

RICCARTON/WIGRAM COMMUNITY BOARD

AGENDA

TUESDAY 19 MAY 2009

AT 4.30PM

AT SOCKBURN SERVICE CENTRE

**IN THE BOARDROOM,
149 MAIN SOUTH ROAD, CHRISTCHURCH**

Community Board: Peter Laloli (Chairperson), Helen Broughton, Jimmy Chen, Beth Dunn, Judy Kirk, Mike Mora and Bob Shearing.

Community Board Adviser

Liz Beaven

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PART A - MATTERS REQUIRING A COUNCIL DECISION

PART B - REPORTS FOR INFORMATION

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1. APOLOGIES

2. CONFIRMATION OF MINUTES – 5 MAY 2009

The minutes of the Board's ordinary meeting of Tuesday 5 May 2009 are **attached**.

STAFF RECOMMENDATION

That the minutes of the Board's ordinary meetings of 5 May 2009 be confirmed as a true and correct record.

3. DEPUTATIONS BY APPOINTMENT

4. PETITIONS

5. NOTICE OF MOTION

6. CORRESPONDENCE

7. BRIEFINGS

John Filsell, Unit Manager, Recreation and Sport, will update the Board on the Olympia Gymnasium, and working with Selwyn District Council.

**RICCARTON WIGRAM COMMUNITY BOARD
5 MAY 2009**

**Minutes of a meeting of the Riccarton/Wigram Community Board
held on 5 May 2009 at 5.00pm
in the Boardroom, Sockburn Service Centre.**

PRESENT: Peter Laloli (Chairperson), Helen Broughton, Beth Dunn, Judy Kirk.

APOLOGIES: Apologies for absence were received and accepted from Jimmy Chen, Mike Mora, and Bob Shearing.

PART B - REPORTS FOR INFORMATION

1. DEPUTATIONS BY APPOINTMENT

Nil.

2. PETITIONS

Nil.

3. NOTICE OF MOTION

Nil.

4. CORRESPONDENCE

Nil.

5. BRIEFINGS

Terry Howes, Asset and Network Planning Manager, provided an outline on the Asset and Network Team responsibilities.

6. WIGRAM AIRFIELD REPORT

This report was withdrawn prior to the Board meeting and will be presented to the Board at a later date.

7. COMMUNITY BOARD ADVISER'S UPDATE

The Board **received** updates from the Community Board Adviser on forthcoming Board related activities and projects and the status of the Board's funds.

2 Cont'd.**8. ELECTED MEMBERS' INFORMATION EXCHANGE**

- Board members discussed the Board's Governance structure with the possibility of merging committees. The Board agreed to hold a seminar to discuss the Board's governance structure.
- Members were advised of the grand opening of the Riccarton High School Administration Block, being held on 12 June 2009.
- Aidanfield Development – the Board members were updated on the current progress of the Environment Court appeal and the continued interest of the Council.

9. MEMBERS' QUESTIONS UNDER STANDING ORDERS

Nil.

PART C - REPORT ON DELEGATED DECISIONS TAKEN BY THE BOARD**10. CONFIRMATION OF MEETING REPORT OF 21 APRIL 2009**

The Board **resolved** that the minutes of the ordinary meeting of the Board held on 21 April 2009 be confirmed as a true and correct record.

11. APPROVAL OF THE RICCARTON/WIGRAM COMMUNITY BOARD SUBMISSION TO THE DRAFT CHRISTCHURCH CITY COUNCIL DRAFT LONG TERM COUNCIL COMMUNITY PLAN (LTCCP) 2009-19

The Board **received** the Riccarton/Wigram Community Board Submission on Draft Christchurch City Council Draft Long Term Council Community Plan (LTCCP) 2009 – 2010.

The Board **resolved** to approve the Riccarton/Wigram Community Board Submission on Draft Christchurch City Council Draft Long Term Council Community Plan (LTCCP) 2009 -2010.

12. RICCARTON/WIGRAM TRANSPORT AND ROADING COMMITTEE – REPORT OF TRANSPORT AND ROADING COMMITTEE – 17 APRIL 2009

The Board **received** the report of the Transport and Roading Committee meeting of 17 April 2009 and **resolved to:**

12.1 Solway Avenue – Proposed No Stopping Restrictions

Revoke the following parking restriction:

- (a) That any existing parking restrictions at any time on the west side of Solway Avenue commencing at the intersection of Dalrye Place and extending in a southerly directions for a distance of 13 metres.

Approve the following parking restriction:

- (b) That the stopping of vehicles be prohibited at any time on the west side of Solway Avenue commencing at the intersection of Dalrye Place and extending in a southerly direction for a distance of 31 metres.

12.2 Aidanfield Stage 7 – Road Designation

The Committee's recommendation on this matter is recorded within the Part A report that will be considered by the Council as a Chairperson's report on 14 May 2009.

2 Cont'd.

13. RICCARTON/WIGRAM ENVIRONMENT COMMITTEE REPORT OF 20 APRIL 2009 MEETING

The Board **resolved** to approve the removal of the Eucalyptus (Gum) tree outside 154 Buchanans Road and replace it with a suitable PB95 grade tree. The replacement tree is to be planted in the centre of the berm in front of 154 Buchanans Road.

14. RICCARTON/WIGRAM COMMUNITY SERVICES COMMITTEE REPORTS ON 21 APRIL 2009 MEETING

The Board **received** the reports, (both Public and Public Excluded), of the Community Services Committee meeting of 21 April 2009 and **resolved to:**

14.1 Application to the Riccarton/Wigram Community Board's 2008/09 Discretionary Response Fund Halswell Baptist Church – Security Fence and Gate.

Approve \$1,041 from its 2008/09 Discretionary Fund for the Halswell Baptist Church as a contribution towards the cost of a security fence and gate.

14.2 Application to the Riccarton/Wigram Community Board's 2008/09 Youth Development Scheme – Madison Coster

Allocate \$500 from the 2008/09 Youth Development Fund as a contribution to travel costs for Madison Carter to compete in the Central Trampolining Championships in Auckland and Extreme Trampoline Championships in Gisborne.

14.3 Application to the Riccarton/Wigram Community Board's 2008/09 Youth Development Scheme – Vincent Curd

Allocate \$300 from the Riccarton/Wigram 2008/09 Youth Development Fund to Vincent Curd as a contribution towards costs involved in attending the International Future Problem Solving Conference in Michigan.

The meeting concluded at 5.55pm.

CONSIDERED THIS 19TH DAY OF MAY 2009

**PETER LALOLI
CHAIRPERSON**

8. POLICY OF VEHICLE ENTRANCES AND FOOTPATH REVIEW



General Manager responsible:	General Manager, City Environment Group, DDI 941 8608
Officer responsible:	Asset Planning & Network Manager
Author:	Weng Kei Chen, Asset Policy Engineer

PURPOSE OF REPORT

1. The purpose of this report is to seek the Board's recommendation to the Council on options to consider in relation to the review of the existing policy of vehicle entrances and footpaths.

EXECUTIVE SUMMARY

2. The Council resolved at its 13 March 2008 meeting:

15. REPORT OF THE RICcarton/WIGRAM COMMUNITY BOARD: MEETING OF 4 FEBRUARY 2008

(1) Notice of Motion

It was resolved on the motion of the Mayor, seconded by Councillor Wells, that the Council undertake a review of the existing policy of vehicle entrances and footpaths.

3. The current Council's Policy "That the Council will maintain vehicle entrances on roads with an adjacent footpath" was adopted in 25 May 2001.

The reasons for the current policy are:

- (a) Vehicle crossings adjacent to footpaths are recognised as an integral part of the footpath system and thus registered as a footpath asset.
 - (b) Vehicle crossings where there is no footpath is directly attributable to the property owner rather than to the public good.
4. The Council's Traffic Bylaws 2008 Part 4 Vehicle crossing and Section 335 of Local Government 1974 Act requires owners of properties to form vehicle crossings.
 5. A previous review of the policy was carried out in 2004 and the Council at its meeting of 23 September 2004 resolved "that the current policy be confirmed". The reports of May 2001 and September 2004 are attached. **(Attachment 1)**.
 6. The issues relating to the maintenance and resurfacing of vehicle entrances, not adjacent to footpaths was raised by Riccarton/Wigram and Fendalton/Waimariri Community Boards in 2007. The key issue being "Where there is a footpath on only one side of the road the current level of service is to only resurface driveways on the footpath side of the road. The driveways on the opposite side of the road do not get resurfaced."
 7. A Council seminar on the policy was held on the 28 September 2007. The views of elected representatives on the current policy were mixed and staff did stress that any increased level of service would require additional funding. The Council requested staff to review the policy and in particular look at a potential change of level of service that applies to the flat urban part of the city only.

8 Cont'd.

OPTIONS

8. The policy review has considered three potential options:
 - (i) Status quo with the current policy reconfirmed.
 - (ii) The status quo remains for the Hills and rural areas, with a change of level of service for the urban flat areas of the city.
 - (iii) Change in the level of service throughout the City Council Area.
9. In determining the implications to a change in the level of service options the following issues have been brought to elected members' attention.
10. Status quo with the Policy reconfirmed.
 - (a) The Council will continue to receive complaints from property owners when footway resurfacing works are undertaken on a particular road or street and their driveways are not included.
 - (b) The budgets included in the draft LTCCP (Long Term Council Community Plan) support the status quo option.
11. Status quo remains for hills and rural areas, with a change in level of service for the urban flat areas of the city.
 - (a) As part of the review external consultants MWH were commissioned to report on the cost implications of changing the level of service associated with the footpath re-surfacing program. In the review the footpath resurfacing programme 2008/09, excluding the rural area, (**Attachment 2**) was used to estimate the additional funding required to resurface driveways on the opposite side to where there are no footpaths. An estimated cost of \$250,000 was attributed to resurfacing of these vehicle crossings.
 - (b) In the urban flat area of the city there are a number of property accesses across waterways supported by existing structures e.g. pipes, culverts, or bridges that will require some maintenance works or their replacements prior to resurfacing. It is estimated that \$50,000 per annum will be required to upgrade these structures prior resurfacing works, this figure is an estimate only and could significantly increase once a detailed asset register has been compiled.
 - (c) An increase in the maintenance budget of \$100,000 will be required.
 - (d) Work will be required to clearly define the level of service to be adopted on a street/road basis.
 - (e) The option provides for differing level of service within the Councils area, some property owners are likely to complain that this unfair.
12. Change in the level of service throughout the Council area.
 - (a) A change in the level of service that includes resurfacing of all vehicle entrances on legal roads means there would be a need to increase the current Resurfacing budget. The current Resurfacing budget to resurface approximately 90 kilometres of footpath annually is \$4.45 million and this would need to be increased by \$400,000 per annum.
 - (b) Across the City area there are property accesses supported by retaining structures on roads. It is estimated that \$150,000 per annum will be required to upgrade these structures prior to surfacing the accesses on road. Again this is a high-level estimate only and could significantly increase once the details of the assets are known.

8 Cont'd.

- (c) For any change to the existing policy there will also be a need to review the current footpath operational repairs and maintenance budget of \$1.45 million per annum. Currently it is estimated that \$500,000 of the \$1.45 million is attributed to maintaining the vehicle crossings that formed the footpath network.
 - (d) The maintenance budget needs to be increased by \$300,000 per annum.
 - (e) Level of service is common across the Councils area.
13. Currently the stand alone vehicle entrances i.e. without footpath adjacent to them are not considered to be the Council's infrastructural assets to maintain and hence, are not included in the Council's asset register. Any change of policy will require these "new" assets to be identified. Depreciation allowances for these assets will need to be included for any increase to the current level of service.
14. Any change of level service without any increase in funding will lead to a decreased level of service increasing the current footway resurfacing cycle from its existing 23 years cycle.
15. It must be noted that if a change of policy was agreed there will be significant change to the management of this section of the Council's asset. The safe use of the entrances over waterways and supports to driveways would become the Council's responsibility. The management of these additional assets will be complex in particular the responsibility of structural integrity of timber bridges across waterways, 'dry rock 'walls supporting driveways on legal roads. There would be a need to review staff resources to manage these structures appropriately.
16. The responsibility of maintaining vehicle entrances on legal roads has always been a contentious issue and it is for this reason that the Council formally adopted the current practice as policy in 2001.
17. Any change of policy will potentially generate additional requests to maintain vehicle entrances from residents residing on roads that have no footpaths.
18. In the consultant's review it included a survey of five other Councils' policies and the findings were:
- (a) Waimakariri, North Shore and Wellington Councils have similar policies as Christchurch's existing policy;
 - (b) Napier has a policy to maintain driveways on legal roads for visual appearance;
 - (c) Auckland City Council is replacing asphaltic concrete footpaths with exposed aggregate concrete and will be replacing the old driveways to achieve uniformity.
19. It must be noted that any change of the present policy will require changes to both Operation and Capital Works budget for Footpath Resurfacing. Without appropriate budgets staff will not be able to deliver the change of level of service required.

8 Cont'd.**FINANCIAL IMPLICATIONS**

20. Summary of Additional Cost Implications

	Annual (\$000K)			
	Footpath resurfacing Capital Maintenance budget.	Maintenance of structures, culverts, etc.	Footpath operational, repairs and maintenance.	Total
Option 1 Status Quo	\$0	\$0	\$0	\$0
Option 2 Status quo for Hills and rural areas, change in level of service for urban flat area.	\$250	\$50	\$100	\$400
Option 3 Change in level of service Throughout Council area.	\$400	\$150	\$300	\$850

There is currently no allowance in the Draft 2009/19 LTCCP to change the policy on private driveway resurfacing.

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

21. The recommendations of the report could have an impact on the 2009/19 LTCCP budgets.

LEGAL CONSIDERATIONS

22. Sections 316, 317, and 319 of the Local Government Act 1974 confer a number of powers over roads on the Council. Specifically, section 316 (1) vests local roads in the Council, while section 317 (1) provides that all roads in the district are under the control of the Council (excluding State Highways). Section 319 gives the Council power to do certain things in respect of roads (eg constructing and repairing roads etc). Section 319 (a) of the Local Government Act 1974 confers a power on the council *"to construct, upgrade and repair all roads with such materials and in such manner as the council thinks fit."* The section only confers a power to construct, upgrade and repair any road, rather than an express duty to do so.
23. These sections need to be read in light of the common law. The Courts have held that proceedings cannot be brought against a local authority for failure to maintain and repair a road even though a statute gives the Council the power to repair it. This is known as the "non-feasance rule." The rule is subject to a number of technical qualifications. But it has a long history in New Zealand and other jurisdictions. In the last few years the non-feasance rule has been the subject of criticism. It has now been rejected in Australia. In England, the rule has been abolished since 1961 and a positive repair obligation has been placed on highway authorities. However, in the opinion of the Legal Services Unit, the rule is still good law in New Zealand until a court says otherwise or the rule is changed by statute.
24. The opposite of the non-feasance rule is the misfeasance rule. Once the Council decides to reconstruct or repair a road, then it is obliged to exercise reasonable care in the performance of its self-imposed task.

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

25. Yes. The current policy that the Council will maintain vehicle entrances on roads with a footpath complies with the Local Government Act 1974 and is consistent with the non-feasance and misfeasance rules. The Council has a power to maintain and repair footpaths and vehicle entrance ways but it is not under a duty to do so. If the Council exercises its power to maintain footpaths and vehicle entrance ways it must do so with reasonable care and skill.

8 Cont'd.

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

26. This review is to consider a potential change to the level of service.

Do the recommendations align with the Council's strategies?

27. Not applicable.

CONSULTATION FULFILMENT

28. If any significant changes are to be made to the existing Policy this will effectively initiate a change in level of service and therefore appropriate consultation will be part of a future LTCCP review or Annual Plan update.

STAFF RECOMMENDATION

It is recommended that the Board recommend that the Council:

(a) Consider the options outlined in the report.

Either:

(b) Decide which option should be adopted, requesting changes to be made to appropriate budgets for the 2009/19 LTCCP.

or

(c) Identify the preferred long term policy and request staff to undertake detailed analysis of the preferred option so that it can be adopted for the 2012/22 LTCCP.

19. 5. 2009

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11. POLICY OF VEHICLE ENTRANCES AND FOOTPATH REVIEW

General Manager responsible:	General Manager, City Environment DDI 941-8608
Officer responsible:	Asset Planning & Network Manager
Author:	Weng Kei Chen, Asset Policy Engineer

PURPOSE OF REPORT

1. The purpose of this report is in response to the Council’s resolution passed at the meeting of 13 March 2008 *“that the Council undertake a review of the existing policy of vehicle entrances and footpaths”*.

EXECUTIVE SUMMARY

2. The current Council policy “That the Council will maintain vehicle entrances on roads with a footpath” was adopted on 25 May 2001. The reasons for the policy are:
 - (a) Vehicle crossing adjacent to footpaths is recognised as an integral part of the footpath system and thus registered as a footpath asset.
 - (b) Vehicle crossing where there is no footpath is directly attributable to the property owner rather than to the public good.
3. The Council’s Traffic and Parking Bylaw 2008 Part 4 Vehicle Crossing and Section 335 of the Local Government Act 1974 requires owners of properties to form vehicle crossings.
4. A review of the policy was carried out in 2004 and the Council at its meeting of 23 September 2004 resolved *“that the current policy be confirmed”*. The reports of May 2001 and September 2004 are **attached**.
5. The maintenance and resurfacing of vehicle entrances, not adjacent to footpaths, was raised by the Riccarton/Wigram Community Board as well as the Fendalton/Waimairi Community Board in 2007. A seminar on the policy was carried out on 28 September 2007. The views of elected representatives on the policy matters were mixed and staff did stress that any increased level of service would require additional funding.
6. As part of this review external consultant Montgomery Watson Harza (MWH) was commissioned to report on the cost implications of changing the level of service associated with the footpath re-surfacing programme. “Where there is a footpath on only one side of the road the current level of service is to only resurface driveways on the footpath side of the road. The driveways on the opposite side of the road do not get resurfaced.”
7. In this review the footpath resurfacing programme 2008/09 excluding the rural area was used to estimate the additional funding required to resurface driveways on the opposite side where there are no footpaths. An estimated cost of \$250,000 was attributed to resurfacing of these vehicle crossings. No cost estimates were made for pipes, culverts, bridges and retaining walls replacements. The 2008/09 programme has no footpath resurfacing work programmed along the frontages of properties adjacent to waterways or in the older hill areas where long vehicle entrances are frequently encountered on legal roads.
8. There are a number of property accesses across waterways and the existing structures e.g. pipes, culverts, or bridges that will require some maintenance works or their replacements prior to resurfacing and likewise for hill properties’ accesses with retaining structures within the road reserve. It is estimated that at least \$150,000 per annum will be required for upgrading these structures.
9. If there is a change to the existing policy that includes resurfacing of all vehicle entrances on legal roads there will be a need to increase the current resurfacing budget. The current resurfacing budget to resurface approximately 90km of footpath annually is \$4.45M and this would need to be increased by \$400,000 per annum.

10. For any change to the existing policy there will also be a need to review the current footpath operational maintenance budget of \$1.45M p.a. Currently it is estimated that \$500,000 of the \$1.45M is attributed to maintaining the vehicle crossings that formed the footpath network. If there is a change of policy to include resurfacing vehicle entrances as stated in paragraph 9 an increase of \$300,000 p.a. will be required for the maintenance budget. Currently these stand alone vehicle entrances i.e. without footpath adjacent to them are not considered to be the Council's infrastructural assets to maintain and hence are not included in the Council's asset register. Any change of policy will require these "new " assets to be identified. Depreciation cost for these assets will need to be included for any increase to the current level of service.
11. The change of service level without any increase in funding will lead to a decreased level of service increasing the current resurfacing cycle from 23 years to approximately 26 years and this option is not supported by staff.
12. The current policy has satisfied the majority of the city residents. However, from time to time staff do receive some complaints from residents, but by and large the majority of them reluctantly accept the staff's explanation of the policy.
13. It must be noted that if the change of policy was agreed there will be a significant change to the management of this section of the Council's asset. The safe use of the entrances over waterways and supports to driveways will become the Council's responsibility. The management of these new assets will be complex, in particular the responsibility of structural integrity of timber bridges across waterways, 'dry rock 'walls supporting driveways on legal roads. There will also be a need to review staff resources to manage these structures.
14. The responsibility of maintaining vehicle entrances on legal roads has always been a contentious issue and it is for this reason that the Council formally adopted its practice as policy in 2001.
15. Any change of policy will potentially generate additional requests to maintain vehicle entrances from residents residing on roads that have no footpath.
16. In the consultant's review it included a survey of five other councils' policies and the findings were:
 - (a) Waimakariri, North Shore and Wellington Councils have similar policies as Christchurch's existing policies.
 - (b) Napier has a policy to maintain driveways on legal roads for visual appearance.
 - (c) Auckland City Council is replacing asphaltic concrete footpaths with exposed aggregate concrete and will be replacing the old driveways to achieve uniformity.
17. It must be noted that any change of the present policy will require changes to both Operation and Capital Works budget for footpath resurfacing. Without appropriate budgets staff will not be able to deliver the change of level of service required.

FINANCIAL IMPLICATIONS

18. If the Council is to increase the current level of service to include resurfacing of all vehicle entrances on legal roads there will be a need to increase the annual capital budget for footpath resurfacing of \$4.45M by \$400,000 and the footpath maintenance of \$1.45M by \$300,000 and provide for additional depreciation costs of \$200,000.

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

19. The projected increased costs for the change of the current footpath resurfacing policy to include resurfacing of all vehicle entrances on legal roads have been included in the aspiration list in the LTCCP process.

LEGAL CONSIDERATIONS

20. The Council received the following legal opinion in 1975:

"The Council has no legal obligation to maintain the surface of the access track any more that it has an obligation to maintain any other part of the public highway."

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

21. Yes.

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

22. This review is to consider the change of level of service.

Do the recommendations align with the Council's strategies?

23. Not applicable.

STAFF RECOMMENDATION

It is recommended that the Council confirm the existing Footpath Policy.

19. 5. 2009

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Attachment 1

ATTACHMENT TO CLAUSE 11 COUNCIL 19.12.2008

5. RESURFACING OF VEHICLE ENTRANCES

Officer responsible Transport and City Streets Manager	Author Weng-Kai Chen, Asset Policy Engineer, DDI 941-8655
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The purpose of this report is to present information on the issues, options and additional costs of maintaining vehicle entrances as requested by the Sustainable Transport and Utilities Committee at its March 2004 meeting.

BACKGROUND

In March 2004 the Committee considered a report advising of the request from the Fendalton/Waimairi and Riccarton/Wigram Community Boards that the Committee review the current policy/practice on the maintenance of vehicle entrances.

The report advised the Committee of the recommendations passed at recent meetings of the two Community Boards and the receipt of a petition from residents in Harkness Place to the Fendalton/Waimairi Community Board in November 2003.

The report noted that this policy had been considered by the Council in May 2001 and attached a copy of the report considered by the Committee at that time. In addition it updated the costs that had been included in that report in respect to the additional budget provision required for implementing the change in the policy to reseal all vehicle entranceways and noted that these were now estimated at \$285,000 per annum for resurfacing and \$55,000 for maintenance, total \$340,000.

The Committee decided to review the current policy on the maintenance of vehicle entrances and requested that a report on the issues, options and additional costs be presented to the Committee by July 2004.

ISSUES

There are many different situations where vehicle crossings are not maintained by the Council. The common reason is that the benefit of the crossing is directly attributable to the property owner rather than to the general public. A footpath provides a public benefit so where a footpath exists the Council maintains the footpath, which in most cases includes the vehicle crossing. Situations where the Council does not maintain the crossing are as follows:

1. Private ROW's and driveways in hill suburbs, where no footpath exists or from the back of the footpath if one does exist. Note that in the hill situation the actual road boundary can be many metres back from the edge of the road and if a footpath exists then it is normally immediately behind the kerb.
2. Hill side driveways supported by retaining walls.
3. Properties along waterways where the vehicle crossing includes a bridge or structure.
4. Industrial properties, where no footpath exists.
5. Rural properties.
6. Residential areas, excluding hill areas (Living H), where there is no footpath, eg Harkness Place.

In the above situations the property owners have the advantage of being able to decide on the type of material used in the construction, that is, they can choose to use the same material as they have on their own property.

In looking at the policy the following issues come to mind:

- The maintenance of property owner installed materials. The maintenance is clearly the responsibility of the property owner, but with changes in owners, and trenching by others, this responsibility does get questioned.

- There is an inconsistency in that in situations where there is a footpath and it is not adjacent to the boundary then the section of driveway from the back of the path to the boundary is maintained by the Council when it could be considered a private benefit.

There are approximately 200 streets in residential areas with footpaths on one side, ie number 6 above where crossings are not maintained by the Council.

OPTIONS AND COSTS

A number of options exist:

1. Council to maintain all vehicle crossings from the kerb to the boundary including structures.
Estimated additional cost - \$340,000 pa plus structures maintenance.
2. Council to maintain only those crossings covered by 6 above and excluding owner installed materials.
Estimated additional cost - \$13,000 pa (\$5,000 maintenance, \$8,000 renewal).
3. Retain existing policy.
Additional cost - nil.

CONCLUSION

There are a number of situations where the Council does not maintain vehicle crossings because the benefit is solely to the property owner and it would seem unfair for ratepayers in general to fund this private benefit. For the majority of these situations, especially hill driveways with supporting structures, it is clearly accepted that the property owner is responsible for the maintenance. There are a number, though, such as the Harkness Place situation, where it is not so well understood by property owners.

In reviewing, the policy officers are of the view that in general it operates satisfactorily, is fair and equitable and consistent with private/public good balance.

Committee

Recommendation: That current policy be reconfirmed.

6. FOOTPATH RESURFACING AND MOTOR VEHICLE ACCESSWAY MAINTENANCE

Officer responsible City Streets Manager	Author Weng-Kei Chen, Asset Policy Engineer DD: 371-1655
Corporate Plan Output: Footpath Resurfacing	

The purpose of this report is to advise the Council on the present practice regarding the footpath resurfacing programme and the likely financial implications if the Council were to extend this to include all vehicle crossings on legal roads. This report is provided as requested following a presentation by Mr Ross, of the Mt Pleasant Residents' Association, to the City Services Committee in March 2001 on maintenance of vehicle entrances on streets without footpaths.

VEHICLE CROSSINGS AND THEIR MAINTENANCE

The Local Government Act and the Council's Public Places and Signs Bylaw 1992 require property owners to provide vehicle crossings across any footpath on any road, or any water channel on or adjoining any road by means of a crossing properly constructed. Vehicle crossing also includes crossings to all private right-of-ways or private roads. The issue of maintaining that part of the vehicle crossing on legal road has frequently arisen and legal opinion has indicated that "the Council has no legal obligation to maintain the surface of the access track any more than it has an obligation to maintain any other part of the public highway". The opinion was obtained in 1975 to assist the Council to make decisions not to maintain accessways to properties at the foot of St Andrews Hill Road and Rapaki Road (opposite Montgomery Terrace). These two accessways are substantially on legal roads. As recent as 1998 the residents using these accessways raised the maintenance issue with the Council again and these complaints were also subjected to investigation by the Ombudsman. The Ombudsman in both cases did not find any deficiencies or weaknesses in the Council's decisions in 1975.

In difficult hillside developments the construction of vehicle crossings often requires the construction of retaining walls on legal roads and permission is usually granted with owners entering into a Deed of Licence with the Council. One of the standard conditions is to identify that the owner "is responsible for the maintenance of retaining walls, vehicle crossings and any associated structures installed on legal road". The condition is consistent with the Council's maintenance on road. The Council's policy does permit property owners some flexibility in the installation of pavement materials on vehicle crossings where there is no formal footpath. There are also occasions where residents request the Council to maintain bridges or culverts over waterways on legal roads. These requests are declined for the reason that they don't serve the general public.

CURRENT PRACTICE FOR FOOTPATH RESURFACING

The current practice for footpath resurfacing is to resurface the footpath and area adjacent to the infrastructure which includes vehicle crossings. This practice is to enable a consistent level of service for users of footpaths and recognises that adjacent vehicle crossings are an integral part of the footpath system. The existence of vehicle crossings also provide the users with convenient access and exit to destinations. The table below provides the level of expenditure in recent years.

	<i>Expenditure</i>	<i>Length Sealed</i>	<i>Unit Rate/km</i>
1998/99	\$1,762 m	94.4 km	\$18,670
1999/00	\$2,043 m	92.5 km	\$22,090*
2000/01	\$2,450 m	93.7 km	\$26,147*

*Note the cost increase is due to historical low cost in tendering; increase costs of bitumen and labour; and installation of additional timber battens.

The upgrading cost of vehicle crossings adjacent to footpath amount to 18% of the total cost of the resurfacing programme.

ROADS WITH ONE SIDE FOOTPATH

The City Plan requires subdividers to provide footpath facilities and also linkage to existing or future pedestrian infrastructure. In new subdivisions only one footpath is required for roads in the Living Hill zone or for roads that serve less than 25 dwelling lots. In Living Zones this requirement is consistent with the Council's past practices and also implies that the majority of the existing hillside roads do have only one footpath. The Council has some single footpath roads that serve more than 25 dwelling lots and the Unit has occasional requests to construct additional footpath facilities. The funding for this additional footpath is mostly obtained from Boards' discretionary funding. It is estimated that 100 km of the urban network has one footpath only.

24.5.2001

FUNDING IMPLICATIONS

For the Council to extend its service level to include resurfacing vehicle entrances on roads without a footpath it would need to increase the funding for the footpath resurfacing programme by \$220,000. In addition footpath maintenance expenditure would need to be increased by \$50,000 p.a. In summary \$270,000 is required to increase the level of service.

Recommendation: That the current Council footpath maintenance and resurfacing practice be retained.

Attachment 2

FOOTPATH RESURFACING 2008/09						
Footpath on one side of road only						
RAMM Rd Id	Street	From	To	Side	RAMM Length	Evaluation of Structures
NORTHERN						
361	Brockhall Ln	Kedlestone	End	North	200	no structures
362	Brockham St	Veitches	Glenmore	East	374	no structures
1195	Huntingdon Pl	Berkshire	End	North	200	no structures
1760	Oconnor Pl	Roydvale	End	North	270	no structures
2310	Strathvan Ave	Withells	Avonhead	North	300	no structures
2370	Tavistock Pl	Apsley Dr	End	North	110	no structures
2640	Wiltshire Mews	Berkshire	End	West	120	no structures
EASTERN						
762	Drayton Dr	Mt Pleasant Rd	Assisi St	Right	560	yes - retaining walls
789	Dyers Rd	Runs Rd	Maces Rd	Right	930	no structures
953	Glendevore Tce	Glenstrae Rd	End	Right	300	yes - retaining walls
964	Glenstrae Rd	Finish 2008			300	yes - structures
1162	Holland St	Dunaman St	Torlesse St	Left	160	no structures
1470	Laxton Pl	Drayton Dr	End	Left	90	no structures
2780	Main Rd (access)			Right	500	no structures
3121	Marine Pde (Cul de Sac)	Caspian St	End	Right	79	no structures
1677	Mt Pleasant Rd	Billys Track	Soleres Ave	Left	670	yes - retaining walls
2021	Revelation Dr	Clifton Tce	End	Right	1120	yes - retaining walls
2261	St Andrews Hill Rd	Main Rd	Te Awakura Tce	Right	250	yes - retaining walls
1847	Sunnervale Dr	Evans Pass Rd	End	Right	310	yes - pipes
3049	Waitikiri Dr	Alpine View L	Landfill Ave	Left	160	no structures
SOUTHERN						
2332	Sunvale Tce	Bowenvale Ave	End	Right	200	no structures
2594	Westfield Ave	Runnymede St	End	Left	260	no structures
Total length of road with footpath on one side only					7,463	metres
Assume typical street frontage 20m wide, and one entry per property					373	vehicle entrances
Standard vehicle crossing is 3.8m wide by 4.5m deep					16	typical vehicle crossing area
Total area of additional vehicle crossings to overlay with AC					5,968	square metres
Resurface vehicle crossings (including repairs)					40	\$ per square metre
Cost to resurface vehicle crossings					TOTAL	\$238,720
Structural Extras						
Waterways, pipe for entrance, 4.6m long + headwalls					\$3,000	each
Waterways, culvert/bridge for entrance, 4.6m wide + headwalls					\$12,000	each
Retaining Walls (assume 650 m ²)					\$20,000	each

9. YALDHURST ROAD – PROPOSED P30 PARKING RESTRICTION



General Manager responsible:	General Manager City Environment, DDI 941-8608
Officer responsible:	Transport and Greenspace Manager
Author:	Malcolm Taylor, Traffic Engineer – Community

PURPOSE OF REPORT

1. The purpose of this report is to seek the Board's recommendation to the Council to approve a P30 Parking Restriction be installed on the north side of Yaldhurst Road (State Highway 73).

EXECUTIVE SUMMARY

2. The Council Network Operations Team received a request from the Beauvias Café at 186 Yaldhurst Road, for a time limited parking restriction be installed. This property is located at the corner of Nortons Road. **(Attachment 1)**.
3. Yaldhurst Road is classified as a major arterial road with a 60km/h speed limit and is a median divided road at the Nortons Road intersection. The average daily vehicle count for vehicles travelling in an easterly direction, recorded west of the Corfe Street intersection (approximately 500 metres east of Nortons Road) is 10,787.
4. There are short lengths of no stopping restrictions at the Yaldhurst Road/Normans Road intersection but no current parking restrictions at this location.
5. This area is heavily used for all day parking by motorists who leave their vehicles at this intersection to catch the bus for work.
6. The café has provided some off street parking for long term customers, but believe they are losing take away business as potential customers are unable to find short term parking in the area.
7. The proposed installation of two P30 restricted parking spaces at the corner of Yaldhurst Road and Nortons Road will provide the short term turnover type parking required.
8. The New Zealand Transport Agency has been consulted as Yaldhurst Road is a State Highway. There is no Residents' Association for this area.

FINANCIAL IMPLICATIONS

9. The estimated cost of this proposal is approximately \$300.

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

10. The installation of road markings and signs is within the LTCCP Streets and Transport Operational Budgets.

LEGAL CONSIDERATIONS

11. Part 1, Clause 5 of the Christchurch City Council Traffic and Parking Bylaw 2008 provides Council with the authority to install parking restrictions by resolution.
12. New Zealand Transport Agency has delegated responsibility for installing all parking restrictions (including Parking Time Limits) along State Highways in the city to the Council.
13. The installation of any parking restriction signs and/or markings must comply with the Land Transport Rule: Traffic Control Devices 2004.

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

14. As above.

9 Cont'd.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

15. Aligns with the Streets and Transport activities by contributing to the Council's Community Outcomes-Safety and Community.

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

16. As above.

ALIGNMENT WITH STRATEGIES

17. The recommendations align with the Council Strategies including the Parking Strategy 2003, Road Safety Strategy 2004 and the Safer Christchurch Strategy 2005.

Do the recommendations align with the Council's Strategies?

18. As above.

CONSULTATION FULFILMENT

19. There is no known Residents' Association covering this area.
20. The Officer in Charge - Parking Enforcement agrees with this recommendation.
21. New Zealand Transport Agency as the road controlling authority has been consulted and agrees with this recommendation.

STAFF RECOMMENDATION

It is recommended that the Board recommend to the Council that the parking of vehicles be restricted to a maximum period of 30 minutes on the north side of Yaldhurst Road (State Highway 73) commencing at a point 12 metres in a north westerly direction from its intersection with Nortons Road and extending in a north westerly direction for a distance of 12 metres.

ROADING AND TRANSPORT COMMITTEE RECOMMENDATION

The Board will be advised of the Transport and Roading Committee's recommendation to the Board after the Committee meeting to be held on Friday 15 May 2009.

19. 5. 2009

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10. RICCARTON WIGRAM KEY LOCAL PROJECTS FOR 2009/10

General Manager responsible:	General Manager Community Services
Officer responsible:	Unit Manager Community Support
Author:	Matthew Pratt; Team Leader Community Grants Funding Ian Burn, Community Development Adviser

PURPOSE OF REPORT

1. The purpose of this report is to provide the Board with the opportunity to consider the funding applications it wishes to nominate as Key Local Projects (KLP) for 2009/10.

EXECUTIVE SUMMARY

2. As part of the Strengthening Communities Grants Funding Programme, each Board may nominate Key Local Projects (KLPs) in its area that are put forward to the Metropolitan Funding Committee for consideration for metropolitan funding.

3. The Metropolitan Funding Committee will make KLP decisions based on affordability and the following priorities:

- Strengthening Communities Strategy Principles and Goals;
- Funding outcomes and priorities as set out in Strengthening Communities Strategy;
- Alignment to local Community Board objectives.

and

- Projects deliver benefits to the city outside of the local Board area;
- Key community issues contemplated under Goal 2 of the Strengthening Communities Strategy.

4. In addition, staff recommendations for Key Local Projects are also based on whether the project meets the following criteria:

- The organisation undertaking the project has a proven track record with Council in providing a high quality level of service;
- Significantly contributes towards the Council's Funding Outcomes and Priorities;
- Demonstrates leadership and innovation;
- Demonstrates best-practice and collaboration.

5. At the Riccarton/Wigram Community Board workshop held on 5 May 2009, staff recommended that no further projects be nominated by the Board as Key Local Projects for the 2009/10 funding round.

6. However, the Board requested further information on the following application for consideration as a KLP:

- **Community Development Network Trust (CDN) - CDN Youth Work Services (\$92,928).**

7. Attached is a Decision Matrix which provides information on the above application.

8. The following Riccarton/Wigram projects were approved as Key Local Projects in the 2008/09 funding and are currently funded for a three year period:

- Te Puawaitanga ki Otautahi Trust (Community Development Worker) - \$51,800.
- Te Puawaitanga ki Otautahi Trust (Community Facilities Coordinator) - \$51,250.

10 Cont'd.

Timeline and Process

9. The KLPs as approved by the Board will be put forward to the Metropolitan Strengthening Communities Funding Committee for consideration at its meeting on 20 July 2009.
10. Any recommended KLPs will be considered for a two year funding period to ensure that all KLPs are kept in line with the three year KLP funding cycle which commenced in July 2008.

FINANCIAL IMPLICATIONS

11. In 2008/09 each Christchurch City Community Board had \$280,000 to allocate in its Strengthening Communities Fund. Akaroa/Wairewa and Lyttleton/Mt Herbert had \$35,000 and \$45,000 respectively available for their allocation.
12. The finalised 2009/2010 grants funding allocation amounts are currently awaiting sign off through the LTCCP processes.
13. If recommended KLPs do not receive funding at a Metropolitan level, they will be returned to the Board for consideration with their remaining Strengthening Communities applications.

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

14. Yes.

LEGAL CONSIDERATIONS

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

15. Yes. Community Board funding decisions are made under delegated authority from the Council.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

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

16. Yes. Strengthening Communities Funding and Community Board Funding.

ALIGNMENT WITH STRATEGIES

Do the recommendations align with the Council's strategies?

17. Strengthening Communities Strategy.

CONSULTATION FULFILMENT

18. No external consultation needs to be undertaken, although staff have discussed funding applications with those groups that have submitted the applications.

STAFF RECOMMENDATION

It is recommended that the Riccarton Wigram Community Board do not nominate any projects to be considered as Key Local Projects for the 2009/10 Strengthening Communities Fund to the Metropolitan Strengthening Communities Funding Committee.

10 Cont'd.

BACKGROUND (THE ISSUES)

19. The Council adopted the Strengthening Communities Strategy on 12 July 2007. The Strategy incorporated the Community Group Grants Review which provided the framework, principles and funding outcomes for the new Strengthening Communities Grants Funding Programme. This programme replaces the Project and Discretionary Funding process as previously used by the community boards.
 20. Council staff reviewed the funding programme following the 2008/09 funding year and consulted all interested parties on the successes and failures of the process. As a result of this review, some changes were implemented. The full report detailing these changes can be viewed as part of the Council agenda for its meeting on 27 November 2008.
 21. The Strengthening Communities Grants Funding Programme comprises four funding schemes, which supersede all previous community group grant schemes, sub-schemes and categories. The schemes are:
 - (a) Strengthening Communities Fund.
 - (b) Small Grants Fund.
 - (c) Discretionary Response Fund.
 - (d) Community Organisations Loan Scheme.
 22. The funding schemes enable Council and its community boards to support and provide leverage opportunities for not-for-profit, community focused groups seeking funding in support of their community endeavours.
 23. Each Board may nominate Key Local Projects (KLPs) in its area that are put forward to the Metropolitan Funding Committee for consideration for metropolitan funding.
 24. The agreed process to determine if a "local" funding application should be processed as a KLP was detailed in the report adopted by Council on 4 October, 2007.
 25. The Metropolitan Funding Committee will make KLP decisions based on affordability and the following priorities:
 - Strengthening Communities Strategy Principles and Goals;
 - Funding outcomes and priorities as set out in Strengthening Communities Strategy;
 - Alignment to local Community Board objectives.
- and
- Projects deliver benefits to the city outside of the local Board area;
 - Key community issues contemplated under Goal 2 of the Strengthening Communities Strategy.
26. The process for considering KLPs is as follows:
 - (i) Community Boards nominate and prioritise their KLPs and make a recommendation to the Metropolitan Funding Committee.
 - (ii) The Metropolitan Funding Committee makes decisions on Board recommended KLPs.
 - (iii) Successful KLPs are allocated funding from the Metropolitan Strengthening Communities Fund.
 - (iv) Unsuccessful KLPs are returned to the Community Board for consideration under the local Strengthening Communities Fund.
 27. Community Boards are advised that where candidates for KLP funding consideration are successful in receiving funding from the Metropolitan Funding Committee, then there can be no further call on the Board for that project.

10 Cont'd.

28. This is also the case, where a successful candidate is funded to a lower level than has been recommended by the board. This reflects the "funding constraints" criteria agreed by Council in Appendix F of the October 4, 2007 report which states that "groups receiving funding at a Metropolitan level may only receive local level funding if the project is specifically local and no portion of it has been funded at the Metropolitan level".
29. The following table lists all of the organisations that were funded as KLPs in the 2008/09 funding year.

Name of Group	Amount Funded	Community Board
Aranui Community Trust	\$31,000	Burwood/Pegasus
Cross Over Trust	\$47,000	Spreydon/Heathcote
Rowley Resource Centre	\$30,000	Spreydon/Heathcote
Spreydon Youth Community Trust	\$27,000	Spreydon/Heathcote
Shirley Community Trust	\$22,880	Shirley/Papanui
St Albans Residents' Association	\$40,000	Shirley/Papanui
Papanui Youth Development Trust	\$27,000	Shirley/Papanui
Shoreline Youth Trust	\$16,000	Hagley/Ferrymead
Te Whare Roimata Trust (Older Persons)	\$27,000	Hagley/Ferrymead
Te Whare Roimata Trust (Bromley Community Development)	\$27,000	Hagley/Ferrymead
Te Whare Roimata Trust (Community Gardens)	\$27,000	Hagley/Ferrymead
Te Whare Roimata Trust (Linwood Community Arts)	\$52,000	Hagley/Ferrymead
Te Puawaitanga ki Otautahi Trust (Community Development Worker)	\$51,800	Riccarton/Wigram
Te Puawaitanga ki Otautahi Trust (Community Facilities Coordinator)	\$51,250	Riccarton/Wigram

RICCARTON WIGRAM KEY LOCAL PROJECTS 2009/10 DECISION MATRIX

Priority Rating

- 1 Meets all eligibility criteria and contributes **significantly** to Funding Outcomes and Priorities and criteria as a Key Local Project. Highly recommended for funding as a Key Local Project.
 2 Meets all eligibility criteria and contributes to Funding Outcomes and Priorities. Recommended for funding from Community Board but not as a Key Local Project.

Index Number	Organisation Name	Project Description	Amount Requested	Total project Cost	Amount Recomd	Other Sources of Funding	CCC Funding History	Recommendation	Priority
1	Community Development Network Trust	<p>CDN Youth Work Services</p> <p>The application is for two distinct projects, the Hornby Division Youth Workers and the Riccarton Division Youth Workers.</p> <p>For the Hornby Division CDN are applying for a contribution towards the costs of employing youth workers, as well as the programme costs associated with running youth activities.</p> <p>The total amount requested for this division \$73, 328.</p> <p>For the Riccarton Division CDN are applying for a contribution towards the costs of employing a part-time youth worker and programme costs for camps and activities for young people in this area.</p> <p>Total amount requested for this division \$19,600.</p>	\$92,928	\$281,946	\$0	User/Registration fees - \$32,000 Funds on Hand - \$3,000 Canterbury Community Trust - \$36,000 Child Youth and Family - \$12,000 Lotteries - \$64,020 (Pending) Riccarton Community Church - \$9,000 (Pending)	2008/09 \$16,819 (Riccarton Kids Camp Salary and Operations) 2008/09 \$77,752 (Hornby Youth Workers and Recreation programme costs) 2008/09 \$3,000 (Heroes camp for volunteers) 2007/08 \$20,000 (Hornby Programme Costs - Riccarton/Wigram Community Board) 2007/08 \$42,000 (Hornby Youth Worker Salary - Internal Budget) 2007/08 \$2,662 (Hornby Office) 2007/08 \$5,000 (Youth Escape Costs) 2007/08 \$8,000 (Admin and Management Costs)	<p>That the Riccarton/Wigram Community Board do not nominate the Community Development Network Trust as a Key Local Project for the 2009/10 funding round.</p> <p>It is further recommended that this project be considered for funding alongside the other applications received for the Riccarton Wigram Strengthening Communities Fund.</p>	2

Alignment with Board Objectives and Council Strategies:
Board Objectives

- Greater access to affordable community support programmes
- Contribution to increased social wellbeing
- Diversity in cultural needs is acknowledged

Council Strategies

- Strengthening Communities Strategy
- Youth Strategy

Staff comments including evidence of need:

Community Development Network (CDN) Trust is a competently run organisation with well established risk management planning and financial systems in place, and with a good reputation for providing quality and effective services in the area. This application is for assistance for two of its divisions.

For its Hornby Division it is applying for a contribution towards its costs for employing 1.5 youth workers; programming costs associated with running one Big Night Out Event, five-six General Teenage camps, two Female only teenage camps, one Intermediate aged camp, 50-60 drop-in sessions; and training, supervision and administration costs associated with running these programmes. Total amount requested for this division \$73, 328.

For its Riccarton Division it is applying for a contribution towards a 0.4 FTE youth worker salary in Riccarton, camps and activities for young people in this area and related training supervision and administration costs. Total amount requested for this division \$19,600. Additional costs for youth work in Riccarton with young people attending Christchurch Girls High is being applied for from the Metropolitan Funding Scheme.

CDN's programmes are innovative in that they use the draw of recreation activities and camps to connect people with their mentoring services and provide good role models. CDN also has a qualified Social Worker who is available to assist the youth workers in their work. The need for these programmes can be seen in the ongoing demand for the events and activities provided. Commissioned research has also established the need for recreation based services in the Hornby and Riccarton and subsequent evaluations have established that the Hornby programme is making a significant contribution to meeting the needs of young people in these areas (no evaluative research has been undertaken on the Riccarton work however).

In regard to the criteria for the Key Local Projects (KLP) funding these projects do: have a proven track record with Council in providing a high quality level of service; significantly contributes towards the Council's Funding Outcomes and Priorities; and demonstrate best-practice and collaboration.

These projects do not however sufficiently: demonstrate leadership and innovation; or deliver benefits to the city outside of the local Board area to be recommended for funding as Key local projects.

Comments and notes: (for elected member use)

19. 5. 2009

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11. ELECTED MEMBERS' INFORMATION EXCHANGE

12. MEMBERS' QUESTIONS UNDER STANDING ORDERS