

10. 4. 2008

**RICCARTON/WIGRAM COMMUNITY BOARD
4 MARCH 2008**

**Minutes of
a meeting of the Riccarton/Wigram Community Board
held on Tuesday 4 March 2008 at 5.30pm
in the Board Room, Sockburn Service Centre**


PRESENT: Peter Laloli (Chairperson), Helen Broughton, Jimmy Chen, Beth Dunn,
Mike Mora, Bob Shearing.

APOLOGIES: Nil

The Board reports that:

PART A – MATTERS REQUIRING A COUNCIL DECISION

1. DISPOSAL OF ROAD LAND IN GOULDING AVENUE, HORNBY



General Manager responsible:	General Manager City Environment DDI 941 8235
Officer responsible:	Transport and Greenspace Manager
Author:	Weng-Kei Chen

PURPOSE OF REPORT

1. The purpose of this report is to seek Council approval to dispose of two small parcels of surplus road land in Goulding Avenue as indicated on the attached plan.

EXECUTIVE SUMMARY

2. The two parcels of road land are currently held by the Council in fee simple as described in CB 748/78 with a total area of 162m².
3. The parcels of land were retained by the Council for the purpose of "Land for use convenience and enjoyment of road."
4. An approach was made recently by the owner of Dress-Smart Shopping Centre to use Section 1 of Council land as shown on the attached plan (Attachment 1). The owner has recently been granted resource consent to build a new vehicle entranceway on land owned by the Council.
5. The parcels of road land indicated as Sections 1 and 2 are surplus to roading needs and can be declared surplus for disposal to adjacent land owners.
6. Section 2 is adjacent to Council owned land and currently is in fee simple title being used for recreation purposes.

FINANCIAL IMPLICATIONS

7. The Council will receive the proceeds from the sale of Section 1 to the owner of the Dress-Smart Shopping Centre.
8. The cost incurred by the Council will be the amalgamation of Section 2 with an adjacent property owned by the Council at 18 Goulding Avenue.

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

9. Yes.

1 Cont'd

LEGAL CONSIDERATIONS

10. Section 40 Public Works Act 1981 – offer back obligation where any land is held for a public work and no longer required for that work or any other work, unless one of the exceptions referred to in Sec 40 (2)(a) or (b) apply. The Council is required to offer to sell the land at current market valuation to “the person from whom it was acquired or the successor of that person.”

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

11. Yes. Parcels can only be sold to adjacent land owners due to size and shape factors.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

12. LTCCP page 152 “Streets and Transport Objectives” – to provide a sustainable network of streets.

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

13. Yes.

ALIGNMENT WITH STRATEGIES

14. This action is consistent with traffic objectives stated in the City Plan.

Do the recommendations align with the Council’s strategies?

15. Yes.

CONSULTATION FULFILMENT

16. Not required.

BACKGROUND (THE ISSUES)

17. Following the completion of Goulding Ave in 1980 land surplus to roading requirements was retained in the Council’s ownership in fee-simple.
18. The fee-simple land described in CB 748/78 consists of Sections 1 and 2 as shown on the attached plan and is held for “Land for use convenience and enjoyment of a road.” (These are the remaining two parcels of road land following further road legalisations when vehicle crossings were authorised by the Council in 1981 and 2005.
19. These two parcels of road land are surplus to the Council’s roading needs and can be declared surplus to the Council’s requirements and be disposed of to adjacent land owners.
20. The Dress-Smart Centre was recently granted resource consent to construct a new vehicle crossing which requires the use of the parcel of land represented in the attached plan as Section 1. The use of this land is consistent with the purpose for which the land is held by Council.
21. The Resource Consent for Dress-Smart Centre involves:
 - An increase in the ground floor of the mall, and the demolition of the “Bendon” outlet.
 - Extensions to the multi-level parking structure, at Levels 1 and 2.
 - An extension of approximately 4,903 m² Gross Leaseable Floor Area (GLFA), resulting in a total GLFA of 7,018 m².

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1 Cont'd

- The supply of 348 car parking spaces including 35 staff and seven accessible spaces located in two levels of car parking, and seven staff spaces and a truck loading dock at ground floor level.
 - Vehicle access as follows;
 - Main South Road: An entry only ramp to second level parking deck.
 - Shands Road: A dual entry and exit ramp to first level deck.
 - Goulding Avenue: A dual entry and exit ramp to first level deck and separate access and egress to a three bay heavy goods vehicles loading and servicing area.
22. The disposal of Section 1 will enable the construction of the vehicle ramp entirely on private land.
23. Section 2 can be amalgamated with the Council's property at 18 Goulding Avenue which currently is used for recreation purpose.

STAFF RECOMMENDATION

It is recommended that the Council:

- (a) Declare the road land contained in CB 748/78 surplus to the Council's roading needs.
- (b) Dispose of the parcels of land shown as Sections 1 and 2 in Attachment 1 to adjacent land owners.

BOARD RECOMMENDATION

That the staff recommendation be adopted.

2. **DISPOSAL OF SURPLUS LAND AND DECLARATION OF PART OF LOT 5 DP 325033 AS ROAD - PILKINGTON WAY**

General Manager responsible:	General Manager City Environment, DDI 9418656
Officer responsible:	Transport and Greenspace Manager
Author:	Neera Vishnubhatla, Engineer (Information)

PURPOSE OF REPORT

- 1. The purpose of the report is to obtain Council approval to declare the parcel of land occupied by road shown in Attachment 1 as section 1 as surplus to the Council's requirement; to declare part of the link strip between the old cul-de-sac and extended road shown in Attachment 1 as section 3, part of the road; and to declare part of the link strip shown as section 2 in the Attachment 1 surplus to the Council's requirement, and to sell the land to the adjacent land owner.

EXECUTIVE SUMMARY

- 2. Staff have received an application from the owner of 25 Pilkington Way to purchase a parcel of land identified as section 1 (Attachment 1).
- 3. The parcel of land proposed to be stopped was part of a cul-de-sac when Pilkington Way was initially formed in 2003 from Hayton Road. Subsequently in 2004 the road was extended from the Vickerys Road end.
- 4. With the development in 2004, the cul-de-sac is no longer required for transport needs. It is very unlikely that the road will be widened in the future and hence the parcel of land proposed to be stopped has been assessed as surplus to Council requirements.

2 Cont'd

5. The removal of the turning head will create a more desirable road environment and will also provide added advantage to the adjacent land development.
6. Declaring the land as surplus and selling the land to the adjacent property owner creates a common boundary line consistent with the remaining road corridor for Pilkington Way.
7. The subdivision in 2003 was approved with a parcel of land Lot 5 DP 325033 vested in Council in fee simple at the end of the cul-de-sac. The parcel of land was created to enable the Council to manage road and other infrastructure network linkages to undeveloped neighbouring properties. The creation of a small parcel of land in Council ownership is not uncommon for new subdivisions. At the time of the road construction for the two subdivisions agreement was not able to be reached between developers to relinquish the creation of small parcel, hence the current situation.
8. Therefore, staff recommend that part of this parcel of land shown as section 3 in Attachment 1 be declared as part of the road and the remaining parts shown as sections 1 and 2 in Attachment 1 be declared surplus to the Council's requirement and be sold to the adjacent land owner.
9. The owner of 25 Pilkington Way is Pilkington Way Properties Ltd, an associated company of Quadrant Properties Ltd. These companies also own adjoining properties at 15 and 20-26 Pilkington Way.
10. Once the parcel of land is declared as surplus the kerb and channel will be replaced and any existing utilities to this parcel of land will be able to be protected by way of easement or be relocated and the costs will be recovered from the applicant.

FINANCIAL IMPLICATIONS

11. There is no cost to the Council involved.
12. The cost of disposal along with the associated fees for the road stopping process will be recovered by the Council from the applicant, plus the proceeds of the sale.

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

13. Yes.

LEGAL CONSIDERATIONS

Section 116 Public Works Act 1981 – Stopping Road

14. This section states that subject to the consent in writing of the territorial authority and the owner(s) of the land adjoining the road proposed to be stopped, then the road can be declared formally stopped by notice in the Gazette.

Section 114 Public Works Act 1981 – Declaring land to be Road

15. This section states that subject to the consent of the territorial authority in whose district the land is situated the Minister of Land may, by notice in the Gazette, declare any land to be road.

Section 40 Public Works Act 1981 – Offer Back Obligation

16. This section states, where land is held for a public work and is no longer required for that work or any other work, then, unless one of the exceptions referred to in sec 40 (2) (a) or (b) shall apply, the Council is required to offer to sell the land at current market valuation to the person from whom it was occupied or the successor of that person.

2 Cont'd

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

17. Yes.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

18. LTCCP page 152 "Streets and Transport Objectives" – to provide a sustainable network of streets.

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

19. Yes.

ALIGNMENT WITH STRATEGIES

20. This action is consistent with traffic objectives stated in the City Plan.

Do the recommendations align with the Council's strategies?

21. Yes.

CONSULTATION FULFILMENT

22. Not required.

STAFF RECOMMENDATION

It is recommended that the Council:

- (a) Declare the parcel of land occupied by road shown as section 1 in Attachment 1 surplus to the Council's requirements, and sell the land to the adjoining property owner.
- (b) Declare that part of the existing link strip between the extended road and the old cul-de-sac shown as Section 3 in Attachment 1 as part of the road.
- (c) Declare that part of the existing link strip shown as Section 2 in Attachment 1 surplus to Council's requirement and dispose of it to the adjacent land owner.

BOARD RECOMMENDATION

That the staff recommendation be adopted.

PART B – REPORTS FOR INFORMATION



3. CURLETT'S ROAD CYCLEWAY PROJECT

As a Council decision was required with some urgency, a report from the Chairpersons of the Spreydon/Heathcote and Riccarton/Wigram Community Boards on this matter was submitted to 13 March 2008 Council meeting.

4. DEPUTATIONS BY APPOINTMENT

4.1 HALSWELL RESIDENTS' ASSOCIATION

Ron Fensom and Ross McFarlane, representing the Halswell Residents' Association outlined the Association's frustration at the lack of progress in developing Halswell Domain, and the Council's apparent inability to complete the agreed agreements with the adjacent property developer.

They stated that there were no netball courts for the netball club to train on or the opportunity to host any competitions. It was noted that the netball club was affiliated to the rural competition and therefore did not have access to the Hagley Netball Courts. A representative of the netball club advised that they would consider a shared arrangement with the tennis club to give them access to court space.

Chris Freeman, Senior Parks & Waterways Planner, outlined to the Board proposed developments for Halswell Domain and the issues that had arisen as a result of the neighbouring developer's inactivity. Mr Freeman advised the Board that it was timely for a meeting be held with all Halswell Domain users to assess their current needs as the last consultation was held approximately four years ago.

The Board's decision on this matter is recorded under clause 5 of this report.

4.2 HYNDHOPE ROAD "NO STOPPING" RESTRICTION AND THE INSTALLATION OF A TURNING BAY

The Board **decided** to accept the delegation of Mr Philip Kennard.

Mr Philip Kennard, a resident of 36 Hyndhope Road, addressed the Board on his concerns regarding the proposed Hyndhope Road "No Stopping" Restriction and the installation of a turning bay near the western end of Hyndhope Road. Mr Kennard stated that if the placement of the restriction went ahead it would cause considerable inconvenience to visitors to 25, 30, 32, 35 and 36 Hyndhope Street.

Mr Kennard stated that ratepayers' money would be better spent on street lighting and remedial work on the stormwater flooding in the street.

The Board's decision on this matter is recorded under clause 13.5 of this report.

5. NOTICE OF MOTION

The following Notice of Motion was received from Helen Broughton pursuant to Standing Order 2.16.1:

1. *That the Riccarton/Wigram Community Board request four netball courts for the Halswell Domain.*
2. *That the Riccarton/Wigram Board through representatives Bob Shearing, Peter Laloli, Helen Broughton, Beth Dunn and Mike Mora seek an urgent meeting with senior Council management regarding plans for the Halswell Domain.*

The Notice of Motion was withdrawn by Helen Broughton with the leave of the meeting.

The Board **decided** to urgently seek speaking rights at a Council meeting in conjunction with the Halswell Domain Sports Association, to inform Councillors of all the issues surrounding the needs of sports codes, sports groups and domain users within the Halswell Domain, with a view to securing the additional land to the north of the domain.

6. CORRESPONDENCE

The Board **received** correspondence from the following:

- (a) A letter from David Martin, a resident of 52 Ilam Road, outlining his concerns on the process followed in relation to the proposed relocation of the bus stop outside 56 Ilam Road to outside 52 Ilam Road.
- (b) An e-mail from Angela Doherty, University of Canterbury student, thanking the Chairperson for his welcome letter to all university students. The letter was included in the students' orientation packs.

7. COMMUNITY BOARD ADVISER'S UPDATE

The Board **received** an update from the Community Board Adviser on Board related activities, projects within the ward, upcoming community events and the Board's Funding Report.

8. BOARD MEMBERS' EXCHANGE

Board members were provided with an opportunity to share issues of concern and give a brief update on community activities.

Peter Laloli advised the Board that he attended the Environment Canterbury (ECAN) Area Committee meeting held earlier in the week. During that meeting he was approached by an ECAN elected representative asking to meet with the Board. The Board **decided** to hold a seminar meeting with the four ECAN elected representatives in the area.

Bob Shearing discussed with the Board the issues raised at the 28 February Combined Community Boards Seminar on the Strengthening Communities Funding. Board members expressed their opinion that the new funding criteria constrained their ability to manage the Board's funding.

Mike Mora advised the Board that he had attended the Selwyn District Council Water Race Committee. An issue from that meeting was that there is no formal Memorandum of Understanding between the Christchurch City and Selwyn District Councils in relation to the water race system.

It was noted that the Council has delegated the appointment of the Council representative to the Selwyn District Council Water Race Committee to the Fendalton Waimariri and Riccarton Wigram Community Boards. The Board **decided** to advised the Fendalton Waimariri Community Board that the Riccarton Wigram Community Board nomination for the Selwyn District Council Water Race Committee is Mike Mora.

The Board **requested** that the Community Board Adviser give the Board an update on the removal of the trees in Brigham Drive.

9. GOOD NEWS STORIES

Mike Mora reported that he had received a thank you from a resident for the installation of "No Stopping" parking restrictions in ~~Chambers Street~~ Main South Road.

PART C – REPORTS ON DELEGATED DECISIONS TAKEN BY THE BOARD

10. CONFIRMATION OF BOARD MEETING REPORT – 19 FEBRUARY 2008

The Board **resolved** that the report of its meeting held on Tuesday 19 February 2008 be confirmed as a true and accurate record of that meeting.

11. EASEMENT OVER RESERVE – SOCKBURN SERVICE CENTRE AND DEPOT

The Board considered a report seeking its approval to grant an easement in gross to Orion New Zealand Limited.

The Board **resolved** pursuant to its delegated powers to grant an easement in gross to Orion New Zealand Limited to convey power over Certificate of Title CBID/413 subject to the following conditions:

- (i) The applicant is to be responsible for all costs associated with the easement (processing, survey, legal and registration) and the installation of the requisite services, including all Council related costs.
- (ii) The applicant is to provide the Council with a copy of the title and a survey plan on which the easement is shown, within three months of completion of the work.
- (iii) The Council waiving the compensatory payment which would normally be required for the privilege of having the easement encumbrance placed on the Council's title, in view of the environmental benefits which will result from the undergrounding of the existing service.
- (iv) The applicant is to pay a \$2,000 bond to the Council via the Greenspace Contract Manager, Sockburn Service Centre and sign a temporary access licence before any construction work commences on the site. The bond less any expenses incurred by the Council will be refunded to the payee upon completion of the development to a standard acceptable to the Transport and Greenspace Manager or his nominee.
- (v) The applicant advising all the local businesses whose power comes off the same power line that they will be carrying out alterations to the line.

12. RICCARTON/WIGRAM COMMUNITY SERVICES COMMITTEE - REPORT OF 19 FEBRUARY 2008 MEETING

The Board received the report of the Community Services Committee meeting of 19 February 2008 and **resolved**:

- (a) To allocate \$2,300 from its 2007/08 Discretionary Fund to the Hornby Presbyterian Community Trust Marriage Course providing at least one of the partners resides within the Riccarton/Wigram ward.
- (b) To allocate an additional \$500 from its 2007/08 Discretionary Fund to the Hornby Presbyterian Community Trust Marriage Course for the purchase of furniture.
- (c) That when considering Youth Development Scheme Fund Applications, the Board/Committee take into account the length of time a young person, or their family, has been living in Christchurch.

13. RICCARTON/WIGRAM TRANSPORT AND ROADING COMMITTEE - REPORT OF 19 FEBRUARY 2008 MEETING

The Board received the report of the Community Services Committee meeting of 19 February 2008 and **resolved**:

13.1 ANDERSON AND POPE STREETS: PROPOSED GIVE WAY CONTROLS

- (a) To approve the installation of a "Give Way" control on Anderson Street at its intersection with Tyne Street.
- (b) To approve the installation of a "Give Way" control on Pope Street at its intersection with Tyne Street.

13 Cont'd

13.2 AMYES ROAD – PROPOSED “NO STOPPING” PARKING RESTRICTIONS

- (a) To revoke the existing restriction prohibiting the stopping of vehicles at any time on the south western side of Amyes Road commencing at the intersection of Shands Road and extending in a south easterly direction for a distance of 41 metres.
- (b) That the stopping of vehicles be prohibited at any time on the south western side of Amyes Road commencing at the intersection of Shands Road and extending in a south easterly direction for a distance of 52 metres.

13.3 HALSWELL ROAD NO STOPPING AND TIME LIMITED PARKING RESTRICTIONS

- (a) To revoke the existing restriction prohibiting the stopping of vehicles on the east side of Halswell Road, extending for a distance of 22 metres south of the intersection from Sparks Road.
- (b) That the stopping of vehicles be prohibited at any time on the east side of Halswell Road commencing at the intersection with Sparks Road and extending in a southerly direction for a distance of 19 metres.

10 Minute Parking Restrictions

- (c) to revoke the existing restriction limiting the parking of vehicles to a maximum period of 10 minutes on the east side of Halswell Road commencing at a point 22 metres from the intersection with Sparks Road and extending in a southerly direction for 17 metres.
- (d) That the parking of vehicles be restricted to a maximum period of 10 minutes on the east side of Halswell Road commencing at a point 19 metres south of the intersection with Sparks Road and extending in a southerly direction for a distance of 20 metres.

30 Minute Parking Restrictions

- (e) That the parking of vehicles be restricted to a maximum period of 30 minutes on the east side of Halswell Road commencing at a point 39 metres from the intersection with Sparks Road and extending in a southerly direction for a distance of 21 metres.

13.4 SPEED REVIEW

- (a) To request that Cashmere Road between Oderings Nurseries and Hendersons Road be included in the speed review.
- (b) To request an update on the process of the speed review.

13.5 HYNDHOPE ROAD – PROPOSED “NO STOPPING” RESTRICTION

The Board **resolved to** refer this matter back to the Board's Transport and Roding Committee and that consultation be carried out with the residents of 35 Hyndhope Street:

The meeting concluded at 8.05pm

CONFIRMED THIS 18th DAY OF MARCH 2008



**PETER LALOLI
CHAIRPERSON**

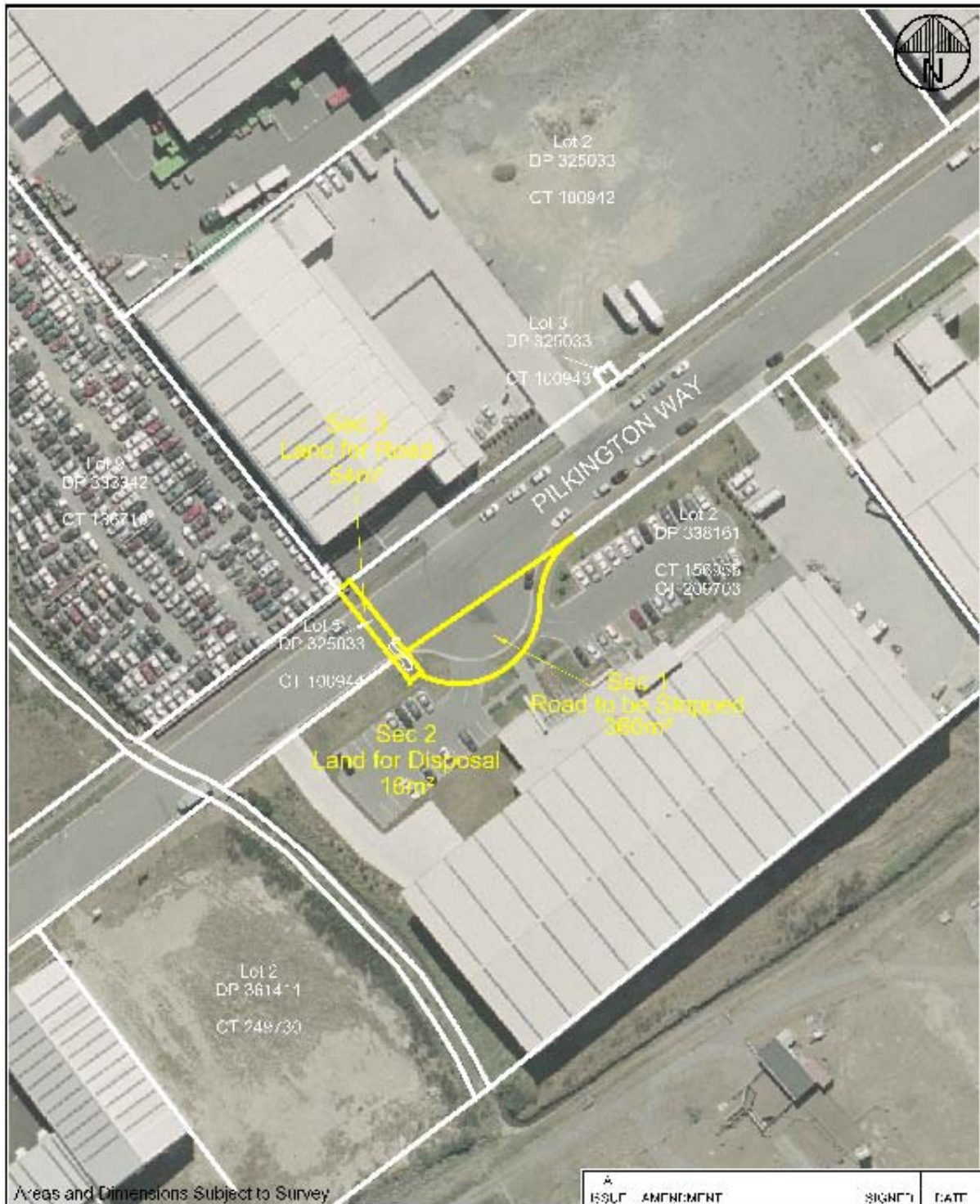
10. 4. 2008



Surplus Road Land - Goulding Ave
(CB 748/78 Sec 1 and Sec 2)

Original Plan Size: A4


ISSUE.1 15/01/08
MP100201 MJR



Areas and Dimensions Subject to Survey

A	ISSUE	AMENDMENT	SIGNED	DATE
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Proposed Road Stopping and Disposal of Pt5 DP325033

 CHRISTCHURCH CITY COUNCIL - FOUR PEOPLE - YOUR CITY	SURVEYED	DRAWN	DATE	DRAWING NUMBER	ORIGINAL SHEET SIZE	SCALE
	J.A. CHILL	07/2008	500749	A4	1:1000	
	COMMING 1 CHRISTCHURCH CITY COUNCIL PLANNING AND DEVELOPMENT DEPARTMENT TECHNICAL SERVICES UNIT			PROJECT NUMBER	SHEET	
			542/137/1/3	2 OF 2		