

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

**TUESDAY 24 AUGUST 2010**

**AT 8AM**

**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

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- PART A - MATTERS REQUIRING A COUNCIL DECISION**
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**1. APOLOGIES**

**2. DEPUTATIONS BY APPOINTMENT**

**2.1 SENGHWA PARK – STREET TREE REMOVAL**

Ms Senghwa Park, a resident of Winchester Street will be in attendance to request that the Committee consider removing the tree outside her property. Correspondence regarding this matter is **attached**.

**3. STAFF BRIEFINGS**

**3.1 JOHN REVELL – PARK LITTER BINS**

John Revell, Contracts Manager – Urban Parks, will be in attendance to speak to the Committee regarding the reinstatement of litter bins to parks around the city.

#### 4. POUND ROAD STOPPING

<b>General Manager responsible:</b>	General Manager, City Environment Group DDI 941-8608
<b>Officer responsible:</b>	Asset and Network Planning Manager
<b>Author:</b>	Weng – Kei Chen, Asset Engineer and Bill Morgan, Property Consultant

#### PURPOSE OF REPORT

1. The purpose of the report is to seek a resolution from the Council, in accordance with Section 342 (1) of the Local Government Act 1974 to stop part of Pound Road (as defined in the resolution below). Notice is not to be published until the new alternative road is open and available to traffic.

#### EXECUTIVE SUMMARY

2. The Council at its meeting on 26 November 2009 approved the Fendalton/Waimairi Community Board's recommendation to commence road stopping procedures, pursuant to the Tenth Schedule of the Local Government Act 1974, with respect to those parcels of Pound, Savills and Jessons Roads shown as Sections 16 to 23 inclusive on Survey Office Plan 424971 (**Attachment 1**). This was prompted by a request from CIAL to realign the location of the existing Pound Road from Savills Road to McLean's Island Road. The deviation is required to meet with Civil Aviation regulations for the operation of the east/west runway which must be complied with by the end of 2011.
3. The Council has complied with the requirements of the Tenth Schedule by notifying all of the owners adjoining the road proposed to be stopped, publicly notifying the intention to stop the road twice as required, in the Christchurch Press, calling for objections to the proposal and placing a copy of the notice at each end of the portion of the road to be stopped.
4. In all eleven submissions were received of which two were in support, two were from Companies seeking to protect their services and seven opposed to the proposal. Following discussions with the Companies they have accepted that their services (electricity and fibre copper cables) will be protected by easements. With respect to the private objectors their concerns were generally based around boy racer problems being experienced in Jessons Road. It was agreed at a meeting with the residents to undertake some traffic treatment measures to the intersection of Jessons and Pound Roads and if found necessary CIAL has agreed to gate Pound Road, once stopped, to prevent activity in the area outside of normal business hours. Having completed the traffic improvements and accepted CIAL's undertaking the residents have now withdrawn their objections.
5. The next step in the process is for the Council to resolve by public notice to declare that the road is stopped and to forward two copies of the notice and plans to the Chief Surveyor so that the land records can be noted. The road stopping will not take effect until the matter has been actioned by the Chief Surveyor.
6. This action cannot, however, be completed until the realignment of the road has been constructed, legalised and opened for traffic. The passing of the resolution to give public notice of the stopping will enable the stopping to be completed to coincide with the opening of the new road.

#### FINANCIAL IMPLICATIONS

7. There are no financial implications for the Council as all costs are being met by CIAL.

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

8. Not applicable.

**4. Cont'd****LEGAL CONSIDERATIONS**

9. The requirements of the Local Government Act 1974 section 342 Stopping and Closing of roads have been met.

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

10. Yes - see above.

**ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

11. Yes - the resolution required for the road stopping will enable the realignment of Pound Road to proceed. The new road alignment will provide a safer, sustainable network that enables access to goods and services, work and leisure activities.

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

12. Not applicable.

**ALIGNMENT WITH STRATEGIES**

13. This work is consistent with the traffic objectives in the Christchurch City Plan.

**CONSULTATION FULFILMENT**

14. All of the requirements have been met.

**STAFF RECOMMENDATION**

That the Board recommends to Council:

- (a) That pursuant to the provisions of Section 345 (1) (a) of the Local Government Act 1974, the Council, by public notice, hereby declares that those parcels of Pound, Jessons and Savill's Roads, as defined in the following schedule, are stopped; and the road shall, subject to the Council's compliance with clause 9 of the Tenth Schedule of the Act, thereafter cease to be road.

**SCHEDULE****Road to be stopped**

<b>Section</b>	<b>Plan No</b>	<b>Area</b>
16	SO 424971	0.6230 ha
17	SO 424971	0.4731 ha
18	SO 424971	0.0515 ha
19	SO 424971	0.3930 ha
20	SO 424971	0.3858 ha
21	SO 424971	2.0236 ha
22	SO 424971	1.0157 ha
23	SO 424971	0.9488 ha

- (b) That the above resolution only be actioned to coincide with the opening of the new realigned road between Savills and McLean's Island Road.

## 5. TAYLORS' DRAIN – EASEMENT TO DRAIN WATER OVER ROAD RESERVE ADJACENT TO 95 WAIRAKEI ROAD

<b>General Manager responsible:</b>	General Manager, City Environment, DDI 941-8608
<b>Officer responsible:</b>	Unit Manager, Transport and Greenspace
<b>Author:</b>	David Rowland, Property Consultant

### PURPOSE OF REPORT

1. The purpose of this report is to seek the Works, Traffic and Environment Committee's recommendation that the Board approve, acting under delegated authority, to create an easement in gross for water drainage purposes over a road reserve adjacent to 95 Wairakei Road.

### EXECUTIVE SUMMARY

2. The Council during mid 2007 undertook the upgrade of Taylors' Drain that generally is contained within private property between 95 - 155 Wairakei Road. The old box drain was removed, piped and the surrounding private properties landscaped to enhance their front yards.
3. A small area of Council land adjacent to 95 Wairakei Road held as a road reserve under the provisions of the Reserves Act 1977 was part of that upgrade process. To register an easement in gross over this access way for the piped drain the Community Board's approval is required.

### FINANCIAL IMPLICATIONS

4. Nil.

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

5. No – Funds are not required as work is complete.

### LEGAL CONSIDERATIONS

6. The land in question is a "Road Reserve" under the Reserves Act 1977 being described as Lot 39 DP 20815. It is a formed pedestrian link between Wairakei Road and Colwyn Street. There is no impact on the use by the general public and the reserve will not be affected in any manner, therefore it is recommended that public notice is not required.

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

7. Yes.

### ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

8. This is the legalisation of works activity completed some three years back now that legal survey has been completed.

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

9. No – see comment above.

### ALIGNMENT WITH STRATEGIES

10. This is the legalisation of works activity completed three years back.

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

11. No – see comment above.

5. Cont'd

**CONSULTATION FULFILMENT**

12. Before granting an easement under the Reserves Act 1977 the Council is required to give public notice specifying the easement intended to be granted however that requirement does not apply where the reserve is not likely to be materially altered or permanently damaged and the rights of the public are not likely to be permanently affected. In both cases the exclusion provisions of the Act apply and it is considered that public notice is not required.

**STAFF RECOMMENDATION**

It is recommended that the Works, Traffic and Environment Committee recommend that the Board, acting under delegated authority under the provisions of the Reserves Act 1977, consent and approve without public notice the grant of an easement to drain water in gross over Lot 39 DP 20815 as shown on Digital Title Plan LT 412108 (**Attachment 1 and 2**).

## 6. OFFICE ROAD – PROPOSED RELOCATION OF EXISTING MOBILITY PARK

<b>General Manager responsible:</b>	General Manager City Environment, DDI 941-8608
<b>Officer responsible:</b>	Transport and Greenspace Manager
<b>Author:</b>	George Kuek, Assistant Traffic Engineer

**PURPOSE OF REPORT**

1. The purpose of this report is to seek the Fendalton/Waimairi Works, Traffic and Environment Committee's recommendation that the Board approve the relocation of an existing Mobility Park on the southeast side of Office Road, near its intersection with Papanui Road.

**EXECUTIVE SUMMARY**

2. Staff have received a request from a member of the public, who is mobility impaired, for the existing Mobility Park on Office Road near its intersection with Papanui Road, to be relocated one parking space further along Office Road. Please refer to the **attached** plan TG103641.
3. Office Road is a local road, linking Papanui Road with Rossall Street, both of which are minor arterials.
4. Merivale Mall and its carpark are located on the northwest side of Office Road, in the block bounded by Papanui Road and Akela Street.
5. Between Papanui Road and Akela Street, Office Road narrows from 12 metres near Papanui Road, to 10.5 metres near the supermarket unloading bay vehicle entrance, to 7.8 metres near the Akela Street intersection.
6. The existing single Mobility Park is located on the southeast side of Office Road, occupying the first parking space from the Papanui Road intersection. This Mobility Park was approved by the Board in March 2007.
7. The remaining parking spaces on the southeast side of Office Road, from its intersection with Papanui Road to 134 Office Road, are standard parking spaces with a P60 parking restriction. This P60 parking restriction had existed prior to the above Mobility Park being installed.
8. Under the Papanui Road/Main North Road Bus Priority project implemented in 2009, a new splitter island had been constructed on Office Road, adjacent to the existing Mobility Park (refer to **attached** plan TG103641).
9. This splitter island had resulted in a reduction in the westbound lane width, between the Mobility Park and the island, from 3.8 metres to 3 metres.
10. The mobility impaired member of the public who had put in this request had explained that a mobility impaired person would take more time to get into or out of a parked vehicle, and is concerned about being run over by a vehicle turning left from Papanui Road into Office Road, given the reduced width of the westbound lane.
11. It would be safer for mobility impaired persons to get into or out of their vehicles if the Mobility Park was relocated away from the splitter island.
12. This request is for the existing Mobility Park to be relocated one parking space (to the second parking space from the Papanui Road intersection) further along Office Road. However, it could be difficult for mobility impaired drivers to manoeuvre their vehicle into and out of the second parking space, and all five adjoining parking spaces will have to be shortened to allow an accessway and cutdown kerb to be constructed either in front of or behind this second parking space, for wheelchair access onto/off the footpath.
13. It is proposed that the Mobility Park be relocated to the fifth parking space from the Office Road/Papanui Road intersection (refer attached plan TG103641), for the following reasons:

**6. Cont'd**

- (a) mobility impaired drivers would find it easier to manoeuvre their vehicles into and out of this fifth parking space
  - (b) mobility impaired drivers would be able to get onto the footpath using the existing cutdown kerb in front of this fifth parking space
14. Six businesses located in the commercial building adjacent to these parking spaces on the southeast side of Office Road were consulted on the proposal. Of the six consultation letters sent out, five responses were received, and all five were in support of this proposal.

**FINANCIAL IMPLICATIONS**

15. The estimated cost of this proposal is approximately \$1,000.

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

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

**LEGAL CONSIDERATIONS**

17. Part 1, Clause 5 of the Christchurch City Council Traffic and Parking Bylaw provides Council with the authority to install parking restrictions by resolution.
18. The Community Boards have delegated authority from the Council to exercise the delegations as set out in the Register of Delegations dated 10 December 2009. The list of delegations for the Community Boards includes the resolution of parking restrictions and Traffic Control Devices.
19. 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?**

20. As above.

**ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

21. 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 2009-19 LTCCP?**

22. As above.

**ALIGNMENT WITH STRATEGIES**

23. 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?**

24. As above.

**CONSULTATION FULFILMENT**

25. Consultation was carried out as detailed in paragraph 14.
26. Since this is a commercial area, and the proposed change in the parking will not affect nearby residents, it is considered not necessary to consult the local residents association, the Merivale Precinct Society.



**6. Cont'd**

27. The officer in charge - Parking Enforcement agrees with this recommendation.

**STAFF RECOMMENDATION**

It is recommended that the Fendalton/Waimairi Community Board Works, Traffic and Environment Committee recommends that the Board:

- (a) revoke the following existing parking restrictions:
  - (i) the existing Mobility Park on the southeast side of Office Road, commencing at a point 11.5 metres southwest of its intersection with Papanui Road and extending in a south westerly direction for a distance of 6.5 metres
  - (ii) the existing P60 Parking Restrictions on the southeast side of Office Road, commencing at a point 18 metres southwest of its intersection with Papanui Road and extending in a south westerly direction for a distance of 26 metres
- (b) approve the following parking restrictions:
  - (i) that the parking of vehicles be restricted to a maximum period of 60 minutes on the southeast side of Office Road commencing at a point 11.5 metres southwest of its intersection with Papanui Road and extending in a south westerly direction for a distance of 26.5 metres
  - (ii) that the parking of vehicles be reserved for disabled persons displaying the appropriate permit on their vehicle and restricted to a maximum period of 60 minutes on the southeast side of Office Road commencing at a point 38 metres southwest of its intersection with Papanui Road and extending in a south westerly direction for a distance of 6 metres.

**7. NUNWEEK PARK - PROPOSED EASEMENT FOR THE CONVEYANCE OF ELECTRICITY**

<b>General Manager responsible:</b>	General Manager City Environment, DDI 941 8608
<b>Officer responsible:</b>	Unit Manager Transport and Greenspace
<b>Authors:</b>	Tom Lennon, Property Consultant

**PURPOSE OF REPORT**

1. To seek the Committee's recommendation that the Board approves the granting of a one metre wide easement in favour of Orion New Zealand Limited over a portion of Nunweek Park, being Lot 2 DP 37685, Lot 2 DP 22949, Lot 2 DP 36594 and Reserve 5135 contained in CT CB44C/37, for the conveyance of electricity. The proposed easement will be granted under Section 48(1)(c) *the easement is in favour of Orion not the Council, and therefore section 6 of the Reserves Act 1977 does not apply.*

**EXECUTIVE SUMMARY**

2. To enable the provision of lights and associated electrical infrastructure on the, shortly to be built, second Council approved artificial hockey surface located on Nunweek Park. There is a requirement to upgrade the present electrical supply to the hockey complex. The present electrical supply is not sufficient to provide the electrical load that the complex requires. To provide for this load Orion New Zealand Limited will be installing a 11 KVA electrical cable under ground to an above ground transformer which is to be located within the area leased by the Canterbury Artificial Surfaces Trust. The easement being requested is not in gross, only being required to provide electricity to the Canterbury Artificial Surfaces Trust's Hockey Complex.
3. The Council does not require easements over services laid into a park to service infrastructure within the park, however Orion's policies dictate that their entire 11 KVA network is to be covered by easements, where it is not located within legal road.
4. The route for the new cable has been selected and identified in the attached plan (**Attachment 1**). The 11 KVA cable will be installed using directional drilling equipment to minimise road openings and reduce the impact on the park and its users.
5. To satisfy Orion New Zealand Limited requirements, an easement is required over a portion of Nunweek Park. The easement will be granted under Section 48(1) (c) of the Reserves Act 1977 and will be over an area of approximately 80 square metres.
6. The Council is to charge the applicant for staff time, and other processing costs (DOC approval fees etc) to process the application for the easement in accordance with Council Policy (12 July 2001).

**FINANCIAL IMPLICATIONS**

7. The Council Policy (27 September 2001) of a one off compensation payment being made by the applicant for the privilege of placing an encumbrance (easement) on the Council's land is not required in this particular case because the proposed easement is not in gross being only to service the lessees complex built on the park.
8. All costs including staff time etc associated with the legalisation of the proposed easement will be paid for by Orion New Zealand Limited.

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

9. Yes.

## 7. Cont'd

### LEGAL CONSIDERATIONS

10. No public advertising will be required under section 48 (2) of the Act, because the requirements of section 48 (3) are fulfilled, they being:
  - (a) *The reserve is vested in an administering body and is not likely to be materially altered or permanently damaged; and*
  - (b) *The rights of the public in respect of the reserve are not likely to be permanently affected.*
11. The reason why these requirements are fulfilled is because the easement being requested is not in gross, i.e. it is only for the purpose of supplying electricity to the complex, and the above ground 11 KVA transformer is being placed within the area already leased to The Canterbury Artificial Surfaces Trust.
12. The Board has delegated authority from the Council to approve or otherwise the proposed easement (13 December 2007)

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

13. The legal implications associated with the granting of the easement are minor and are covered in sections 10 to 11 above.

### ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

14. Yes, as detailed below.

#### **Do the recommendations of this report support a level of service or project in the 200-19 LTCCP?**

15. Yes, the LTCCP's strong communities strategic directions section prioritises: providing accessible and welcoming public buildings, spaces and facilities; providing parks, public buildings, and other facilities that are accessible, safe, welcoming and enjoyable to use; working with partners to reduce crime, help people avoid injury and feel safer; providing and supporting a range of arts, festivals and events; and protecting and promoting the heritage character and history of the city. The fulfilment of the Club's ambitions, by approving this application, will formalise the enjoyment and experience both members and visitors obtain from visiting the site.

### ALIGNMENT WITH STRATEGIES

16. This application is aligned with the Christchurch Active Living Strategy by supporting members' mental stimulation and becoming more proficient at the game of hockey thereby assisting to build personal confidence.
17. This application also supports the Christchurch Visitor Strategy by allowing the Club to enhance their facilities. Thereby strengthening the value of facilities on Nunweek Park making it more appealing to residents in Christchurch who play hockey, and other like minded people visiting the area.
18. The approval of this application is in alignment with the Council's Strategic Direction to support Strong Communities. It encourages residents to enjoy living in the city, and to have fun, thereby supporting Christchurch as being a good place to live.

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

19. The LTCCP's liveable city strategic directions section prioritises: improving the way in which public and private spaces work together. The approval of this application will add to the private infrastructure on the reserve thereby improving the way it interrelates with the public reserve it is situated upon, which in turn will add to the value of the experiences hockey players and their visitors can obtain at the reserve.

## 7. Cont'd

### CONSULTATION FULFILMENT

20. No public advertising will be required under section 48 (2) of the Act, because the requirements of section 48 (3) are fulfilled, for the reasons set out in section 11 of this report above.

### STAFF RECOMMENDATION

It is recommended that the Committee recommend that the Board approves the granting of an easement to Orion Company Limited over approximately 80 square metres of Nunweek Park, Lot 2 DP 37685, Lot 2 DP 22949, Lot 2 DP 36594 and Reserve 5135 contained in CT CB44C/37 a recreation reserve held under the Reserves Act 1977 in which to lay a 11 KVA cable and build a transformer subject to the following conditions:

- (a) The consent of the Minister of Conservation being obtained.
- (b) The easement terms being negotiated by the Corporate Support Unit Manager or his nominee.
- (c) The easement construction area being maintained by the applicant, and their contractors, in a safe and tidy condition at all times.
- (d) All costs associated with the survey and registration of the easement on the Council's title, being paid for by the applicant.
- (e) All the services that are to be placed underground are to be placed within the easement.
- (f) The applicant is to provide the Council, within three months of completion of the work, a surveyed easement plan on which the new easements are shown.
- (g) The applicant is to provide the Council, within three months of completion of the work, a copy of the title on which the easement is shown.
- (h) That the Council resolves **not** to request a one off compensatory payment for the privilege of having the easement encumbrance placed on the Council's title in accordance with Council policy (27 September 2001), because the easement being requested is only to service a lessees complex built on the park.
- (i) The Council is to charge the applicant for officers' time, and other processing costs (DOC approval fees etc) to process the application for the easement in accordance with Council Policy (12 July 2001).
- (j) The applicant is to pay a \$2,000 bond to the Council via the Greenspace Contract Manager, Fendalton Service Centre. It will be necessary to sign a temporary access license and pay the bond before any construction work commences on the site, this will need to be arranged at least two weeks prior to commencement. The bond will be refunded to the payee upon completion of the development when the Greenspace Contract Manager is satisfied that the park has not been damaged in any way or that reinstatement has been carried out to an acceptable level.