned the property at number 16 Rugby Street since 22 November 2007. Council records show the trees were planted in November 1983.
6. An arboricultural assessment was carried out to evaluate the health, condition, value and hazard rating of the trees. They are both good specimen trees typical of other silver birch trees in the area, with no health and safety issues, and no obvious damage to surrounding infrastructure.
7. Given the trees’ condition, their age, the length of time the applicant has lived in the property, the presence of shade-causing vegetation in the applicant’s front yard and Council’s direction to staff regarding silver birch tree removal (see paragraph 39), staff recommend that both trees be retained.

FINANCIAL IMPLICATIONS

8. The cost to remove only the large silver birch tree and replace it with a PB95 grade tree is estimated at \$1,970.
9. The cost to remove both the silver birch trees and replace them with a PB95 grade tree is estimated at \$2,500.
 - (a) The collective STEM evaluation points total 150.

3 Cont'd

10. The collective valuation for the trees using STEM is \$21,600
 - (a) *STEM (A Standard Tree Evaluation Method) is the New Zealand national arboricultural industry standard for evaluating and valuing amenity trees by assessing their condition and contribution to amenity along with other distinguishable attributes such as stature, historic or scientific significance.*

Do the Recommendations of this Report Align with LTCCP budgets?

11. Removing and replacing the trees without obtaining reimbursement from the applicant is inconsistent with the current LTCCP as funding has not been allocated in the Transport and Greenspace Unit tree maintenance budget for the removal of structurally sound and healthy trees that are not causing health and safety problems.
12. Obtaining reimbursement from the applicant to remove and replace structurally sound and healthy trees is consistent with the current LTCCP.

LEGAL CONSIDERATIONS

13. The Greenspace Manager has the following delegation with respect to trees:
 - (a) "In consultation with any other units affected and the relevant Community Board, authorise the planting or removal of trees from any reserve or other property under the Manager's control".
14. While the Transport and Greenspace Manager has the delegation to remove the silver birch trees current practice is that in most cases requests to remove healthy and structurally sound trees are placed before the appropriate Community Board for a decision.
15. Under the delegations to Community Boards, the Board has the authority to "plant, maintain and remove trees on reserves, parks and roads" under the control of the Council within the policy set by the Council.
16. Protected street trees can only be removed by a successful application under the Resource Management Act. The silver birch trees in question are not listed as protected under the provision of the Christchurch City Plan.
17. The following City Plan Policies may be of some benefit when considering the options:

Volume 2: Section 4 City Identity

4.2.1 Policy: Tree Cover

To promote amenity values in the urban area by maintaining and enhancing the tree cover present in the City.

Tree cover and vegetation make an important contribution to amenity values in the City. Through the redevelopment of sites, existing vegetation is often lost and not replaced. The City Plan protects those trees identified as "heritage" or "notable" and the subdivision process protects other trees which are considered to be "significant". The highest degree of protection applies to heritage trees.

Because Christchurch is largely built on a flat plain, trees and shrubs play an important role in creating relief, contributing to visual amenity and attracting native birds.

The amount of private open space available for new planting and to retain existing trees is influenced by rules concerning building density and setback from boundaries. The rules do not require new planting for residential development but landscaping is required in business zones.

3 Cont'd

4.2.2 Policy: Garden City

To recognise and promote the “Garden City” identity, heritage and character of Christchurch.

A key aspect of achieving this policy will be maintaining and extending environments and vegetation types which compliment this image. A broad range of matters influence and contribute to this image, including the following:

- tree-lined streets and avenues
- parks and developed areas of open space

14.3.2 Policy: “Garden City” image identity

To acknowledge and promote the “Garden City” identity of the City by protecting, maintaining and extending planting which compliments this image

Volume 3: Part 8 Special Purpose Zone

14.3.5 Street Trees

Nearly half the length of streets within the city contains street trees, but the presence of very high quality street trees which add considerable presence to streets and neighbourhoods is confined to a relatively small proportion of the road network. These streets add particular character and amenity of the city, either in the form of avenues which form points into the city, or an important part of the local character of particular streets.

18. An application to prune or remove the tree may be made to the District Court under The Property Law Amendment Act 1975.
19. The District Court can order the pruning or removal of a tree under the Property Law Amendment Act 1975.
20. Any work carried out in relation to the Silver birch trees are to be completed by a Council approved contractor.

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

21. Yes, as per above.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

22. Draft LTCCP 2009-19:

Streets and Transport – Pg. 81

- (a) Governance – By enabling the community to participate in decision making through consultation on plans and projects.
 - (b) City Development – By providing a well-designed, efficient transport system and attractive street landscapes.
23. Funding is available in the Transport and Greenspace Unit Street Tree Capital Renewals budget for the removal and replacement of trees which are no longer appropriate species or no longer appropriate in their current position.
 24. Retention of the trees is consistent with the Activity Management Plan provided the trees are structurally sound and healthy.
 25. Removal and replacement of the trees is consistent with the Activity Management Plan.

3 Cont'd

26. Removing and not replacing the trees is not consistent with the Activity Management Plan.

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

27. Yes, as per above.

ALIGNMENT WITH STRATEGIES

28. Removing and replacing the trees would be consistent with the following strategies:

- (a) Biodiversity Strategy.
- (b) Christchurch Urban Design Vision.
- (c) Garden City Image as per the City Plan.

29. There is currently no policy for the pruning or removing of trees in public places. A draft Tree Policy is being worked on.

Do the recommendations align with the Council's strategies?

30. Yes, as per above.

CONSULTATION FULFILMENT

31. In April 2009 a letter and a feedback form was delivered to 30 properties neighbouring 16 Rugby Street, providing an opportunity for the community to indicate their preference along with any additional comments or feedback.

32. The consultation received 12 responses (a 40% response rate) and community feedback was mixed as noted below: (please refer to the full schedule of community feedback and project team responses circulated separately to Board members)

- (a) five submitters (42%) responded "I support the removal of both Silver birch trees and replacement with one suitable sized tree".
- (b) four submitters (33%) responded "I do not support the removal of either tree".
- (c) three submitters (25%) responded "I support the removal of the large Silver Birch tree only".

33. Some submitters also indicated that they would like to see all the silver birch trees on Rugby Street removed and replaced with suitable trees.

34. Once the consultation period had closed, each submitter received an interim reply letter, which acknowledged that their submission had been received and that their suggestions would be considered.

35. All respondents have been sent a final letter advising them of the results of the consultation, a copy of the comments received from this consultation process together with staff comments and information that the board report would be presented to the Fendalton/Waimairi Works, Traffic and Environment Committee for their approval. Details of the meeting (date, time and venue) were provided to enable residents to make a deputation to the Board prior to a decision being made.

3 Cont'd

Arboricultural Assessment

36. Both trees are in a healthy condition and show no signs of immediate failure which would warrant their removal for tree health and safety concerns. Silver birch trees are known to be a strong structural tree with good branch attachments. This has resulted in low Silver birch tree failure rates in Christchurch City.
37. Staff carried out an inspection for damage to the footpath and kerb and channel. At present there is no significant damage to infrastructure that would warrant the removal of either trees or the programming of future work.
38. The two trees are to the north-west of the property at number 16 Rugby Street. Typically shading issues arise when trees are to the north of a particular property as the sun rises in the east, moves to the north and sets to the west. Silver birch trees are a deciduous tree. A benefit of deciduous trees is that they cool through the summer months and let light and warmth through in the winter months when they have lost their leaves. There is a period throughout Autumn, which is normally a cooler time of year, where they still have most of their leaves and can cause some nuisance through shading.
39. Regarding the issues relating to perceived silver birch allergies, the direction from Council dated 14 August 2007 states that there is to be no city wide removal and replacement of silver birches for supposed health associations. The removal of Silver birches or similar, are to be evaluated on a case by case basis and only to be removed for tree health and safety reasons, with them being replaced by another tree species.

Background

40. The first recorded contact with Mr Atherfold was on 14 April 2008. Mr Atherfold raised his concerns about the two trees shading his property.
41. Council contractors City Care Limited (CCL) responded to the customer service request (CSR) with a site inspection which stated that there were no problems with either of the two trees or the infrastructure around the trees. The CCL representative left a message on Mr Atherfold's answer phone stating that there were no tree health and safety concerns and the trees were within Council specifications. Mr Atherfold was advised that the trees will be pruned as part of the scheduled maintenance pruning rounds.
42. The next recorded contact with Mr Atherfold was, in the form of a letter, addressed to the Council on 5 August 2008. Mr Atherfold raised concerns about the trees shading his property and also mentioned the associations that silver birch trees have with allergies, particularly in the Christchurch area. Mr Atherfold stated he would prefer to have both of the silver birch trees removed and replaced with one tree of a different species. Mr Atherfold's second preferred outcome would be for the larger tree to be removed whilst retaining the smaller tree in its current location. Mr Atherfold has stated that he would be happy to part-fund the change, however this has not been discussed further.
43. The Council records show that the silver birch trees outside number 16 Rugby Street, were planted in 1983.

Options

44. Decline the request to remove either of the two silver birch trees outside number 16 Rugby Street and that the trees continue to be maintained to internationally recognised and accepted arboricultural practices, standards and procedures.
45. Remove and replace the larger of the two silver birches. Costs of \$1,970 are to be borne by the applicant. All work is to be carried out by an approved Council tree contractor.
46. Remove both silver birches and replace them with a single tree. Costs of \$2,500 are to be borne by the applicant. All work is to be carried out by an approved Council tree contractor.

3 Cont'd

Preferred Option

47. Decline the request to remove either of the two silver birch trees outside number 16 Rugby Street and that the trees continue to be maintained to internationally recognised and accepted arboricultural practices, standards and procedures.

STAFF RECOMMENDATION

It is recommended that the Fendalton/Waimairi Works, Traffic and Environment Committee recommends to the Community Board that they decline the request to remove either of the two silver birch trees outside number 16 Rugby Street and that the trees continue to be maintained to internationally recognised and accepted arboricultural practices, standards and procedures.

24. 6. 2009

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ATTACHMENT TO CLAUSE 3
Attachment 1

5 August 2008

Graham Sutherland
Community Board Adviser
Community Board Support Team Fendalton
Democracy Services Unit
Fendalton Library & Service Centre
4 Jeffreys Rd
Christchurch

Nigel Atherfold
16 Rugby Street
Merivale
Christchurch 8014

Dear Sir

A couple of months ago I rang the Christchurch City Council re replacing the two silver birch trees on the verge in front of my house.

The Council's response to the telephone call was to send someone to have a look at the trees. That person concluded that the trees are healthy and as such the Council wouldn't do anything to them other than prune them as scheduled.

I was also advised to write to the Green Space unit within the Christchurch City Council if I wanted to take the matter any further, which I subsequently did.

An arborist from the Green Space unit visited me last week and informed me that I'd have to take the issue up with the Community Board, it being the appropriate decision-making body.

The situation is:

1. There are two trees on the verge in front of my house (whereas most other houses in the street only have one tree in front) and they are within five metres of each other; and
2. They are fast-growing and will become very large trees within a relatively short period of time.

The main issue with the trees is the amount of shade they throw across the front of the section and house. The shade increases our dependence on alternative heating sources and decreases the utility of the front lawn and front of the house. The house is a lovely old villa (which we are about to completely restore) and it needs every bit of solar heat it can get.

Also, while I don't currently have any asthma problems, I have had in the past and I believe these particular trees are suspected of contributing to asthma problems.

My preferred course of action is to replace both trees with one tree of a different type that is more suited for its use. That is, one that looks nice but doesn't grow so large as to shade the front of my section and house.

If that is not possible, the next best alternative is to remove the larger of the two trees and to leave the smaller one as is. I don't think removing the larger of the two trees would reduce the street's aesthetic appeal.

I'd be happy to part-fund the change.

Please consider my request at your earliest convenience and respond in due course.

Regards


Nigel Atherfold
Resident & Ratepayer

24. 6. 2009

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ATTACHMENT TO CLAUSE 3
Attachment 2



24. 6. 2009

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ATTACHMENT TO CLAUSE 3
Attachment 3



1st Deciduous tree
in front yard

2nd Deciduous tree
in front yard

4. CORINGA RESERVE PLAYGROUND UPGRADE

General Manager responsible:	General Manager, City Environment Group, DDI 941 8608
Officer responsible:	Unit Manager - Transport and Greenspace
Author:	Lorraine Correia, Consultation Leader – Greenspace

PURPOSE OF REPORT

1. The purpose of this report is to seek the Committee's recommendation for the approval of the Board for the Coringa Reserve playground upgrade and to proceed to detailed design and construction (**refer attachment 1**).

EXECUTIVE SUMMARY

2. Coringa Reserve is a small reserve located in Avonhead, with entrances from Avonhead Road, Hidcote Place and Melissa Place.
3. There is a small amount of existing play equipment consisting of a fort with an attached slide and swing set which is due for an upgrade. Due to the size of the reserve the existing play equipment will need to be removed and replacement equipment constructed on the existing site.
4. The project objectives were to:
 - (a) Integrate the playground into the site with appropriate landscaping
 - (b) Replace the existing structure with similar equipment
 - (c) Separate the swings to be stand alone
 - (d) Add some additional small items to provide some more variety of physical and mental challenge
 - (e) Provide a safe and accessible playground
 - (f) Provide access for everyone
5. The project team developed a concept plan to meet these objectives, which included the following:
 - (a) Replacement fort with attached slide and net bridge
 - (b) Replacement swings to a two-bay swing set
 - (c) Installation of seating logs
 - (d) Installation of adult seating within softfall
 - (e) Installation of a disabled access ramp
 - (f) Two additional play equipment for physical and mental challenge
6. A tree assessment was also carried out on Coringa Reserve and it was identified that some trees require pruning to maintain visibility and access to the play area, trees having poor form/condition will be removed, in addition there will be some new plantings of magnolias, dogwoods, red beech including low shrub planting.

4 Cont'd

7. The proposal is to implement the project in the following two stages (dependant on contractor availability):

Stage 1

August - September 2009 - 2009/10 financial year

Tree removals followed by the removal of existing play equipment and the upgrade of the play area.

Stage 2

May - June 2010 - 2009/10 financial year

New planting in the reserve.

FINANCIAL IMPLICATIONS

8. Funding for the upgrade of the playground is provided for in the 2009/10 Transport and Greenspace Capital Programme. Funding for the tree work and landscaping is provided for in the 2009/10 Transport and Greenspace Park Trees Capital Programme. Approval is subject to the project being in the final LTCCP 2009-19 approved budgets.

Do the Recommendations of this Report Align with LTCCP budgets?

9. Yes, the recommendations align with the draft 2009-19 LTCCP budgets as shown below.

2009/10 Transport and Greenspace Capital Programme – playground upgrade

2009/10 Transport and Greenspace Park Trees Capital Programme – Tree work

LEGAL CONSIDERATIONS

10. All work will be carried out by a Council approved contractor. The new play equipment will meet current safety standards.

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

11. Yes, as per above.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

12. Draft LTCCP 2009-19.

Parks, Opens Spaces and Waterways, page 121

- (a) Safety – By ensuring our parks, open spaces and waterways are healthy and safe places, and by controlling and minimising flood and fire hazards
- (b) Environment – By enabling people to contribute to projects that improve our environment.
- (c) Recreation – By offering a range of recreational opportunities in parks, open spaces and waterways
- (d) Governance – By involving people in decision-making about parks, open spaces and waterways

13. Parks and Open Spaces Activity Management Plan.

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

14. Yes, as per above.

4 Cont'd

ALIGNMENT WITH STRATEGIES

15. Social Wellbeing and Safer Parks Policy.

Do the recommendations align with the Council's strategies?

16. Yes, as per above.

CONSULTATION FULFILMENT

17. In December 2008 a publicity pamphlet (**refer attachment 2**) was distributed to approximately 216 residences and key stakeholders. This pamphlet included a summary of the concept, initial concept plans and a feedback form. The project team sought feedback from the community to see whether the proposal was generally supported.

18. The consultation received a 14% response rate (31 responses) and community feedback was generally very positive, please refer to the full schedule of community feedback and project team responses circulated separately to Board members. Since the spica and argo play equipment were the most popular, these have been added to the amended plan. No other changes have been made to the plan.

(a) 27 submitters (88%) responded "YES – I support the concept plan"

(b) 3 submitters (9%) responded "NO – I do not support the concept plan"

(c) 1 submitters (3%) neither supported or opposed the plan

Play equipment preference:

Play area 1

(a) 17 submitters preferred the Spica

(b) 10 submitters preferred the Gyroscope

(c) 4 submitters did not indicate their preference

Play area 2

(a) 25 submitters preferred the Argo

(b) 6 submitters did not indicate their preference

19. The submissions that indicated that they did not support the proposal cited the following reasons:

(a) Considers that most of the residents in the area are middle aged and therefore there is insufficient use of the park

(b) Do not want the reserve to be altered as it is currently peaceful - worried that improvements would add to disturbances in the area

20. All respondents who provided us with addresses have been sent a final reply letter thanking them for their input and a copy of the comments received from this consultation process. The letter informed respondents that the submission would be presented to the Fendalton/Waimairi Works, Traffic and Environment Committee for their approval. Details of the meeting (date, time and venue) were also provided so that any interested residents could attend or address the Board prior to the decision being made.

4 Cont'd

STAFF RECOMMENDATION

It is recommended that the Fendalton/Waimairi Works, Traffic and Environment Committee recommend to the Board to approve the final plan for the Coringa Reserve Playground Upgrade and proceed to detailed design and construction (**see attachment 1**).

The landscape concept plan for Coringa Reserve features several key elements:

- Playcoo fort with bubble panels slide and net bridge**: A central play structure.
- New 2 bay swing set**: Located in the upper left quadrant.
- Curvy log wall with varying heights from 350-600mm in height**: A curved barrier structure.
- Existing Acer Negundo**: A large tree on the right side.
- Existing Pittosporums**: A cluster of trees on the left side.
- Accessible ramp constructed from rubber safety matt. extend asphalt path**: A ramp leading to the play area.
- Carved Koru group seating logs to encourage 'Free Play' and develop social skills**: Seating structures in the lower left.
- Curvy Wall**: A low wall structure at the bottom center.
- Adult seating within soffail for adult supervision**: Seating areas near the play equipment.

Inset images and views include:

- Location Map**: Shows the site's location relative to Melissa Place, Avonhead Road, and Hidcote Place.
- Existing playground equipment**: A photograph of current play structures.
- View From Hidcote Place**: A view of the site from the street.
- View through Acer Negundos**: A view through the existing trees.
- View From Melissa Place Entry**: A view from the entrance.
- Area A: 1. Kompani Spica**: A photograph of a play structure.
- Area B: 1. Kompani Arpa**: A photograph of a play structure.
- Koru Seating Logs**: A photograph of the carved log seating.
- Curvy Wall**: A photograph of the curved log wall.

Coringa Reserve: Landscape Concept

Project: E0810
Drawing: PSD-01
Date: 08-05-09
Revision: 03
Scale: 1:100@A2

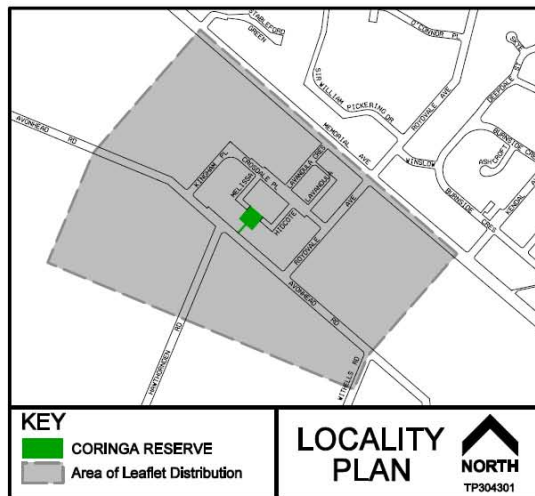
Edge Landscape Projects Ltd

CHRISTCHURCH CITY COUNCIL

Development Programme

Once consultation has been completed and the proposed plan has been finalised and approved by the Fendalton-Waimairi Community Board, the Capital Development Unit anticipates that construction on this project will commence in June 2009 and should be completed by November 2009, the landscaping will commence in Autumn 2010.

This leaflet has been distributed to the locality as per the following map.



It's your City
Have Your Say!
www.ccc.govt.nz/haveyoursay

It's your City
Have Your Say!
www.ccc.govt.nz/haveyoursay

**Community Consultation
Coringa Reserve Playground &
Landscape Upgrade**

**HAVE YOUR SAY
by 21 December 2008**

The Capital Programme Group has prepared a concept plan for the upgrade of the playground and landscape areas at Coringa Reserve in Avonhead.

To assist us with this proposal, the Council would like to determine the views of the local community prior to commencing the upgrade

Once this consultation is closed, feedback is reviewed, and responded to. This draft plan may be amended as a result of feedback received.

The proposal is then presented to your Community Board for final approval before moving into the detailed design, tender and construction phase.

If you would like further information or assistance in regards to this project, please do not hesitate to contact:

Lorraine Correia
Consultation Leader
Fendalton Service Centre

E.: lorraine.correia@ccc.govt.nz
T.: 941 6720
M.: 027 225 0663

Please ensure we receive your feedback by **21 December 2008**.

The Christchurch City Council is proposing to upgrade the playground and landscape at Coringa Reserve.

Background

Coringa Reserve is a community park located in Avonhead and has entrances from Avonhead Rd, Melissa Place and Hidcote Place. The Reserve currently contains play equipment that is due for a replacement.

The Transport and Greenspace Unit has funding available in the 2009/10 financial year to complete a replacement playground project at Coringa Reserve.

Key Features

- A replacement fort with attached slide and net bridge
- A replacement two bay swing set
- Installation of seating logs
- Installation of adult seating within soft-fall for adult supervision
- Installation of disabled access ramp

Choices between two sets of play equipment:

Area A: 1. Spica or 2. Gyroscope

(The function of either playground equipment is that it allows for rotation and it reacts in different ways to the movement of the child. The rotations help initiate experimenting with one's centre of gravity.)

Area B: 1. Stainless steel tilt bar or 2. Argo

(The tilt bar is equipment that can be used for skateboarders. The Argo tests one's sense of balance.)

Landscaping which will include:

- Pruning of some trees to maintain visibility and access to the play area.
- Removal of trees in poor condition
- New plantings of magnolias, dogwoods and red beech
- Mulched areas around some trees

The Council is also proposing to upgrade the gates at Avonhead Road and replacing these with bollards this however will be subject to funding being available.



Location Map

Existing playground equipment

View From Hidcote Place

View through Acer Negundos

View From Melissa Place Entry

New 2 bay swing set

Existing Pittosporums

Playco fort with bubble panels slide and net bridge

Curvy log wall with varying heights from 350-600mm in height

Existing Acer Negundo

Area A Options:

1. Kompani Spica

2. Playco 'Gyroscope'

Area B Options:

1. Stainless Steel Filti Bar

2. Kompani Argo

Adult seating within soffail for adult supervision

Accessible ramp constructed from rubber safety matt extend asphalt path

Carved Koru group seating logs to encourage 'Free Play' and develop social skills

To Avonhead Road

Koru Seating Logs

Curvy Wall

Coringa Reserve: Draft Landscape Concept

Project: E0810 Edge Landscape Projects Ltd
Drawing: PSD-01
Date: 19-05-08
Revision: 02
Scale: 1:100@ A2

CHRISTCHURCH
CITY COUNCIL

5. PLANNING ISSUES ON MEMORIAL AVENUE AND FENDALTON ROAD

General Manager responsible:	General Manager Strategy and Planning, DDI 941 8177
Officer responsible:	Team Leader District Plan Team 2
Author:	Julia Forsyth, Senior Planner, Strategy and Planning

PURPOSE OF REPORT

1. The purpose of this report is to enable the Board to make a formal recommendation to the Council that a new project be included in the District Plan work programme for the 2009-10 financial year.
2. The project is to initiate a review of the planning provisions relating to Memorial Avenue and Fendalton Road, with a view to better maintaining and enhancing the character and amenity of this key access to the City.

EXECUTIVE SUMMARY

3. The Board is concerned recent developments, and in particular signs, have adversely affected the character of Memorial Avenue and Fendalton Road. It believes that the special memorial nature of Memorial Avenue, and the function of Memorial Avenue/Fendalton Road as a major entry to the City may be insufficiently recognised and protected in the District Plan.
4. The provisions relating to Memorial Avenue/Fendalton Road in the District Plan are less robust than those in the previous Transitional (Waimairi) Plan. In a recent seminar, planning staff discussed with the Board some ways in which it would be possible to strengthen the District Plan provisions, should Council decide to do so.
5. Following the seminar, the Board informally requested that staff provide a report to the Board to enable the Board to consider making a formal recommendation to the Council on this matter.

FINANCIAL IMPLICATIONS

6. A review and subsequent plan change would cost between \$50,000 and \$100,000 (excluding any Environment Court appeals).

Do the Recommendations of this Report Align with 2006-16 LTCCP budgets?

7. There is no specific provision within the LTCCP for this project.

LEGAL CONSIDERATIONS

8. The legal processes are governed by the Resource Management Act. These include public notification, submissions, reporting, hearing, decisions, and possible appeals.

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

9. Yes

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

10. Generally aligned with the Activity Management Plan for the District Plan

Do the recommendations of this report support a level of service or project in the 2006-16 LTCCP?

11. A prioritised work programme, matched to staff capacity and availability, to be presented for Council approval annually by 30 June for the following financial year.

5 Cont'd

ALIGNMENT WITH STRATEGIES

Do the recommendations align with the Council's strategies?

12. Not applicable.

CONSULTATION FULFILMENT

13. Consultation is not required at this stage.

STAFF RECOMMENDATION

It is recommended that the Committee:

- (a) Receive the information in this report; and
- (b) Consider recommending that the Board recommend to the Council that a new project be considered in the District Plan work programme for the 2009-10 financial year to initiate a review of the planning provisions relating to Memorial Avenue and Fendalton Road, with a view to better maintaining and enhancing the character and amenity of this key access to the City.

5 Cont'd

BACKGROUND (THE ISSUES)

14. The Board has expressed concern that some recent development, and in particular signs, have adversely affected the character of Memorial Avenue and Fendalton Road. It believes that the special memorial nature of Memorial Avenue, and the function of Memorial Avenue/Fendalton Road as a major entry to the City may be insufficiently recognised and protected in the District Plan.
15. The table shown in **Attachment 1** summarises the planning provisions from the Transitional (Waimairi) Plan and the current District Plan which are specific to the residential zoning along Memorial Avenue and Fendalton Road. The key difference is the status of non-residential (commercial) activities. Under the Transitional Plan, they were the equivalent to non-complying; under the District Plan they are discretionary.
16. There are several ways in which it would be feasible to amend the District Plan provisions to provide more protection for the amenity of Memorial Avenue/Fendalton Road. Any plan change would be reliant on having sufficient supporting evidence, and it would take some investigation for staff to know which option was most likely to result in a justifiable set of provisions which could (if necessary) withstand a challenge in the Environment Court. Some of the options are -
 - (a) Raise the status of signs larger than 0.5m² from restricted discretionary to discretionary or non-complying and considering introducing particular assessment criteria for Memorial Avenue/Fendalton Road frontage.
 - (b) Raise the status of non-residential activities fronting Memorial Avenue/Fendalton Road from discretionary to non-complying. This would set a higher threshold and make the establishment of new commercial activities and the expansion of existing commercial activities more difficult.
 - (c) Introduce a special sub-zone (for example a Special Amenity Area or Urban Conservation Area) with its own set of additional rules. This would focus on the nature of the development proposed, rather than necessarily separating residential from commercial development. Based on experience with the current Special Amenity Areas (SAMs) a plan change of this type would have to be carefully thought through. The SAMs provisions have not provided the degree of protection that was expected, and are currently under review.
17. At present, reviewing the provisions for Memorial Avenue/Fendalton Road is not on the District Plan work programme. The work programme has some 70 plus items (including Banks Peninsula Plan projects). The work programme for the 2009/10 financial year was received by the Regulatory and Planning Committee at its meeting on 4 June, and will be further considered by the Committee early in the 2009/10 financial year. The existing potential work programme is already larger than staff capacity and further prioritisation is required. The urgency and importance of the issues discussed in this report would need to be considered against other District Plan projects.

TABLE: Summary of Planning Provisions for Residential Zoning on Memorial Avenue and Fendalton Road

Residential Zone Provisions	Explanation	Transitional (Waimairi) Plan	City Plan
Predominant Uses / Permitted Activities	<i>Considered appropriate for the zone, as long as activity complies with standard conditions.</i>	<ul style="list-style-type: none"> Residential Home occupations Elderly persons housing (<7 units) Signs up to 0.5m² for elderly persons housing and home occupations 	<ul style="list-style-type: none"> Residential (including elderly persons housing) Other activities up to 40m² in area, where one person resides on-site. One full time employee can reside off-site Signs up to 0.5m², which relate to the activity on the site
Conditional Uses / Discretionary Activities	<i>Generally appropriate for the zone, but not on all sites, and likely to require conditions to mitigate any adverse effects on other uses in the zone.</i>	<ul style="list-style-type: none"> Multiple residential units on a site, elderly person housing (7+ units) Signs up to 1m² for elderly persons housing 	<ul style="list-style-type: none"> Other activities with greater area, or more employees than above Signs greater than 0.5m² (restricted discretionary)
Specified Departures / Non-complying Activities	<i>Considered inappropriate for the zone. Onus on applicant to prove otherwise</i>	<ul style="list-style-type: none"> Any other activities not covered above All signs other than those above 	<ul style="list-style-type: none"> Signs which do not relate to the activity on the site