

7. 7. 2005

**SPREYDON/HEATHCOTE COMMUNITY BOARD
21 JUNE 2005**

**A meeting of the Spreydon/Heathcote Community Board
was held on Tuesday 21 June 2005 at 5pm**

PRESENT Phil Clearwater (Chairperson), Oscar Alpers, Barry Corbett,
Chris Mene, Paul de Spa, Sue Wells and Megan Woods.

APOLOGIES: An apology for absence was received and accepted from
Sue Wells.

An apology for lateness was received and accepted from Paul de
Spa who arrived at 5.08pm and was absent for clauses 7 and 8 and
part of clause 1.

Oscar Alpers arrived at 5.13pm and was absent for clauses 1, 7 and
8 and part of clause 9.

The Board reports that:

PART A – MATTERS REQUIRING A COUNCIL DECISION

1. PROPOSED DISPOSAL OF LAND FOR AN ORION KIOSK SITE – JERROLD STREET NORTH

General Manager responsible:	General Manager Corporate Services
Officer responsible:	Corporate Support Manager
Author:	Debbie Harris, Property Consultant DDI 941-8940

PURPOSE OF REPORT

1. To obtain the Council's authority to transfer Lot 1 shown on Scheme Plan 1484-01 situated at 28-30 Jerrold Street North, Addington, to Orion New Zealand Limited for the purpose of a kiosk site.

EXECUTIVE SUMMARY

2. This report seeks the consent of the Council to transfer 11m² of land in Jerrold Street North, Addington, occupied by an electrical kiosk, to Orion New Zealand Limited (Orion).
3. In 1986 the Council stopped part of Jerrold Street North, Addington shown as Lots 1 and 2 on the attached plan. An area of the stopped road comprising 5m² is occupied by an electrical kiosk and at the time of the stopping, the Council agreed to transfer this area to the predecessor of Orion for consideration of \$320. This amount was paid by Orion in June 1999. However, the title to the kiosk was never transferred from the Council to Orion.
4. At the same time as negotiating the sale of the 5m² area, Orion advised that a further 6m² was required as the initial area of 5m² did not allow access to the old type doors on the north and east side of the kiosk. To accommodate this oversight, the Council agreed to an easement over a further 6m² area. However, the easement was never actioned.
5. In an effort to tidy up the physical situation, staff have recently entered into discussions with Orion. Orion have indicated a preference to acquire the additional 6m² rather than take an easement

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1 Cont'd

6. In summary, the proposal is to transfer a total area of 11m² to Orion to accommodate the existing kiosk on site.
7. It is not considered that there are any persons affected or likely to have an interest in this matter. The Transport and City Streets Unit is of the view that a transfer of the total 11m² area is the only practical solution and, as such, this is the only option being considered.

FINANCIAL AND LEGAL CONSIDERATIONS

Financial

8. Orion has already paid consideration of \$320 being the purchase price for the initial 5m² area.
9. Orion has agreed to pay the cost of the survey associated with the acquisition of the additional 6m² area, with the Council and Orion being responsible for its respective legal fees. In view of the minimal value of the land involved and the necessity to tidy this issue up, this is believed to be a fair compromise.

Legal

10. There is no delegated authority on this matter, therefore the decision needs to be made by the full Council.
11. Section 345 (1)(d) of the Local Government Act 1974 provides that in relation to stopped road which is no longer required by the local authority, the Council may transfer that part for any purpose of public convenience or utility.
12. The disposal of the subject area to Orion falls within the ambit of this section of the Act

RECOMMENDATION

It is recommended that pursuant to Section 345(1)(d) of the Local Government Act 1974, the Council resolve to dispose of Lot 1 shown on Scheme Plan 1484-01 and situated at 28-30 Jerrold Street North, Addington, to Orion New Zealand Limited for the purpose of an electrical kiosk subject to:

- (a) Orion New Zealand Limited being responsible for all costs associated with the survey of Section 1; and
- (b) The Christchurch City Council and Orion New Zealand Limited bearing the respective legal costs of approximately \$300 associated with the physical transfer of Lot 1 to Orion.

PART B – REPORTS FOR INFORMATION

2. REQUEST FOR 'NO STOPPING' RESTRICTIONS IN COLOMBO STREET

An oral update was provided regarding a request for no stopping lines to be installed on a section of Colombo Street.

The Board **received** the information and requested an officer's report in relation to the installation of "No Stopping between 10pm and 5am" signs on the eastern side of Colombo Street, between Waverley and Carlyle Streets.

3. UPDATE OF BOARD FUNDS

The Board **received** an update regarding its 2004/05 Project, Discretionary, SCAP and Youth Development Funds.

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4. UPDATE FROM COMMUNITY BOARD PRINCIPAL ADVISER

The Board **received** an update on current issues, including some Transport and City Streets Unit projects.

5. BOARD MEMBERS' INFORMATION EXCHANGE

Members were provided with an opportunity to give a brief update on community activities/Council issues, in line with the Board's Objective No. 2 - "To ensure local people's needs are being represented".

6. SUPPLEMENTARY REPORT: PROPOSAL FOR UNALLOCATED 2004/05 FUNDS

The Chairperson sought the approval of the Board to introduce a supplementary report on proposals to expend the balance of its 2004/05 Discretionary Fund.

The reasons why the item was not on the agenda and why the matter could not wait for the next meeting were explained to the Board. The Board **decided** that the report be received and considered at the present meeting.

PART C – REPORT ON DELEGATED DECISIONS TAKEN BY THE BOARD

7. CONFIRMATION OF REPORT TO COUNCIL: 7 JUNE 2005

It was **resolved** that the report of the Board's meeting of 7 June 2005 be confirmed as a true and accurate record of that meeting.

8. PROPOSED TREE REMOVAL – GARLANDS RESERVE, 124 GARLANDS ROAD

The Board's approval was sought to remove four willow trees (*salix* spp.) along the northern boundary of Garlands Reserve as a result of Steve Bush's deputation to the Board's meeting of 5 April 2005.

The Board **resolved** to approve removal of the four willow trees on the northern boundary of Garlands Reserve, with replacement planting of natives to be donated by Trees for Canterbury.

9. HERITAGE WEEK – BOARD PARTICIPATION

The Board was requested to appoint members to a sub-committee to discuss participation in Heritage Week 2005.

The Board **resolved** to appoint Megan Woods, Sue Wells and Phil Clearwater to its Heritage Week Sub-Committee.

10. SOUTH LIBRARY ART WORK

The Board was requested to appoint a representative to a Project Team comprising community representatives.

The Board **resolved** to appoint Paul de Spa as its representative on the Project Team for the South Library Public Artwork project.

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11. PROPOSAL FOR UNALLOCATED 2004/405 FUNDS

The Board was requested to consider proposals to expend the balance of its 2004/05 Discretionary Fund.

The Board **resolved** to allocate the following sums:

1. \$1,290 from its 2004/05 Discretionary Fund for the purchase of a Windsor Heritage seat to be installed at Cracroft Reserve in memory of the late Ian Howell.
2. A total of \$7,879 to Kingdom Resources (being \$5,525 from its 2004/05 Discretionary Fund and \$2,354 from its 2004/05 Project Fund – the latter being previously allocated to newsletters and information sharing) to assist with relocation costs associated with the group moving to new premises at Addington Mall.

The meeting concluded at 7.17pm

CONSIDERED THIS 5TH DAY OF JULY 2005

**PHIL CLEARWATER
CHAIRPERSON**