

**SHIRLEY/PAPANUI COMMUNITY BOARD
AGENDA**

TUESDAY 17 MARCH 2009

AT 5.30PM

**IN THE BOARDROOM
PAPANUI SERVICE CENTRE
CORNER LANGDONS ROAD AND RESTELL STREET**

Community Board: Pauline Cotter (Deputy Chairperson), Ngaire Button, Kathy Condon, Aaron Keown, Matt Morris, Yvonne Palmer and Norm Withers

Community Board Adviser
Peter Croucher
Phone 941 5414 DDI
Email: peter.croucher@ccc.govt.nz

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PART B - REPORTS FOR INFORMATION
PART C - DELEGATED DECISIONS**

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1. **APOLOGIES**

2. **ORAL DECLARATION BY MEMBERS ATTESTED IN THE PRESENCE OF THE UNIT MANAGER,
DEMOCRACY SERVICES REPRESENTING THE CHIEF EXECUTIVE**

Sample **attached**.



SAMPLE

**DECLARATION BY
COMMUNITY BOARD MEMBER**

I,, declare that I will faithfully and impartially, and according to the best of my skill and judgment, execute and perform, in the best interests of the Shirley/Papanui Community, the powers, authorities, and duties vested in or imposed upon me as a member of the Shirley/Papanui Community Board by virtue of the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, or any other Act.

DATED at Christchurch this 17th day of March 2009.

.....

Signed in the presence of:

.....
Lisa Goodman
UNIT MANAGER
DEMOCRACY SERVICES UNIT

3. ELECTION OF CHAIRPERSON

General Manager responsible:	General Manager Regulation and Democracy Services, DDI 941-8462
Officer responsible:	Legal Services Manager
Author:	Chris Gilbert, Legal Services Manager

PURPOSE OF REPORT

1. The purpose of this report is to explain the process for the Shirley/Papanui Community Board to elect its chairperson, as required by the Local Government Act 2002.

EXECUTIVE SUMMARY

2. The Shirley/Papanui Community Board chairperson resigned on 31 October 2008 as Chairperson and as a Board member. Since that time, the Deputy Chairperson Pauline Cotter has been acting as the Chairperson whilst there has been a vacancy in the office. Following the close of the by-election on 10 March 2009, a new member will be elected to the Shirley/Papanui Community Board. Once the new member takes the declaration, it is appropriate for the Community Board to elect a new Chairperson.
3. The Act prescribes the processes by which Community Boards must elect their chairpersons, which is the same as the process the Council must use to elect the deputy mayor. This report describes the alternative processes available, one of which must be adopted.

FINANCIAL IMPLICATIONS

4. Not applicable

DO THE RECOMMENDATIONS OF THIS REPORT ALIGN WITH 2006-16 LTCCP BUDGETS?

5. Not applicable

LEGAL CONSIDERATIONS

Introduction

6. Section 54 of the Local Government Act 2002 specifies that the provisions of Schedule 7 of the Act apply to Community Boards (with some minor exclusions), with necessary modifications as if the Boards were local authorities.
7. The manner in which a Community Board is to elect this position is prescribed in clause 25 of Schedule 7. It provides that the Community Board must determine by resolution that the chairperson be elected or appointed by using one of the following systems of voting:

“System A—

- (a) requires that a person is elected or appointed if he or she receives the votes of a majority of the members of the local authority or committee present and voting; and
- (b) has the following characteristics:
 - (i) there is a first round of voting for all candidates; and
 - (ii) if no candidate is successful in that round there is a second round of voting from which the candidate with the fewest votes in the first round is excluded; and
 - (iii) if no candidate is successful in the second round there is a third, and if necessary subsequent, round of voting from which, each time, the candidate with the fewest votes in the previous round is excluded; and
 - (iv) in any round of voting, if 2 or more candidates tie for the lowest number of votes, the person excluded from the next round is resolved by lot.

3. Cont'd

System B—

- (a) *requires that a person is elected or appointed if he or she receives more votes than any other candidate; and*
- (b) *has the following characteristics:*
 - (i) *there is only 1 round of voting; and*
 - (ii) *if 2 or more candidates tie for the most votes, the tie is resolved by lot.”*

8. In simpler terms, under System A a candidate is successful if he or she receives the votes of the majority of the members of the Community Board present and voting. If no candidate is successful in the first round there is a second round of voting from which the candidate with the fewest votes in the first round is excluded. If no candidate is successful in the second round there is a third and if necessary subsequent round of voting from which each time the candidate with the fewest number of votes in the previous round is excluded until a candidate is successful. In any round of voting if two or more candidates tie for the lowest number of votes the person to be excluded from the next round is resolved by lot.
9. System B is first past the post except that a tie for the most votes is resolved by lot.

Practical application of clause 25

10. Each Community Board must first determine, by resolution, which system of voting it will use, that is System A or System B.
11. Nominations for the position of chairperson are called for.
12. If there is only one candidate then the Community Board may resolve that that person be elected.
13. If there is more than one candidate the Community Board must then put the matter to a vote according to the system it has adopted. The Community Board members are then asked to vote on each candidate.
14. The following examples may be useful to illustrate two of the systems:

SYSTEM A

Example 1

Three nominations are received and upon the votes being counted the result is: A (4) B (2) C (1). In this case A is elected to the relevant position.

Example 2

Three nominations are received and upon the votes being counted the result is: A (3) B (3) C (1). In this case no candidate is successful so a second round of voting is held for candidates A and B. The lowest polling candidate, C, is excluded.

Upon the votes being counted in the second round the result is: A (4) B (3). In this case A is elected to the relevant position.

SYSTEM B

Example 1

Three nominations are received and upon the votes being counted the result is: A (4) B (2) C (1). In this case A is elected to the relevant position.

3. Cont'd

Example 2

Three nominations are received and upon the votes being counted the result is: A (3) B (3). In this case a lot is held to determine who between A and B will be elected to the relevant position.

HAVE YOU CONSIDERED THE LEGAL IMPLICATIONS OF THE ISSUE UNDER CONSIDERATION?

15. This report covers the obligations as prescribed in Schedule 7 of the LGA 2002.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

16. Not applicable.

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

17. Not applicable.

ALIGNMENT WITH STRATEGIES

18. Not applicable.

Do the recommendations align with the Council's strategies?

19. Not applicable.

CONSULTATION FULFILMENT

20. Not applicable.

STAFF RECOMMENDATION

It is recommended that the Shirley/Papanui Community Board:

- (a) Receive this report; and
- (b) Adopt by resolution, which system of voting it will use to elect a Chairperson, that is System A or System B; and
- (c) Proceed to elect a Chairperson.

DEPUTY CHAIRPERSON'S RECOMMENDATION

That the staff recommendation be adopted.

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4. **ORAL DECLARATION BY THE CHAIRPERSON ATTESTED IN THE PRESENCE OF THE UNIT MANAGER, DEMOCRACY SERVICES REPRESENTING THE CHIEF EXECUTIVE**

(Chairperson then assumes the Chair.)

5. **CONFIRMATION OF MEETING REPORT – 18 FEBRUARY 2009**

The report of the Board's ordinary meeting of Wednesday 18 February 2009 is **attached**.

DEPUTY CHAIRPERSON'S RECOMMENDATION

That the report of the Board's ordinary meeting of 18 February 2009 (*both open and public excluded sections*) be confirmed.

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ATTACHMENT TO CLAUSE 5

9.4.2009

**SHIRLEY/PAPANUI COMMUNITY BOARD
18 FEBRUARY 2009**

**Minutes of a meeting of the Shirley/Papanui Community Board
held on Wednesday 18 February 2009 at 5.30pm
in the Boardroom, Papanui Service Centre, Corner Langdons Road and Restell Street**

PRESENT: Pauline Cotter (Deputy Chairperson), Ngaire Button, Aaron Keown, Matt Morris, Yvonne Palmer and Norm Withers.

APOLOGIES: Apologies for lateness were received and accepted from Ngaire Button and Norm Withers who joined the meeting at 5.42pm and were absent for Clauses 3, 4, 15 and part of clause 5.

The Board reports that:

PART A – MATTERS REQUIRING A COUNCIL DECISION

1. BOARD REPRESENTATIVES ON MONITORING GROUP FOR WESTMINSTER PARK

General Manager responsible:	General Manager Regulation and Democracy Services, DDI: 941-8462
Officer responsible:	Democracy Services Manager
Author:	Peter Croucher, Community Board Adviser

PURPOSE OF REPORT

1. The purpose of this report is to recommend to the Council the representatives for a monitoring group to assess progress with the project to develop Westminster Park.

EXECUTIVE SUMMARY

2. On 13 November 2008 the Council resolved that a monitoring group be established to assess progress with the project to develop Westminster Park, and that Westminster Sports Incorporated and the Council each have three nominated representatives on the monitoring group.
3. The monitoring group is to meet quarterly, and the nominated Council representatives are to report back to the Shirley/Papanui Community Board three monthly or as required.
4. In discussion of this item on 13 November, no decision was made regarding which Council representatives would be appointed to the monitoring group. The issue has been referred back to the Shirley/Papanui Community Board for suggestions.
5. The Board was invited to give consideration to the appointment of the three Council nominated representatives on the monitoring group. It was noted that staff with technical expertise relevant to the project will be available to provide information to the monitoring group.

FINANCIAL IMPLICATIONS

6. Not applicable.

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

7. Not applicable.

LEGAL CONSIDERATIONS

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

8. There are no legal implications involved.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

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

9. Not applicable.

ALIGNMENT WITH STRATEGIES

10. Not applicable.

Do the recommendations align with the Council's strategies?

11. Not applicable.

CONSULTATION FULFILMENT

12. Not applicable.

STAFF RECOMMENDATION

That the Shirley/Papanui Community Board gives consideration to the appointment of three Council nominated representatives on the monitoring group for the Westminster Park project, for recommendation to the Council.

BOARD RECOMMENDATION

That the Council approve the Shirley/Papanui Community Board representatives on the monitoring group for the Westminster Park project being Pauline Cotter, Aaron Keown and Yvonne Palmer.

PART B - REPORTS FOR INFORMATION

2. RAILWAY NORTH CYCLEWAY

This matter was dealt with by a Part A Chairperson's Report to the Council on 12 March 2009.

3. MINUTES OF COMMUNITY SERVICES AND EVENTS COMMITTEE OF 9 DECEMBER 2009

The Board **received** for information the confirmed minutes of the Community Services and Events Committee meeting of 9 December 2009 and noted the following decisions had been made under delegated authority:

3.1 CONFIRMATION OF MINUTES – 11 NOVEMBER 2008

The Committee **resolved** that the minutes of the Committee's ordinary meeting held on 11 November 2008, be confirmed.

3.2. **COMMUNITY REPRESENTATIVES ATTENDING BOARDS CONFERENCE**

The Committee considered a report requesting funding the attendance of up to five community representatives to attend the 2009 New Zealand Community Boards' Conference.

The Committee **resolved**:

- (a) To approve the attendance of up to five community representatives from within the Shirley/Papanui ward to the New Zealand Community Boards' Conference in Christchurch from 19 to 21 March 2009 with the registration cost being funded from the Board's 2008/09 Discretionary Response Fund.
- (b) That the five community representatives to be funded to attend the New Zealand Community Boards' Conference in Christchurch from 19 to 21 March 2009 be as follows, subject to availability:
 1. Ralph Ross (Christchurch Combined Residents' Association)
 2. Ginny Larsen and Tony Marsh (Neighbourhood Trust) - to share one registration
 3. Bill Demeter (St Albans Residents Association)
 4. Tony McCahon (Delta Trust)
 5. Sharyn Burnett (Shirley Community Trust)

The Committee identified two other members of the community who could be substituted in the event of unavailability of the identified representatives.

3.3. **ADJOURNMENT OF MEETING**

At 5pm the Committee resolved that the meeting stand adjourned and resumed at 5.35pm.

3.4. **CHRISTCHURCH NORTH PRESBYTERIAN CHURCH – REQUEST FOR FUNDING**

The Committee considered a report requesting funding from the Board's Discretionary Response Fund for Christchurch North Presbyterian Church for \$1,000 towards the cost of an application for Resource Consent to enable signage to be installed.

The Committee **resolved** that the staff recommendation be declined and that the Christchurch North Presbyterian Church be invited to submit information to the Committee to enable consideration to be given to applying for a Council initiated plan change to have their Church land rezoned appropriately.

(Note: Pauline Cotter requested that her vote against the above decision be recorded.)

3.5. **PUDDLEDUCKS TOY LIBRARY – REQUEST FOR FUNDING**

The Committee considered a report requesting funding from the Board's Discretionary Response Fund for Puddleducks Toy Library for \$1,862 towards the cost of shelving. The application is being shared with Burwood/Pegasus Community Board hence the amount being requested from the Shirley/papanui Community Board is \$931.

The Committee **resolved** to allocate \$931 from the 2008/09 Discretionary Response Fund to Puddleducks Toy Library to assist with the installation of shelving and storage furniture.

3.6. **SHIRLEY METHODIST PLAYGROUP – REQUEST FOR FUNDING**

The Committee considered a report requesting funding from the Board's Discretionary Response Fund for the Shirley Methodist Playgroup for \$1,600 towards the cost of fencing. The application was being shared with Burwood/Pegasus Community Board who has also been requested to fund \$1,600.

Matt Morris moved:

That the Shirley/Papanui Community Board allocate \$1,600 from the 2008/09 Discretionary Response Fund to the Shirley Methodist Playgroup to assist with new fencing requirements.

The motion was seconded by Ngaire Button and when put to the meeting was declared tied 3 all on a show of hands.

The Deputy Chairperson used her casting vote for the motion and the motion was declared **carried**.

(Note: Aaron Keown, Yvonne Palmer and Norm Withers requested that their votes against the above decision be recorded. Aaron Keown requested that his reasons be recorded, being on the basis of cost)

4. **GREENSPACE TRAFFIC WORKS COMMITTEE MEETING – MINUTES OF 15 DECEMBER 2008**

The Board **received** for information the confirmed minutes of the Greenspace Traffic Works Committee meeting of 15 December 2008 and noted the following decisions had been made under delegated authority:

4.1 **CONFIRMATION OF MINUTES – 17 NOVEMBER 2008**

The Committee **resolved** to confirm the minutes of the Greenspace Traffic Works Committee meeting of 17 November 2008, following amendments to Clause 6(a), as follows:

*"The Committee **agreed** to receive the report and accepted the report findings that pedestrian and traffic safety at the Edgeware/Colombo Street intersection was not a matter of concern. The findings of the report to be forwarded to the St Albans Residents Association."*

4.2 **BEALEY AVENUE – PROPOSED NO-STOPPING RESTRICTIONS**

The Committee considered a report seeking approval for a no-stopping area between the two driveways adjacent to the Speights Ale House.

The Committee **resolved** that the stopping of vehicles be prohibited at any time on the North side of Bealey Avenue commencing at a point 86 metres in a westerly direction from its intersection with Packe Street and extending in a westerly direction for a distance of 5.5 metres.

4.3. **SPRINGFIELD ROAD – PROPOSED NO-STOPPING RESTRICTION**

The Committee considered a report seeking approval for a no-stopping area on the eastern side of Springfield Road outside the Beulah Church.

The Committee **resolved** that the stopping of vehicles be prohibited at any time on the eastern side of Springfield Road commencing at a point 75 metres in a southerly direction from its intersection with Edgeware Road and extending in a southerly direction for a distance of five metres.

4.4. FARQUHARS ROAD – PROPOSED NO-STOPPING RESTRICTION

The Committee considered a report seeking approval for a no-stopping area on the south side of Farquhars Road outside house number 36.

The Committee **resolved** that the stopping of vehicles be prohibited at any time on the southern side of Farquhars Road commencing at a point 66 metres west of the intersection with Willowview Drive and extending in a westerly direction generally for 30 metres.

4.5. SAWYERS ARMS ROAD AT SOUTH ISLAND MAIN TRUNK LINE – PROPOSED NO-STOPPING RESTRICTION

The Committee considered a report seeking approval for a no-stopping area on Sawyers Arms Road adjacent to the driveway of property number 97 near the South Island Main Truck Line.

The Committee **resolved** that the stopping of vehicles be prohibited at any time on the south side of Sawyers Arms Road commencing at a point 19 metres north from its intersection with South Island Main Truck Line and extending in a northerly direction for a distance of 16.5 metres.

(Note: Aaron Keown requested that his vote against the above decision be recorded and his reason noted that he objected to the removal of parking spaces in this area).

5. FORMULA FOR ELECTED MEMBERS' REMUNERATION 2009/10

1. The Board considered a report seeking its views on:
 - (a) The formulation of a proposal to be submitted to the Remuneration Authority for the payment of salaries to elected members of the Christchurch City Council for the 2009/10 year; and
 - (b) The associated schedule of expenses and allowances for 2009/10 to be submitted to the Remuneration Authority with the Council's proposal on the payment of salaries.
2. The Board initially considered this report at its meeting of 17 December 2008, and resolved that it lie on the table until additional information could be provided to clarify the proposed formula. Additional information in this version of the report is provided in paragraphs 4-5, 18-20 and 22.
3. A correction to the report in the agenda had previously been advised to members. This noted that the table at clause 20 of the agenda needed to be amended as follows:

The indicative pool for the Christchurch City Council in 2009/10 amounts to:

<i>Total pool</i>	1,635,235
<i>less Mayor's gross salary</i>	163,113

<i>Pool available for Deputy Mayor, Councillors, Community Board members"</i>	1,477,122

The recommendations from each Board will be collectively reported to the Council for consideration in March 2009.

(Note: Ngaire Button and Norm Withers abstained from voting)

6. DEPUTATIONS BY APPOINTMENT

6.1 New Zealand Police

Inspector Dave Lawry updated members on Police matters in the Shirley/Papanui ward.

6.2 Erica Street Traffic Concerns

Michael Cummack and Jo Ducrot expressed their concern for the safety of residents in the street due to speeding traffic and insufficient signage and road markings.

The Board noted that the deputation was the result of a Board suggestion following the presentation of a petition signed by 31 Erica Street residents to the 17 December 2008 meeting of the Board.

A memorandum from the Traffic Engineer recommending that Erica Street did not have traffic safety issues had been previously circulated to the Board and to Mike Cummant and Jo Ducrot.

The Board **decided** that staff be requested to provide a report on the installation of yellow lines on the bends and the speed limit reduced from 50kph to 30kph and stop signs at each end of Erica Street and/or other relevant low cost safety options, including consideration of raised medians on corners.

7. PRESENTATION OF PETITIONS

Nil.

8. NOTICE OF MOTION

Pursuant to Standing Order 3.10, the following Notice of Motion had been received in writing:

“That the Shirley/Papanui Community Board request that staff investigate making the entire length of Hussey Road a 50km area.”

In adopting the notice of motion the Board **agreed** that staff be asked to consider that the entire length of Hussey Road become a 50kph zone.

(Note: Aaron Keown voted against the notice of motion)

9. ADJOURNMENT OF MEETING

At 7.02pm the Board **resolved** that the meeting stand adjourned and resumed at 7.10pm.

10. BRIEFINGS

9.1 Old State Highway 1 Waimakariri Bridge

David McNaughton briefed members on works proposed on the Old Waimakariri Bridge which comprised under-pinning of the piers to combat the effects of river bed scouring.

11. CORRESPONDENCE

The Board **received** the following correspondence:

- 11.1 **Neighbourhood Support Canterbury Incorporated** – The Committee of Neighbourhood Support Canterbury Incorporated requested the appointment of a Board representative to replace Megan Evans.

It was **agreed** that Aaron Keown be the Board's representative on the Committee of Neighbourhood Support Canterbury Incorporated.

- 11.2 **Barbara Purvis**– A letter dated 16 June 2008 was presented to enable the Board to decide on a final response. This raised concerns about traffic works in Sawyers Arms Road. The Board noted that an interim email response from staff had answered some of the matters raised and had provided the requested post-construction survey to Mrs Purvis.

The Board **agreed** that an appropriate response would be forwarding to Mrs Purvis.

- 11.3 **Clayton Cosgrove MP** – On behalf of a constituent regarding continuing safety concerns about left turning traffic into Northfield Road from Northcote Road.

It was **agreed** that staff be requested to present a report on the placement of compulsory stop signs at either end of Northfield road, give way signs where Brogar and Omega Places join Northfield road and appropriate road markings on Northfield Road.

12. COMMUNITY BOARD ADVISER'S UPDATE

12.1 CURRENT ISSUES

The Board **received** updates from the Community Board Adviser on forthcoming Board related activities and projects over the coming weeks.

- It was **agreed** that the Community Garden Pride Awards be held on 20 April 2009 at 7pm, venue to be confirmed. Norm Withers tendered his apology for lateness at this function.
- It was **agreed** that Community Service Awards be held on 15 June 2009 at 7pm at St Stephen's Church (if available).
- It was **agreed** that meetings with Local Principals will be held three times per year, commencing in April 2009. Staff were requested to confirm dates.
- It was **agreed** that an initial meeting be held with Local Members of Parliament in April 2009 and a decision on further meetings with that group to be made following that.
- It was **agreed** that the Board would undertake its own Long Term Council Community Plan consultation.

12.2 REPRESENTATION REVIEW FOR THE 2010 LOCAL AUTHORITY ELECTION

Retrospective approval was given to adopt the Board's submission on the Representation Review for the 2010 Local Authority Election as shown at clause 15.2 of the agenda.

12.3 BOARD FUNDING UPDATE FOR 2008/09

The Board's Discretionary Response Fund had an unallocated balance of \$31,419 and the Youth Development Scheme Fund had an unallocated balance of \$3,330 prior to the decisions made in the current meeting.

13. BOARD MEMBERS' INFORMATION EXCHANGE

13.1 MEMBERS' INFORMATION

Specific mention was made of the following matters:

- It was **agreed** on a request from Norm Withers that the start time of the Shirley/Papanui Community Board meeting of Tuesday 17 March 2009 be moved to 5.30pm to ensure the attendance of Ngaire Button and Norm Withers.
- It was **agreed** that a workshop was required to consider Neighbourhood Week and the Shirley/Papanui Symposium. Staff to propose a suitable date and time.

13.2 CHAIRPERSON'S REPORT

Information on the Deputy Chairperson's activities over the November/December 2008 period had previously been circulated.

14. QUESTIONS UNDER STANDING ORDERS

Nil.

PART C - DELEGATED DECISIONS TAKEN BY THE BOARD

15. CONFIRMATION OF MINUTES – BOARD MEETING OF 17 DECEMBER 2008

The Board **resolved** that the minutes of its ordinary meeting held on 17 December 2008, be confirmed.

16. RAILWAY NORTH CYCLEWAY

The Board considered a report seeking the approval of a parking restriction to take effect following completion of construction of the cycleway.

The Board **resolved** that the stopping of vehicles be prohibited at any time commencing on the south side of Tuckers Road at a point 172 metres from its intersection with Cavendish Road and extending 30 metres in an easterly direction.

A recommendation to the Council on other facets of this project is referred to in clause 3 of these minutes.

17. SHIRLEY PAPANUI YOUTH DEVELOPMENT FUND – REQUESTS FOR FUNDING

The Board considered a report seeking funding from the Board's 2008/09 Youth Development fund.

The decisions recorded below record two changes from the staff recommendation. The amount allocated to Belfast School was increased from the recommended \$350 and the amount for Joshua Williams was increased from the recommended \$250.

The Board **resolved**:

- (i) To approve \$500 from 2008/09 Youth Development Scheme funds to assist Belfast School with costs for students to attend their leadership camp in March 2009.

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- (ii) To approve \$500 from 2008/09 Youth Development Scheme funds for Ashleigh Davidson to attend the Friendship Ice Hockey Tournament being held in Hachinohe, Japan in April 2009.
- (iii) To approve \$500 from 2008/09 Youth Development Scheme funds for Joshua Williams to attend the Friendship Ice Hockey Tournament being held in Hachinohe, Japan in April 2009.
- (iv) To approve \$250 from 2008/09 Youth Development Scheme funds for Darren Coyne to attend the World Schools golf challenge Tournament in Adelaide in April 2009.
- (v) To approve \$500 from 2008/09 Youth Development Scheme funds for Emma Green to attend the World Irish dancing Championships being held from the in Philadelphia in April 2009.

Aaron Keown moved:

That the Board approve \$250 from 2008/09 Youth Development Scheme funds for Matthew Arscott to attend the World Schools golf challenge Tournament in Adelaide in April 2009.

The motion was seconded by Norm Withers and when put to the meeting was declared tied 3 all on a show of hands

The Deputy Chairperson used her casting vote against the motion and the motion was declared **lost**.

18. SHIRLEY/PAPANUI YOUTH DEVELOPMENT FUND – REQUESTS FOR FUNDING

The Board considered a report seeking funding from the Board's 2008/09 Youth Development fund.

The Board discussed the need to transfer funds from the Discretionary Response fund to the Youth Development Scheme fund to enable the current requests to be met. It was noted that after the decision made in clause 17, the Youth Development Scheme balance was \$1,280.

The Community Board Adviser noted that a formal report was required before such a decision could be made and recommended that the Board not proceed at this time to formalise the transfer. The Board chose to proceed.

The Board **resolved**:

- (i) That the Board transfer \$920 from 2008/09 Discretionary Response Fund to 2008/09 Youth Development Fund.
- (ii) To approve \$500 from 2008/09 Youth Development Scheme funds for Anahera Kupa to participate and compete at Te Matatini Kapahaka Festival in Tauranga from 19 – 22 February 2009.
- (iii) To approve \$500 from 2008/09 Youth Development Scheme funds for Te Wera Tuhou to participate and compete at Te Matatini Kapahaka Festival in Tauranga from 19 – 22 February 2009.
- (iv) To approve \$500 from 2008/09 Youth Development Scheme funds for Darci Tuhou to participate and compete at Te Matatini Kapahaka Festival in Tauranga from 19 – 22 February 2009.
- (v) To approve \$500 from 2008/09 Youth Development Scheme funds for Rerekohu Tuhou to participate and compete at Te Matatini Kapahaka Festival in Tauranga from 19 – 22 February 2009.

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ATTACHMENT TO CLAUSE 5

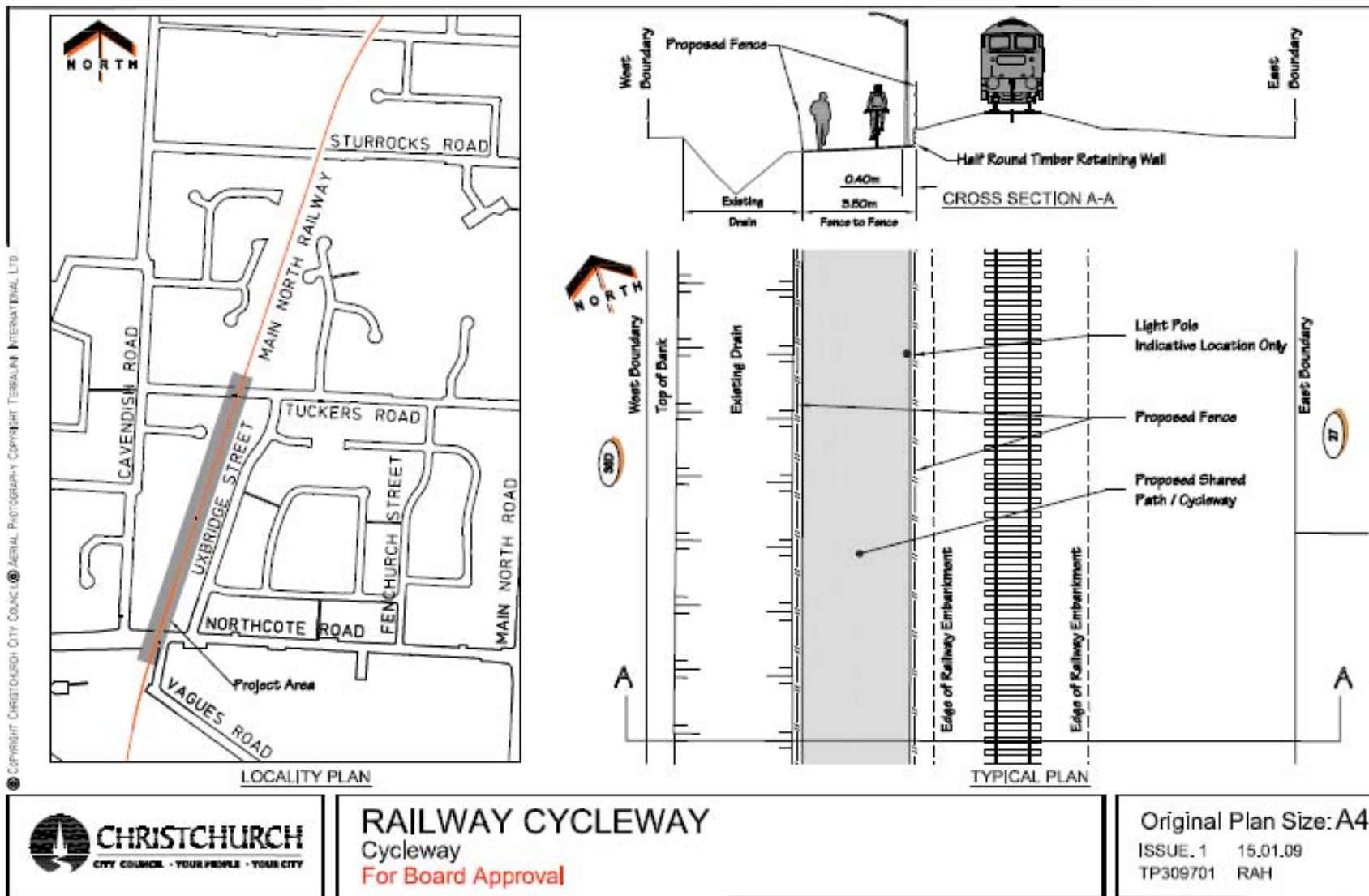
19. RESOLUTION TO EXCLUDE THE PUBLIC

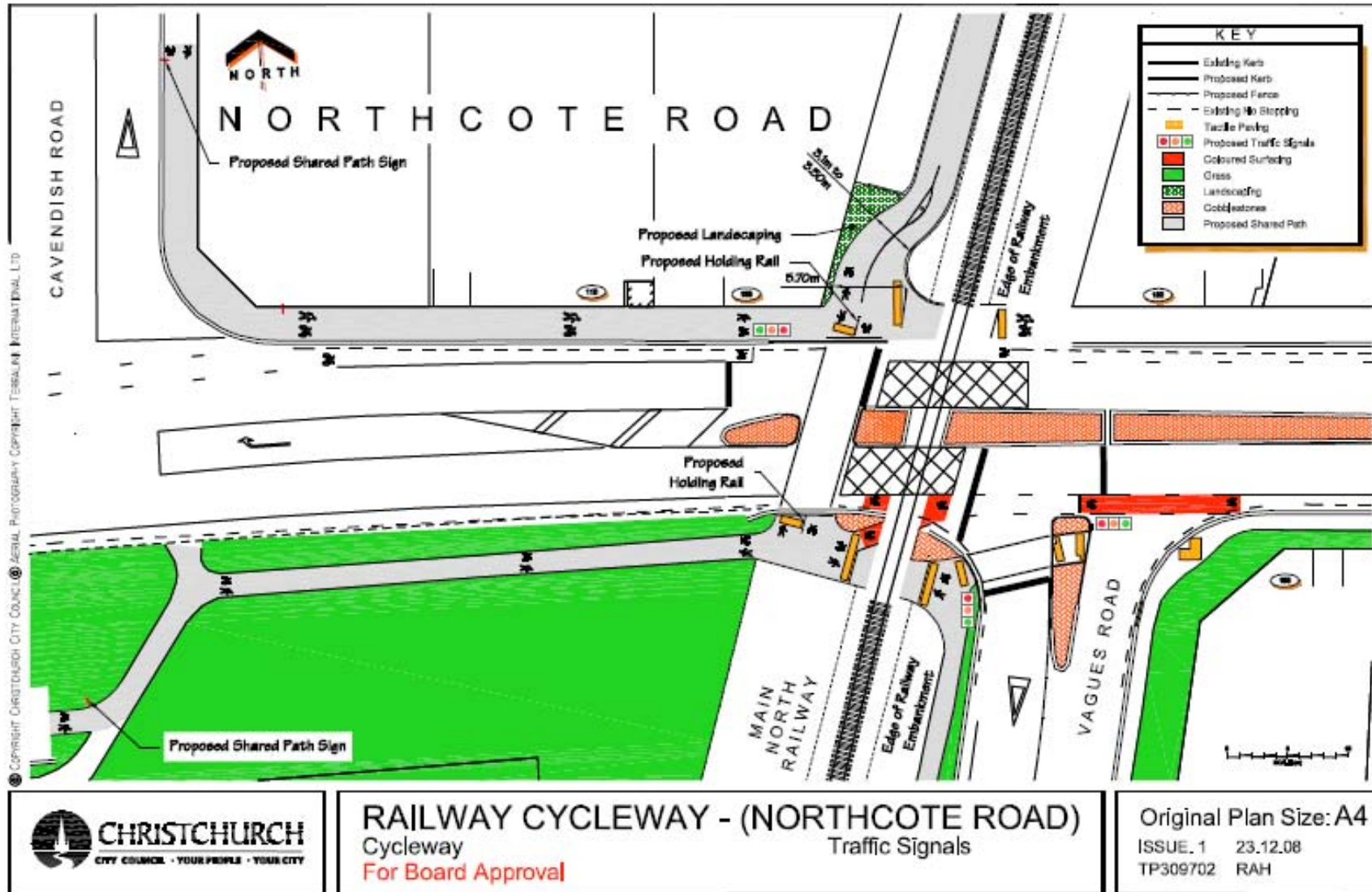
The Board **resolved** that the resolution set out on page 61 of the agenda be adopted.

The meeting concluded at 10.15pm.

CONFIRMED THIS 18TH DAY OF MARCH 2009

**PAULINE COTTER
ACTING CHAIRPERSON**



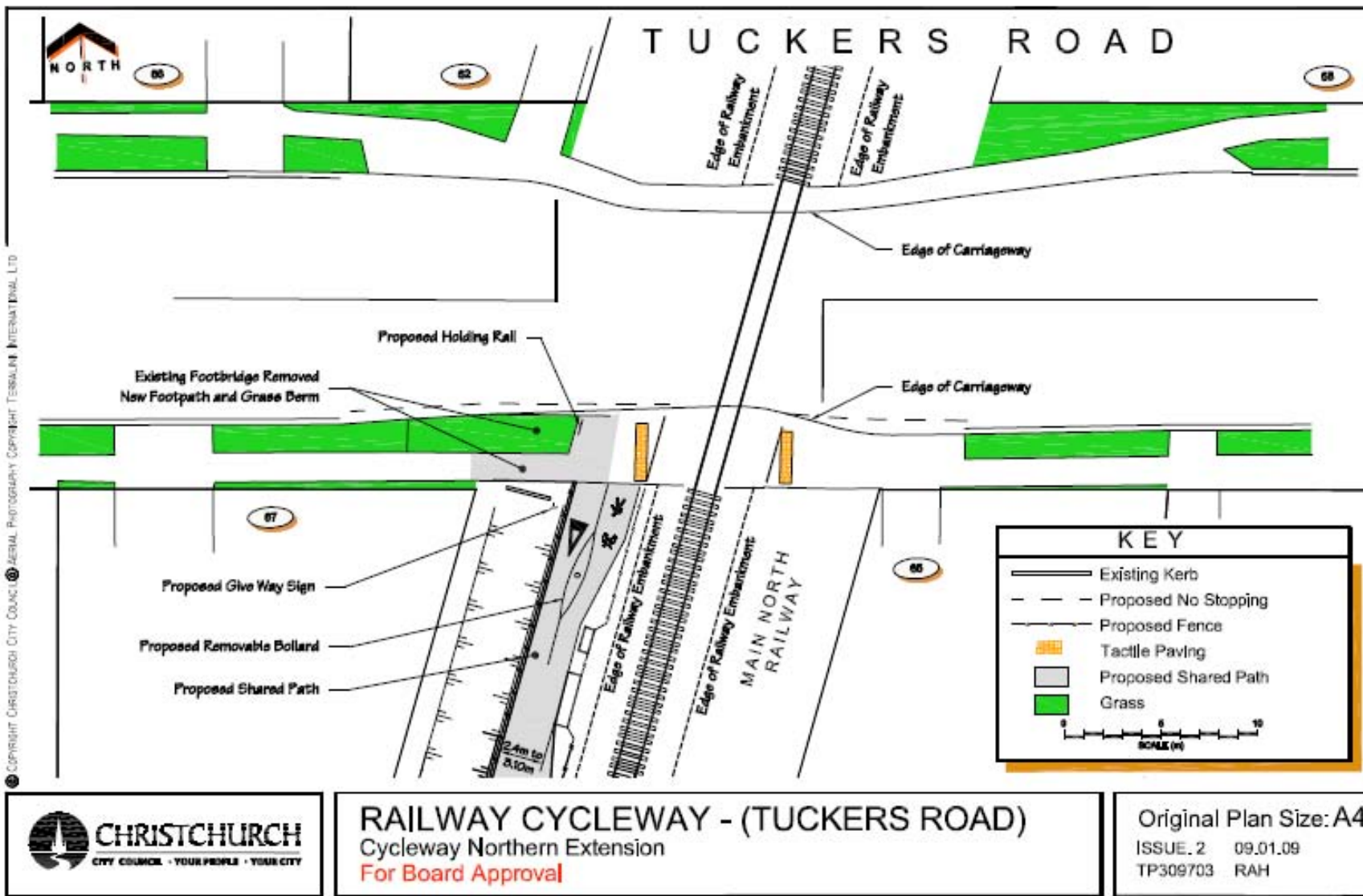


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RAILWAY CYCLEWAY - (NORTHCOTE ROAD)
 Cycleway
 Traffic Signals
 For Board Approval

Original Plan Size: A4
 ISSUE 1 23.12.08
 TP309702 RAH



6. GREENSPACE TRAFFIC WORKS COMMITTEE MEETING – REPORT OF 4 FEBRUARY 2009

General Manager responsible:	General Manager Regulation and Democracy Services, DDI 941 8462
Officer responsible:	Democracy Services Manager
Author:	Peter Croucher, Community Board Adviser

PURPOSE OF REPORT

The purpose of this report is to submit the following outcomes of the Greenspace Traffic Works Committee meeting held on Wednesday 4 February 2009 held directly after the Community Services and Events Committee.

The meeting was attended by Matt Morris (Chairperson), Ngaire Button, Pauline Cotter, Aaron Keown, Matt Morris, Yvonne Palmer and Norm Withers

PART B - REPORTS FOR INFORMATION**1. DEPUTATIONS BY APPOINTMENT**

Nil.

2. TRANSPORT AND GREENSPACE UPDATES

Mary Hay (Greenspace Consultation Leader) and Basil Pettigrew (Traffic Engineer – Community) updated the Committee on the following projects.

2.1 Graham Condon Recreation And Sports Centre

The requested traffic count and speed data for Sisson Drive has been received and circulated to members.

2.2 Sawyers Arms Road/Main North Road

It was agreed that the Board's suggestion to purchase a property at the corner of this intersection for a left-turn slip-lane be included in the Board's submission to the LTCCP.

2.3 Woodchester Street/Medway Street

It was agreed that a submission be made to the LTCCP proposing remedial treatment of this wide intersection to reduce bad driving behaviour.

2.4 Styx Bridge

Members will be kept updated of progress on the recent lodgement of a Customer Service Request to deal with the weeds under the Styx Bridge.

2.5 Gardiners Road Speed Limit Sign

The electronic speed limit sign has been installed and had proved effective.

2.6 Claridges Road

A high friction surface has been laid by Nunweek Park to solve issues of speeding.

It was agreed that staff be requested to provide a cost breakdown for the various styles of electronic speed signs available, including installation costs.

6. Cont'd

2.7 **Grassmere Street**

The Committee agreed that staff be requested to consider the effectiveness of the current street parking allowed adjacent to the Grassmere Street traffic island. Members believe there are problems with the area east of this traffic island, which is too narrow for buses if cars are parked nearby.

3. **COMMITTEE MEMBERS' INFORMATION EXCHANGE**

Specific mention was made of the following:

- **Sawyers Arms/Gardiners Road Intersection**
It was agreed that staff be requested to provide specific information relating to a car accident approximately two weeks ago at this intersection and further that the Police be requested to carry out enforcement in that area. A similar accident occurred at the general same time at the Harewood Road / Gardiners Road intersection.
- **Geraldine Street**
It was agreed that information be requested from staff regarding the recent painting of white traffic lines in Geraldine Street. The Committee had been concerned for some time that the current markings at the various Geraldine Street and other "Living Streets" intersections may cause driver confusion. Staff advice on that matter had already been requested.
- **Security Camera**
It was agreed to request staff to provide details of the cost of a mobile security camera that could be used for the surveillance of graffiti-prone areas in the ward.
- **Arson**
It was agreed that staff be requested to invite the New Zealand Fire Service to present a seminar to the Board on recent arson attacks in Christchurch.
- **Edgware/Colombo Street Intersection**
The Board had previously received a report on this intersection from Council Traffic Engineers and agreed with the findings that there were no safety issues that required action. Recent local newsletter articles and correspondence within indicated this may not be the view of the general public. It was established that Safer Christchurch may be working with Council staff on related issues. It was agreed that staff be requested to provide information on this collaboration.

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

4. **CONFIRMATION OF MEETING MINUTES – 15 DECEMBER 2009**

The Committee **resolved** to confirm the minutes of the Greenspace Traffic Works Committee meeting of 15 December 2009, subject to the following amendments to Clauses 3.7 and 9 as follows:

Clause 3.7 - SAWYERS ARMS ROAD/MAIN NORTH ROAD

**Clause 9 - SAWYERS ARMS ROAD AT SOUTH ISLAND MAIN TRUCK RAILWAY –
PROPOSED NO-STOPPING RESTRICTION**

The Committee considered a report seeking approval for a no-stopping area on Sawyers Arms Road adjacent to the driveway of property number 97 near the *South Island Main Truck Railway*.

6. Cont'd

The Committee **resolved** that the stopping of vehicles be prohibited at any time on the south side of Sawyers Arms Road commencing at a point 19 metres north from its intersection with the *South Island Main Truck Line* and extending in a northerly direction for a distance of 16.5 metres.

5. **MAYFIELD AVENUE STREET RENEWAL**

The Committee considered a report seeking approval that the proposed street renewal works in Mayfield Avenue proceed to detailed design, tender and construction.

The Committee **resolved**:

- (a) That the Mayfield Avenue Street Renewal Project proceed to detailed design, tender and construction as shown on the plan shown as Attachment 1 in the agenda for board approval.

Revocation of existing parking restrictions to take effect following completion of construction of the new kerb and channel in Mayfield Avenue:

- (b) That any existing parking restrictions at any time on both sides of Mayfield Avenue be revoked for its entire length.
- (c) That any existing parking restrictions at any time on the south east side of Westminster Street commencing at its intersection with Mayfield Avenue and extending in a north easterly direction for a distance of 20 metres be revoked.
- (d) That any existing parking restrictions on the south east side of Westminster Street commencing at its intersection with Mayfield Avenue and extending in a south westerly direction for a distance of 20 metres be revoked.
- (e) That any existing parking restrictions on the north east side of Forfar Street commencing at its intersection with Mayfield Avenue and extending in a north westerly direction for a distance of 20 metres be revoked.
- (f) That any existing parking restrictions on the north east side of Forfar Street commencing at its intersection with Mayfield Avenue and extending in a south easterly direction for a distance of 20 metres be revoked.

Proposed No Stopping Restrictions to take effect following completion of construction of the new kerb and channel in Mayfield Avenue:

- (g) That the stopping of vehicles be prohibited at any time on the south east side of Westminster Street commencing at its intersection with Mayfield Avenue and extending in a south westerly direction for a distance of 11 metres.
- (h) That the stopping of vehicles be prohibited at any time on the south east side of Westminster Street commencing at its intersection with Mayfield Avenue and extending in a north easterly direction for a distance of 14 metres.
- (i) That the stopping of vehicles be prohibited at any time on the south west side of Mayfield Avenue commencing at its intersection with Westminster Street and extending in a south easterly direction for a distance of 19 metres.
- (j) That the stopping of vehicles be prohibited at any time on the north east side of Mayfield Avenue commencing at its intersection with Westminster Street and extending in a south easterly direction for a distance of 19 metres.
- (k) That the stopping of vehicles be prohibited at any time on the north west side of Westminster Street commencing at a point 24 metres north east from its intersection with Thames Street and extending in a north easterly direction for a distance of 33 metres.

6. Cont'd

- (l) That the stopping of vehicles be prohibited at any time on the south west side of Mayfield Avenue commencing at a point 159 metres south east from its intersection with Westminster Street and extending in a south easterly direction for a distance of 16 metres.
- (m) That the stopping of vehicles be prohibited at any time on the north east side of Mayfield Avenue commencing at a point 159 metres south east from its intersection with Westminster Street and extending in a south easterly direction for a distance of 16 metres.
- (n) That the stopping of vehicles be prohibited at any time on the north west side of Mayfield Avenue commencing at a point 77 metres north east from its intersection with Forfar Street and extending in a north easterly then north westerly direction for a distance of 26 metres.
- (o) That the stopping of vehicles be prohibited at any time on the north east side of Forfar Street commencing at its intersection with Mayfield Avenue and extending in a north westerly direction for a distance of 9 metres.
- (p) That the stopping of vehicles be prohibited at any time on the north east side of Forfar Street commencing at its intersection with Mayfield Avenue and extending in a south easterly direction for a distance of 20 metres.
- (q) That the stopping of vehicles be prohibited at any time on the north west side of Mayfield Avenue commencing at its intersection with Forfar Street and extending in a north easterly direction for a distance of 15 metres.
- (r) That the stopping of vehicles be prohibited at any time on the south east side of Mayfield Avenue commencing at its intersection with Forfar Street and extending in a north easterly direction for a distance of 26 metres.

Give Way Sign

- (s) That a Give Way Sign be placed against Mayfield Avenue at its intersection with Westminster Street.

Stop Sign

- (t) That a Stop Sign be placed against Mayfield Avenue at its intersection with Forfar Street.

(Note: Aaron Keown and Pauline Cotter requested that their votes against the above decision be recorded and the reason being due to budget and that underground wiring was not being included in the project.)

6. BELLVUE AVENUE STREET RENEWAL

The Committee considered a report seeking approval that the proposed Bellvue Avenue Street Renewal project proceed to final design, tender and construction.

The Committee **resolved:**

- (a) That the Bellvue Avenue Street Renewal Project proceed to detailed design, tender and construction as shown on the plan shown as Attachment 1 in the agenda for board approval.

Revocation of existing parking restrictions to take effect following completion of construction of the new kerb and channel in Bellvue Avenue:

- (b) That any existing parking restrictions at any time on both sides of Bellvue Avenue be revoked.

6. Cont'd

- (c) That any existing parking restrictions at any time on the south west side of St James Avenue commencing at its intersection with Bellvue Avenue and extending in a south easterly direction for a distance of 40 metres be revoked.
- (d) That any existing parking restrictions at any time on the north east side of St James Avenue commencing at its intersection with Bellvue Avenue and extending in a south easterly direction for a distance of 25 metres be revoked.

Proposed No Stopping Restrictions to take effect following completion of construction of the new kerb and channel in Bellvue Avenue:

- (e) That the stopping of vehicles be prohibited at any time on the south west side of Papanui Road commencing at its intersection with Bellvue Avenue and extending in a north westerly direction for a distance of 12 metres.
- (f) That the stopping of vehicles be prohibited at any time on the north west side of Bellvue Avenue commencing at its intersection with Papanui Road and extending in a south westerly direction for a distance of 10 metres.
- (g) That the stopping of vehicles be prohibited at any time on the south west side of Papanui Road commencing at its intersection with Bellvue Avenue and extending in a south easterly direction for a distance of 10 metres.
- (h) That the stopping of vehicles be prohibited at any time on the south east side of Bellvue Avenue commencing at its intersection with Papanui Road and extending in a south westerly direction for a distance of 23 metres.
- (i) That the stopping of vehicles be prohibited at any time around the head of the cul-de-sac of Bellvue Avenue commencing on the south east side of Bellvue Avenue at a point 235 metres from its intersection with Papanui Road and extending in a clockwise direction around the head of the cul-de-sac for a distance of 40 metres finishing on the north west side of Bellvue Avenue.
- (j) That the stopping of vehicles be prohibited at any time on the north west side of Bellvue Avenue commencing at its intersection with St James Avenue and extending in an north easterly direction for a distance of 13 metres.
- (k) That the stopping of vehicles be prohibited at any time on south east sides of Bellvue Avenue commencing at its intersection with St James Avenue and extending in a north easterly direction for a distance of 13 metres
- (l) That the stopping of vehicles be prohibited at any time on the north east side of St James Avenue commencing at its intersection with Bellvue Avenue and extending in a north westerly direction for a distance of 14 metres.
- (m) That the stopping of vehicles be prohibited at any time on the north east side of St James Avenue commencing at its intersection with Bellvue Avenue and extending in a south easterly direction for a distance of 21 metres.
- (n) That the stopping of vehicles be prohibited at any time on the south west side of St James Avenue commencing at a point 93 metres south east from its intersection with Dalriada Street and extending in a south easterly direction for a distance of 51 metres.
- (o) That the stopping of vehicles be prohibited at any time around the head of the cul-de-sac of Bellvue Avenue commencing on the south east side of Bellvue Avenue at a point 110 metres from its intersection with St James Avenue and extending anti clockwise around the cul-de-sac for a distance of 12 metres finishing on the north west side of Bellvue Avenue.

6. Cont'd

Proposed Parking Restrictions to take effect following completion of construction of the new kerb and channel in Bellvue Avenue:

- (p) That the parking of vehicles be restricted to 90 degree angled parking for a maximum period of 30 minutes at anytime on the north west side of Bellvue Avenue commencing at a point 10 metres from its intersection with Papanui Road and extending in a south westerly direction for a distance of 45 metres.
- (q) That the parking of vehicles be restricted to a maximum period of 30 minutes at anytime on the north west side of Bellvue Avenue commencing at a point 60 metres from its intersection with Papanui Road and extending in a south westerly direction for a distance of 25 metres
- (r) That the parking of vehicles be restricted to a maximum period of 30 minutes at anytime on the south east side of Bellvue Avenue commencing at a point 35 metres from its intersection with Papanui Road and extending in a south westerly direction for a distance of 35 metres.

Give Way Sign:

- (s) That a Give Way Sign be placed against Bellvue Avenue at its intersection with Papanui Road.

(Note: Aaron Keown requested that his vote against the above decision be recorded and the reason being due to budget and that underground wiring was not being included in the project.)

7. **PRESTONS ROAD – PROPOSED P5 PARKING RESTRICTION**

The Committee considered a report seeking approval that a Parking Restriction be installed on the north side of Prestons Road outside Marshland Primary School.

The Committee **resolved:**

Revocation of existing parking restrictions:

- (a) That any existing parking restrictions on both the north and south side of Prestons Road commencing at its intersection with Marshland Road extending in a westerly direction to its intersection with Quads Road be revoked.

Proposed No Stopping Restrictions:

- (b) That the stopping of vehicles be prohibited at any time on the north side of Prestons Road commencing at a point 72 metres west of its intersection with Marshland Road and extending in a westerly direction for a distance of 18 metres.
- (c) That the stopping of vehicles be prohibited at any time on the north side of Prestons Road commencing at a point 142 metres west of its intersection with Marshland Road and extending in a westerly direction for a distance of 35 metres.
- (d) That the stopping of vehicles be prohibited at any time on the south side of Prestons Road commencing at a point 133 metres west of its intersection with Marshland Road and extending in a westerly direction for a distance of 26 metres.

Proposed Parking Restrictions:

- (e) That the parking of vehicles be restricted to a maximum period of five minutes on the north side of Prestons Road commencing at a point 113 metres west of its intersection with Marshland Road and extending in a westerly direction for a distance of 22 metres. This restriction is to apply from 8.30am to 9.00am and 2.30pm to 3.30pm, School Days Only.

6. Cont'd

8. LAKE ROTO KOHATU – LICENCE TO OCCUPY TO CANTERBURY SCHOOLS SAILING TRUST

The Committee considered a report seeking approval to grant an extension for a further 12 months by way of a variation to the Licence to Occupy granted to the Canterbury Schools Sailing Trust over that area of reserve land forming Lake Roto Kohatu North East of Sawyers Arms Road from 1 October 2007 expiring now on 31 March 2010.

The Committee **resolved:**

- (a) That the Shirley/Papanui Greenspace Traffic Works Committee approve the granting of an extension by way of a variation for an additional 12 months to the Licence to Occupy granted to the Canterbury Schools Sailing Trust over the areas of reserve land forming Lake Roto Kohatu North East of Sawyers Arms Road from 1 April 2009 to the 31 March 2010 and that the rental be set in line with the Council's standard policy.
- (b) That Greenspace staff provide a memorandum to the Committee advising of proposals for the installation of toilet blocks at Lake Roto Kohatu, to include costs including installation, by 1 April 2009.

The meeting concluded at 7.22pm.

STAFF RECOMMENDATION

That the report be received.

DEPUTY CHAIRPERSON'S RECOMMENDATION

That the staff recommendation be adopted.

7. DEPUTATIONS BY APPOINTMENT

7.1 PAPANUI YOUTH DEVELOPMENT TRUST - ROSS BANBURY

8. PRESENTATION OF PETITIONS

9. NOTICES OF MOTION

10. CORRESPONDENCE

Items of correspondence have been received from Shirley Boys High School, Marian College and the New Zealand Police and separately circulated to members.

11. BRIEFINGS

1.1 GRAHAM CONDON RECREATION AND SPORTS CENTRE – SIMON BATTRICK

1.2 PAPANUI BUS PRIORITY – KIRSTEN MAHONEY

12. EMMETT STREET - TREE PRUNING

General Manager responsible:	General Manager City Environment, DDI 941-8608
Officer responsible:	Unit Manager Transport and Greenspace
Author:	Shane Moohan, City Arborist

PURPOSE OF REPORT

1. To recommend that the Board recommend to Council that the request to undertake height reduction pruning (topping) of the protected scarlet oak trees in Emmett Street be declined.

EXECUTIVE SUMMARY

2. On 17 September 2008 a petition (**attached**) was received by the Board from residents in Emmett Street and Praem Place requesting that the scarlet oak trees in Emmett Street be topped by one quarter.
3. The reason given is that the trees are too high.
4. The petition also mentions Allison Street and Praem Place, however it is unclear what the request is for these two streets.
5. Topping trees is not a recommended arboricultural management practice.
6. Council only tops trees for statutory purposes when they are under electrical conductors or the top of the tree is dead/declining and it is desirable to retain the tree rather than remove it.
7. The trees in Emmett Street are protected through the Christchurch City Plan for their landscape value under Volume 3: Part 8 Special Purpose Zone 4.5.4 Removal or major pruning of any tree in Road Zone as category B trees.
8. Reducing the height of the trees in Emmett Street would have an adverse effect on their quality as a landscape feature.
9. For these reasons it is recommended that the petition be declined and that the trees continue to be maintained to internationally recognised and accepted arboricultural standards and practices.
10. The Board's Greenspace Traffic Works Committee considered this matter at their meeting on 4 March 2009 and recommended that the Board recommend to the Council:
 - (a) that it decline the petitioner's request to reduce the height of the trees in Emmett Street; and
 - (b) that the trees in Emmett Street be maintained to internationally recognised and accepted arboricultural standards and practices.
 - (c) that staff be requested to arrange a meeting at a local venue with residents to provide an explanation and consultation on tree issues in Emmett Street.

FINANCIAL IMPLICATIONS

11. The cost to top the trees is estimated at \$66,000 (not including cost of traffic management). Topping these trees would become an annual exercise with similar costs involved.

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

12. The recommendation aligns with the current LTCCP budgets.

12. Cont'd

LEGAL CONSIDERATIONS

13. The rules for pruning trees protected under Part 8 Special Purpose Zones are :

"In addition to any relevant rules applicable to listed protected trees in Appendix 4, part 10 of the Plan, within any of the streets listed in the SP (Road) Zone listed below:

- (a) No tree shall be removed
- (b) Pruning of any tree shall only be permitted above a height which is two-thirds of the total height of the tree measured from ground level
- (c) Below the height specified in (b), only those branches less than 50mm in diameter may be pruned

14. This rule shall not apply if removal or pruning is required for any of the following reasons:

- the tree is dead, dying or diseased;
- the tree presents an immediate hazard due to structural weakness or root instability;
- the tree is causing serious damage to essential public or private services or property"

15. This means that topping the trees by as much as one third of their height is a permitted activity therefore no Resource Consent is required to gain approval for this work.

16. The Greenspace Manager has the following delegation with respect to trees:

"In consultation with any other units affected and the relevant Community Board, authorise the planting or removal of trees from any reserve or other property under the Manager's control."

Therefore the delegated authority to approve or decline this request lies with the Transport and Greenspace Manager or the Community Board.

17. Although this pruning request is a permitted activity consideration of the following City Plan Policies may be of some benefit –

Volume 2 : Section 4 City Identity

4.2.1 Policy: Tree Cover

To promote amenity values in the urban area by maintaining and enhancing the tree cover present in the City.

Tree cover and vegetation make an important contribution to amenity values in the City. Through the redevelopment of sites, existing vegetation is often lost and not replaced. The City Plan protects those trees identified as "heritage" or "notable" and the subdivision process protects other trees which are considered to be "significant". The highest degree of protection applies to heritage trees.

Because Christchurch is largely built on a flat plain, trees and shrubs play an important role in creating relief, contributing to visual amenity and attracting native birds.

The amount of private open space available for new planting and to retain existing trees is influenced by rules concerning building density and setback from boundaries. The rules do not require new planting for residential development but landscaping is required in business zones.

4.2.2 Policy: Garden City

12. Cont'd

To recognise and promote the "Garden City" identity, heritage and character of Christchurch.

A key aspect of achieving this policy will be maintaining and extending environments and vegetation types which compliment this image. A broad range of matters influence and contribute to this image, including the following:

- tree-lined streets and avenues
- parks and developed areas of open space

14.3.2 Policy: "Garden City" image identity

To acknowledge and promote the "Garden City" identity of the City by protecting, maintaining and extending planting which compliments this image

Volume 3: Part 8 Special Purpose Zone

14.3.5 Street Trees

Nearly half the length of streets within the city contains street trees, but the presence of very high quality street trees which add considerable presence to streets and neighbourhoods is confined to a relatively small proportion of the road network. These streets add particular character and amenity of the city, either in the form of avenues which form points into the city, or an important part of the local character of particular streets.

- 18 Council as landowner has the legal right to approve or decline the request to prune the trees.
19. An application to prune or remove the trees may be made to the District Court under The Property Law Amendment Act 1975.

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

20. Council has the legal right to approve or decline the application to prune the trees.
21. The District Court can order the pruning of the trees under The Property Law Amendment Act 1975.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

22. Pruning the trees without obtaining reimbursement from the applicant is inconsistent with the current LTCCP as funding has not been allocated in the Transport & Greenspace Unit tree maintenance budget for the topping of structurally sound and healthy trees other than those requiring clearance from electrical conductors.
23. Obtaining reimbursement from the petitioners to prune the trees is consistent with the current LTCCP (however this will have to be an annual cost which will also be required to be passed on).

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

24. The recommendation aligns with the level of service for street tree maintenance and provision.

ALIGNMENT WITH STRATEGIES

25. Retaining the trees in their present condition and form would be consistent with the Living Streets Strategy and the Biodiversity Strategy.
26. Retaining the trees in their present condition and form would be consistent with the Christchurch Urban Design Vision

12. Cont'd

27. There is currently no overarching city wide strategy for vegetation management.
28. There is currently no policy for the pruning or removing of trees in public spaces. A Draft Tree Policy is being worked on.
29. Retaining the trees in their present condition and form would be in keeping with the Garden City Image.
30. Topping the trees would not be in keeping with the Garden City image.

CONSULTATION FULFILMENT

31. There has been no public consultation by Council on this matter.

STAFF RECOMMENDATION

It is recommended that the Greenspace Traffic Works Committee asks the Board to recommend that the Council:

- (a) declines the request to reduce the height of the trees in Emmett Street; and
- (b) that the trees in Emmett Street be maintained to internationally recognised and accepted arboricultural standards and practices.

DEPUTY CHAIRPERSON'S RECOMMENDATION

That the Greenspace Traffic Works Committee recommendations at clause 10 of this report be adopted.

12. Cont'd

BACKGROUND (THE ISSUES)

31. The scarlet oak trees in Emmett Street were planted in 1950 and 1970. There are 115 trees.
32. They are significant to Christchurch City as a landscape feature for size, form and age.
33. It is possible that they also have significance to Christchurch for commemorative purposes as it has been suggested that they were planted to commemorate soldiers in World War II. This has not been confirmed.
34. Topping the trees would have a negative effect on them as a landscape feature and would negate the reason why they were protected.
35. A conservative value of \$2.7 million (using STEM Standard Tree Evaluation Method, which is the national arboricultural industry standard for evaluating and valuing amenity trees) has recently been placed on them. Topping them would reduce the value by approximately \$900,000.
36. Approving the request may lead to residents with similar requests (e.g. Massey Crescent, Severn Street, Dudley Street etc) expecting the same result. This would have serious consequences for the Garden City image.
37. Council has declined similar requests from residents in other streets with significant trees.
38. Topping trees is not a recommended management practice because –
 - topping leads to decay within the remaining stem which can make the tree structurally unsound
 - the resultant new growth is weakly attached to the remaining stem which means it breaks off easily and is therefore hazardous
 - severe topping of trees can make them unstable as a comparable amount of roots will die to compensate for the sudden loss of photosynthetic material
 - topping trees can inhibit root growth by denying the roots access to chemicals critical to their development
 - removing the upper canopy can open up the remaining canopy to wind forces that the tree is not geared to take. This can lead to branches breaking off in winds
 - the tree will, within 1 year of pruning, put on growth up to 10 times the amount of foliage removed. This means that any “benefits” from topping are quickly reversed.
 - removal of the outer foliage can cause sun scald to the inner canopy and branches not used to exposure to the sun
 - topped trees are generally unsightly and can detract from the landscape character that the trees create or contribute to
 - maintenance costs are high as trees will require topping annually which will involve specialist equipment such as elevated platform trucks
39. A combined Community Board and staff site visit was conducted on 3 December 2008 where one of the petitioners Mr Rogers of 2 Praem Place stated that the reason he would like the trees topped is to increase their stability.
40. Residents usually request trees be topped because of shade, leaf fall, views or encroachment purposes.
41. The trees in Allison Street are Fraxinus ornus (flowering ash) and because of their small stature at maturity are highly unlikely to cause shade or encroachment problems. There may be some concerns with leaf fall in autumn.
42. There are no street trees in Praem Place.
43. There will be some encroachment pruning undertaken for Emmett Street when a general maintenance round is scheduled for May and June of this year.

12. Cont'd

THE OBJECTIVES

44. The objectives of this report are to provide the Board with sufficient information to enable Board Members to make a decision on the future maintenance of the trees in Emmett Street.

THE OPTIONS

Option 1: Maintain the status quo

45. (a) decline the request to reduce the height of the trees in Emmett Street; and
(b) that the trees in Emmett Street be maintained to internationally recognised and accepted arboricultural standards and practices.

Option 2

46. Top the trees.
(a) Do not charge the petitioners for pruning.
(b) Charge the petitioners the cost of pruning (including cost of traffic management). Cost of pruning is estimated at \$66,000 (excluding cost of traffic management). Topping these trees would become an annual exercise with similar costs involved.

THE PREFERRED OPTION

47. (a) decline the request to reduce the height of the trees in Emmett Street; and
(b) that the trees in Emmett Street be maintained to internationally recognised and accepted arboricultural standards and practices.

9/5/2008

No 2

Pray Information - alongside a petition:

We the undersigned, wish to draw to the Council's attention the concerns of local residents regarding (the subject).....and request that action be taken to..... or ~~that~~ ^{that 1/4 of Tree tops must be topped now!} ^{Dakem Place} ^{Allison Place} We the undersigned, wish to advise the Council of our strong support of/opposition to.....and ask that the Council..... Re Emmet St ^{7 1/2} ^{of Peoples Sections.} Re too High Oak trees in

R. A Roberts - R. A Roberts 31 Emmett Street owner
G.S. Roberts

SRINIVASAN 29 EMMETT STREET SHIRLEY Srinivasan
OWNER

W. Avenell 23 Emmett Street Shirley W. Avenell
Rental

E. N. Smitharam 21 Emmett street n n E. N. Smitharam
Rental

G + S. Trotter 19 Emmett St Rental

(11) R. J. McDonald 15 Emmett ST Rental

A. Herd 18 Emmett St Owner

B. Keeler 11 Emmett St Rental

J. McKenzie 9 Emmett st Rental

5 M. Harrison 23 Shirley Rd Owner

Tie Bai 8 Emmett St. Shirley Tie Bai
Owner

N Reriti 10 Emmett St, Shirley Nataheriti
Owner

(12) H. O'Connell 14 Emmett, St, Shirley H. O'Connell
Owner

23 P Scott 16 Emmett St. P. Scott
Owner

Mahalia McGregor 24 Emmett St Mahalia McGregor
Owner

Reg & Rogers 2 Praem Place ~~104 Emmett St~~ ^{16 Regent} ^{Neighbourhood Watch} 9-5-2008

102 Emmett St G.M. Robinson Glenn Robinson

~~141 Myra~~ 160 Emmett Street ~~DUMAT~~
Stuart Bradley

~~98~~ 98 Emmett St Stuart Bradley Stuart Bond

Stu 96 Emmett St Shirley Deans Harie Maw

Street 94 Emmett St Shirley Karen owner

86 Emmett St ~~Caroline~~ Caroline Andrew Fardowsa

Miss Treena Tate 92 Emmett St, I.M. Tate 9-5-08

MR. LYNN & PAT RHODES 90 Emmett St 9-5-08

Mrs D Hobbs 88 Emmett St 9-5-08

83) Shawn Fox 86 Emmett St

C Hawon 82 Emmett St

L. Panatene 3 - Orion St ~~Switzerland~~ 9-5-08

45 Emmett JERVIS FAMILY P.C. Jenning 9/5/08

Belcher family 76 Emmett St Stuart Bond 9-5-08

Bromwynn Lynch 64 Emmett St 9-5-08

62) S.E. Choat 54 Emmett St 9-5-08

60) Karl Savage 48 Emmett St 9-5-08

58) Tracy Kearns

36) Tana Jason 42 Emmett St T. Stevenson 9-5-08

46) Lynda Leaux 40 Emmett St Deaux 9-5-08

Scott Fowler 37 Emmett St Scott Fowler 9-5-08 owner

84) Keran Seymour Praem Place Shirley 9-5-08

3 189) P. Roberts 6 Praem Pl Shirley 9/5/08

M. Gallagher 4 Praem Place Shirley 9/5/08 owner

13. ROAD STOPPING POLICY

General Manager responsible:	General Manager City Environment, DDI 941-8608
Officer responsible:	Unit Manager Transport and Greenspace
Author:	Angus Smith, Manager Property Consultancy

PURPOSE OF REPORT

1. The purpose of this report is to recommend to the Council the adoption of a formal policy in relation to the stopping of legal road.

EXECUTIVE SUMMARY

2. The Council at its meeting on the 14 August 2008 passed the following resolution in response to a report concerning a proposed stopping of legal road adjacent to the property at 10 Waiwetū Street –

“It was resolved that the Council leave this matter to lie on the table at Council until the Council has resolved its policy position on these matters, as highlighted by the report on the disposal of surplus road land outside 173 Clyde Road, which was deferred by the Council at its meeting on 12 June 2008.”

3. A report recommending the adoption of policy and delegations for road stopping was subsequently considered by Council on the 25 September 2008 which resulted in the following resolution -

*“It was **resolved** on the motion of Councillor Wall, seconded by Councillor Buck, that this report be forwarded to Community Boards for their comment and a subsequent amended report to be brought back to the Council.”*

4. This report, amended from the original to incorporate comments/issues arising from the Council debate, seeks to attend to this resolution.
5. Every year the Council stops a number of roads, or parts of road(s), either to meet Council policies or strategies, or in direct response to a road stopping application by a third party. Most of these are straight-forward applications involving small non-complying land parcels held by the Council along the road frontage of properties no longer required for roading purposes. The decisions taken on these straight-forward applications are generally governed by infrastructure needs at an asset planning and management level. Accordingly, allowing these minor decisions to be undertaken at a management level, rather than at a governance level, would enable such applications to be processed more quickly, more efficiently and with less cost and would have remove unnecessary administrative issues from the Council’s meeting agenda. However, some road stopping applications are more strategic in nature and involve significant parcels of land that should be considered by elected members.
6. At the moment individual road stopping decisions are made in isolation without reference to a policy document or statement of Council objectives. Accordingly staff have prepared a draft ‘Road Stopping Policy’ for consideration by the Council.
7. In summary, this report proposes:
 - (a) That the Council:
 - Approves and adopts the attached Road Stopping Policy
 - Approves the delegations set out in the staff recommendations to this report that delegate the decision making for minor road stopping decisions to Council staff and the delegation for all other road stopping decisions to Community Boards.

13. Cont'd

(b) That Community Boards may:

- approve or decline any road-stopping applications received in relation to any legal road situated in their Wards where such decision making is consistent with the Council's Road Stopping Policy and is **not** subject to a staff delegation.

(c) That the Corporate Support Manager under delegated authority may:

- approve or decline road-stopping applications only where:
 - The area of road to be stopped is not a complying lot under the City Plan on its own; and
 - It will be necessary for the stopped road to be amalgamated with the title to the adjoining property; and
 - The adjoining owner is the logical purchaser of the stopped road; and
 - The proposed road-stopping complies with the Council's Road Stopping Policy.
- where his delegated authority applies, determine which statutory road-stopping process is to be used and implement the necessary statutory and other procedures required to effect the road stopping in accordance with the Road Stopping Policy.

8. The Council has the legal ability to stop roads either under the Local Government Act 1974 (LGA), or the Public Works Act 1981 (PWA). The major difference between the two procedures is that under the LGA process there is a requirement for public notification and the ability of members of the public to object, whereas, with the consent of all adjoining land owners, there is no such general consultation requirement and objection process under the PWA.

9. Currently the Christchurch City Council does not have a Road Stopping Policy. The development of such a policy will ensure that the Council's decision-making and application processes are clear and consistent. Consistency is required in terms of determining under which Act a road will be stopped, as well as the assessment and evaluation criteria to be utilised.

10. The recommended Policy has been developed by the Property Consultancy Team in consultation with the Asset and Network Planning Unit, the Legal Services Unit and the Survey Team.

FINANCIAL IMPLICATIONS

11. The Policy is based on the principle of full cost recovery from third party applicants and recommendations will be made through the Annual Plan and LTCCP processes to support this. It is proposed that purchasers of land will reimburse the Council for the costs (including Council Staff time) and disbursements incurred by the Council to complete the transaction.

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

12. Yes.

LEGAL CONSIDERATIONS

13. Under the Local Government Act 2002 the Council is permitted to adopt a policy to provide guidelines as to the criteria and process to be adopted by the Council when considering and implementing any decision to stop any legal road.

14. The Council has the ability to stop road, or parts of a road, either by using the process under the PWA or the process under the LGA. The procedures that are required to be followed by the Council when using the LGA process are set out in the Tenth Schedule to the LGA, and include the public notification of the proposed road stopping and for the hearing of any objections received. Conversely, the PWA process does not require public notification, however the Council and any adjoining landowner(s) must consent to the proposal.

13. Cont'd

15. The relevant sections of each Act are summarised below.

Local Government Act 1974

16. *Section 319 (h) – General powers of councils in respect of roads-*
This Section gives local authorities the general power to stop any road or part thereof in accordance with the Act.
17. *Section 342 (1) (a) – Stopping of roads-*
Confers on the Council the ability to declare a road to be formally stopped.
18. *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.
19. 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.
20. *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.
21. *Section 345 (3) – Stopped road to vest as Esplanade Reserve*
Where any road along the mark of a mean high water springs of the sea, or along the bank of any river within an average width of 3 meters or more, or the margin of any lake with an area of 8 hectares or more is stopped, this Section requires an area of road to vest in the Council as an esplanade reserve for the purposes specified in Section 229 of the Resource Management Act 1991.
22. *Tenth Schedule – Conditions as to Stopping of Roads*
Outlines the procedure to be undertaken in order to stop a road. The following table summarises the various steps:

1.	The Council prepares: (a) a survey plan of the road proposed to be stopped; and (b) an explanation as to why the road is to be stopped and the purpose or purposes to which the stopped road will be put. And lodges the plan at LINZ for approval.
2.	Once LINZ has approved the plan, the plan is made available to the public with a view to receiving objections to the proposal(s). The Council must: (a) at least twice, at intervals of not less than seven days, give public notice of the proposal(s); (b) serve the same notice on the occupiers of all land adjoining the road; The Plan is open for public objection for a minimum period of 40 days from the date of the first publication of the public notice.
3.	A notice of the proposed stopping is fixed in a conspicuous place at each end of the road proposed to be stopped for the duration of the public notification period.
4.	If no objections are received, the Council may by public notice declare that the road is stopped.
5.	If objections are received, the Council shall, unless it decides to allow the objections, send the objections together with the plans and a full description of the proposed alterations to the Environment Court.

13. Cont'd

6.	The Environment Court will make a final and conclusive decision.
7.	If the Environment Court reverses the decision of the Council, no proceedings shall be entered by the Court for stopping the road for two years thereafter.
8.	If the Environment Court confirms the decision of the Council, the Council may declare by public notice that the road is stopped.
9.	The notice and survey plan will be lodged with LINZ for record.

Public Works Act 1981

23. *Section 116 – Stopping Roads-*
This Section provides that, subject to the consent of the territorial authority and the owner(s) of the land adjoining the road in writing to the stopping, then the road can be declared formally stopped by notice in the Gazette.
24. *Section 117 – Dealing with stopped roads-*
This Section enables the Council to deal with the stopped road in the same manner as if the road had been stopped pursuant to the Local Government Act 1974.
25. *Section 118 – Application of other Acts to stopped roads-*
Where any road or any portion of a road along the mark of a mean high water springs of the sea, or along the bank of any river, or the margin of any lake (as the case may be) is stopped under Section 116 of this Act, then Section 345(3) of the Local Government Act 1974 (relating to esplanade reserves) shall apply to the stopped road.
26. *Section 120 – Registration-*
This Section provides for the road stopping to be noted by the District Land Registrar and if deemed appropriate by the Council for it to be amalgamated with the adjoining land.
27. The road stopping procedure pursuant to this Act is summarised in the table below:

1.	The owners of any land adjoining the road to be stopped must consent in writing to the stopping.
2.	The Council must consent to the road stopping proposal.
3.	The Council prepares a survey plan of the road proposed to be stopped and lodges the plan at LINZ for approval.
4.	The land is declared stopped by proclamation and publication of that proclamation in the New Zealand Gazette. A copy of the entry in the Gazette is then registered at LINZ.

Determining which statutory process to follow

28. Neither the LGA nor the PWA gives specific guidance as to which statutory procedure should be used. Currently, Council staff make this assessment on a case by case basis having due regard to the effect of the road-stopping on the public and parties other than the applicant and the likelihood of the proposal succeeding. Council staff have operated on the basis that best practice has dictated that if in doubt, the LGA procedure should apply. Guidelines about which Act to follow are set out in the proposed Road Stopping Policy document below.

DELEGATIONS

29. Pursuant to paragraph 32 of the 7th Schedule of the Local Government Act 2002 the Council has the legal ability to delegate its road-stopping powers under both the LGA and the PWA

13. Cont'd

30. Currently, the only road-stopping power that the Council has delegated is a delegation to Community Boards to stop "access ways". Section 315(1) of the Local Government Act 1974 defines "access way" as:

"any passage way, laid out or constructed by the authority of the council or the Minister of Works and Development [or, on or after the 1st day of April 1988, the Minister of Lands] for the purposes of providing the public with a convenient route for pedestrians from any road, service lane, or reserve to another, or to any public place or to any railway station, or from one public place to another public place, or from one part of any road, service lane, or reserve to another part of that same road, service lane, or reserve".

31. It is proposed not to alter this delegation.
32. The Council has delegated the power to hear objections to road stopping procedures pursuant to the Tenth Schedule of the Local Government Act 1974 to Council Hearings Panels. It is not proposed to alter this.
33. The Council has not delegated any other part of its road-stopping powers. The practical effect of this is that all road-stopping applications, whether from Council staff, implementing Council agreed policies and strategies, or from third parties, require a formal Council resolution.
34. When the Council initially considered this report on 25 September 2008, Councillors raised concerns in the debate about unformed legal (paper) roads (particularly in relation to Banks Peninsula) and issues around scale and size of road-stoppings. With respect to Banks Peninsula, the retention of appropriate legal but unformed roads will be considered and evaluated as part of the development of the open space strategy being prepared by Strategy and Planning. The intention being to provide and retain appropriate access to reserves, bays and foreshores and to provide linkages and connections throughout the Peninsula. Before any action was taken to stop a road these matters would first have to be considered before any decision to proceed was recommended.
35. The Council may delegate authority to proceed with a road stopping application to either Council staff or to community boards. In addressing these two issues, whilst endeavouring to maintain the necessary balance to enable the delivery of an efficient and effective service, the following is proposed:
- (a) Staff are delegated the authority to process and make decisions, in accordance with the attached policy, on applications relating to non complying lots / strips of land adjacent to properties which are required to be amalgamated into the adjoining neighbouring title.
 - (b) That decisions on applications for complying lots in their own right and the stopping of unformed legal (paper) roads or other significant parcels be delegated to the relevant community board.
36. There are compelling reasons why the Council may consider delegating to Council staff the power to deal with minor road-stopping applications, as follows:
- On the adoption of a formal Road Stopping Policy, the Council will have established, in its governance role, the rules or guidelines to be implemented when road stopping decisions are considered. It would therefore be logical that the 'management' decision of implementing the Policy be delegated to Staff
 - In financial terms road-stopping issues are often relatively insignificant.
 - There are generally no associated significant strategic issues.
 - Consistency in decision-making across the city.
 - Both the LGA and the PWA provide for consultation according to the statutory process used.

13. Cont'd

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

37. Yes, see above.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

38. Not applicable.

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

39. Not applicable.

ALIGNMENT WITH STRATEGIES

40. Not applicable.

Do the recommendations align with the Council's strategies?

41. Not applicable.

CONSULTATION FULFILMENT

42. There is no mandatory obligation on the Council to consult before it makes a decision on the proposed Road Stopping Policy.

43. The proposal is not significant in terms of the Council's Significance Policy.

44. The Policy is intended to establish a transparent and consistent platform on which future decisions can be based. This is for the benefit of both Council staff and people who intend entering into negotiations for the purchase of land previously vested in the Council as legal road. It is expected that they will prefer this approach to the ad hoc manner in which road-stopping has been undertaken to date. It is also fair that prospective purchasers meet the Council's reasonable costs (including Council staff time) of carrying out the process required to enable transactions to be concluded.

45. This report is being presented at each Community Board for a formal recommendation to the Council. Recommendations made by individual boards will be compiled by staff into a final report which staff will present to the Council.

STAFF RECOMMENDATION

It is recommended that the Council resolves:

(a) That the Council adopts the 'Christchurch City Council Road Stopping Policy' in the form **attached** to this report.

(b) That the Council's power to accept or decline an application from either a Council Business Unit or from any other person to stop legal road be delegated to the Corporate Support Unit Manager provided that such application shall meet the following criteria:

- The area of road to be stopped will not constitute a complying lot under the City Plan on its own account; and
- It will be necessary for the stopped road to be amalgamated with the certificate of title to the adjoining property; and
- The owner of the adjoining property is the logical purchaser of the stopped road; and
- That the proposed road-stopping complies with the Council's Road Stopping Policy.

13. Cont'd

- (c) That where the Corporate Support Manager's delegated authority under paragraph (b) of this resolution shall apply:
 - (i) that the Council's powers under sections 116, 117 and 120 of the Public Works Act 1981 and Sections 319(h), 342(1)(a) and 345 of the Local Government Act 1974 (excluding the power to hear objections and recommend to the Council whether the Council should allow or otherwise any objections received to road stopping procedures pursuant to the Tenth Schedule of the Local Government Act 1974 and the Council's powers under paragraph 5 of the Tenth Schedule) in relation to road stopping and the disposal of land that was previously stopped road be delegated to the Corporate Support Unit Manager.
 - (ii) that the power to determine (in compliance with the Council's Road Stopping Policy) which statutory procedure should be employed to undertake a particular road stopping (either under the Local Government Act 1974 or under the Public Works Act 1981) be delegated to the Corporate Support Unit Manager.
- (d) That the Council's power to accept or decline an application from either by a Council Business Unit or from any other person to stop legal road which does not fall within the delegation given to the Corporate Support Unit Manager under paragraph (b) of this resolution shall be delegated to the Community Board for the Ward within which the legal road proposed to be stopped is situated.
- (e) That where the Community Board's delegated authority under paragraph (d) of this resolution shall apply:
 - (i) that the Council's powers under sections 116, 117 and 120 of the Public Works Act 1981 and Sections 319(h), 342(1)(a) and 345 of the Local Government Act 1974 (excluding the power to hear objections and recommend to the Council whether the Council should allow or otherwise any objections received to road stopping procedures pursuant to the Tenth Schedule of the Local Government Act 1974 and the Council's powers under paragraph 5 of the Tenth Schedule) in relation to road stopping and the disposal of land that was previously stopped road be delegated to the Community Board for the Ward within which the proposed legal road is situated and to be exercised in accordance with the Council's Road Stopping Policy..
 - (ii) that the power to determine (in compliance with the Council's Road Stopping Policy) which statutory procedure should be employed to undertake a particular road stopping (either under the Local Government Act 1974 or under the Public Works Act 1981) be delegated to the Community Board for the Ward within which the proposed legal road is situated and to be exercised in accordance with the Council's Road Stopping Policy.

DEPUTY CHAIRPERSON'S RECOMMENDATION

For discussion with a view to support the staff recommendation.

13. Cont'd

BACKGROUND (THE ISSUES)

46. This report seeks to:

- present the legislative and statutory provisions governing the stopping of roads;
- provide a basis of assessment to determine whether an application to stop a road should proceed or not;
- outline the statutory process to be followed under the respective legislation;
- consider delegations;
- formulate a policy for adoption by the Council.

PROPOSED CHRISTCHURCH CITY COUNCIL ROAD STOPPING POLICY 2009**NAME OF POLICY**

1. This policy shall be known as the Christchurch City Council Road Stopping Policy 2009

APPLICATION OF POLICY

2. This policy shall apply to all road stoppings undertaken or proposed to be undertaken by the Council following the date of adoption by the Council of this Policy.

INTERPRETATION

3. For the purposes of this Policy the following meanings shall apply:
 - (a) "Council" means the Christchurch City Council and shall include any delegate acting under delegated authority of the Christchurch City Council.
 - (b) "road" means that part of a legal road the subject of a road stopping application to the Council.

EVALUATION CRITERIA

4. In considering an application for road stopping the Council must firstly consider whether the stopping should be initiated or not. The rules to govern this decision are outlined in the chart below.

City Plan	Is the road shown to be stopped in the operative City Plan or does the stopping have any adverse impact on adjoining properties under the City Plan i.e. set backs/site coverage or the neighbourhood in general.
Current Level of Use	Is the road the sole or most convenient means of access to any existing lots or amenity features e.g. a river or coast. Is the road used by members of the public.
Future Use	Will the road be needed to service future residential, commercial, industrial or agricultural developments. Will the road be needed in the future to connect existing roads. Will the road be needed to provide a future or alternative inter-district link.
Alternative Uses	Does the road have potential to be utilised by the Council for any other public work either now or potentially in the future. Does the road have current or potential value for amenity or conservation functions e.g. walkway, utilities corridor, esplanade strip, protected trees etc.
Road adjoining any water body	If so, there is a need to consider Section 345 LGA, which requires that after road stopping, such land becomes vested in Council as an esplanade reserve.
Encumbrances	Is the road encumbered by any services and infrastructure and can they be protected by easements
Traffic Safety	Does access and egress of motor vehicles on the section of the road constitute a danger or hazard to the road users.
Infrastructure	Does the road currently contain infrastructure, or will it in the future, that is better protected and managed through ownership.

ATTACHMENT TO CLAUSE 13

5. An application for road stopping will not proceed if the Council shall it its discretion determine that:
- (a) the road has been identified as providing a future road corridor; or
 - (b) the road has the potential to provide a future or alternative inter-district link; or
 - (c) the road is required, or may be required at any time in the future, for any roading or associated purpose.
 - (d) the road is required, or may be required at any time in the future, for any public work by the Council or any other agency.
 - (e) the stopping of the road will result in any land becoming landlocked; or
 - (f) the road provides access from a public road or reserve to a watercourse or coastal marine area, unless there are sound management or ecological reasons for doing otherwise; or
 - (g) the road provides primary access to an esplanade reserve, reserve or park, unless there are sound management or ecological reasons for doing otherwise; or
 - (h) the stopping of the road will adversely affect the viability of any commercial activity or operation; or
 - (i) objections are received from any electricity or telecommunications service provider and those objections are not able to be resolved by agreement between the Council and that provider; or
 - (j) any infrastructure or utilities situated on the road would be better protected and managed through continued Council ownership; or
 - (k) the road stopping could injuriously affect or have a negative or adverse impact on any other property; or
 - (l) the road stopping could have an impact on a public work to be undertaken by any other agency including the Crown
 - (m) any other relevant circumstances apply.

MARKET VALUATIONS TO BE USED

6. All dealings with stopped road will be at the current market value as determined by an independent registered valuer commissioned by the Council and in accordance with the relevant legislation.

AGREEMENT FOR SALE AND PURCHASE TO BE ENTERED INTO

7. Where a road stopping has been initiated by a third party and the application is accepted by the Council then it will only be processed subject to the following requirements first being accepted by the applicant:
- (a) That the proposed terms of sale of the road once stopped be recorded in a formal Agreement for Sale and Purchase prepared by the Council's solicitors and signed by both the applicant as purchaser and the Council as vendor prior to the Council taking any further steps. Such agreement to be conditional to the approval of the Minister of Lands to the stopping, if applicable, and compliance with the all relevant statutes.

ATTACHMENT TO CLAUSE 13

- (b) That the Agreement require the purchaser to meet all the costs incurred by Council in relation to the proposed road stopping, including but not limited to the following costs: staff time, hearing costs, consent costs, LINZ costs relative to any proclamation required to be made and published in the NZ Gazette, LINZ registration fees, professional fees (valuers, accredited agents), court costs, advertising, legal and survey costs.
- (c) That the purchaser will pay a deposit on execution of the Agreement sufficient to cover the Council's estimate of all the Council's costs. The Agreement will provide that in the event of the road stopping being discontinued for any reason the deposit will be refundable to the applicant less the actual costs incurred by the Council in processing the application to that point, as determined by the Council.
- (d) That when a road stopping is initiated by an adjoining landowner to the road proposed to be stopped, and the process determined to be used shall be the Local Government Act 1974 process, the Agreement will provide as appropriate that:
 - (i) if any objection is received and is allowed by the Council, the Agreement will be automatically deemed to be cancelled and the deposit paid (if any) refunded to the applicant less any costs incurred by the Council to that date; and
 - (ii) if any objection is received and is not allowed by Council, and the objector wishes the matter to be referred to the Environment Court, the applicant may at that point elect to cancel the Agreement Provided that all costs incurred in relation to the application by the council to that date shall be deducted from the deposit; or
 - (iii) if the applicant does not elect to cancel the agreement in the circumstances described in paragraph (ii) and the objection is referred to the Environment Court for determination, the applicant shall pay on demand to the Council all costs incurred by the Council in referring the matter to the Environment Court and in relation to the hearing by that Court.
- (e) That if the Agreement for Sale and Purchase is cancelled for any reason the applicant will meet all costs incurred by the Council.

WHICH STATUTORY PROCESS TO USE

- 8. The following criteria have been established to ensure that the appropriate statutory procedure is consistently adopted by the Council, and to avoid, as much as practicable, such decisions being successfully contested by any party.
- 9. The Local Government Act 1974 road-stopping procedure shall 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.
- 10. 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

ATTACHMENT TO CLAUSE 13

- (b) Where the written consent to the proposed road stopping of all landowners affected 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, then the Local Government Act 1974 procedure shall be used.

PROPOSED ROAD STOPPING COSTS AND FEES (Subject to adoption by the Council in its Annual Plan)

- 11. Where a road stopping is initiated by the Council, the costs and expenses associated with such road stopping (including Council staff time) are to be funded from the Business Unit initiating the road stopping.
- 12. Where any other person applies to stop a road, then that person shall be responsible for meeting all costs and expenses associated with the road stopping process as determined by the Council (including Council staff time) PROVIDED THAT where it is determined by the Council, in its discretion, that there is an element of public benefit to the proposed road stopping, the Council may agree that the costs associated with the road stopping should be shared between the applicant and the Council in such proportions as the Council shall in its discretion determine.
- 13. The Council shall not commence any road stopping procedure unless it obtains a written agreement in advance from the applicant to pay such costs and expenses.
- 14. The costs and expenses associated with the road stopping process will include:
 - (a) **Application Fee**
An application fee of \$500 (GST inclusive) shall accompany a road stopping application to the Council (unless the application is made by a Council Business Unit). The purpose of this fee is cover the administration and staff costs incurred by the Council as a result of evaluating the application in accordance with this Policy. This fee is already included in the Council's Annual Plan.
 - (b) **Processing Fee**
If the applicant wishes to proceed with the road stopping application after evaluation by Council staff of the application and the preparation and presentation of the first report to the relevant Community Board or the Corporate Support Manager (as applicable), then a further non-refundable fee of \$1,000 (GST inclusive) will become due and payable to the Council to cover the staff time in processing the application from that point.
 - (c) **Other Costs**
Other costs and expenses that an applicant will be liable to meet should a road stopping application proceed, include (but are not limited to):
 - Survey Costs*
Includes identification and investigations of the site and professional fees associated with the compilation of a survey office plan.

Cost of Consents

Any costs associated with obtaining consent to the proposal including, but not necessarily limited to, the Minister of Lands.

Public Advertising

Includes the cost of public notification required under the Local Government Act 1974..

Accredited Agent Fees

Includes professional and other fees incurred as a result of any gazettal actions required.

Land Information New Zealand (LINZ) Fees

Includes lodgement fees associated with survey office plan approval, registration of gazette notice, easement instrument or any other dealing, and raising of new certificate(s) of title.

Legal Fees

The applicant will be responsible to meet their own legal costs, as well as those incurred by the Council including, but not limited to, the preparation of an Agreement for Sale and Purchase and the settlement of the transaction.

Valuation Costs

The costs to obtain an independent registered valuation of the proposed stopped road, including any additional costs that may be incurred by any ensuing discussions with the valuer as a result of the applicant querying the valuation.

Cost of Court and Hearing Proceedings

Pursuant to the Tenth Schedule LGA, if any objections is received to a road stopping application, and the application is referred to the Environment Court for a decision, then the applicant shall meet all of the Council's legal and other costs associated with the conduct of the legal proceedings in that Court.

Market Value of the Road

In addition to the administrative and staff costs associated with a road stopping costs the applicant shall pay to the Council the current market value of the stopped road as determined by a registered valuer appointed by the Council, or if the land is to be leased a rent as determined by a registered valuer appointed by the Council .

14. YOUTH DEVELOPMENT FUND

General Manager responsible:	General Manager, Community Services, DDI 941-8607
Officer responsible:	Unit Manager, Community Support
Author:	Peter Croucher, Community Board Adviser

PURPOSE OF REPORT

1. The purpose of this report is to outline to the Board the implications of transferring funds from its Discretionary Response fund to its Youth Development fund and to recommend it not proceed.

EXECUTIVE SUMMARY

2. The Strengthening Communities Strategy enables Community Boards to allocate from their Discretionary Response fund “up to \$10,000” for Youth Development grants. This action was taken by the Shirley/Papanui Community Board on 12 August 2008.
3. Following funding decisions made by the Shirley/Papanui Community Board since August 2008 and up to 18 February 2009 the balance of the 2008/09 Youth Development fund is \$460.
4. At its meeting on 18 February 2009, the Board resolved to transfer an additional \$920 from its Discretionary Response fund into its Youth Development fund to enable its youth funding decisions at the time to be met. The Board has therefore spent \$12,060 on Youth Development from the 2008/09 fund. In the 2007/08 financial year, the Board allocated \$15,100 on Youth Development funding.

FINANCIAL IMPLICATIONS

5. There are no overall financial implications. The Board currently has \$30,037 in its Discretionary Response fund that has not yet been unallocated.

DO THE RECOMMENDATIONS OF THIS REPORT ALIGN WITH 2006-16 LTCCP BUDGETS?

6. Yes see page 176, regarding Board funding.

LEGAL CONSIDERATIONS

7. Community Boards have discretion over the use of their Discretionary Response Funds.

HAVE YOU CONSIDERED THE LEGAL IMPLICATIONS OF THE ISSUE UNDER CONSIDERATION?

8. Not applicable

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

9. Not applicable.

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

10. Yes see page 176, regarding Board funding.

ALIGNMENT WITH STRATEGIES

11. To transfer additional money from the Discretionary Response fund to the Youth Development fund would align with the Strengthening Communities strategy but not, however with the Discretionary Response fund guidelines for community grant funding schemes which limits the Youth Developments grant total to \$10,000.

14. Cont'd

Do the recommendations align with the Council's strategies?

12. There is alignment with the Strengthening Community Strategy goals
- Increase participation in community recreation and sports programmes and events.
 - Improve basic life skills so that all residents can participate fully in society.

CONSULTATION FULFILMENT

13. Not applicable.

STAFF RECOMMENDATION

It is recommended that the Shirley/Papanui Community Board does not proceed to transfer funds from its 2008/09 Discretionary Response fund to its 2008/09 Youth Development fund to meet expected demand.

DEPUTY CHAIRPERSON'S RECOMMENDATION

For discussion.

15. SHIRLEY/PAPANUI YOUTH DEVELOPMENT FUND

General Manager responsible:	General Manager Community Services, DDI 941-8607
Officer responsible:	Unit Manager, Youth Development fund
Author:	Helen Miles Community Recreation Adviser

PURPOSE OF REPORT

1. The purpose of this report is to present two Youth Development fund applications for funding in the 2008/09 financial year. The **attached** table also includes the recommendations for allocation made by the Community Recreation Adviser.

EXECUTIVE SUMMARY

2. Attached is a table summarising the application for funding via the Youth Development fund . The total cost of projects is \$2,117 with \$1,267 of this being requested from the scheme by the following:
 - Sharna-marie Murch \$307
 - Tayla Manawatu \$460
 - Hamish Teale \$500
3. The board has \$460 available for distribution for youth development purposes. The Community Recreation Adviser recommends the applications be declined due to insufficient funds. However, the final decision relating to funding belongs with the Community Board.

FINANCIAL IMPLICATIONS

4. The Shirley/Papanui Community Board has no Youth Development funds available for allocation.

LEGAL CONSIDERATIONS

5. There are no legal considerations.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

6. This fund aligns with the 2006-16 LTCCP.

ALIGNMENT WITH STRATEGIES

7. This fund aligns with the Strengthening Communities Strategy.

STAFF RECOMMENDATION

It is recommended that the Shirley/Papanui Community Board decline these applications due to insufficient funds available.

DEPUTY CHAIRPERSON'S RECOMMENDATION

For discussion.

Name of Individual and address	Project Description	Benefits	Fundraising	Project Cost		Amount Requested	Comments	Recommended Funding
				EXPENSES	Cost (\$)			
Hamish Teale Matsons Avenue Papanui 16 years	<p>The Willows Cricket Club was established in 1994. The clubs objectives are to encourage players in secondary school first elevens to play with and against experienced players, many of whom are present or past first class cricketers. To offer quality cricket-to-cricket lovers in a country atmosphere where families may come to watch and picnic. (for more information www.thewillows.org.nz/)</p> <p>The club has selected a Under 17 team to tour Sri Lanka and Singapore from 26 March to 9 April 2009. Players were selected from national secondary competition and from teams that played against the Willows team during the season.</p>	<ul style="list-style-type: none"> To increase his knowledge experience and maturity by competing with his peers at an international level To experience a different culture To be recognised by the top coaches 	Hamish was notified of his selection in late February 2009. The tour is being sponsored by Dilmah so the cost of tours has been heavily reduced for each player.	EXPENSES	Cost (\$)	\$1,000	<ul style="list-style-type: none"> Hamish is one eight players selected from Christchurch to attend the Dilmah tour. Hamish currently attends St Bedes College and is in Year 12 Hamish is passionate about cricket and dreams of playing for the black caps one day. The family are very supportive of Hamish and any assistance from the board would be much appreciated. This is the first time Hamish has applied to the Community Board. 	Recommend \$00.00
				Tour Costs	1,000			
				Total Cost	1,000			
				FUNDRAISING	0.00			
				Remaining amount to raise	\$1,000			
Tayla Manawatu Moreland Avenue 12 years	<p>Tayla has been selected in U13 Te Waipounamu Netball Team (South Island) to compete in the Aotearoa Maori Netball Oranga Healthy Lifestyle Tournament being held in Hamilton in April this year. This tournament brings together 11 regions throughout New Zealand, with five age groups per region and attracts approximately 4,000 players.</p>	<ul style="list-style-type: none"> Increase and develop experience, knowledge and new skills To gain a placing at the tournament Develop competition skills To be recognised by selectors and coaches 	To gain selection for the team Tayla was required to attend two trials held in Dunedin in November and December last year. Following selection a total of five team trainings were held in Oamaru. Due to travel commitments required to attend training it has been difficult to carry out any major fundraising activities, however three local girls have organised a sponsored swim-a-thon and goal-athon, which raised \$150 each for the local players.	EXPENSES	Cost (\$)	As much as possible	<ul style="list-style-type: none"> Tayla is a Year 8 student currently attending Heaton Normal Intermediate This is the first time Tayla has been selected for a representative team. Tayla currently plays for Papanui Tigers and her School team. Tayla has one sibling and comes from a single parent family. The financial resources of the family are limited and any assistance from the board would be much appreciated This is the first time Tayla has applied to the Community Board. 	Recommend \$00.00
				Airfare	364			
				Transport	100			
				Accommodation, food and competition Levy	176			
				Total Cost	640			
				Fundraising	180			
				Remaining amount to raise	\$460			

Name of Individual and address	Project Description	Benefits	Fundraising	Project Cost		Amount Requested	Comments	Recommended Funding
Sharna-Marie Murch North Parade 14 years	To attend the National BMX championships in Whangarei from 9 to 13 April 2009.	<ul style="list-style-type: none"> • Increase and develop experience, knowledge and new skills • To win some races • Develop competition skills • To be recognised by top selectors and coaches 	Sharna has been fundraising with the club. The club have undertaken a number of sausage sizzles.	EXPENSES	Cost (\$)		<ul style="list-style-type: none"> • Sharna is a Year 9 student currently attending Linwood College • Sharna has been involved in BMX riding for 3 years. Sharna's ranking has steadily improved in BMX riding over the last three years. She is currently ranked first in the South Island for her age group. • Sharna's ultimate goals are to attend the World Championships and to compete in the Olympics. • The financial resources of the limited family are limited and any assistance from the board would be much appreciated • This is the first time Sharna has applied to the Community Board. 	Recommend \$00.00
				Airfare	317			
				Transport	170			
				Accommodation and food	160			
				Total Cost	477			
				Fundraising	170			
				Remaining amount to raise	\$307			

16. BOARD REPRESENTATION ON OUTSIDE ORGANISATIONS AND COMMITTEES

General Manager responsible:	General Manager Regulation and Democracy Services, DDI 941-8462
Officer responsible:	Democracy Services Manager
Author:	Peter Croucher, Community Board Adviser

PURPOSE OF REPORT

1. The purpose of this report is to propose that the Board give consideration to the appointment of Board representatives on local outside organisations to fill the vacancies created following the resignation of the former Board Chairperson.

EXECUTIVE SUMMARY

2. In December 2007 the Board appointed members to local community organisations and committees for the 2007/10 term. Following the resignation of the Board Chairperson Megan Evans in late 2008, the following vacancies for representation have occurred on local community organisations:

Northlands Residents		
Police Liaison		
Riverlea Estate		
Environment Canterbury Liaison		
Brooklands Community Centre		
Courtenay Street Residents		With Ngaire Button and Yvonne Palmer
St Albans Edu-Care		With Ngaire Button and Yvonne Palmer

3. A list of the original appointments to all local community organisations and committees for this term is **attached**.

FINANCIAL IMPLICATIONS

4. Where Board members are appointed to external organisations, their attendances at meetings will be covered by their elected member's salary. Thus there are no financial implications apart from mileage allowances for attending such meetings.

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

5. Not applicable.

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

6. There are no direct legal issues involved.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**Do the recommendations of this report support a level of service or project in the 2006/16 LTCCP?**

7. Not applicable.

16. Cont'd

ALIGNMENT WITH STRATEGIES/POLICIES/BOARD OBJECTIVES

8. Contributes to the Council's 2006/16 Strategic Directions (Strong Communities) and Community Outcomes (Governance and Community).

Strengthening Communities Strategy 2007 – yes, alignment with the engagement components of this strategy.

Board's Objectives 2006/09 – yes, appointments made contribute to meeting various objectives for the period.

Do the recommendations align with the Council's strategies/policies?

9. Yes, as per paragraph 8. above.

CONSULTATION FULFILMENT

10. Not applicable.

STAFF RECOMMENDATION

It is recommended that the Board consider appointing representatives to the following outside organisations with representation vacancies: Northlands Residents, New Zealand Police Liaison, Riverlea Estate, Environment Canterbury, Brooklands Community Centre, Courtenay Street Residents and St Albans Edu-care.

DEPUTY CHAIRPERSON'S RECOMMENDATION

That the staff recommendation be considered noting that no replacement is required for Courtenay Street Residents group or St Albans Edu-Care.

**SHIRLEY/PAPANUI COMMUNITY BOARD REPRESENTATION
ON OUTSIDE ORGANISATIONS AND COMMITTEES
(APPROVED DECEMBER 2008):**

Shirley Residents	Aaron Keown
Shirley Community Centre	Aaron Keown
Delta Trust	Aaron Keown
Neighbourhood Trust	Aaron Keown
Te Papanui Trust	Aaron Keown
Edgeware Pool	All members
Styx River Groups	All members
St Albans Network	All members
Belfast Community Network	All members
Shirley Network	All members
Social Housing	All members
Papanui Network	All members
Liquor Licensing	All members
Community Funding	All members
Avebury House	Matt Morris
Garden Pride Awards	Matt Morris
Keep Christchurch Beautiful	Matt Morris
Papanui Heritage	Matt Morris
Packe Street Park	Matt Morris
Shirley Community Trust	Matt Morris
Rehau Marae	Matt Morris/Yvonne Palmer (Deputy)
Kapuatohe Historic	Matt Morris
Northlands Residents	Megan Evans
Riverlea Estate	Megan Evans
Neighbourhood Support Canterbury	Myra Barry or Elsie Grueber and Aaron Keown
Junior Neighbourhood Support	Myra Barry
Christchurch Streets and Garden Awards	Myra Barry
Brooklands Community Centre	Megan Evans
ECAN Liaison	Megan Evans
Police Liaison	Megan Evans/Yvonne Palmer
Stewarts Gully Residents	Ngaire Button
Windermere Centre	Ngaire Button
Courtenay Street Residents	Ngaire Button/Megan Evans/Yvonne Palmer
Waimakariki Eyre	Ngaire Button/Yvonne Palmer
Ouruhia Hall	Norm Withers
East Papanui Residents	Pauline Cotter
Innesmay Neighbourhood Group	Pauline Cotter
Ouruhia Residents	Pauline Cotter
Redwood Residents	Pauline Cotter
St Albans Residents	Pauline Cotter

17. 3. 2009

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ATTACHMENT TO CLAUSE 16

Papanui Pool	Pauline Cotter
Belfast Community Pool	Pauline Cotter
Kainga Residents Association	Pauline Cotter
Casebrook Residents' Association	Yvonne Palmer
North West Rural	Yvonne Palmer
Belfast Northwood Residents	Yvonne Palmer
Spencerville Residents	Yvonne Palmer
Styx Mill/Regents Park	Yvonne Palmer
Graham Condon Leisure centre	Yvonne Palmer
St Albans Edu-Care	Yvonne Palmer/Megan Evans/Ngaire Button

17. COMMUNITY BOARD ADVISER'S UPDATE

17.1 CURRENT ISSUES

17.2 BOARD FUNDING UPDATE FOR 2008/09

Attached.

17.3 CUSTOMER SERVICES REQUESTS FOR FEBRUARY 2009

Attached.

18. 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.

18.1 CHAIRPERSON'S REPORT

The Chairperson's report and has already been circulated. The minutes of the Board Chairpersons and Staff Forum held on 20 February 2009 are not yet available.

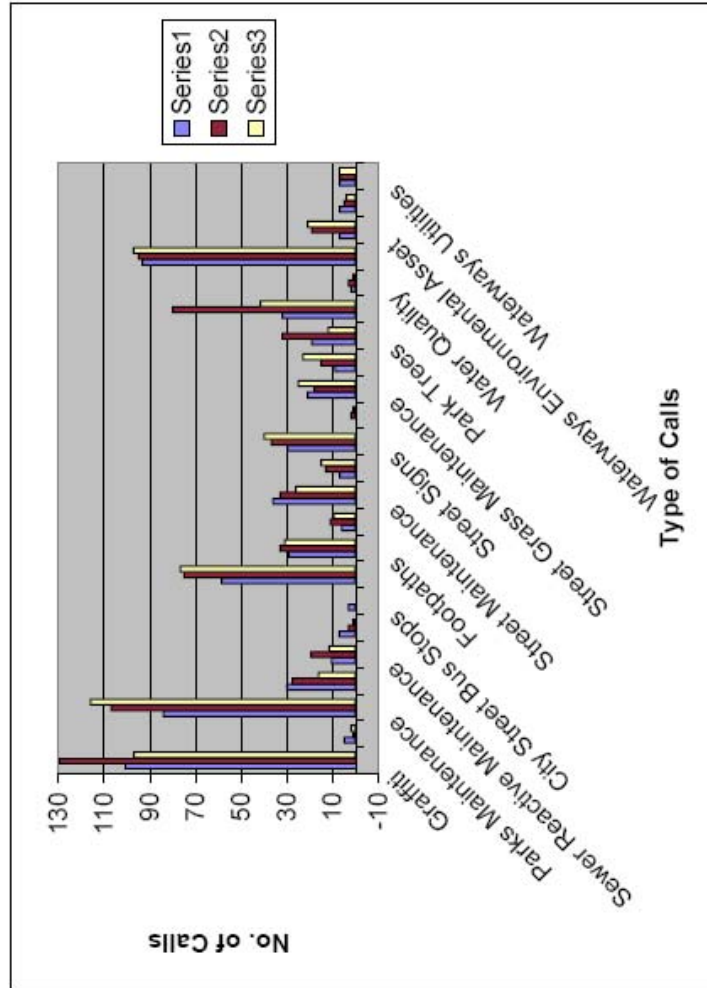
19. MEMBERS QUESTION

Processed by AMA to Accounts	Project/Service/Description/Group	Allocation 2008/2009
As at 10 Mar	Shirley/Papanui Discretionary Response Fund	
	Budget	60,000
	Funding Returned	3,538
	<i>Allocations made</i>	
	Youth Development Fund - Opening Balance allocation	12,520
	<i>Allocations made</i>	
26-Aug	<i>Nicholas House (Attendance at National tournament Napier)</i>	150
26-Aug	<i>Nicholas Robertson (Belfast U15 Gold Coast Tour)</i>	300
15-Sep	<i>Briden,Britten,Cayless, Gilling, Bowden (Rock Solid Camp) Paid to Papanui Youth Development for disbursement</i>	100
1-Sep	<i>Luke Dennison (National Tournament Napier)</i>	150
2-Oct	<i>Stephanie Gates (Spirit of Adventure)</i>	300
3-Oct	<i>Jessie Bryant (Pacific School Games - Canberra)</i>	500
3-Oct	<i>Christopher Wiremu (Pacific School Games - Canberra)</i>	500
3-Oct	<i>Michael Gudgeon ((World Forum Lillie conference France)</i>	500
3-Oct	<i>Mairehau High School - Alex Kerr (National Secondary Schools Basketball)</i>	230
3-Oct	<i>Mairehau High School - Junior Pouwhare (National Secondary Schools Basketball)</i>	230
15-Oct	<i>T'Neale Joie Worsley (Ban Bang Eche Tour New York)</i>	750
15-Oct	<i>Josh Paul Burgess (Ban Bang Eche Tour New York)</i>	750
19-Nov	<i>Daryl Linton (Australian Dance Sport Competition)</i>	750
19-Nov	<i>Shane William Anderson (Pacific School Athletics Games, Canberra)</i>	500
19-Nov	<i>Darnell James Shadrock (2009 Koru Tour NZ Under 14 boy's basketball)</i>	1,000
19-Nov	<i>Claudia Rose Copeland (Jump Jam 2008 Idol National Competition in Auckland)</i>	300
19-Nov	<i>Amber Jane Kirkwood (Jump Jam 2008 Idol National Competition in Auckland)</i>	300
16-Jan	<i>Belinda Campbell (5th Annual Sydney Salsa Congress)</i>	200
16-Jan	<i>Matthew Teale (Canterbury Kiwis Cricket Tour)</i>	300
	<i>Belfast School (costs for students to attend their leadership camp in March 2009)</i>	500
	<i>Ashleigh Davidson (Friendship Ice Hockey Tournament Japan)</i>	500
	<i>Joshua Williams (Friendship Ice Hockey Tournament Japan)</i>	500
	<i>Darren Coyne (World Schools golf challenge Tournament in Adelaide)</i>	250
	<i>Emma Green (World Irish dancing Championships in Philadelphia)</i>	500
2-Mar	<i>Anahera Kupa (Te Matatini Kapahaka Festival in Tauranga)</i>	500
2-Mar	<i>Te Wera Tuhou (Te Matatini Kapahaka Festival in Tauranga)</i>	500
2-Mar	<i>Darci Tuhou (Te Matatini Kapahaka Festival in Tauranga)</i>	500
2-Mar	<i>Rerekohu Tuhou (Te Matatini Kapahaka Festival in Tauranga)</i>	500
	Youth Development Fund Balance - Available for allocation	460
15-Sep	<i>Canterbury Cook Island Sports Assn (Cultural activities and sports weekend)</i>	2,500
26-Nov	<i>Westminster Sports Inc (Have a Go Day)</i>	1,700
15-Dec	<i>Puddleducks Toy Library (Shelving and Storage)</i>	931
	<i>Shirley Methodist Playgroup (New Fencing)</i>	1,600
31-Dec	<i>Community Board Conference (Community Representatives attendance)</i>	2,900
10-Mar	<i>Community Board Awards Expenditure to 361/206/6/65</i>	4,000
9-Feb	<i>Belfast Community Network (Youth Homeless Project Research Part 1</i>	5,660
19-Feb	<i>St.Albans Swimming Club (coach training, emergency equipment, storage hire)</i>	1,690
	TOTAL: Shirley/Papanui Discretionary Response Fund Unallocated	30,037

**STREET MAINTENANCE CSR RECEIVED BY COMMUNITY BOARD
FROM 1 - 28 FEBRUARY 2009**

As at 2 March 2009

Call Types	CSR Type	Dec	Jan	Feb
GRA	Graffiti	101	129	97
PAG	Parks General	5	1	2
PAM	Parks Maintenance	84	107	116
PKE	Parking Enforcement	30	28	16
SER	Sewer Reactive Maintenance	10	19	11
STA	Road Markings	7	3	1
STB	City Street Bus Stops	3	0	0
STE	Street Cleaning / Sweeping	59	75	77
STF	Footpaths	29	33	31
STL	Street Lights	6	11	9
STM	Street Maintenance	36	33	26
STQ	Traffic Engineer Community Enq	7	13	15
STS	Street Signs	30	37	40
STW	Pavement Weed Control	0	2	1
STX	Street Grass Maintenance	21	18	25
STY	Street Shrubs Maintenance	9	15	23
TSA	Park Trees	19	32	12
TSS	Street Trees	32	80	42
WAQ	Water Quality	2	3	1
WAR	Water Reactive Maintenance	93	95	97
WWE	Waterways Environmental Asset	7	19	21
WWG	Waterways General	7	5	4
WWU	Waterways Utilities	7	7	7
Totals:		604	765	675



**SHIRLEY/PAPANUI COMMUNITY BOARD
SUPPLEMENTARY AGENDA**

TUESDAY 17 MARCH 2009

AT 5.30PM

**IN THE BOARDROOM
PAPANUI SERVICE CENTRE
CORNER LANGDONS ROAD AND RESTELL STREET**

Community Board: Pauline Cotter (Deputy Chairperson), Ngaire Button, Kathy Condon, Aaron Keown, Matt Morris, Yvonne Palmer and Norm Withers

Community Board Adviser
Peter Croucher
Phone 941 5414 DDI
Email: peter.croucher@ccc.govt.nz

**PART A - MATTERS REQUIRING A COUNCIL DECISION
PART B - REPORTS FOR INFORMATION
PART C - DELEGATED DECISIONS**

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PART C 20. RESOLUTION TO BE PASSED - SUPPLEMENTARY REPORT
PART B 21. ELECTION OF ONE CANDIDATE FOR THE SHIRLEY/PAPANUI COMMUNITY BOARD

20. RESOLUTION TO BE PASSED - SUPPLEMENTARY REPORTS

Approval is sought to submit the following report to the meeting of the Shirley/Papanui Community Board on Tuesday 17 March 2009:

- Election of One Candidate for the Shirley/Papanui Community Board

The reason, in terms of section 46(vii) of the Local Government Official Information and Meetings Act 1987, why the report was not included on the main agenda is that it was not available at the time the agenda was prepared and it cannot wait for the next meeting of the Board.

DEPUTY CHAIRPERSON'S RECOMMENDATION

That the report be received and considered at the meeting of the Board on 17 March 2009.

21. ELECTION OF ONE CANDIDATE FOR THE SHIRLEY/PAPANUI COMMUNITY BOARD

1. SUCCESSFUL CANDIDATE

The following candidate was declared elected at the 2009 election for one candidate for the Shirley/Papanui Community Board:

COMMUNITY BOARD

Shirley/Papanui CONDON, Kathy (Independent)

2. ELECTORAL ROLLS

2.1 Residential Electors

The residential electoral rolls used for local authority elections are drawn from the Parliamentary rolls, utilising data supplied to each local authority by the Electoral Enrolment Centre in Wellington.

As at 19 January 2009 (when the roll closed) the number of residential electors enrolled in the ward was:

Shirley/Papanui Ward	-	44,698
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2.2 Ratepayer Electors

The franchise also extends to:

- persons owning property in the city, but residing elsewhere;
- corporate bodies (who are entitled to appoint a "nominal occupier");
- persons living within the city who own other city property in other communities elsewhere to their place of residence (electors in this category being entitled to claim additional Community Board votes only).

Persons and organisations in this category are not automatically sent voting documents. Instead, they must make application for enrolment. 35 persons were enrolled as non-resident ratepayer electors for this by-election.

3. INFORMAL VOTES/BLANK VOTES

In some cases, votes cannot be counted because:

1. The voter's intention is unclear (classed as informal votes) (6); or
2. The voter has left the issue completely blank (22).

21. Cont'd

Separate records were kept of votes which fell into either of the two foregoing categories. These statistics disclose that there were few truly informal votes.

In all cases, votes were allowed where the voter's intention was clear, notwithstanding that they had marked the voting document in a way which was different to that prescribed.

4. PROCESSING OF VOTING DOCUMENTS ON RECEIPT

I would like to thank the Council for again allowing me to utilise the provisions of the Local Electoral Act 2001 permitting the processing of the voting documents throughout the voting period.

5. ROLL SCRUTINY, PRELIMINARY COUNT AND OFFICIAL COUNT

An independent election services provider (electionz.com), was engaged to undertake the following processes:

5.1 Roll Scrutiny

This process involves marking electors' names off the roll as the voting documents are returned, to ensure that no elector votes more than once (this could occur through, for instance, an elector exercising an ordinary vote and then also exercising a special vote). This part of the election process is carried out electronically, by "reading" the bar code shown on the returned voting document. This is done through the window of the return envelope, and the envelopes are not opened nor the voting documents extracted until after the roll scrutiny has been completed.

5.2 Preliminary and Official Counts

After the return envelopes had been put through the roll scrutiny process, they were then opened and the voting documents extracted. The votes cast were then recorded electronically.

A final result was released at 12.23pm on election day. The declaration of the results of the official count was published on Friday 13 March 2009.

6. SPECIAL VOTERS

Special voting documents and accompanying special voting declarations were issued to 15 persons. All were completed and returned prior to the close of the voting period, and subsequently allowed and included in the official count.

7. VOTING STATISTICS

The following are the official results:

Kathy CONDON	6860
Karl MADDAFORD	4041
Tim HEAVER	1836

The voter return percentage was 28.54 per cent, being 12, 765 voting papers.

8. COSTS

As many charges are not yet to hand, it will be some time yet before the final cost of the election is known.