

12. 3. 2009

**SPREYDON/HEATHCOTE COMMUNITY BOARD
16 DECEMBER 2008**

**A meeting of the Spreydon/Heathcote Community Board
was held on Tuesday 16 December 2008 at 4.40pm
in the Boardroom, Beckenham Service Centre**

PRESENT: Phil Clearwater (Chairperson), Oscar Alpers, Barry Corbett,
Chris Mene, Karolin Potter, Tim Scandrett, and Sue Wells.

APOLOGIES: Nil.

The Board reports that:

PART A - MATTERS REQUIRING A COUNCIL DECISION

**1. CHANGE OF SHAREHOLDING AND ASSIGNMENT OF LEASE – SIGN OF THE TAKAHE
(BOWIN HOLDINGS LTD)**



General Manager responsible:	General Manager City Environment, DDI 941-8608
Officer responsible:	Transport and Greenspace Manager
Author:	Bill Binns, Property Consultant

PURPOSE OF REPORT

1. The purpose of this report is to seek the Council's approval for the assignment and change of shareholding of the lease with Bowin Holdings Limited (Sign of the Takahe).

EXECUTIVE SUMMARY

2. The current lease is with Bowin Holdings Limited whose shareholders are Joanna Lesley Unwin and Mark Timothy Bouvet.
3. Joanna Urwin has decided to resign her shareholdings in the current company and her shareholdings have been taken up by a new shareholder, Richard Logan Freeman.
4. Mr Freeman, whilst not having direct restaurant experience has extensive business experience as a director/franchiser of David Reid Homes NZ Limited, Director/Franchise Business Systems, and Sales director of RLJ Developments, and has property interests and developments in Fiji on both Denarau and Naisoso Island.
5. Mr Mark Bouvet will be responsible for the day to day running of the restaurant.
6. Pursuant to clause, 34.3 of the Deed of Lease whereby there is a change in the shareholding in the company (65 percent Richard Logon Freeman – Bowin Holdings Limited) then this is deemed to be an assignment of the lease.
7. Bowin Holdings Limited is seeking the approval of the Council to the change of shareholding of The Company. Its operation and service are not affected by this change and The Company name (Bowin Holdings Limited) remains the same.

FINANCIAL IMPLICATIONS

8. There are no financial implications involved with the change in shareholding.

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

9. Yes, as above (8).

LEGAL CONSIDERATIONS

10. In this instance the only requirement that needs to be considered for the consent to the assignment is covered by clause 34.1 (a) of The Deed of lease and this states, "If the tenant proves to the landlord's satisfaction they are responsible and have the financial resources to meet the tenants commitments then the landlord shall give consent".

11. These conditions have been met by the new shareholder.

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

12. As above.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

13. Not applicable.

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

14. Not applicable.

ALIGNMENT WITH STRATEGIES

15. Not applicable.

Do the recommendations align with the Council's strategies?

16. Not applicable.

CONSULTATION FULFILMENT

17. Not applicable.

STAFF RECOMMENDATION

It is recommended that the Council:

- (a) Consents to and records the assignment of the lease occurring as a result of the change in shareholding of Bowin Holdings Limited.
- (b) That the assignee Bowin Holdings Limited meets all costs of the assignment of the lease.

BOARD RECOMMENDATION

That the Council adopt the staff recommendation.

PART B - REPORTS FOR INFORMATION



2. DEPUTATIONS BY APPOINTMENT

2.1 Biddy Pollard - Ernle Clark Reserve

Biddy Pollard addressed the Board in relation to the Ernle Clark Reserve, expressing the concerns of local residents regarding the possible loss of trees due to the potential housing development on a parcel of land adjacent to the reserve. In her opinion the removal of large trees on this land would cause damage to the woodland area of the reserve. She presented a petition of 1,684 signatures requesting that the Council purchase the land to retain the integrity of the Reserve.

Barry Corbett undertook to take the petition to the Council meeting on 19 December 2008.

The Chairperson thanked Biddy Pollard for her submission.

2.2 Ron Chambers - Ernle Clark Reserve

Mr Ron Chambers addressed the Board on behalf of residents in the Nutfield Lane area. He expressed the residents concerns regarding the parcel of land adjacent to Ernle Clark Reserve, and expressed the extreme importance of this site to local residents and also residents of Christchurch as a whole. He outlined the historical importance of the land in regard to the trees and the potential concerns if the trees were destroyed. He drew comparisons with Mona Vale and the importance to retain such properties in Christchurch – the “garden city”.

The Chairperson thanked Mr Chambers for his submission.

2.3 Michael Clark - Ernle Clark Reserve.

Mr Michael Clark (son of Ernle Clark) addressed the Board on behalf of his family and supporters of the Ernle Clark Reserve, outlining the history of the area, and showed historical photos of the property.

The Chairperson thanked Mr Clark for his submission and photo display.

The Board requested that the submissions presented to the Board be forwarded to the Council for the 19 December 2008 meeting and to appropriate staff.

The Board strongly urged the Council to negotiate the purchase of the parcel of land adjacent to Ernle Clark Reserve owned by the Laing family.

2.4 Wayne Johnson of the Hillmorton Dairy – Coppell Place Parking

Mr Wayne Johnson addressed the Board about his concerns regarding the eight parking spaces outside the shops in Coppell Place where the Hillmorton Dairy is located. He expressed his opinion that it would be better for the businesses if all eight of the car parking spaces outside the shops be made 30 minute parking for a time that at least covers the opening hours of the businesses in the block.

The Chairperson thanked Mr Johnson for his submission.

Mr Johnson’s deputation was considered as part of clause 12.

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2.5 Mike Thorley - Mid-Heathcote River / Opawaho Linear Park Masterplan

Mr Mike Thorley addressed the Board in relation to the Council regarding the Masterplan. He was unable to attend the meeting when the Board heard residents submissions regarding this matter. He expressed his support for the concepts contained in the original Masterplan, including the increasing of park space, access for cyclists, walkers and children and the reduction of vehicle access. He would like to see the proposal started as it had been an ongoing project for far too long. In his opinion many of the submissions made on the Masterplan were not representative of the area as there were still many local residents who were not aware of the Masterplan.

The Chairperson thanked Mr Thorley for his submission.

2.6 Steve Ranford on behalf of Riverlaw Terrace to King George V Reserve Residents - Mid-Heathcote River / Opawaho Linear Park Masterplan

Mr Steve Ranford addressed the Board regarding new information that has become available to residents regarding aspects of the Masterplan. In their opinion the proposed use of plastic cellular tiles on a natural bank is not seen as a suitable solution to problems and could potentially cause more damage.

The Chairperson thanked Mr Ranford for his presentation.

The deputations regarding the Mid-Heathcote River / Opawaho Linear Park Masterplan were considered under clause 18 of this report.

3. PETITIONS

Nil.

4. NOTICES OF MOTION

Nil.

5. CORRESPONDENCE

The Board **received** the following tabled items of correspondence:

- A letter from Tane and William Webster regarding the basketball court at Hollis Park
- A copy of a letter sent to the Council from Rowley Resource Centre regarding their lease arrangement.

6. BRIEFINGS

Nil.

7. COMMUNITY BOARD ADVISER'S UPDATE

The Board **received** an update from the Community Board Adviser on forthcoming Board related activity over the coming weeks.

(Note: The matter of the Community Board Best Practice Awards is further considered under clause 11 of this report.)

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8. ELECTED MEMBERS INFORMATION EXCHANGE

Mention was made of the following matters:

- Wheelie Bins – there are a number of examples of places where the new wheelie bins are causing problems such as Poulson Street.

9. MEMBERS QUESTIONS

Nil.

PART C - REPORT ON DELEGATED DECISIONS TAKEN BY THE BOARD

10. CONFIRMATION OF MEETING REPORT – 5 DECEMBER 2008

The Board resolved that the minutes of its meeting held on 5 December 2008 be confirmed.

11. COMMUNITY BOARD ADVISER'S UPDATE (CONT'D)

Further to clause 7 and in relation to the entry in the National Community Board Best Practice Awards of the visioning project undertaken with the Cashmere Residents' Association, the Board **resolved**:

To reimburse the Cashmere Residents' Association up to the amount of \$500 for the cost of the design work for the Board entry in the National Community Board Best Practice Awards of the Cashmere Visioning Project.

12. COPPELL PLACE – PROPOSED P30 PARKING RESTRICTION

The Board considered a report seeking approval to install a P30 parking restriction on the northern side of Coppel Place.

The Board **resolved** that the report be held over until the 10 February 2009 meeting, with staff requested to provide all consultation material particularly in relation to installing eight 30 minute car parks, installing one disabled/family park, and consideration of the restriction either applying at all times or between the hours of 8am and 10pm.

13. DICKENS STREET VESTING OF RESERVE

The Board considered a report to ensure that the wording of the resolution passed by the Community Board on 16 September 2008 is accurate.

The Board **resolved** to adopt the following wording in relation to the resolution passed by the Community Board on 16 September 2008:

That the land held by the city in fee simple and described in the Schedule, be declared to be a recreation reserve for the purposes specified in Section 17 of the said Act.

SCHEDULE

- (i) 505m² being Lot 4 DP 149, CT18A/1014
- (ii) 505m² being Lot 5 DP 149 CT CB20F/16

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14. LONGHURST WALKWAY LANDSCAPE CONCEPT AND TRACK UPGRADE

The Board considered a report to approve the final landscape and track upgrade plan for the Longhurst Walkway, and to proceed to detailed design and construction.

The Board **resolved** to approve the final landscape and track upgrade plan for the Longhurst Walkway, and to proceed to detailed design and construction.

15. SYDENHAM PARK – CARPARK DEVELOPMENT, TOILET UPGRADE AND TREE REPLACEMENT

The Board considered a report to approve the final development plan for Sydenham Park carpark, toilet upgrade, and long term tree replacement, and to proceed to detailed design and construction and the reallocation of \$20,000 from the 2008/09 Hastings Reserve Playground Renewal project to Simeon Park for the relocation of the Sydenham Park play equipment to Simeon Park.

The Board **resolved** to approve the final Sydenham Park carpark, toilet upgrade, and long term tree replacement, and to proceed to detailed design and construction and the reallocation of \$20,000 from the 2008/09 Hastings Reserve Playground Renewal project to Simeon Park for the relocation of the Sydenham Park play equipment to Simeon Park, subject to the following:

- That clause 35 of the report be amended to add the words “and replaced’ in relation to the removal of 93 trees within the park.
- That the plan in the report be amended to reflect the daffodil planting on Colombo Street and to show the existence of the foundation.
- That a signboard be installed in the park to explain what the Council is doing and the plans for the trees as the work is undertaken.
- That staff also report back to the Board with some costings for the installation of an interpretation panel in the park to reflect all history of the park.

16. APPLICATION TO THE SPREYDON/HEATHCOTE COMMUNITY BOARD’S 2008/09 DISCRETIONARY RESPONSE FUND – PURCHASE OF ELLERSLIE INTERNATIONAL FLOWER SHOW TICKETS

The Board considered a report regarding the purchase of \$506 worth of 2009 Ellerslie International Flower Show tickets to distribute to nominated residents of the Spreydon/Heathcote Ward.

The Board **resolved** not to purchase Ellerslie International Flower Show tickets.

17. SPREYDON/HEATHCOTE COMMUNITY BOARD – ADOPTION OF 2009 MEETINGS SCHEDULE

The Board considered a report regarding the scheduling of its ordinary meetings for 2009 to be held at 4.30pm on the following Tuesdays and at 8am on the following Fridays, in the Board Room, 66 Colombo Street, Christchurch, as follows:

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The Board **resolved** to adopt the following meeting schedule with the exception of the 10 November 2009 with the Friday meeting commencing at 8am and at a time to be decided for the Tuesday meeting.

Tuesday 10 February 2009

Tuesday 10 March 2009

Tuesday 7 April 2009

Tuesday 5 May 2009

Tuesday 16 June 2009

Tuesday 7 July 2009

Tuesday 11 August 2009

Tuesday 8 September 2009

Tuesday 6 October 2009

Tuesday 10 November 2009

Tuesday 8 December 2009

Friday 27 February 2009

Friday 27 March 2009

Friday 24 April 2009

Friday 22 May 2009

Friday 26 June (includes Strengthening Communities Seminar)

Friday 24 July 2009

Friday 7 August 2009 (Strengthening Communities Funding Meeting)

Friday 28 August 2009

Friday 25 September 2009

Friday 23 October 2009

Friday 27 November 2009

Friday 18 December 2009

18. MID-HEATHCOTE RIVER / OPAWAHO LINEAR PARK MASTERPLAN – RECOMMENDED CHANGES

The Board considered a report on changes to the Draft Mid-Heathcote River/Ōpawaho Masterplan following the conclusion of the public consultation process and analysis of submissions.

The Board **resolved** to accept the overall concept of the Masterplan for promotion to the 2009/19 LTCCP with the following amendments:

- (a) To request a staff report to the 10 February 2009 meeting, containing further information and re-worded options with regard to road closures.
- (b) To maintain the status quo in front of the properties located at 273-287 Centaurus Road. (Plan 13).
- (c) That the tree list be revised to reflect input from the community and that staff provide more detail on why each tree species was selected.
- (d) That details be added of possible road margin treatments which could be used to prevent vehicles from parking on the river bank.

The meeting concluded at 8.10pm.

CONSIDERED THIS 10TH DAY OF FEBRUARY 2009

**PHIL CLEARWATER
CHAIRPERSON**