#### 10. 11. 2011

#### RICCARTON/WIGRAM COMMUNITY BOARD 18 OCTOBER 2011

#### Report of a meeting of the Riccarton/Wigram Community Board held on 18 October 2011 at 5.10pm at the Every Nation Church, 42 Lochee Road, Upper Riccarton.

**PRESENT:** Mike Mora (Chairperson), Helen Broughton, Jimmy Chen, Ishwar Ganda, Sam Johnson and Judy Kirk

**APOLOGIES:** An apology was received and accepted from Peter Laloli.

Apologies for lateness were received and accepted from Helen Broughton (who joined the meeting at 5.15pm and was absent for clause 11 and part of clause 3) and Jimmy Chen (who joined the meeting at 5.23pm and was absent for clause 11 and part of clause 3)

Apologies for early departure were received and accepted from Helen Broughton (who retired from the meeting at 7.19pm and was absent for clauses 1-2,13-14,16 - 20 inclusive) and Ishwar Ganda (who retired from the meeting at 7.59pm and was absent for part of clause 20).

The Board stood for a minute's silence to pay respect to Anne Cosson, a Council employee, who died recently.

The Board reports that:

## PART A - MATTERS REQUIRING A COUNCIL DECISION



1.

#### CHALMERS STREET - ROAD STOPPING AND ENCROACHMENT OF ROAD SPACE

General Manager responsible:	General Manager, City Environment Group DDI 941-8608
Officer responsible:	Unit Manager, Asset and Network Planning
Author:	Weng-Kei Chen, Asset Engineer – Policy

#### PURPOSE OF REPORT

1. The purpose of this report is to seek the Council's approval for the encroachment of Hornby Hub building on road airspace (approximate area 208 metres x 3 metres) together with 24 columns (approximately 350 millimetres x 900 millimetres) (refer to **Attachment 3**).

#### **EXECUTIVE SUMMARY**

- 2. Resource consent for the extension of the Hornby Hub Mall has been granted for an additional 3,508 metres squared of floor space (total area 17,048 metres squared), the two upper floors consisting of vehicle parking facilities. The building appearance and the provision of street amenities were the result of recommendations from the Council's Urban Design Panel.
- 3. The extension covers part of the existing Chalmers Street and for the development to proceed it requires the Council's approval for the road realignment and to commence road stopping process for the existing portion of road which will be redundant.
- 4. The proposed new road corridor is 15 metres wide and this is similar to the existing corridor width. The new road will consist of a seven metres wide carriageway, two footpaths, multiple bus bays, street trees and assorted landscaping, fence and pavers treatments. The narrower carriageway with no on street vehicle parking facilities, except for buses complimented with planting of street trees and special features are elements to create a slower vehicular speed environment in a retailing precinct.

# 1 Cont'd

- 5. The development will require a subdivision consent following the road stopping process. The formation of the road including the installation of footpaths, landscaping and fence on or along Hornby Working Men Club's frontage together with the provisions of other infrastructure utilities will form the requirement for the road construction and will be vested in the Council on completion as detailed in the **Attachment 2**. The new road will be completed prior to the commencement of the construction of the building.
- 6. The development has two upper floors of the building which will house the vehicle parking facilities and this will encroach on the new road airspace approximately 208 metres long and 3.0 metres wide along the northern side of the building. The encroachment will be supported by columns at approximately eight metre interval and be located on the new footpath. The airspace encroachment is five metres above the footpath and is unlikely to cause any conflict with general traffic movements. The encroachments will require the owner to enter into a Deed of Licence to occupy legal road in accordance with the Council's Structure on Streets Policy 2010.
- 7. The new road alignment is a replacement to an existing portion of Chalmers Street and the affected party (Hornby Working Men's Club) is very unlikely to object, it is therefore appropriate that the road stopping to the existing portion of the road be undertaken pursuant to the Public Works Act 1981.

# FINANCIAL IMPLICATIONS

8. If the road stopping proceeds as recommended pursuant to the Public Works Act 1981 the Hornby Hub Mall will be asked to meet the Council's costs associated with undertaking the process in accordance with the Council's Road Stopping Policy. The area of road to be stopped is approximately 248 metres squared greater than the new Road to be vested. The area difference will net monetary return to the Council and the amount will be determined by a Council appointed valuer pursuant to Section 345 of the Local Government Act 2002 – Disposal of Land Not Required for road. The construction of the new road and other features will be funded by the Hornby Hub Mall at no cost to the Council. In addition the company will be required to enter into the Deed of Licence to occupy legal road and where an annual fee is payable in accordance with the Council's Structure on Streets Policy 2010.

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

9. As the proposed works are being funded by the applicant there will be no budget affected.

# LEGAL CONSIDERATIONS

- 10. Both the Local Government Act 2002 and the Public Works Act 1981 allow for the stopping of legal roads. In addition to these statutory provisions, the process of stopping roads by the Council is governed by the Christchurch City Council Road Stopping Policy 2009 ("the Policy") and the related delegations adopted by the Council on 18 November 2010 ("Delegations").
- 11. Under the Delegations the Corporate Support Manager has the power to accept or decline a road stopping application where:
  - (a) The area of the road to be stopped will not constitute a complying lot under the City Plan in its own account nor will its amalgamation with the adjoining lot create a new potential for the adjoining lot to be subdivided; and
  - (b) It will be necessary for the stopped road to be amalgamated with the Certificate of Title to an adjoining property; and
  - (c) The owner of an adjoining property is the logical purchaser of the stopped road; and
  - (d) The area of road to be stopped is not adjoining a reserve or roadway.
- 12. In all other circumstances the power to accept or decline a road stopping application, and which statutory procedure to use, sits with the Community Board of the ward in which the road in question is situated. Those powers must be exercised in accordance with the Policy.

## 1 Cont'd

- 13. There are two statutory processes available for road stopping and the Policy articulates the circumstances when each is to be used.
- 14. The Local Government Act 1974 Road Stopping procedure must be adopted if one or more of the following circumstances shall apply:
  - (a) Where any public right of access to any public space could be removed or materially limited or extinguished as a result of the road being stopped; or
  - (b) The road stopping could injuriously affect or have a negative or adverse impact on any other property: or
  - (c) The road stopping is, in the judgment of the Council, likely to be controversial; or
  - (d) If there is any doubt or uncertainty as to which procedure should be used to stop the road.
- 15. The Public Works Act 1981 Road Stopping Procedure may be adopted if all of the following circumstances shall apply:
  - (a) Where there is only one property adjoining the road proposed to be stopped; and
  - (b) Where the written consent to the proposed road stopping of all adjoining landowners by proposed road-stopping is obtained; and
  - (c) Where the use of the Public Works Act 1981 procedure is approved (where necessary) by the relevant Government department or Minister; and
  - (d) Where no other persons, including the public generally, are considered by the Council in its judgment to be adversely affected by the proposed road stopping; and
  - (e) Where the road is to be amalgamated with the adjoining property; and
  - (f) Where other reasonable access exists or will be provided to replace the access previously provided by the stopped road (i.e. by the construction of a new road).

PROVIDED THAT if any one of the above circumstances shall not apply, and then the Local Government Act 1974 procedure shall be used.

- 16. The Public Works Act road stopping procedure is essentially an administrative process intended to be used in non-controversial circumstances involving trivial parcels of land where the consent of the neighbouring owners is available. For all other road stopping's, the Policy requires that the Local Government Act process is used.
- 17. The relevant sections of that Local Government Act 2002 are as follows:

#### Section 345 – Disposal of land not required for road:

In relation to stopped road that is no longer required by the local authority, this section provides that the Council may sell or lease that part of the stopped road to the owner(s) of any adjoining

land. This section goes on further to provide that the price or rent for the stopped road is to be fixed by a competent valuer appointed by the Council. If the owner(s) is not prepared to pay the fixed price or rent, the Council may sell the land by public auction or private tender.

## Section 345(2) – Amalgamation of stopped road with adjoining land:

This Section enables the Council to require the amalgamation of stopped road with adjoining land if deemed appropriate.

# 1 Cont'd

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

18. Yes, legal advice has been sought.

# ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

19 The portion of road being replaced will be redundant.

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

20. Yes, network function remains but with new assets.

## ALIGNMENT WITH STRATEGIES

21. Yes, as part of the rationalisation of road assets.

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

22. Yes.

# CONSULTATION FULFILMENT

23. The adjacent owner Hornby Workingmen's Club has indicated its conditional support and staff will seek their formal consent once the Club's conditions have been satisfied. The proposed development was well received at the presentation to Community Board members on 30 August 2011.

## STAFF RECOMMENDATION

It is recommended that the Council approve the following structures encroaching on the Chalmers Street legal road:

- (i) that approximately 208 metres x 3.0 metres of road airspace along the north side of the building; and
- (ii) that twenty four columns (approximately 350 millimetres x 900 millimetres) being located on the footpath. This encroachment is subject to Hornby Hub Mall entering in a Deed of Licence to occupy legal road in accordance to the Council's policy for Structures on Street 2010.

Clause 12 (Part C) of these minutes details the Board's decision made under delegated authority to approve the street realignment and parking restriction.

## BOARD RECOMMENDATION

That the staff recommendation be adopted.

## 2. MILNS ROAD - REQUIRED AMENDMENT TO THE CHRISTCHURCH CITY REGISTER OF SPEED LIMITS

This item was considered by the Council at its meeting on 27 October 2011.

## **PART B - REPORTS FOR INFORMATION**

#### 3. DEPUTATIONS BY APPOINTMENT

#### 3.1 TONY SPOWART, NEW ZEALAND TRANSPORT AUTHORITY UPDATE

Mr Tony Spowart - Regional Traffic and Safety Manager, from the New Zealand Transport Authority (NZTA), updated the Board on NZTA matters within the Riccarton/Wigram ward.

#### 3.2 NEW ZEALAND TRANSPORT AUTHORITY (NZTA) – SOUTHERN MOTORWAY STAGE II UPDATE

Mr Michael Blyleven – Transport Planning Manager, from the New Zealand Transport Authority, updated the Board on the progress of the Southern Motorway Stage II.

## 3.3 NEW ZEALAND ROADING POLICE UPDATE

Inspector AI Stewart - Road Policing Manager, from the New Zealand Police, was unable to attend the meeting but will be in attendance at the 1 November 2011 Board meeting.

#### 3.4 CALVERTON PLACE NO STOPPING RESTRICTION

Jill Baynon and Jessie Milner, residents of Calverton Place, discussed their concerns on the proposed no stopping restrictions at Calverton Place. Clause 13 (Part C) details the Board's decision on the parking restrictions in Calverton Place.

The Chairman thanked the deputations.

## 4. PETITIONS

Nil.

## 5. NOTICES OF MOTION

Nil.

## 6. CORRESPONDENCE

The Board received the following:

- 6.1 **New Zealand Transport Agency (NZTA)** A copy of a letter to the Templeton Residents' Association dated 12 September 2011 regarding various issues with NZTA roads.
- 6.2 **John Macaulay, Resident of Rutherglen Avenue** A letter dated 14 September 2011 regarding traffic flow at the intersection of Lynfield Avenue and Maidstone Road.

The Board **agreed** to hold a site visit with Mr Macaulay. Board members and staff to discuss his letter.

## 6 Cont'd

#### 6.3 **Riccarton Park Residents' Association –** A letter dated 28 September 2011 regarding:

- Racecourse/Yaldhurst Roads intersection
- Bus shelters Buchanans Road
- Lowther Street/Main South Road intersection
- Lack of water Paparua Stream.

The Board were given staff advice on the matters highlighted in the letter and **agreed** that the advice be forwarded to the residents' association.

6.4 **Ilam and Upper Riccarton Residents' Association** – A letter dated 2 October 2011 regarding No Trucks notice for both ends of Brodie Street, Upper Riccarton.

The Board **requested** the resource consent decision for the Peer Street supermarket and to discuss the matter at a future Board meeting.

6.5 **Ilam and Upper Riccarton Residents' Association** – A letter dated 2 October 2011 regarding resiting Metro bus stop in Waimairi Road.

The Board were advised that staff are investigating the installation of a new bus stop in Waimairi Road.

6.6 **Christchurch Streets and Garden Awards Committee** – A letter dated 5 October 2011 regarding a request for a deputation on the annual Community Pride awards.

The Board **agreed** to invite the Christchurch Streets and Garden Awards Committee to give a presentation to the Board on the work of the committee.

6.7 **Calverton Place** – Correspondence from Diana Ivie, resident of Calverton Place, dated 17 October 2011 regarding no stopping restriction on Calverton Place.

Clause 13 (Part C) of these minutes detail the Board's decision on this matter.

## 7. BRIEFINGS

#### 7.1 SOUTHERN MOTORWAY STAGE ONE UPDATE

Mr Will Doughty, Senior Project Manager, briefed the Board on the current status of the Southern Motorway Stage One.

#### 7.2 WIGRAM/MAGDALA LINK BRIDGE

Mr John Edmonds, Project Manager, briefed the Board on the progress of the Wigram/Magdala Link Bridge.

#### 8. COMMUNITY BOARD ADVISER'S UPDATE

- 8.1 **Hindess Street** Staff tabled information responding to the Board's request of 23 November 2010 for information regarding Hindess Street Traffic Volume and Speed Data recorded in February 2011 in response to request from the Board.
- 8.2 **Update on Trees in Aidanfield Reserve –** Staff tabled information regarding update on trees in the Aidanfield Reserve Stormwater Basin.
- 8.3 Upcoming Submissions Canterbury Earthquake Recovery Authority (CERA) Strategy for Greater Christchurch The Board agreed that a Chairperson's letter be written supporting in principle the CERA Strategy for Greater Christchurch.

The Board **agreed** to convene a working party to formulate the Board's submission to the Remuneration Authority's Review of Setting Elected Member Remuneration.

## 9. ELECTED MEMBERS' INFORMATION EXCHANGE

Nil.

## 10. QUESTIONS UNDER STANDING ORDERS

Nil.

#### PART C - REPORT ON DELEGATED DECISIONS TAKEN BY THE BOARD

#### 11. CONFIRMATION OF MEETING MINUTES – 13 SEPTEMBER 2011

The Board **resolved** that the minutes of its ordinary meeting of Tuesday 13 September 2011 be confirmed.

#### 12. CHALMERS STREET - ROAD STOPPING AND ENCROACHMENT OF ROAD SPACE (CONT'D)

The Board considered a report seeking its approval for the realignment to a section of Chalmers Street and the installation of 'no stopping', 'multiple bus bay' and 'Give Way' on the proposed realigned portion of Chalmers Street.

The Board **resolved** to:

- (a) Approve the realignment of a portion of Chalmers Street.
- (b) Recommend to the Minister of Lands that part of Chalmers Street as shown as S.0 42952 containing approximately 2346 metres squared be declared to be stopped by consent pursuant to Sections 116 (2) (b)(i) and (ii) of the Public Works Act 1981.
- (c) Install various traffic management to the new road.
  - (i) That the stopping of vehicles be prohibited at any time on the north side of Chalmers Street commencing at its intersection with Carmen Road and extending in a westerly direction for a distance of 210 metres.
  - (ii) That the stopping of vehicles be prohibited at any time on the south side of Chalmers Street commencing at its intersection with Carmen Road and extending in a westerly direction for a distance of 59 metres.
  - (iii) That a bus stop be installed on the south side of Chalmers Street commencing at a point 59 metres west of its intersection with Carmen Road and extending in a westerly direction for a distance of 61 metres.

#### 12 Cont'd

- (iv) That the stopping of vehicles be prohibited at any time on the south side of Chalmers Street commencing at a point 120 metres west of its intersection with Carmen Road and extending in a westerly direction for a distance of 85 metres.
- (v) That a Give Way control be placed against Chalmers Street at its intersection with Carmen Road.
- (vi) That a Give Way control be placed against the eastern most car park exit of the Hub Mall Hornby at its intersection with Chalmers Street.

## 13. HALSWELL ROAD - PROPOSED BUS STOP

The Board considered a report seeking its approval for the existing bus stop on the east side of Halswell Road to be marked to meet the current bus stop standard.

#### The Board resolved:

- (a) To revoke all existing parking restrictions on the eastern side of Halswell Road from its intersection with Larsens Road to its intersection with Mallett Place.
- (b) To install a bus stop on Halswell Road from a point measured 22 metres south of the intersection of Halswell Road and Larsens Road and continuing in a southerly direction of 14 metres.

## 14. CALVERTON PLACE - PROPOSED NO STOPPING RESTRICTION

The Board considered a report supplying elected members with staff advice on the points listed by a deputation to the Board at its 1 February 2011 meeting.

The Board **resolved** to revoke all existing parking restrictions on Calverton Place.

(Note: Mike Mora requested that his vote against the motion be recorded.)

## 15. CUNNINGHAM PLACE - PROPOSED P3 PARKING RESTRICTION

The Board considered a report to approve a P3 Drop off/Pick up parking restriction to be installed on Cunningham Place.

#### The Board resolved:

- (a) To revoke all existing parking restrictions on Cunningham Place.
- (b) To approve:
  - (i) That the parking of vehicles be restricted to a maximum period of three minutes (8.15am to 9.15am and 2.30pm to 3.30pm) school days, on the northern side of

Cunningham Place commencing at a point 204 metres west of Ensign Street and extending west for a distance of 44 metres.

(ii) That the parking of vehicles be restricted to a maximum period of three minutes (8.15am to 9.15am and 2.30pm to 3.30pm) school days, on the southern side of Cunningham Place commencing at a point 204 metres west of Ensign Street and extending west for a distance 44 metres. 15 Cont'd

(iii) That the stopping of vehicles be prohibited at all times on the northern side of Cunningham Place commencing at a point 248 metres west of Ensign Street and extending west for a distance of 41 metres.

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(iv) That the stopping of vehicles be prohibited at all times on the southern side of Cunningham Place commencing at a point 248 metres west of Ensign Street and extending west for a distance of 41 metres.

#### 16. RICCARTON/WIGRAM NEIGHBOURHOOD WEEK FUNDING 2011 APPLICATIONS

The Board considered a report to allocate funds for 2011 Neighbourhood Week.

The Board **resolved** to approve the following allocations for Neighbourhood Week 2011 totalling \$4,500:

	Contact Name	Location of Activity	Allocation
1.	Andrew David Farrow	76 Bibiana Street	\$250
2.	Liz McClure	8-10 Kinsella Crescent	\$100
2. 3.	Sarah Jillian Wylie	Talbot Park, Country Palms Dr	\$100
3. 3.	Jane Louise Highsted	Westlake Drive	\$120
з. 5.	Rachel Elizabeth Stark	Brookford Place Reserve	\$200
э. 6.		Robinia Place	\$250
	Gavin Ernest Graham		
7.	Annette Vera Archbold	Footpath on Hendersons Road	\$200
8.	Ali Loffhagen	Hornby Courts	\$200
9.	Pamela Anne Templeton	Bevington Street	\$54
10.	Helen Margaret Pugh	Field Terrace	\$60
11.	Kevin Francis O'Connell	Ferrier Park	\$75
12.	Una Raleqe	Hillary Crescent	\$250
13.	Rex Clifford Wright	Kintyre Drive	\$100
14.	Geoff Wallis	Middleton Road	\$185
15.	Bob Richmond	Antonia Place	\$150
16.	Barbara Winifred Dawson	South Hagley Park	\$250
17.	Barbara Doreen Withers	Arcon Drive/Laramie Place	\$56
18.	Sherman de Silva	Kintyre Drive	\$110
19.	Lorraine Dawn Stewart	Avonhead	\$80
20.	Lorraine Anne Mitchell	AT the end of the cul-de-sac	\$100
21.	Lis Alice Burnett-Taylor	Cobra Street park	\$150
22.	Dulcie Tester	Arkwright Place	\$100
23.	Deborah Margaret Rowley	Riccarton Bush	\$200
24.	Arthur Woods	Riccarton Road	\$250
25.	Colleen Wendy Chapman	Witham Street	\$80
26.	Neta Roslyn Wederell	Gilberthorpes Road	\$100
27.	Neville Watson	End of Reading Street	\$100
28.	Wendy Weuston	Avonhead Baptist Church, Avonhead Road	\$250
29.	Delwyn Lena Whelan	Oriana Crescent	\$50
30.	Caleb William Geddes	Hansons Reserve	\$250
31.	Malcolm Walter Lilley	Halswell Road	\$120

#### 17. APPLICATION TO RICCARTON/WIGRAM 2011/12 DISCRETIONARY RESPONSE FUND - 2012 ANZAC DAY EXPENSES

The Board considered a report seeking approval for funding from the Riccarton/Wigram 2011/12 Discretionary Response Fund towards 2012 ANZAC Day expenses.

The Board **resolved** to grant \$1,000 from the Riccarton/Wigram 2011/12 Discretionary Response Fund towards 2012 ANZAC Day expenses.

#### 18. APPLICATION TO THE RICCARTON WIGRAM 2011/12 YOUTH DEVELOPMENT SCHEME – BROOKE KATHRYN O'NEILL

The Board considered a report seeking approval for funding from the 2011/12 Riccarton/Wigram Youth Development Scheme to Brooke Kathryn O'Neill as a contribution towards her trip to Auckland to compete in the Rhythmic Gymnastics Indo Pacific Championship Qualifying Tournament.

The Board **resolved** to support the application from Brooke Kathryn O'Neill and grant \$300 from the 2011/12 Riccarton/Wigram Youth Development Scheme as a contribution towards her trip to Auckland to compete in the Rhythmic Gymnastics Indo Pacific Championship Qualifying Tournament.

#### 19. APPLICATION TO THE RICCARTON/WIGRAM 2011/12 YOUTH DEVELOPMENT SCHEME – PHILIPPINE CULTURE AND SPORTS VOLLEYBALL TEAMS

The Board considered a report seeking approval for funding from the 2011/12 Riccarton/Wigram Youth Development Scheme to each team member from the Philippine Culture and Sports volleyball team.

The Board **resolved** to support the application of the Philippine Culture and Sports volleyball team and grant each member \$150 from the 2011/12 Riccarton/Wigram Youth Development Scheme, totalling \$450, as a contribution towards their trip to compete in the Labour Weekend National Filipino Volleyball Tournament.

## 20. COMMUNITY BOARD ADVISER'S UPDATE (CONT'D)

#### 20.1 **Residents' Association Administration Grants**

At the Board meeting of 21 June 2011, the Board considered granting residents' association administration grants. The Board granted nine residents' associations grants and requested that staff confirm with the remaining five associations if they wish to receive the administration grant. Staff advised that they had confirmed with the five associations that they wish to receive the administration grants.

The Board **resolved** to grant \$1,500 from their 2011/12 Discretionary Response Fund to Wigram Residents' Association, Yaldhurst Rural Residents' Association, Kennedy's Bush Road Residents' Group, Riccarton Park Residents' Association, and Gilberthorpes Estate Residents' Association for \$300 per group for an administration grant.

#### 20.2 Halswell Residents' Association/Community Board Drop In Meeting

The Halswell Residents' Association/Community Board drop in meeting was held on 29 September 2011. There were expense incurred to hold this meeting including delivery of household flyers.

The Board **resolved** to grant \$400 from its 2011/12 Discretionary Response Fund for expenses incurred for this meeting.

## 20 Cont'd

# 20.3 Colman Reserve

The Board discussed the outcome of their meeting with residents in relation to Colman Reserve trees on Saturday 15 October 2011.

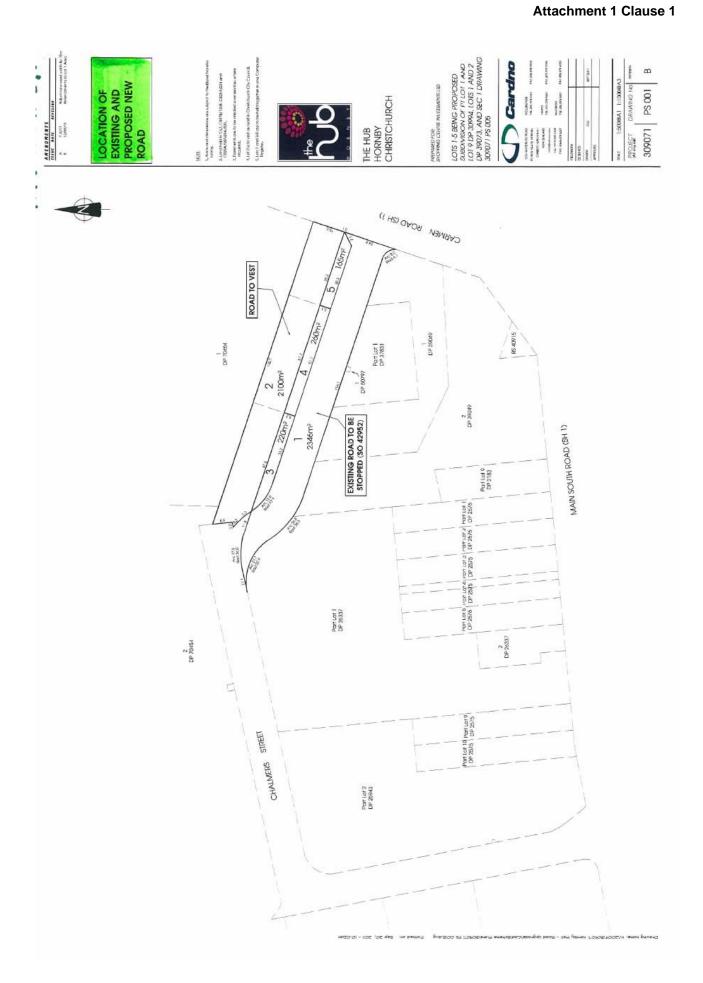
The Board **resolved** to request staff to provide a report for the removal of the cedars adjacent to 18 Gladstone Avenue.

The meeting concluded at 8.13pm.

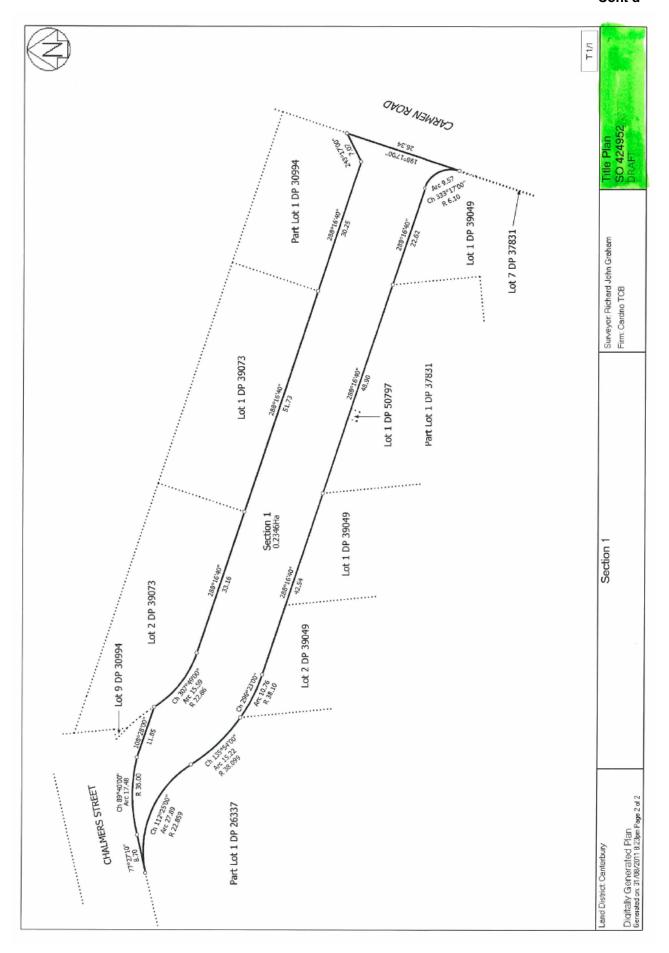
# CONFIRMED THIS 1ST DAY OF NOVEMBER 2011

MIKE MORA CHAIRPERSON

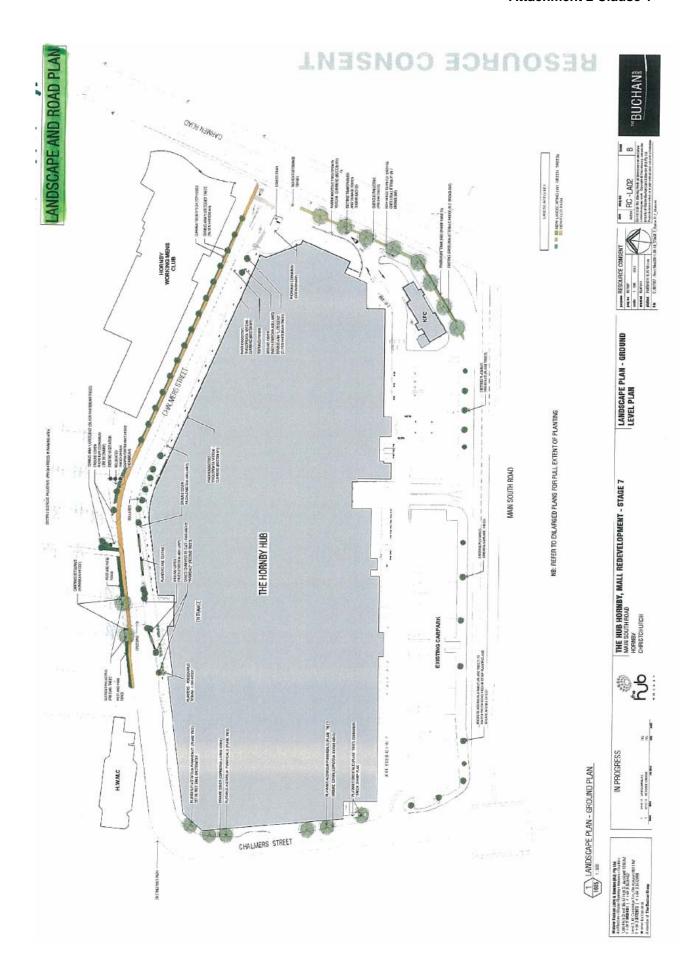
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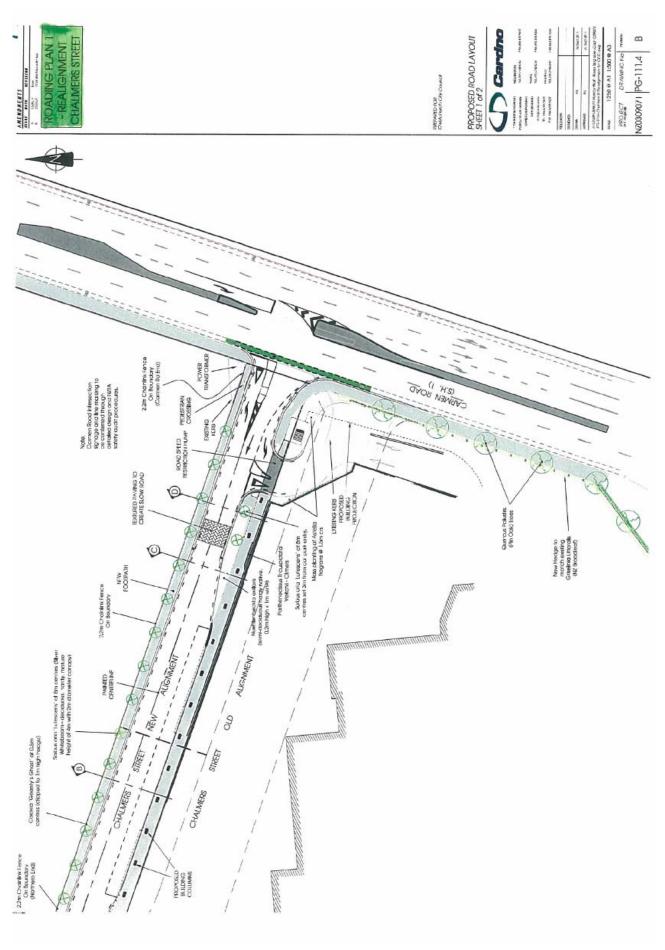


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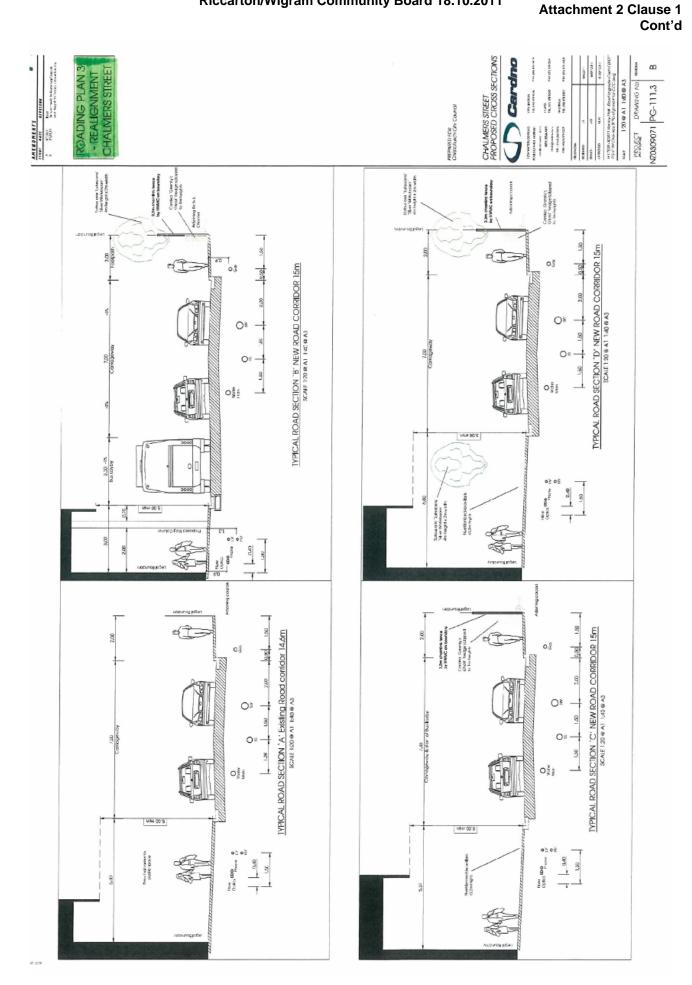


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Attachment 2 Clause 1 Cont'd

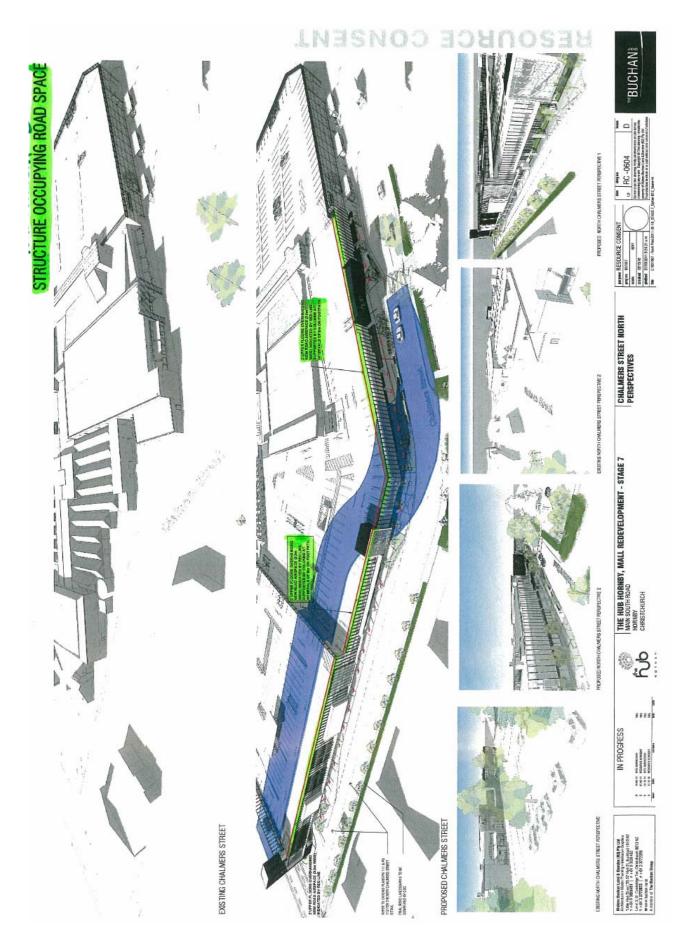






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# Attachment 3 Clause 1



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