



## Christchurch City Council

# SPREYDON/HEATHCOTE COMMUNITY BOARD AGENDA

**FRIDAY 30 SEPTEMBER 2011**

**AT 8AM**

**IN THE BOARDROOM, BECKENHAM SERVICE CENTRE  
66 COLOMBO STREET, CHRISTCHURCH**

**Community Board:** Phil Clearwater (Chairperson), Barry Corbett, Paul McMahon, Karolin Potter, Tim Scandrett, Mike Thorley and Sue Wells.

**Community Board Adviser**

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**1. APOLOGIES**

**2. CONFIRMATION OF MEETING MINUTES – 13 SEPTEMBER 2011**

The minutes of the Board's ordinary meeting of Tuesday 13 September 2011 are **attached**.

**CHAIRPERSON'S RECOMMENDATION**

That the minutes of the Board's meeting of 13 September 2011 be **confirmed**.

**3. DEPUTATIONS BY APPOINTMENT**

**3.1 ALMA STURGRESS COMMUNITY DEVELOPMENT WORKER AND BERNARD MCMILLAN ADMINISTRATOR ROWLEY RESOURCE CENTRE**

The Community Development worker and the Administrator from Rowley Resource Centre will present a brief outline of recent work and thank the Board for their continued support.

**3.2 DAVE WILLIAMS AND GEOFF MCPAHIL RESIDENTS OF CASHMERE ROAD**

Dave Williams a resident of Cashmere Road will speak about the problems he considers the proposed pedestrian island will pose for residents living in his part of Cashmere Road.

Geoff McPhail a resident of Cashmere Road will speak in support of the proposed Cashmere Road pedestrian island and no stopping restrictions.

**4. PRESENTATION OF PETITIONS**

**5. NOTICES OF MOTION**

**6. CORRESPONDENCE**

**7. BRIEFINGS**

**8. EARTHQUAKE RECOVERY DESIGN AND CAPABILITY**

## 9. COLOMBO STREET/ASHGROVE TERRACE AT HEATHCOTE RIVER BRIDGE – PROPOSED NO STOPPING

<b>General Manager responsible:</b>	General Manager City Environment, DDI 941 8608
<b>Officer responsible:</b>	Road Corridor Operations Manager
<b>Author:</b>	Ann Campbell, Consultation Leader

### PURPOSE OF REPORT

1. The purpose of this report is to seek the Board's approval that the stopping of vehicles be prohibited at any time on the south west side of Ashgrove Terrace starting at its intersection with Colombo Street.

### EXECUTIVE SUMMARY

2. This proposal forms part of a scheme on Colombo Street to re-align the cycle lane on the Heathcote River Bridge (R213). The current layout creates a pinch point for cyclists travelling northbound on Colombo Street.
3. Staff are proposing the installation of no stopping lines to ensure vehicles do not park near the intersection of Colombo Street and Ashgrove Terrace. A new kerb cut down is proposed on the western side of Ashgrove Terrace as part of the project to accommodate the pedestrian desire line. The no stopping restriction will provide an area for pedestrians to cross and will help aid visibility at the intersection for drivers, pedestrians and cyclists.
4. Ashgrove Terrace is a local road measuring 10 metres on the approach to Colombo Street and is controlled by stop signs. There is a threshold treatment on the Ashgrove Terrace approach to the intersection to reduce intersection approach speeds.
5. Parking is already prohibited within the vicinity of the bridge on Colombo Street. It is proposed to extend the no stopping restriction around and through the intersection of Colombo Street and Ashgrove Terrace. As per the Road User Rule vehicles can not park within six metres of an intersection and on a bend. The proposed no stopping restriction ensures that this is adhered to, improving safety at this location.

### FINANCIAL IMPLICATIONS

6. The estimated cost of this proposal is approximately \$100.

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

7. The installation of signs and road markings is covered by the project budget for Colombo Street at Heathcote River Bridge.

### LEGAL CONSIDERATIONS

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

8. 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.
9. The Community Boards have delegated authority from the Council to exercise the delegations as set out in the Register of Delegations. The list of delegations for the Community Boards includes the resolution of parking restrictions and traffic control devices.
10. The installation of any parking restriction signs and/ or markings must comply with the Land Transport Rule: Traffic Control Devices 2004.

**9. Cont'd**

**ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

11. 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?**

12. As above.

**ALIGNMENT WITH STRATEGIES**

13. The recommendations align with the Council Strategies including the Pedestrian Strategy 2001 and the Road Safety Strategy 2004.

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

14. As above.

**CONSULTATION FULFILMENT**

15. This is a safety issue therefore no consultation has been undertaken with local residents. As per the Road User Rule, vehicles are not able to park near a intersection or on a bend. The proposed no stopping restriction will ensure that this area is free of vehicles, improving safety at this location.
16. The Officer in Charge- Parking Enforcement agrees with this recommendation.

**STAFF RECOMMENDATION**

It is recommended that the Spreydon/ Heathcote Board:

Approve the following on Ashgrove Terrace following the completion of the Colombo Street Bridge at the Heathcote River project:

- (a) That the stopping of vehicles be prohibited at any time on the south east side of Ashgrove Terrace commencing at its intersection with Colombo Street and extending in a south westerly direction for a distance of 26 metres;
- (b) That the stopping of vehicles be prohibited at any time on the west side of Colombo Street commencing from its intersection with Ernlea Terrace and extending in a northerly direction to its intersection with Ashgrove Terrace.

**CHAIRPERSON'S RECOMMENDATION**

For discussion.

**10. CASHMERE ROAD - PROPOSED PEDESTRIAN ISLANDS AND NO STOPPING RESTRICTIONS**

<b>General Manager responsible:</b>	General Manager City Environment, DDI 941-8608
<b>Officer responsible:</b>	Acting Transport and Greenspace Manager
<b>Author:</b>	Sonia Pollard, Traffic Engineer - Transport

**PURPOSE OF REPORT**

1. The purpose of this report is to seek the Board's approval to install two pedestrian islands on Cashmere Road with associated no stopping lines.

**EXECUTIVE SUMMARY**

2. Council have received a number of requests for crossing facilities along Cashmere Road. In the 2009/10 financial year staff included the two proposed facilities in the Centaurus/Cashmere Road Cycleway Project however this project was postponed. Staff not wanting to delay the installation of the crossing facilities have prepared them as a stand alone pedestrian safety project.
3. Cashmere Road is designated as a Minor Arterial Road and carries 15,000 vehicles per day. As this road is also an alternate route to and from Port Lyttleton, a higher than average proportion of this traffic are heavy vehicles.
4. It is proposed to install two central pedestrian refuge islands on Cashmere Road. The first is located between Crichton Terrace and Barrington Street, outside Number 61 Cashmere Road. It is proposed to install the second central pedestrian refuge island between Barrington Street and Thorrlington Street, located outside number 31 Cashmere Road.

**Proposed Central Pedestrian Refuge ISLAND: 61 Cashmere Road**

5. In early 2010 staff investigated installing a pedestrian refuge island outside number 61 Cashmere Road after a Cashmere High School student was knocked down while crossing the road at this location.
6. Cashmere High School students alight at the bus stop located outside number 61 Cashmere Road and are also dropped off there by their parents during peak hour traffic. They then cross Cashmere Road en route to the footbridge over the Heathcote River and on to the Ashgrove Terrace entrance of Cashmere High School.
7. The proposed pedestrian refuge island at this location would include build-outs on both the north and south side of the Cashmere Road providing pedestrians better vision of oncoming traffic. A footpath along the natural pedestrian desire line would also be provided to link the crossing point to the existing footpath and footbridge over the Heathcote River. Refer to **Attachment 1**.

**Proposed Central Pedestrian Refuge ISLAND: 31 Cashmere Road**

8. The footpath on the south side of Cashmere Road east of Purau Terrace terminates at the sharp bend outside number 25A. This can be a dangerous location to cross Cashmere Road due to the poor sight lines. It is proposed to install a second central pedestrian refuge island outside number 31 Cashmere Road. This location gives the best sight lines as it is mid way between Barrington Street and the sharp bend.
9. Prior to 2007 Thorrlington Primary School hired Abley Transportation Consultants to produce a School Travel Plan. The Travel Plan identified the crossing of Cashmere Road at this location as an issue that needed to be addressed. Thorrlington Primary School brought this concern to the attention of the Council's Road Safety Coordinator –Schools.

## 10. Cont'd

10. The proposed pedestrian refuge island outside number 31 Cashmere Road would include a build out on the south side of the road and a sign informing pedestrians that the footpath terminates in 40 metres. There is insufficient road width to provide a build out on the north side of the Cashmere Road in this location so sight lines will be achieved by the installation of no stopping lines. Refer to **Attachment 2**.

### **Proposed Associated Flush median**

11. It is proposed to extend the flush median that currently terminates outside number 71 Cashmere Road, past the entrance of Crichton Terrace, through the proposed new central pedestrian island outside number 61 Cashmere Road, and terminate it just around the bend outside number 55 Cashmere Road.
12. Extending the flush median will provide ease of entry into and out of Crichton Terrace and the residential properties along its length. It will also allow pedestrians to cross Cashmere Road in the shadow of the proposed pedestrian islands, marking a 2 metre wide delineation between east and west bound traffic lanes.
13. Beginning the flush medians just around the bends to the east of the proposed central pedestrian refuge Islands will align approaching traffic within the new lane marking and guide them past the proposed new islands. Refer to **Attachment 1**.

### **Proposed Associated No Stopping Lines**

14. It is important to provide clear sight lines for both pedestrians and motorists at pedestrian facilities, therefore no stopping lines are proposed for the approaches and departures of both central pedestrian refuge islands.
15. On the north side of Cashmere Road outside number 31 there is insufficient space to install a build out corresponding to the central pedestrian refuge island. Because of this it is proposed to install no stopping lines to provide adequate sightlines to increase safety for pedestrians crossing the road.
16. It was considered prudent to install no stopping lines at the roundabout and intersections along the portion of Cashmere Road covered in this project where they did not exist but should be installed. Therefore it is proposed to install no stopping lines at the Crichton Terrace, Barrington Street and Purau Terrace intersections with Cashmere Road. No stopping lines are also proposed on the Barrington Street Bridge over the Heathcote River. Refer to **Attachment 1 and 2**.

### **Proposed bus Stop upgrade**

17. It is further proposed to upgrade the four existing bus stops located in the immediate vicinity of the proposed pedestrian refuge islands so that they meet the required standard. This will promote efficiency in loading, and entry and exit of the buses using the stop.

## **CONSULTATION**

18. The first round of consultation took place in February 2011, but due to the earthquake on 22 February Staff decided to re-consult. This was undertaken in July/ August 2011. Please refer to paragraph 30 for full details.

## **FINANCIAL IMPLICATIONS**

19. The estimated cost of this proposal is approximately \$65,000.

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

20. The installation of road markings, signs and pedestrian facilities is within the LTCCP Streets and Transport capital expenditure budget Safe Routes to Schools.

**10. Cont'd**

**LEGAL CONSIDERATIONS**

21. 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.
22. The Community Boards have delegated authority from the Council to exercise the delegations as set out in the Register of Delegations. The list of delegations for the Community Boards includes the resolution of parking restrictions and traffic control devices.
23. The installation of any signs and/or markings associated with traffic control devices must comply with the Land Transport Rule: Traffic Control Devices 2004.

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

24. As above.

**ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

25. 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?**

26. As above

**ALIGNMENT WITH STRATEGIES**

27. The recommendations align with the Council Strategies including the Road Safety Strategy 2004 and the Pedestrian Strategy 2001.

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

28. As above

**CONSULTATION FULFILMENT**

29. Public consultation for this project was undertaken using the following methods:
  - (a) Letter box drop
  - (b) Direct contact to key stakeholders
  - (c) Two onsite meetings
  - (d) Have Your Say website
  - (e) Information on display at Beckenham Service Centre
30. An Initial consultation period was undertaken in February 2011, however, the earthquake of 22 February resulted in the consultation not being completed. In order to ensure that all interested parties had the opportunity to provide comments staff consulted again in July 2011. The submissions received in the initial consultation have been included in the figures below.
31. Forty six residents/property owners and 152 stakeholders such as the Residents' Association and emergency services received a copy of the consultation document. For the pedestrian island proposed outside 61 Cashmere Road, 13 responses were received in support and nine in opposition. For the pedestrian island outside 31 Cashmere Road 14 responses were received in support and three in opposition.



**10. Cont'd**

32. Following two onsite meetings on 1 August 2011 and 12 August 2011 (including elected members, staff and concerned residents) the no stopping restriction has been extended from 61 Cashmere Road to the property boundary between 57 and 55 Cashmere Road. This has been extended due to concerns that the refuge island could exacerbate issues facing vehicles exiting private driveways. The extension of the no stopping restriction will prevent vehicles parking in this area and provide greater visibility. The edge line has been positioned further into the road near 57 Cashmere Road to ensure vehicles are pushed away from the vehicle entrance. This will align the vehicles to the correct position in the roadway for the refuge island. The installation of line markings delineating the road and a built structure in the form of a refuge island has been shown to act as traffic calming measures. This should assist in reducing speeds and help increase the safety for entry and egress by residents.
33. Other issues raised were that the islands would create a "pinch point for vehicles". This actually has a positive effect on bringing traffic speeds down as the refuge islands act as a traffic calming measure. "This money would be better spent else where", this project has funding for this financial year under pedestrian safety. The funds may not be available next year for this project. The funding is specifically allocated for pedestrian safety projects and is separate to the money allocated for the earthquake recovery. "The removal of parking will be detrimental to residents". All housing in this area has off street parking available and the safety of vulnerable road users is a higher priority than on street parking. "Children will not use the crossing" we will be working closely with the school to encourage children to utilise this crossing facility. "This project does not consider the need for a provision for cyclists". In the 2009/10 financial year staff included the two proposed facilities in the Centaurus/Cashmere Road Cycleway Project however this project was postponed. Staff not wanting to delay the installation of the crossing facilities have prepared them as a standalone pedestrian safety project. This pedestrian safety project has been future proofed with consideration given to the design to allow for the provision of a 1.5 metre cycle lane in the future, subject to funding and approval. "Area is in the white zone and therefore this project should be placed on hold until a decision has been made". This project will not detrimentally effect the rebuild of properties if required and Cashmere Road will remain a minor arterial whatever the outcome of the white zone properties. "Visibility is not good here" the refuge islands have been designed to all current standards and requirements in terms of safe stopping distances and sight lines. A safety audit has also been completed.
34. The issues raised regarding the proposed pedestrian refuge island outside 31 Cashmere Road related to the removal of parking and the lack of cycle facilities provided. This has been covered in point 33 above.

**STAFF RECOMMENDATION**

It is recommended that the Spreydon/Heathcote Community Board:

**61 Cashmere Road**

Revoke Existing Resolutions (at Cashmere/Crichton Intersection)

- (a) That the stopping of vehicles currently prohibited at any time on the west side of Crichton Terrace commencing at its intersection with Cashmere Road and extending in a southerly direction for a distance of 10 metres be revoked.
- (b) That the stopping of vehicles currently prohibited at any time on the south side of Cashmere Road commencing at its intersection with Crichton Terrace and extending in a westerly direction for a distance of 10 metres be revoked.
- (c) That all existing parking restrictions on the south side of Cashmere Road commencing at its intersection with Crichton Terrace and extending in an easterly direction for a distance of 160 metres be revoked.
- (d) That the stopping of vehicles currently prohibited at any time on the east side of Crichton Terrace commencing at its intersection with Cashmere Road and extending in a southerly direction for a distance of 10 metres be revoked.

**10. Cont'd**

**31 Cashmere Road**

Revoke Existing Resolutions (at Barrington/Cashmere/Purau Intersection)

- (e) That the stopping of vehicles currently prohibited at any time on the northwest side of Cashmere Road commencing at its intersection with Barrington Street and extending in a south westerly direction for a distance of 277 metres be revoked.
- (f) That the stopping of vehicles currently prohibited at any time on the southwest side of Barrington Street commencing at its intersection with Cashmere Road and extending in a north westerly direction for a distance of 37 metres be revoked.
- (g) That the stopping of vehicles currently prohibited at any time on the northeast side of Barrington Street commencing at its intersection with Cashmere Road and extending in a north westerly direction for a distance of 37 metres be revoked.
- (h) That all existing parking restrictions on the northwest side of Cashmere Road commencing at its intersection with Barrington Street and extending in a north easterly direction for a distance of 151 metres be revoked.
- (i) That all existing parking restrictions on the southeast side of Cashmere Road commencing at its intersection with Purau Terrace and extending in a north easterly direction for a distance of 135 metres be revoked.
- (j) That the stopping of vehicles currently prohibited at any time on the northeast side of Purau Terrace commencing at its intersection with Cashmere Road and extending in a south easterly direction for a distance of 12 metres be revoked.
- (k) That the stopping of vehicles currently prohibited at any time on the southwest side of Purau Terrace commencing at its intersection with Cashmere Road and extending in a south easterly direction for a distance of 13 metres be revoked.
- (l) That the stopping of vehicles currently prohibited at any time on the southeast side of Cashmere Road commencing at its intersection with Purau Terrace and extending in a south westerly direction for a distance of 29 metres be revoked.

Revoke Existing Resolutions (at Ashgrove/Barrington Intersection)

- (m) That the stopping of vehicles currently prohibited at any time on the southeast side of Ashgrove Terrace commencing at its intersection with Barrington Street and extending in a north easterly direction for a distance of 6 metres be revoked.

**APPROVE THE FOLLOWING:**

**61 Cashmere Road**

No Stopping at Any Time (at Cashmere/Crichton intersection)

- (n) That the stopping of vehicles be prohibited at any time on the west side of Crichton Terrace commencing at its intersection with Cashmere Road and extending in a southerly direction for a distance of 10 metres.
- (o) That the stopping of vehicles be prohibited at any time on the south side of Cashmere Road commencing at its intersection with Crichton Terrace and extending in a westerly direction for a distance of 10 metres.
- (p) That the stopping of vehicles be prohibited at any time on the south side of Cashmere Road commencing at its intersection with Crichton Terrace and extending in an easterly direction for a distance of 25 metres.

**10. Cont'd**

- (q) That the stopping of vehicles be prohibited at any time on the east side of Crichton Terrace commencing at its intersection with Cashmere Road and extending in a southerly direction for a distance of 10 metres.

No Stopping At Any Time (on Cashmere Road)

- (r) That the stopping of vehicles be prohibited at any time on the south side of Cashmere Road commencing at a point 39 metres east of its intersection with Crichton Terrace and extending in an easterly direction for a distance of 121 metres.
- (s) That the stopping of vehicles be prohibited at any time on the north side of Cashmere Road commencing at a point 202 metres west of its intersection with Barrington Street and extending in westerly direction for a distance of 50 metres.
- (t) That the stopping of vehicles be prohibited at any time on the north side of Cashmere Road commencing at a point 266 metres west of its intersection with Barrington Street and extending in a westerly direction for a distance of 11 metres.

Bus Stops

- (r) That a "bus stop" be installed on the north side of Cashmere Road commencing at a point 252 metres west of its intersection with Barrington Street and extending in a westerly direction for a distance of 14 metres.
- (s) That a "bus stop" be installed on the south side of Cashmere Road commencing at a point 25 metres east of its intersection with Crichton Terrace and extending in an easterly direction for a distance of 14 metres.

**31 Cashmere Road**

No Stopping At Any Time (at Barrington/Cashmere intersection)

- (t) That the stopping of vehicles be prohibited at any time on the northwest side of Cashmere Road commencing at its intersection with Barrington Street and extending in a south westerly direction for a distance of 29 metres.
- (u) That the stopping of vehicles be prohibited at any time on the southwest side of Barrington Street commencing at its intersection with Cashmere Road and extending in a north westerly direction for a distance of 37 metres.
- (v) That the stopping of vehicles be prohibited at any time on the northeast side of Barrington Street commencing at its intersection with Cashmere Road and extending in a north westerly direction for a distance of 37 metres.
- (w) That the stopping of vehicles be prohibited at any time on the northwest side of Cashmere Road commencing at its intersection with Barrington Street and extending in a north easterly direction for a distance of 40 metres.
- (x) That the stopping of vehicles be prohibited at any time on the southeast side of Cashmere Road commencing at its intersection with Barrington Street and extending in a north easterly direction for a distance of 35 metres.
- (y) That the stopping of vehicles be prohibited at any time on the northeast side of Purau Terrace commencing at its intersection with Cashmere Road and extending in a south easterly direction for a distance of 12 metres.
- (z) That the stopping of vehicles be prohibited at any time on the southwest side of Purau Terrace commencing at its intersection with Cashmere Road and extending in a south easterly direction for a distance of 13 metres.

**10. Cont'd**

- (aa) That the stopping of vehicles be prohibited at any time on the southeast side of Cashmere Road commencing at its intersection with Purau Terrace and extending in a south westerly direction for a distance of 29 metres.

No Stopping at Any Time (at Ashgrove/Barrington intersection)

- (bb) That the stopping of vehicles be prohibited at any time on the southeast side of Ashgrove Terrace commencing at its intersection with Barrington Street and extending in a north easterly direction for a distance of 6 metres.

No Stopping At Any Time (on Cashmere Road)

- (cc) That the stopping of vehicles be prohibited at any time on the northwest side of Cashmere Road commencing at a point 54 metres north east of its intersection with Barrington Street and extending in a north easterly direction for a distance of 97 metres.
- (dd) That the stopping of vehicles be prohibited at any time on the southeast side of Cashmere Road commencing at a point 71 metres north east of its intersection with Purau Terrace and extending in a north easterly direction for a distance of 4 metres.
- (ee) That the stopping of vehicles be prohibited at any time on the southeast side of Cashmere Road commencing at a point 89 metres north east of its intersection with Purau Terrace and extending in a north easterly direction for a distance of 46 metres.

Bus Stops

- (ff) That a "bus stop" be installed on the northwest side of Cashmere Road commencing at a point 40 metres north east of its intersection with Barrington Street and extending in a north easterly direction for a distance of 14 metres.
- (gg) That a "bus stop" be installed on the southeast side of Cashmere Road commencing at a point 75 metres north east of its intersection with Purau Terrace and extending in a north easterly direction for a distance of 14 metres.

**CHAIRPERSON'S RECOMMENDATION**

For discussion.

## 11. REVIEW OF DELEGATIONS TO COMMUNITY BOARDS



<b>General Manager responsible:</b>	General Manager Regulation and Democracy Services
<b>Officer responsible:</b>	Legal Services Manager
<b>Author:</b>	Vivienne Wilson, Solicitor and Chris Gilbert, Legal Services Unit Manager

**PURPOSE OF REPORT**

1. The purpose of this report is to submit to each Community Board, for review, the current delegations from the Council. The current delegations are set out in **Attachment A and Attachment B**.

**EXECUTIVE SUMMARY**

2. On 9 June 2011, the Council resolved to delegate to Community Boards the matters set out in Attachment A. However, the Council also resolved that the Community Boards be asked to review the delegations and bring them back to the Council by November 2011.
3. This report sets out the terms of the current delegations to Community Boards. Each Community Board is asked to review the current delegations and identify any issues they may have with the current provisions.

**LEGAL CONSIDERATIONS**

4. The Local Government Act 2002 provides that "... for the purposes of efficiency and effectiveness in the conduct of a local authority's business, a local authority may delegate to a committee or other subordinate decision-making body, community board, or member or officer of the local authority any of its responsibilities, duties, or powers" except for certain specified responsibilities, duties and powers. The Council is also able to impose any conditions, limitations or prohibitions on any delegations it may make.
5. The Local Government Act 2002 also provides that the Council must consider whether or not to delegate to a Community Board if the delegation would enable the Community Board to best achieve its role.
6. Section 52 of the Act defines the role of Community Boards as follows:
  - (a) *represent, and act as an advocate for, the interests of its community; and*
  - (b) *consider and report on all matters referred to it by the territorial authority, or any matter of interest or concern to the community board; and*
  - (c) *maintain an overview of services provided by the territorial authority within the community; and*
  - (d) *prepare an annual submission to the territorial authority for expenditure within the community; and*
  - (e) *communicate with community organisations and special interest groups within the community; and*
  - (f) *undertake any other responsibilities that are delegated to it by the territorial authority.*
7. The Act provides that once a delegation has been made by the Council to a Community Board then that Board is legally able to make a decision within the delegations as if it were the Council itself. This means that decisions made by a Community Board within the delegations legally bind the Council. If a matter or issue does not fall within these delegations, as a default position, a decision on that matter or issue is one for the Council itself.

11. Cont'd

8. The Act provides that the Council itself cannot rescind or amend a decision made by a Community Board made under delegated authority. However, the Council can at any time amend or revoke a delegation so as to apply any future decisions.

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

9. Yes. The delegations comply with the Local Government Act 2002.

**CONSULTATION FULFILMENT**

10. Staff from the Legal Services Unit discussed the delegations with the chairs of each Community Board on 22 July 2011 at the Community Board Chair Forum. The Chairs raised a number of issues in relation to delegations set out below. Comments on those issues follow immediately after:

(a) *From time to time, Community Boards would like the opportunity to make, on their own account, submissions on notified resource consent hearings.* **Comment:** Following legal advice, the Council's position is that Community Boards are not able to make submissions on notified resource consent hearings on their own account unless this power has been delegated to them. The delegations currently provide that Community Boards have the power to make submissions on behalf of the Council, on applications for resource consents, to other territorial authorities or the Canterbury Regional Council, where the application is of particular concern to the local community.

(b) *Thought needs to be given to the role of Community Boards following the earthquakes, ie Suburban Recovery Planning.* **Comment:** At the 23 June meeting of Council, the Council considered a report outlining a proposed Suburban Centres programme. The aim of the Suburban Centres programme of work is to assist in the recovery and rebuild of earthquake damaged commercial centres through: assisting with planning, design and transport related matters; facilitating discussions with property owners and commercial ventures; and providing contact details for other agencies. The work programme consists of two streams of work:

- masterplans for the larger, more damaged centres; and
- case management for smaller centres

Prior to taking the 23 June report to Council, the Community Boards were individually consulted on the proposed work to ensure they were aware of this initiative and to provide an opportunity for discussion. Their feedback was sought on whether the centres identified in their area should be treated as masterplans or through case management.

There will be further opportunities for community involvement in the masterplan process. Each masterplan will have an approximately five month project design phase involving community and stakeholder engagement. The project aims to provide the stakeholders (including businesses, community groups and local residents) with information and an opportunity to engage and partake in the rebuild of centres. The process for developing each masterplan includes focus group discussions with key stakeholders, technical workshops, public meetings and elected member presentations. The outputs include an agreed vision and masterplan for each centre, together with an implementation plan.

## 11. Cont'd

- (c) *With respect to the Hagley/Ferrymead Community Board, could there be some explanation / justification for the approach of not permitting the Board to exercise its delegated functions in the Central City Area.* **Comment:** the Community Board delegations under the heading of "Roads, Parks and Leases" do not apply to that part of the Hagley/Ferrymead Community Board area situated within the "Central City Area" marked on the plan (Plan A) attached. Delegations for those "Roading and Parks issues" in that "Central City Area" are to be exercised by the Council with reports on those matters coming directly to the Council. Prior to the earthquakes in 2010 and 2011, the rationale for this approach was that the central city area was of metropolitan significance to the well-being and growth of the city as a whole. (This is currently recognised in the City Plan, the Central City Revitalisation Strategy and the Greater Christchurch Urban Development Strategy.) There was therefore a need to both consider issues within this area on a city-wide basis and to be able to respond without undue delay. It was considered that it would quicken the process for dealing with central city issues if matters went directly to the Council without first proceeding to the Board.
- (d) *The Community Boards would like to be involved at much earlier stage with respect to proposed Council works in reserves in their local areas. This relates to maintenance, renewals and capital projects.* **Comment:** The delegations currently provide that Community Boards have the powers of the Council (except the hearing of submissions/objections) in relation to preparation, review and change of management plans for reserves. Under section 41 of the Reserves Act 1977, management plans are to provide for and ensure the use, enjoyment, maintenance, protection, and preservation, as the case may require, and, to the extent that the administering body's resources permit, the development, as appropriate, of the reserve for the purposes for which it is classified. Management plans must also incorporate and ensure compliance with the principles set out in section 17, section 18, section 19, section 20, section 21, section 22, or section 23, as the case may be, of the Reserves Act for a reserve of that classification. .
- At present, reserve management plans are not in place for all reserves in the district, or some reserve management plans are at a high level. As reserve management plans are prepared or reviewed, there is scope for the plans to provide in more detail for proposed works. However, capex and opex expenditure are considered as part of the Annual Plan and Long Term Plan processes. Recent management plans have indicated that developments mentioned in the plans are dependent on the Long Term Plan process.
- (e) *Boards have the responsibility to make submissions on the Annual Plan. Six years ago, it was the practice for Boards to have input into the draft of the Annual Plan before it was consulted on. Can that be specified in the delegations?* **Comment:** There is a very tight timeframe each year for the preparation of the Annual Plan. It would be difficult to build in extra time for Community Boards to comment on the draft Annual Plan before it is signed off by the Council to start the formal consultation process. Once the special consultative procedure starts, Community Boards are able to participate fully in making a submission and providing quality feedback to the Council on the draft Annual Plan. It is acknowledged that under section 52(d) of the Local Government Act 2002, the role of Community Boards includes preparing an annual submission to the Council for expenditure within the community. However, it is considered that this role is ordinarily provided for in the current Annual Plan process.
- (f) *With abundance of local Reserve Management Committee on the peninsula, there is the opportunity when reserve planning takes place to involve all stakeholders – the Council, the Community Board and land owners. In general a clearer pathway is needed for consultation.* **Comment:** The Community Boards have specific delegated powers for local projects but not all local projects. This means that not all local projects will be referred to Community Boards for a decision. However, there is scope within the current delegations dealing with reserves and reserve management plans for discussions about reserve planning in the future, as discussed at paragraph (d) above.

**11. Cont'd**

- (g) *When matters are considered in public excluded before the Community Board, Board members are subsequently excluded from the public excluded part of the meeting when the matter comes before Council. Could this be clarified? Comment:* As you will be aware, under section 48 of the Local Government Official Information and Meetings Act 1987, the Council (and Community Boards) may by resolution exclude the public from the whole or any part of the proceedings of any meeting only on one a number of specified grounds. Under section 48(5), any such resolution may provide for one or more specified persons to remain after the public has been excluded if that person, or persons, has or have, in the opinion of the local authority, knowledge that will assist the authority. Section 48(6) states that the resolution must state the knowledge possessed by that person or those persons which will be of assistance in relation to the matter to be discussed and how it is relevant to that matter. It would be open to the Council to resolve that members of a Community Board may stay in the public excluded part of the meeting if this is appropriate.

11. The comments from each Community Board will in due course be reported back to the Council. It is anticipated that before the Council considers the report with the Community Board comments there will be a workshop between the Councillors and Community Board members.

**STAFF RECOMMENDATION**

It is recommended that the Community Board:

- (a) Consider each of its current delegations and indicate whether it would like to see any amendments.

**CHAIRPERSON'S RECOMMENDATION**

For discussion.



11. Cont'd

**BACKGROUND (THE ISSUES)**

12. After each local authority election, it is the practice of the Council to reconsider and resolve the delegations it makes to the Community Boards. Following the disruption caused by the earthquakes on 4 September 2010 and 22 February 2011, the Council delegated various responsibilities, duties and powers to the Community Boards on 9 June 2011. However, the Council also resolved that the Community Boards be asked to review the delegations and bring them back to the Council by November 2011.
13. It should be noted that even though the Council did not resolve the delegations until 9 June 2011, the previous delegations continued in force over that period. There was no question that, in the interim, the Boards acted without delegated authority.
14. The current delegations, as set out in Attachment A, cover a wide range of matters, including financial delegations, roads, sale of liquor, resource management, parks, leases and other miscellaneous matters. There are some specific provisions relating to the Hagley/Ferrymead Community Board, the Lyttelton/Mt Herbert Community Board, and the Akaroa/Wairewa Community Board.
15. It should be noted that it has been the Council's procedure for many years that any exercise of the Board delegations must be within any policies or standards set by the Council. So if the Council has resolved a particular position then it is not open to a Community Board to make a decision which conflicts with that Council position.
16. Experience has also shown it is not feasible to write delegations which cover every permutation of a subject. The question may arise as of whether a matter falls within a Board's delegated authority.
17. To assist in these situations a decision on whether or not a Board has delegated authority on a particular matter will be a matter for joint decision by the General Manager, City Environment (as most matters are considered to be delegated are operational issues that fall within that group) and the General Manager Regulation and Democracy Services Manager. This is provided for in Attachment A.
18. Where there is a matter outside a Board delegation, such as a metropolitan facility which has a city wide impact but is situated in a particular Community Board area, and where the Board historically has taken an interest in the activities on that facility within their community, the issue has been addressed in the following way: a report on a particular matter involving the metropolitan facility is forwarded to the Community Board for comment before referring the final report to Council.
19. Following the report to Council on 9 June 2011, it has come to the attention of staff that there are some further delegations that have been made by the Council to Community Boards that have not been reflected in Attachment A. These delegations relate to the Council's Road Stopping Policy and are set out in **Attachment B**. The road stopping delegations were made on 9 April 2009 and are still in force. However, it would be desirable for these delegations to be contained in the Council's Delegation Register with the other delegations.

**THE OBJECTIVES**

20. The purpose of the review is to provide an opportunity for each Community Board to consider and comment on their current set of delegations with respect to any issues that they may have.

**THE OPTIONS**

21. There are two options;

Option 1 – consider the current set of delegations but provide no comments.

**11. Cont'd**

Option 2 - consider the current set of delegations and provide comments to the Council with respect to any issues the Board may have.

**THE PREFERRED OPTION**

22. The preferred option is option 2. The Council has expressed a desire for the Community Boards to review their current delegations and provide feedback to the Council.

**12. CONSIDERATION OF APPLICATIONS FOR NEIGHBOURHOOD WEEK FUNDING**

<b>General Manager responsible:</b>	General Manager Community Services, DDI 941-8534
<b>Officer responsible:</b>	Community Support Manager,
<b>Author:</b>	Mary O'Reilly, Community Engagement Adviser

**PURPOSE OF REPORT**

1. The purpose of this report is to consider applications for Neighbourhood Week funding and to set in place a process should any late applications need to be considered

**EXECUTIVE SUMMARY**

2. Local community groups, including residents' associations and neighbourhood support groups will be sent information inviting them to apply for the Neighbourhood Week Funding that has been set aside by the Board.
3. Neighbourhood Week is a dedicated week in which individuals and groups are encouraged to get together and get to know one another locally. Neighbourhood Week 2011 is to be held from 29 October – 6 November 2011. Applications for funding close on 9 September 2011.
4. A matrix outlining the applications and staff recommendations has been **separately circulated**.

**FINANCIAL IMPLICATIONS**

5. The Board has set aside \$4,000 from the Strengthening Communities Fund to assist individuals and groups run events. It is not the intention of this funding to totally fund events. Those applying for funding are expected to partially resource events themselves either financially or through supply of materials.

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

6. Page 173 off the LTCCP under Community support – Strengthening communities and page 178 of the LTCCP under Community support – Community grants.

**LEGAL CONSIDERATIONS**

7. Under Council Standing Order 12.10 (Powers of Delegation), a sub committee may be appointed and given the power to act.

**ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

8. Page 173 of the LTCCP under Community Support – Strengthening communities and page 178 of the LTCCP under Community support – Community grants.

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

9. As above.

**ALIGNMENT WITH STRATEGIES**

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

10. Funding for Neighbourhood Week activities aligns with the Council's Strong Communities strategic outcomes.

**CONSULTATION FULFILMENT**

11. Not applicable.

**12. Cont'd**

**STAFF RECOMMENDATION**

It is recommended that the Board:

- (a) Consider the applications as set out in the circulated matrix and allocate Neighbourhood Week funds accordingly.
- (b) Assign delegated authority to the Board Chairperson and Deputy Chairperson to consider any additional applications and allocate funding, should any funds remain.

**CHAIRPERSON'S RECOMMENDATION**

For discussion.

**13. COMMUNITY BOARD ADVISER'S UPDATE**

**14. ELECTED MEMBERS INFORMATION EXCHANGE**

The purpose of this exchange is to provide a short brief to other members on activities that have been attended or to provide information in general that is beneficial to all members.

**15. MEMBERS' QUESTIONS UNDER STANDING ORDERS**