



Christchurch City Council

SPREYDON/HEATHCOTE COMMUNITY BOARD AGENDA

TUESDAY 17 MARCH 2009

AT 5.00PM

AT BECKENHAM SERVICE CENTRE

**IN THE BOARDROOM,
66 COLOMBO STREET, CHRISTCHURCH**

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

Community Board Adviser

Jenny Hughey

Telephone: 941-5108

Email: jenny.hughey@ccc.govt.nz

PART A - MATTERS REQUIRING A COUNCIL DECISION

PART B - REPORTS FOR INFORMATION

PART C - DELEGATED DECISIONS

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1. **APOLOGIES**

2. **CONFIRMATION OF MEETING REPORT – 27 FEBRUARY 2009**

The minutes of the Board's ordinary meeting of Friday 27 February 2009 are **attached**.

CHAIRPERSON'S RECOMMENDATION

That the minutes of the Board's meeting of 27 February 2009 be **confirmed**.

3. **DEPUTATIONS BY APPOINTMENT**

4. **PETITIONS**

5. **NOTICES OF MOTION**

6. **CORRESPONDENCE**

7. **BRIEFINGS**

7.1 Bus Priority Implementation.

Presented by Kirsten Mahoney, Project Manager, Project Management Unit.

**SPREYDON HEATHCOTE COMMUNITY BOARD
27 FEBRUARY 2009**

**Minutes of a meeting of the Spreydon/Heathcote Community Board
was held on Friday 27 February 2009 at 8.04am
in the Boardroom, Beckenham Service Centre**

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

APOLOGIES: Apologies for lateness were received and accepted from Oscar Alpers who arrived at 8.07am and was absent for part of clause 1.

The meeting was adjourned at 8.48am for a seminar and recommenced at 9.12am.

The Board reports that:

PART A – MATTERS REQUIRING A COUNCIL DECISION

1. EASEMENT OVER 7A MALCOLM AVENUE

| | |
|-------------------------------------|--|
| General Manager responsible: | General Manager City Environment Jane Parfitt, DDI 941- 8608 |
| Officer responsible: | Alan Beuzenberg Transport & Greenspace Manager |
| Author: | Stuart McLeod, Property Consultant, Corporate Support |

PURPOSE OF REPORT

1. The purpose of the report is to recommend to the Council that it take a right to convey water in gross easement over 7A Malcolm Avenue in favour of the Christchurch City Council.

EXECUTIVE SUMMARY

2. The owners have requested that Council give favourable consideration to them granting a right to convey water in gross over their property situated at 7A Malcolm Avenue in favour of the Christchurch City Council.
3. Terms and conditions in relation to design, construction and cost have been agreed upon with the owner and the physical work has now been completed to the required standard, consent of the Council to accept the easement is now being sort.
4. Staff have no delegated authority to complete the easement arrangement and in the normal course of events Council consent would be obtained prior the work being undertaken. However because of the owners concerns it was considered prudent to reach agreement with the owner and complete the works expediently.

FINANCIAL IMPLICATIONS

5. Costs incurred for construction, survey, legal, consent and registration fees will be met on a 50/50 basis by the parties and are payable upon demand. It is anticipated that the total cost to Council will be no greater than \$8,000.

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

6. Yes. The budget is held in the Capital programme, Waterways and Land Drainage Budget.

1 Cont'd.**LEGAL CONSIDERATIONS****Have you considered the legal implications of the issue under consideration?**

7. Yes, legal implications have been fully considered. The Council's standard easement instrument will be signed by all parties and registered at Land Information New Zealand once Council consent is given.

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?**

8. Yes. Council will take ownership and responsibility of the pipeline once registration is completed. This will ensure that the asset is maintained in accordance with the parks, open spaces and waterways management plan, including stormwater management systems.

ALIGNMENT WITH STRATEGIES**Do the recommendations align with the Council's strategies?**

9. Yes. The role of the Council is to continue as owner of infrastructure delivering public stormwater services to the community.

CONSULTATION FULFILMENT

10. Not applicable.

STAFF RECOMMENDATION

It is recommended that the Council:

- (a) Consent to the creation of a right to drain water in gross easement in favour of the Christchurch City Council over part Lot 2 Deposited Plan 355974 marked A on Deposited Plan 413672.
- (b) Authorise that the Unit Manager, Corporate Support finalise and conclude the transaction.

BOARD RECOMMENDATION

That the staff recommendation be adopted.

BACKGROUND (THE ISSUES)

11. The owners of 7A Malcolm Avenue have requested the Council to pipe or cover the open stormwater drain at the rear of their property under the Councils Utility Waterway Improvement Programme.
12. This stormwater drain runs from 7A Malcolm Avenue to the Heathcote River and is approximately 94 metres in length.
13. Previously the stormwater drain to the rear of this property was unfenced, unsightly and was of concern to the owners for health and safety reasons.

1 Cont'd.

14. At present the Council's interest in the drain is not protected other than through its statutory rights under Section 181 Local Government Act 2002. It will now be protected by a right to convey water easement over Lot 2 Deposited Plan 355974 marked A on Plan 413672 (see attachments 1 and 2). This is consistent with Council policy to acquire easements where a pipeline is over private property.
15. Agreement was negotiated and reached with the owners in June/July 2008 to pipe the drain. The physical works have now been completed, the Council consent sort is in fact retrospective.
16. The agreement contains a 50/50 cost sharing arrangement with the owner. The owners have met all expenses to date and are awaiting a refund of the Council's share of the costs.

PART B - REPORTS FOR INFORMATION**2. DEPUTATIONS BY APPOINTMENT**

Justine Langrell discussed matters surrounding the Open Wilderness Drain particularly in the areas between Wychbury Street, Beanland Avenue, Therese and Stourbridge Streets, in particular a request that the Council cover the open drain.

The Board requested that staff provide a report regarding all the drains in the Spreydon/Heathcote ward, to include;

- whether or not there is funding from the draft LTCCP to pipe the drains;
- details of any cost sharing options with residents to cover the drains on their land and drains adjacent to access ways;
- any priority lists for covering drains and details of how the land will be left following the drain coverage;
- data in relation to incidents, particularly house break-ins and graffiti in the vicinity of the drains;
- the policy regarding present fencing and cleaning practices of the drains;
- and any other relevant matters in relation to the open drains.

The report is to be provided before the closing date for submissions on the draft LTCCP, (which is scheduled to be 16 April 2009).

3. PETITIONS

The Board accepted a petition tabled by Justine Langrell with regard to the deputation requesting the open wilderness drain between Wychbury Street, Beanland Avenue, Therese and Stourbridge Streets be covered by the Council.

4. NOTICES OF MOTION

Nil.

5. CORRESPONDENCE

A letter was received from the Rowley Resource Centre requesting funding assistance for a security camera to be placed in the McCarthy Street Shopping Centre. A quotation for the camera of \$17,619 GST exclusive was also received.

The matter will be passed to appropriate staff.

6. BRIEFINGS

Catherine MacDonald, Unit Manager of Community Services outlined funding policy in relation to foreshadowing the allocation of funding from the 2009/10 year budget, prior to the commencement of the 2009/10 funding round.

The Boards decision in relation to this matter is recorded under clause 11.

7. COMMUNITY BOARD ADVISER'S REPORT

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

A Board workshop would be held in April regarding hill track matters.

8. ELECTED MEMBERS INFORMATION EXCHANGE

Mention was made of the following matters:

- Hanging of the gifted Tapa cloth in the Boardroom of the Beckenham Service Centre. This matter will be further discussed at the next Board meeting.

9. MEMBERS QUESTIONS

Nil.

PART C - REPORT ON DELEGATED DECISIONS TAKEN BY THE BOARD**10. CONFIRMATION OF MEETING REPORT – 10 FEBRUARY 2009 AND AMENDMENT TO THE REPORT OF 16 DECEMBER 2008.**

The Board **resolved** that the minutes of its meeting held on 10 February 2009 be confirmed and further **resolved** to accept the amended clause 18 of the 16 December 2008 minutes, in relation to the Draft Mid Heathcote River/Opawaho Linear Park Masterplan.

11. FUNDING REQUEST – SYDENHAM COMMUNITY DEVELOPMENT PROJECT

The Board **resolved** to rescind the decision made on 10 February 2009 regarding the Sydenham Community Development Project Funding Request and replace the decision with the following:

- Allocate a total of \$14,300, from the 2008/9 Discretionary fund to the Sydenham Community Development Project for unforeseen rental costs, the arts and craft classes and the expansion of the Mothers at Home programme in response to unforeseen demand.

12. WRIGHTS ROAD – PROPOSED P30 PARKING RESTRICTION

The Board considered a report seeking approval that a P30 Parking Restriction be installed on the north west side of Wrights Road.

The Board **resolved** to approve the parking of vehicles be restricted to a maximum period of 30 minutes on the north west side of Wrights Road commencing at a point 99 metres in a south westerly direction from its intersection with Moncur Place and extending in a south westerly direction for a distance of 12 metres.

13. DICKENS STREET – VESTING OF RESERVE LAND

The Board considered a report seeking approval to ensure that the Board rescind the resolution made on 16 September 2008 and the resolution made on 16 December 2008 and replace them with words declaring those parcels of land each containing 505m² being described as Lots 4 and 5 Deposited Plan 149 and contained in Certificates of Title CB18A/1014 and CB20F/16 as a Recreation Reserve for the purposes described in Section 17 of the Reserves Act 1977 thereby meeting the requirements for the Department of Conservation to publish the declaration in the New Zealand Gazette.

The Board **resolved** to rescind the resolution made on 16 September 2008 and the resolution made on 16 December 2008 in relation to this matter and acting under delegated authority from the Christchurch City Council replace it with the following resolution:

- (a) In exercise of the powers conferred on it by Section 14 of the Reserves Act 1977, the Christchurch City Council hereby resolves that the land held by the city in fee simple and described in the Schedule, be declared to be a recreation reserve for the purposes specified in Section 17 of the said Act.

SCHEDULE

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

The meeting concluded at 9.28am.

CONSIDERED THIS 17TH DAY OF MARCH 2009

**PHIL CLEARWATER
CHAIRPERSON**





Digital Title Plan - LT 413672

Survey Number LT 413672
Surveyor Reference 500872
Surveyor Philip Lloyd Wood
Survey Firm City Solutions - Christchurch City Council
Surveyor Declaration I Philip Lloyd Wood, being a person entitled to practise as a licensed cadastral surveyor, certify that -
 (a) The surveys to which this dataset relates are accurate, and were undertaken by me or under my direction in accordance with the Cadastral Survey Act 2002 and the Surveyor-General's Rules for Cadastral Survey 2002/2;
 (b) This dataset is accurate, and has been created in accordance with that Act and those Rules.
 Declared on 31/10/2008.

Survey Details

Dataset Description Easement over Lot 2 DP 355974
Status Approved as to Survey
Land District Canterbury **Survey Class** Class I Cadastral Survey
Submitted Date 31/10/2008 **Survey Approval Date** 04/11/2008
Deposit Date

Territorial Authorities

Christchurch City

Comprised In

CT 228387

Created Parcels

| Parcels | Parcel Intent | Area | CT Reference |
|--------------------------------|---------------|-----------|--------------|
| Marked A Deposited Plan 413672 | Easement | | |
| Total Area | | 0.0000 Ha | |

Schedule / Memorandum

Surveyor Reference: 500872

Address: 7A Malcolm Ave, Cashmere, Christchurch



Land Registration District

Canterbury

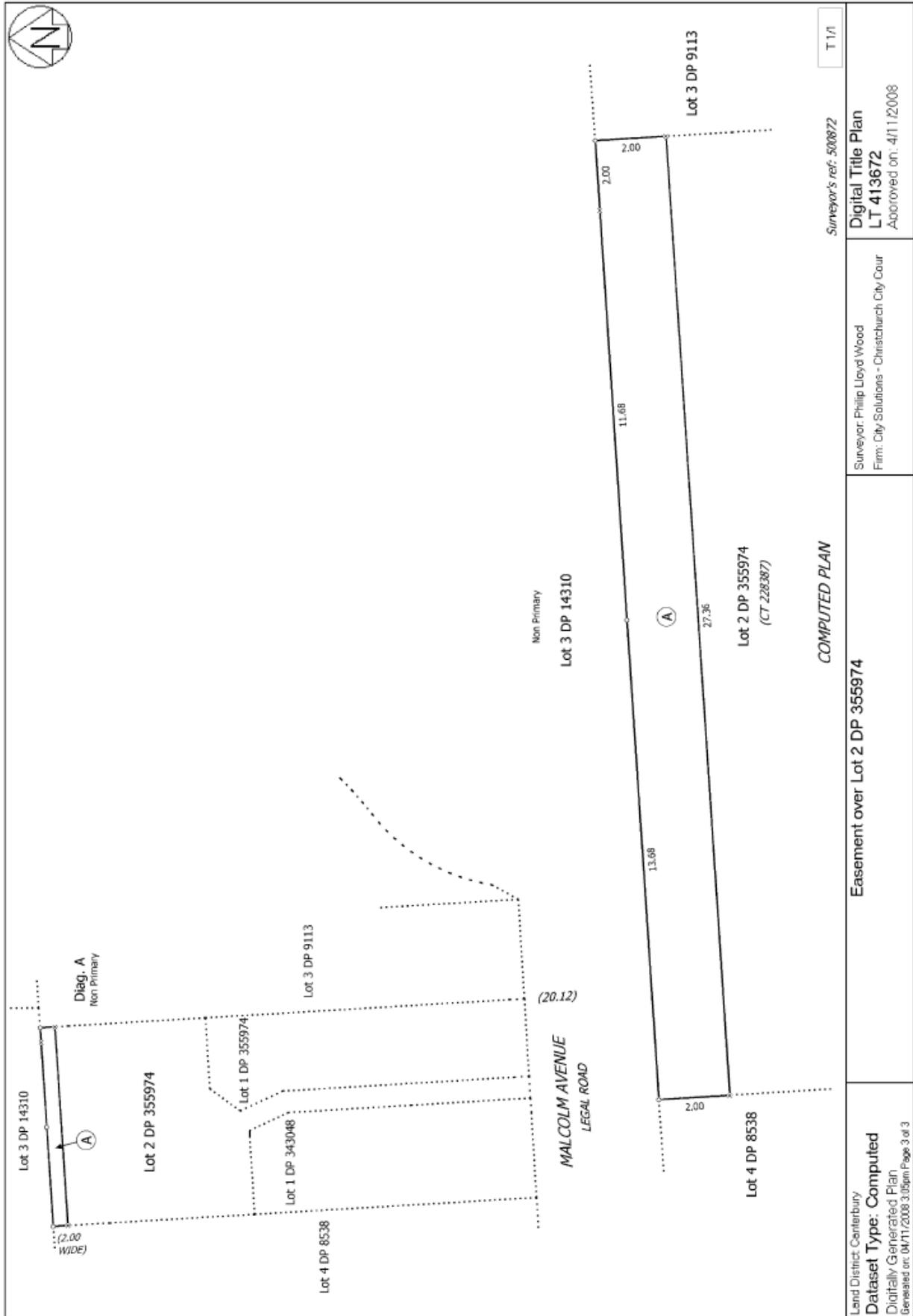
Plan Number

DP 413672

Territorial Authority (the Council)

Christchurch City Council

| Schedule of Proposed Easements | | | |
|---------------------------------------|--------------|-----------------------------|---------------------------|
| Purpose | Shown | Servient Tenement | Grantee |
| Right to drain water in gross | A | Lot 2 DP 355974 (CT 228387) | Christchurch City Council |



8. ROAD STOPPING POLICY



| | |
|-------------------------------------|--|
| General Manager responsible: | General Manager, City Environment DDI 941 8608 |
| Officer responsible: | Manager Property Consultancy |
| Author: | Angus Smith, Manager Property Consultancy |

PURPOSE OF REPORT

1. The purpose of this report is for the Community Board to provide comment on a recommendation which is going to the Council for 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 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 Road Stopping Policy (**Attachment 1**).
 - 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.

8 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 Public Works Act.
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.

8 Cont'd.

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

Local Government Act 1974

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.

Section 342 (1) (a) – Stopping of roads-

Confers on the Council the ability to declare a road to be formally stopped.

Section 345 – Disposal of land not required for road-

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

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

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

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

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 three metres 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.

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. | <p>The Council prepares:</p> <ul style="list-style-type: none"> (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. <p>And lodges the plan at LINZ for approval.</p> |
| 2. | <p>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:</p> <ul style="list-style-type: none"> (a) at least twice, at intervals of not less than 7 days, give public notice of the proposal(s); (b) serve the same notice on the occupiers of all land adjoining the road; <p>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.</p> |

| | |
|----|--|
| 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. |
| 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 2 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

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.

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.

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.

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.

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

- Neither the Local Government Act nor the Public Works Act 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 Local Government Act procedure should apply. Guidelines about which Act to follow are set out in the proposed Road Stopping Policy document (**Attachment 1**).

8 Cont'd.

DELEGATIONS

17. 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 Local Government Act and the Public Works Act.
18. 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".
It is proposed not to alter this delegation.
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.
19. 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.
20. 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.
21. 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.
22. 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 Local Government Act and the Public Works Act provide for consultation according to the statutory process used.

8 Cont'd.

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

23. Yes, see above.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

24. Not applicable.

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

25. Not applicable.

ALIGNMENT WITH STRATEGIES

26. Not applicable.

Do the recommendations align with the Council's strategies?

27. Not applicable.

CONSULTATION FULFILMENT

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

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

30. 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.

31. 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 Community Board offer comment on the following recommendation, which will be put to the Council for the consideration of a Road Stopping Policy 2009:

- (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.

8 Cont'd.

STAFF RECOMMENDATION CONTINUED

- (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.

CHAIRPERSONS RECOMMENDATION

For discussion.

CHAIRPERSONS NOTE

Proposed Policy: A change to staff having increased delegation through the Road Stopping Policy may remove residents input when there are community/social implications.

BACKGROUND (THE ISSUES)

32. 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. |

5. An application for road stopping will not proceed if the Council shall in 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.

- (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
 - (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):

- 24 -

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.

9. COLOMBO BUS PRIORITY PROJECT – COLOMBO STREET BUS STOP AT THORRINGTON ROAD



| | |
|-------------------------------------|---|
| General Manager responsible: | General Manager, City Environment Group, DDI 941 8608 |
| Officer responsible: | Transport & Greenspace Unit Manager |
| Authors: | Kirsten Mahoney, Project Manager and Greg Barnard, Public Transport Infrastructure Co-ordinator |

PURPOSE OF REPORT

1. The purpose of this report is to request the Spreydon/Heathcote Community Board recommend that the Council revoke the relocation of the bus stop to outside 2B Thorrington Road and 37 Colombo Street as part of the Colombo Bus Priority Project, and resolve the current location of the bus stop outside 31 Colombo Street, along with the amendment of the associated no stopping restrictions.

EXECUTIVE SUMMARY

2. The owners of 2B Thorrington Road and 37 Colombo Street contacted Kirsten Mahoney by letter dated 17 December 2008 and by phone on 22 December 2008 with concerns about the relocation of the bus stop on Colombo Street from south of the intersection with Thorrington Road to north of the intersection with Thorrington Road outside their properties, as part of the Colombo Bus Priority Project.
3. The owners of these properties were not happy with this decision and requested an on-site meeting with the project team leaders in early 2009. Council staff, Greg Barnard and Tom Howkins met with the residents on site on 6 January 2009 to investigate and discuss their concerns. Whilst the residents have no problem with the bus lanes, they are concerned about an increase in broken bottles and discarded rubbish in their front gardens with the relocation of the bus stop. The residents are also concerned that a bus shelter may be built outside their property contributing to the litter problem they already experience. However at this time, there is no bus shelter proposed as part of this bus stop location.
4. The main reason for the relocation of this bus stop under the bus priority project relates to the removal of parking on the eastern side of Colombo Street. In order to minimise the effect on on-street parking for the businesses on the west side of Colombo Street, additional parking through the relocation of the bus stop was proposed.
5. The owners at 2B Thorrington Road and 37 Colombo Street say they were not consulted as part of the bus priority project consultation phase in October – December 2007 and did not receive a consultation brochure. Details of the consultation undertaken as part of the bus priority project are outlined below.
6. Mr Barnard has advised the bus priority project team that there are no safety implications with retention of the existing bus stop in its current location; however, he would encourage the project team to monitor this bus stop and report back on any issues as part of the 12 month review requested by the Council as part of the bus priority project.
7. There were no specific submissions from the public relating to the removal or retention of the existing bus stop, during the consultation phase undertaken in October – December 2007.

FINANCIAL IMPLICATIONS

8. There are no financial implications with the retention of the existing bus stop.
9. The relocation of this bus stop is included within the estimated costs for the Colombo Bus Priority Project, which is included in the Transport and Greenspace Unit's capital programme for implementation in the 2008/2009 and 2009/2010 financial years. Removal of an existing bus stop including signage and markings typically costs \$200, and the installation of a new bus stop including signage and markings typically costs \$500.

9 Cont'd.

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

10. As above.

LEGAL CONSIDERATIONS

11. The installation of any bus stop signage and/or markings must comply with the Land Transport Rule - Traffic Control Devices 2004 – Rule 54002.
12. The retention of the existing bus stop will require recommendation by the Spreydon/Heathcote Community Board to the Council, as this was revoked by the Council at its meeting held on 15 May 2008.

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

13. As above.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

14. The Colombo Bus Priority Project aligns with the Transport and Greenspace Unit's Asset Management Plan, and the Bus Priority Routes Project of the Capital Works Programme, pg 85, Our Community Plan 2006-2016.

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

15. As above.

ALIGNMENT WITH STRATEGIES

16. The Colombo Bus Priority Project is consistent with the National Land Transport Strategy, as well as key regional and local Council strategies, including the Regional Land Transport Strategy, Metropolitan Christchurch Transport Statement, Public Passenger Transport Strategy, Pedestrian Strategy, Parking Strategy, Cycling Strategy, Road Safety Strategy, Citywide Public Transport Priority Plan, Metro Strategy 2006-2012 and the Greater Christchurch Urban Development Strategy.
17. The bus stop rationalisation aspect of the bus priority project has been developed in line with the Council's Bus Stop Location Policy 1999.

Do the recommendations align with the Council's strategies?

18. As above.

CONSULTATION FULFILMENT

19. Public consultation for the Colombo Bus Priority Project was undertaken from 15 October – 17 December 2007. The Colombo Route specific consultation brochure was distributed to approximately 1,932 households along the route and side streets (residents and absentee landowners), as well as stakeholders and other interested groups. A total of 9,500 route specific brochures were printed and distributed.
20. As a result of the consultation phase, a total of 136 responses were received on the Colombo route, through a variety of media including emails, feedback forms (included with the brochure), Have Your Say on the Council's website, letters and phone call. In addition, there were four route specific seminars held, as well as three meetings with representatives of the Sydenham businesses and Sydenham Heritage Trust.

9 Cont'd.

21. The consultation process was reported to Community Board Members and Councillors in a report dated 18 January 2008 *Bus Priority Record of Consultation, Communication and Marketing*. The issues raised during the consultation phase were reported to the Community Board at its meeting held on 15 April 2008 and to Council at its meeting held on 15 May 2008.
22. Following the letter and phone call received from the residents at 2B Thorrington Street and 37 Colombo Street in December 2008, an on-site meeting was held with Greg Barnard and Tom Howkins to investigate the concerns raised by these residents and establish if these concerns could be accommodated.

STAFF RECOMMENDATION

It is recommended that the Spreydon/Heathcote Community Board recommend that the Council:

- (a) (i) Revoke the resolution passed by Council at its meeting held on 15 May 2008, which read:
(d)(xiii) That a bus stop be installed on the west side of Colombo Street commencing 12 metres north of its intersection with Thorrington Road and extending 15 metres in a northerly direction.
- (ii) Approve the following:
That the bus stop to be installed on the west side of Colombo Street commencing 12 metres north of its intersection with Thorrington Road and extending 15 metres in a northerly direction be revoked.
- (b) (i) Reinstate the resolution revoked at its meeting held on 15 May 2008, which read:
(d)(vii) That the existing bus stop be revoked from the west side of Colombo Street commencing ten metres south of its intersection with Thorrington Road and extending 17 metres in a northerly direction.
- (ii) Approve the following:
That the existing bus stop remain on the west side of Colombo Street commencing ten metres south of its intersection with Thorrington Road and extending 17 metres in a southerly direction.
- (c) (i) Amend the resolution passed at its meeting held on 15 May 2008, which read:
(f)(lxii) That the stopping of vehicles be prohibited from 7am to 9am Monday to Friday on Colombo Street on the west side commencing at a point 27 metres north of its intersection with Thorrington Road and extending 99 metres in a northerly direction.
- (ii) Approve the following:
That the stopping of vehicles be prohibited from 7am to 9am Monday to Friday on Colombo Street on the west side commencing at a point 12 metres north of its intersection with Thorrington Road and extending 114 metres in a northerly direction.
- (d) Review the location of the bus stop on Colombo Street near the Thorrington Road intersection as part of the Council's resolution adopted at its meeting held on 15 May 2008, which states: *"That staff report to the Council twelve months after the implementation on the effectiveness of the bus priority measures on Colombo Street, with any recommended changes".*

CHAIRPERSONS RECOMMENDATION

That the staff recommendation be supported.

10. BYRON STREET – PROPOSED P30 PARKING RESTRICTION

| | |
|-------------------------------------|---|
| General Manager responsible: | General Manager City Environment DDI 941 8608 |
| Officer responsible: | Transport and Greenspace Manager |
| Author: | Jon Ashford/Mike Thomson – Network Operations |

PURPOSE OF REPORT

1. The purpose of this report is to seek the Spreydon/Heathcote Community Board's approval that a P30 Parking Restriction be installed on the north side of Byron Street outside number 83.

EXECUTIVE SUMMARY

2. The Council Network Operations Team has received a request from the manager of Tasman Traders, who operate a second hand clothing shop at 83 Byron Street, that a P30 Parking Restriction be installed outside their business (refer **attached**).
3. Number 83 is located on the north side of Byron Street, to the west of its intersection with Brisbane Street. Byron Street is classified as a Collector Road and has a 50km/h speed limit. There is currently unrestricted parking on both sides of the road in this area.
4. Tasman Traders advise that the unrestricted parking is used as all day parking by Polytechnic students and commuters, making it difficult for their customers to find any nearby on-street parking and resulting in the loss of business. Tasman Traders have limited off-street parking, however, other businesses in the vicinity have sufficient customer parking, reducing the need for further parking restrictions on this section of Byron Street.
5. This proposal will provide P30 Restricted parking on the north side of Byron Street outside Tasman Traders. This will enable customers to park close to the shop and the 30 minute time restriction will allow them sufficient time to shop at the second hand clothing business.
6. The neighbouring businesses on the north side of Byron Street and those opposite on the south side have been consulted by Tasman Traders and signed a form in support of this proposal.

FINANCIAL IMPLICATIONS

7. The estimated cost of this proposal is approximately \$600.

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

8. The installation of road markings and signs is within the LTCCP Streets and Transport Operational Budgets.

LEGAL CONSIDERATIONS

9. Part 1, Clause 5 of the Christchurch City Council Traffic and Parking Bylaw 2008 provides Council with the authority to install parking restrictions by resolution.
10. The Community Boards have delegated authority from the Council to exercise the delegations as set out in the Register of Delegations dated April 2008. The list of delegations for the Community Boards includes the resolution of parking restrictions.
11. The installation of any parking restriction signs and/or markings must comply with the Land Transport Rule: Traffic Control Devices 2004.

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

12. As above.

10 Cont'd.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

13. Aligns with the Streets and Transport activities by contributing to the Council's Community Outcomes-Safety and Community.

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

14. As above.

ALIGNMENT WITH STRATEGIES

15. The recommendations align with Council Strategies including the Parking Strategy 2003, Pedestrian Strategy 2001, Road Safety Strategy 2004 and the Safer Christchurch Strategy 2005.

Do the recommendations align with the Council's Strategies?

16. As above.

CONSULTATION FULFILMENT

17. The following businesses, which are on either side of Tasman Traders on the north side of Byron Street and opposite on the south side of the road, were consulted by Tasman Traders and have signed a form in support of the proposal:
- (a) Hall Shopfitting 78/82 Byron Street
 - (b) Theme Pro 75/81 Byron Street
 - (c) RR Fisher & Co 85 Byron Street
 - (d) Castle Hill Furniture 94 Byron Street

18. This is an industrial/commercial area and there is no residents association.

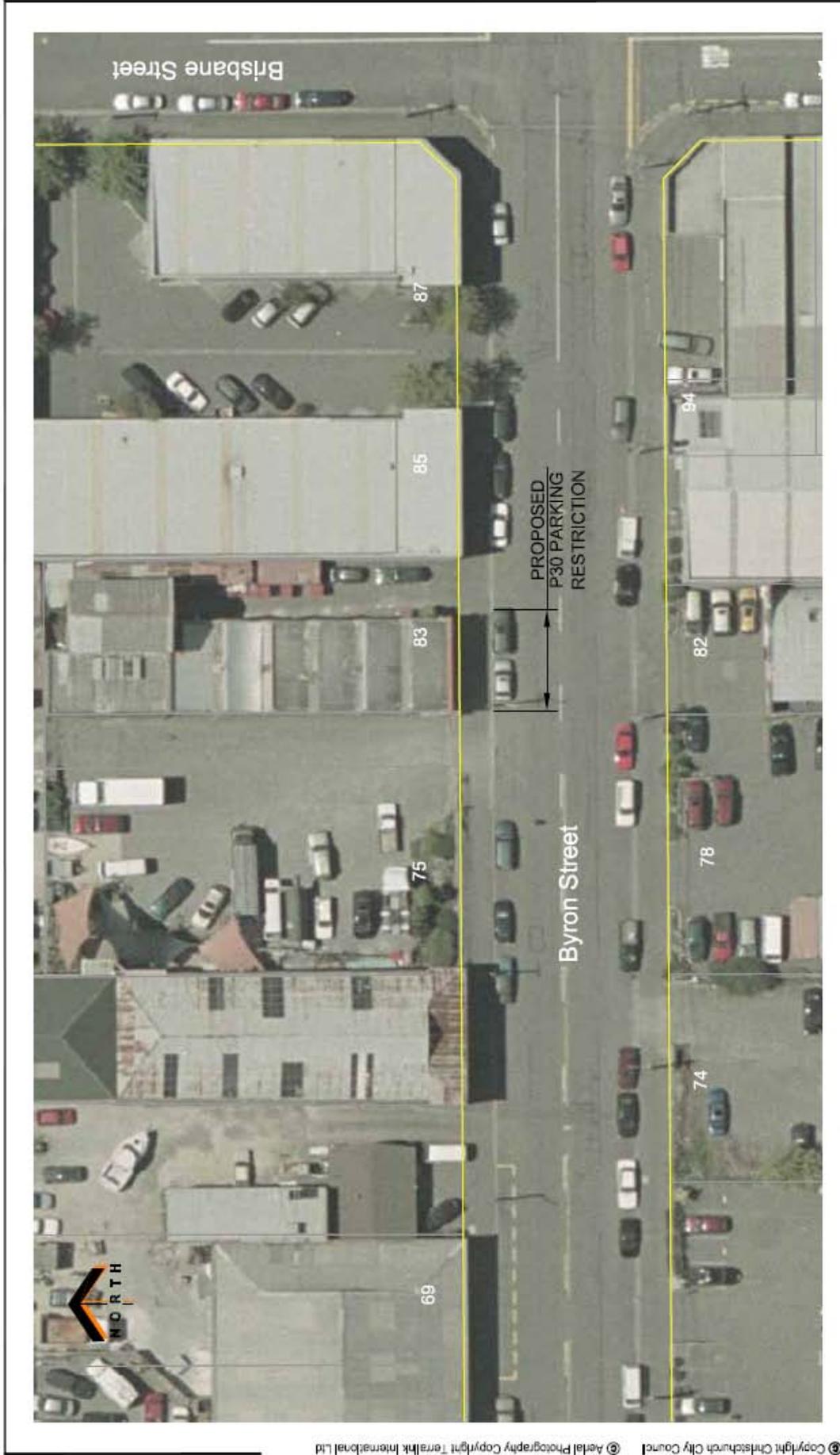
19. The officer in Charge - Parking Enforcement agrees with this recommendation.

STAFF RECOMMENDATION

It is recommended that the Spreydon/Heathcote Community Board approve that the parking of vehicles be restricted to a maximum period of 30 minutes on the north side of Byron Street commencing at a point 50 metres west of its intersection with Brisbane Street and extending in a westerly direction for a distance of seven metres.

CHAIRPERSONS RECOMMENDATION

That the staff recommendation be supported.



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BYRON STREET
 Proposed P30 Parking Restriction
 For Board Approval



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11. BRICKWORKS LANE/WOODLAU RISE – PROPOSED NO STOPPING RESTRICTIONS

| | |
|-------------------------------------|---|
| General Manager responsible: | General Manager City Environment DDI 941 8608 |
| Officer responsible: | Transport and Greenspace Manager |
| Author: | Lorraine Wilmshurst/Michael Thomson - Networks Operations |

PURPOSE OF REPORT

1. The purpose of this report is to seek the Spreydon/Heathcote Community Board's approval that the stopping of vehicles be prohibited at any time on either side of the Brickworks Lane/Woodlau Rise intersection.

EXECUTIVE SUMMARY

2. The Council Network Operations Team has received a request from a resident of Brickworks Lane asking that a No Stopping Restriction be installed in Brickworks Lane to assist access and increase visibility (refer **attached**).
3. Brickworks Lane is a cul-de-sac off Woodlau Rise in Huntsbury. Both streets are local roads and visibility at the intersection is restricted by a bank on the southern corner.
4. When vehicles park in the street, access is restricted to one lane. If vehicles are parked near to the intersection with Woodlau Rise access into the street is restricted and visibility reduced. The original proposal put to residents was to remove parking on the western side of Brickworks Lane for its entire length. Some residents did not support this proposal but did agree that visibility at the intersection was an issue and that they would like to see it improved.
5. To increase visibility at the intersection and prevent a vehicle parked at the street entrance restricting access, a no stopping restriction is required.
6. The installation of a no stopping restriction for approximately 20 metres either side of Brickworks Lane and ten metres either side of Woodlau Rise, including the sweeping curve at the intersection with Brickworks Lane, will retain two lane access and increase visibility.
7. Residents in the Brickworks Lane received an initial consultation letter outlining the original proposal and asking for their support for the proposal. Following their response, a second letter has been circulated with the recommendation that the no stopping restriction be installed, just at the intersection, and this has been agreed to.
8. The Huntsbury Residents Association have been informed of the proposed restriction.

FINANCIAL IMPLICATIONS

9. The estimated cost of this proposal is approximately \$150.

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

10. The installation of road markings and signs is within the LTCCP Streets and Transport Operational Budgets.

LEGAL CONSIDERATIONS

11. Part 1, Clause 5 of the Christchurch City Council Traffic and Parking Bylaw 2008 provides Council with the authority to install parking restrictions by resolution.
12. The Community Boards have delegated authority from the Council to exercise the delegations as set out in the Register of Delegations dated April 2008. The list of delegations for the Community Boards includes the resolution of parking restrictions.
13. The installation of any parking restriction signs and/or markings must comply with the Land Transport Rule: Traffic Control Devices 2004.

11 Cont'd.

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

14. As above.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

15. Aligns with the Streets and Transport activities by contributing to the Council's Community Outcomes-Safety and Community.

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

16. As above.

ALIGNMENT WITH STRATEGIES

17. The recommendations align with Council Strategies including the Parking Strategy 2003, Pedestrian Strategy 2001, Road Safety Strategy 2004 and the Safer Christchurch Strategy 2005.

Do the recommendations align with the Council's Strategies?

18. As above.

CONSULTATION FULFILMENT

19. Following an initial consultation with residents of Brickworks Lane, a second proposal has been circulated and residents have agreed to the proposed no stopping restrictions at the intersection.

20. The Huntsbury Residents Association have been informed of the proposed no stopping restriction.

21. The officer in Charge - Parking Enforcement agrees with this recommendation.

STAFF RECOMMENDATION

The resolution distances have been measured from the prolongation of the kerb lines, parallel to the centre lines, of Brickworks Lane and Woodlau Rise.

It is recommended that the Spreydon/Heathcote Community Board approve:

- (a) That the stopping of vehicles be prohibited at any time on the east side of Brickworks Lane commencing at its intersection with Woodlau Rise and extending in a southerly direction for a distance of 23 metres.
- (b) That the stopping of vehicles be prohibited at any time on the west side of Brickworks Lane commencing at its intersection with Woodlau Rise and extending in a southerly direction for a distance of 17 metres.
- (c) That the stopping of vehicles be prohibited at any time on the south side of Woodlau Rise commencing at its intersection with Brickworks Lane and extending in a easterly direction for a distance of seven metres.
- (d) That the stopping of vehicles be prohibited at any time on the south side of Woodlau Rise commencing at its intersection with Brickworks Lane and extending in a westerly direction for a distance of 17 metres.

CHAIRPERSONS RECOMMENDATION

That the staff recommendation be supported.

12. CASHMERE VIEW STREET KERB AND CHANNEL RENEWAL

| | |
|-------------------------------------|---|
| General Manager responsible: | General Manager City Environment DDI 941 8608 |
| Officer responsible: | Transport and Greenspace Unit Manager |
| Author: | Philippa Upton, Transport Consultation Leader |

PURPOSE OF REPORT

1. The purpose of this report is to seek approval from the Spreydon/Heathcote Community Board for the Cashmere View Street Kerb and Channel Renewal project to proceed to final design, tender and construction (refer **attached**).

EXECUTIVE SUMMARY

2. Cashmere View Street is located in Somerfield Street between Rose Street and Ashgrove Terrace and is one of a number of similar residential streets leading down to the Heathcote River.
3. The primary objectives of the project are to replace the existing kerb and channel, maintain and improve safety for all road users, ensure provision of adequate drainage, complete the project within budget and within the 2009/10 financial year and to minimise the whole of life costs. Investigation showed full reconstruction of the carriageway is required.
4. This street, of approximately 35 properties, includes minimal infill housing and a predominance of family homes. The street contains a small park and playground. There are three rest homes, Cashmere High School and Pioneer recreational complex in the surrounding area and across the river is Princess Margaret Hospital. This street is not on a bus route.
5. Key issues raised through initial consultation were speeding and cut-throughs, intersection safety/definition, and pedestrian and child safety, along with the desire to maintain and enhance a sense of community and to improve landscaping.
6. All three options considered included a type B threshold at Rose Street. Option 1 retained the same alignment, Options 2 and 3 included a nine metre carriageway with a six metre narrowing at Ashgrove, and realignment of the footpath. In addition option 3 proposed three kerb build-outs strategically located along the street adjacent to the park, outside property numbers 35-37, and at the crest of the hill.
7. Option 3 was chosen as the preferred plan for consultation because it was believed to meet community and Council objectives to slow traffic through narrowing the street, including build-outs and tightened and narrowed intersections. This plan provided improved safety and visibility for children and pedestrians through shorter crossing distances and re alignment, better definition and slowing at Ashgrove Terrace. It slowed traffic and provided a focus for the street including opportunities for landscaping. A total loss of 18 parking spaces was considered acceptable in a street with low parking demand.
8. The final option meets all objectives and takes into account consultation feedback (see below Consultation Fulfilment), concern about the need for more than three metres to allow for future installation of a speed hump if required and drainage will be improved. The project is on target for construction on time and within budget.
9. The community board requested the footpath be widened to 1.8 metres to allow for wheelchair access, and the project team agreed that this occurs if costs permit. The designer is to obtain pre-tender costs for a 1.65 metre and a 1.8 metre footpath both sides of Cashmere View Street.

12 Cont'd.

FINANCIAL IMPLICATIONS

10. The total budget allowed for this project is \$702,977 spread over the following financial years.

| | | |
|---------|-----------|---------------------|
| 2008/09 | \$77,977 | Current |
| 2009/10 | \$625,000 | Draft LTCCP 2009-19 |

- (a) The estimated cost of the project is \$674,200. This includes a contingency of 15%.
- (b) The total budget expenditure for the current 2008/09 financial year will depend on the level of progress through the detailed design phase of the project. Any residual funds unspent at the end of the 2008/09 financial year (30 June 2009) will be carried forward to the 2009/10 financial year for this project.

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

11. Funding for this project is provided within the Transport and Greenspace Unit's Capital Programme as outlined above.

LEGAL CONSIDERATIONS

12. There are no property issues associated with this project. Community Board resolutions are required for parking restrictions.

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

13. The project aligns with the Transport and Greenspace Unit's Asset Management plan, and the Street Renewals Project of the Capital Works Programme, page 85, Our Community Plan 2006-2016.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

14. As above.

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

15. As above.

ALIGNMENT WITH STRATEGIES

16. This project is consistent with key Council strategies including the parking strategy, Road Safety Strategy, Pedestrian Strategy and Cycling Strategy.

Do the recommendations align with the Council's strategies?

17. As above.

CONSULTATION FULFILMENT

18. Initial issues consultation was carried out in the street in April 2008, consisting of a standard Council survey which elicited 21 responses and a meeting of approximately 20 residents with the project manager and consultation leader. Key issues raised through the survey were speeding and cut-throughs, intersection safety/definition, and pedestrian and child safety, along with the desire to maintain and enhance a sense of community, and to improve landscaping.

19. Three options were developed for comparison: the preferred option for consultation was presented to the Spreydon/Heathcote Community Board on 21 October 2008.

12 Cont'd.

20. A standard leaflet containing the concept plan was delivered to approximately 400 residents of Cashmere View Street, the surrounding area and internal and external stakeholders for a five week consultation period. Forty two replies were received, including feedback from a project evening attended by eight people on 24 November 2008.
21. Of the responses, 33 indicated general support for the concept plan, seven showed unqualified support, and 26 included suggestions for changes or improvement. Six included a suggestion only and three did not support the plan.
22. Key issues/feedback: A number of submitters saw a need to more effectively limit speed and cut-throughs on Cashmere View Street. Feedback from a Council design engineer and CAD draughtsman questioned the proposed scheme's effectiveness in slowing or deterring through traffic in the absence of any vertical element to support the narrowings. A Council planner for cyclists reinforced this, considering that six metre wide narrowings with no vertical elements to reduce vehicle speed creates a potentially dangerous situation for cyclists.
23. Comments were also received reinforcing concerns about safety, speed and visibility at the Ashgrove Street intersection, which added weight to the project teams final changes to the proposal.
24. A summary document of project team responses will be sent to Board Members showing consultation feedback including concerns about the need to further manage and limit traffic flow, as well as pedestrian/wheelchair access and landscaping, drainage and paving suggestions.
25. As a result of consultation feedback the project team have agreed to implement speed humps on the Cashmere View Street approaches to the Ashgrove Terrace and Rose Street intersections. The Rose Street treatment will be in cobblestones and the treatment at Ashgrove Terrace will be a standard asphalt concrete speed hump.
26. Concerns were also raised pointing to the need for additional speed humps along Cashmere View Street (see key issues above). The recorded speeds along Cashmere View Street are regarded as generally lower than similar residential streets and would not qualify for any remedial treatments.
27. However, this kerb and channel renewal project gives an opportunity to improve the residential amenity of the street, and to this end the project team has agreed to modify the build-outs between number 30 and 35 to accommodate a speed hump, should a future speed survey confirm there is a speeding issue in Cashmere View Street
28. Summary of changes required to the preferred option as a result of consultation feedback:
 - Include a speed hump at the Rose Street intersection – type B.
 - Include an asphalt speed hump at the Ashgrove Terrace intersection.
 - Build out at numbers 30/35 lengthened approximately three metres to allow a CSS 3.7 metre speed hump to be installed in the future, if required.
 - Driveway at number 35 widened to five metres to allow trailer access.
 - Footpath widened to 1.8m to allow for wheelchair access (subject to sufficient funding being available at the time the project is tendered).
 - New No Stopping area defined as a result of development of the plan through consultation will be installed as indicated below.

STAFF RECOMMENDATION

It is recommended that the Spreydon/Heathcote Community Board approve:

- (a) That the plan for Cashmere View Street kerb and channel renewal proceed to final design, tender and construction;

12 Cont'd.

(b) The following parking restrictions:

New No Stopping:

- (i) That the stopping of vehicles be prohibited at any time on the west side of Rose Street commencing at a point two metres north of its intersection with Cashmere View Street and extending in a northerly direction for a distance of 3.5 metres.
- (ii) That the stopping of vehicles be prohibited at any time on the west side of Rose Street commencing at a point three metres south of its intersection with Cashmere View Street and extending in a southerly direction for a distance of 2.5 metres.
- (iii) That the stopping of vehicles be prohibited at any time on the north side of Cashmere View Street commencing at its intersection with Ashgrove Terrace and extending in a westerly direction for a distance of 14 metres.
- (iv) That the stopping of vehicles be prohibited at any time on the south side of Cashmere View Street commencing at its intersection with Ashgrove Terrace and extending in a westerly direction for a distance of 13 metres.
- (v) That the stopping of vehicles be prohibited at any time on the west side of Ashgrove Terrace commencing at the intersection of Cashmere View Street and extending in a northerly direction for a distance of 12 metres.
- (vi) That the stopping of vehicles be prohibited at any time on the west side of Ashgrove Terrace commencing at the intersection Cashmere View Street kerb line, on the south side, and extending 12 metres in a westerly direction.
- (vii) That the stopping of vehicles be prohibited at any time on the north side of Cashmere View Street commencing at a point 71 metres from its intersection with Ashgrove Terrace and extending in a westerly direction for a distance of 12.5 metres.
- (viii) That the stopping of vehicles be prohibited at any time on the south side of Cashmere View Street commencing at a point 70 metres from its intersection with Ashgrove Terrace and extending in a westerly direction for a distance of 13 metres.

CHAIRPERSONS RECOMMENDATION

For discussion.

12 Cont'd.

THE OPTIONS

Option One

29. Replace the kerb and channel on the same alignment.

Option 1 meets all objectives.

Shortfalls: Retaining the 14 metres wide carriageway means traffic speeds are likely to remain high with and 85 per cent speed around 60km/hr The crossing distance is considered very wide for pedestrians.

Option Two

- 30.

- nine metre carriageway.
- one metre grass berm against boundary.
- 2.85 metre of berm next to the kerb.
- Replacement of existing threshold at Rose Street with a type B threshold.
- Retains cut-down kerb across Rose Street, with a six metre narrowing.

Option Two meets all objectives

Shortfall: Will not deter all through traffic

Option Three (Preferred Option for consultation)

31. As above with addition of three pairs of kerb build-outs located strategically along Cashmere View Street.

Option 3 meets all objectives. The build-outs create a layout designed to encourage a slow speed environment and improve the aesthetics of the street with opportunities for improved landscaping. The build-out adjacent to the park will provide a safer crossing point.

Shortfalls: See Consultation Fulfilment and final option below.

THE OPTION FOR BOARD APPROVAL

32. The final chosen scheme following consultation on the preferred option includes all the features of option 3 including narrowing the carriageway from 14 metres to nine metres with a one metre grass berm against the property boundaries, a 1.65m footpath on both sides and 2.85 metres of berm next to the kerb, as shown. The nine metre carriageway will allow two way traffic and allow parking both sides of the street while reducing the crossing distance for pedestrians.

33. This option includes three kerb build-outs strategically located along Cashmere View Street to enhance the street environment. It also includes replacing the threshold at Rose Street with a type "B" threshold and retains the cut down kerb across Rose Street. The threshold will be six metres wide and raised to deter through traffic and reduce crossing distances for pedestrians.

34. At the Cashmere View Playground running between Cashmere View Street and Fairview Street, approximately 50 metres southwest of Rose Street, build-outs will be placed and the carriageway will be narrowed to six metres. This will provide a safer access point to the park by reducing the width of the carriageway to be crossed and improve the aesthetics of the street. The carriageway will also be narrowed to six metres with kerb build-outs at the crest of Cashmere View Street, approximately 75 metres north of the Ashgrove Terrace intersection), and midway between the crest and the playground (outside Nos 30-32 and 35-37) These kerb build-outs provide a focus for the street and a slow point for traffic plus an opportunity for additional landscaping.

12 Cont'd.

35. As a result of consultation (see above, Consultation Fulfilment), at the Ashgrove Terrace intersection the Cashmere View Street carriageway will be narrowed to six metres wide and an asphalt speed hump installed to slow and deter through traffic. The footpaths on Ashgrove Terrace will be realigned to provide a safer crossing point. The build-out at numbers 30-35 will be lengthened approximately three metres to allow a CSS 3.7 m speed hump to be installed in the future, if required.
36. The proposal includes drainage improvements including piping to collect flows from four new sumps at the intersection in Ashgrove Terrace and Cashmere View Street and will discharge via the four existing river outfalls. A bubble-up sump will be required at the kerb build-outs between 11/13 and 14 Cashmere View.
37. Deciduous magnolia 'burgundy star' is to be planted along the street except between numbers 20 and 30 where underground telecom cables are laid. Low landscaping will be provided at the build-outs.
38. Street lighting will be upgraded and service pole relocated in two double driveways.
39. The final option proposal meets all project objectives, is within budget, and allows for improvements on the preferred option identified through internal and external consultation (see Consultation Fulfilment, above).

13. MOLTEN MEDIA TRUST PROJECT

| | |
|-------------------------------------|--|
| General Manager responsible: | General Manager, Community Services Group DDI 941 8607 |
| Officer responsible: | Unit Manager, Community Support Unit |
| Author: | Lynda Jeffs, Community Development Advisor |

PURPOSE OF REPORT

1. The purpose of this report is to present a request for funding of \$5,000 for the Molten Media Trust to the Spreydon Heathcote Community Board from its 2008/09 Discretionary Response Fund.
2. The request is for \$5,000 towards the cost of preparing and auditing the Trust's financial accounts to enable the Trust to apply for community funding.
3. There is currently a balance of \$35,261.50 remaining in the Boards Discretionary Response Fund.

EXECUTIVE SUMMARY

4. Molten Media is a not-for-profit organisation based in Wordsworth Street, Sydenham. While this group is located in the Spreydon/Heathcote Community Board area it has a city wide reach and therefore could be deemed to be a Metropolitan organisation. However Board Members are aware of the work of Molten Media from their deputation to the Community Board last year.
5. Following the group's deputation, Community Board Member Oscar Alpers and staff met with Molten Media in September 2008. The purpose of the discussion was to discuss the groups current situation and plans for the future development of their organisation. Through these discussions it was identified that funding assistance is required to enable Molten Media to get their financial systems and accounts in order so that the groups accounts can be audited.
6. As a follow up to this meeting Molten Media have applied to the Spreydon/Heathcote Community Board Discretionary Response Fund based on their relationship with the Board and their urgent need for help to obtain funds.
7. Molten Media provides resource recovery; refurbishing, repairing and rebuilding of computers and training of young people. They work in partnership with the Justice Department by providing community work for approximately 30 clients of the Justice Department annually. They also provide keyboards for the CCS clients of Widening Horizons in Kilmarnock Street. The keyboards are dismantled so that the plastic components can be reused or sold. Annually between 40 to 60 volunteers work for Molten Media and these volunteers provide over 300 hours of free labour. Currently the group employ two full time co-ordinators.
8. Molten Media have established a business relationship with Metal Corp New Zealand Limited in Halswell who buy the scrap metals that are extracted from unusable computers. They also work with a plastic recycling company to provide plastic for recycling.
9. In addition to selling computer components that cannot be reused, the Trust is developing the Computer Recycling Project, which involves selling or giving recycled computers for community groups and low income people. Future plans involve developing training options, IT support, development of kitset computers for young people and other new service development.
10. At present Molten Media are recycling in the vicinity of 60 to 80 tons of electronic waste annually. Non-reusable items are stripped completely down to their barest components and through negotiations and the development of relationships with local industries, items are sent to where they can be reused in a different form.
11. It has been three years since the accounts were last audited and since that time the Trustees have been managing the accounts themselves. This is restricting the group's ability to further develop and take advantage of new opportunities as they cannot apply for the necessary funding from a range of different sources without audited accounts.

13 Cont'd.

12. Molten Media Trust has been operating without grant funding from any source for over five years as the previous management practices did not include prudent financial management which severely limited the growth of the Trust. The Trust now has new management staff and is in the position to take advantage of new opportunities.
13. The establishment of sound financial systems will have the following positive outcomes. It will allow:
 - The Trustees to work on developing the capacity of the organisation instead of being tied up with day to day financial management.
 - The completion of audited accounts enabling the group to apply for funding.
 - The establishment of new initiatives including capacity development to decrease electronic waste and support other community groups.
14. In terms of a community development context, the requested funding assistance will enable Molten Media to develop sound financial practices and systems and the preparation of their books for auditing. This will enhance Molten Media's economic sustainability, capacity to extend their reach into the community and the quality of their service delivery.
15. This in turn will increase the skills and capabilities of their programme participants and volunteers and will facilitate community participation not only in skill development but in making connections with other people within the local community.
16. However funding provision for the actual auditing of the groups accounts may be deemed by the Council as a conflict of interest should this group then apply to the Council for funding assistance in the future.

FINANCIAL IMPLICATIONS

17.

| Project Costs | Total Cost | Amount sought in this application |
|-------------------------|-------------------|--|
| Preparation of accounts | \$3,000 | \$3,000 |
| Audit fee | \$2,000 | \$2,000 |
| Total | \$5,000 | \$5,000 |

18. The group have not applied elsewhere for funding assistance as they need to have their financial documentation available to apply. The Trustees have contributed many hours voluntarily in the basic preparation of the financial accounts to date.
19. Molten Media Trust has previously received support from NZ Lottery Grants Board, Community Employment Group and Canterbury Development Corporation.
20. However Molten Media Trust has not received any funding from the Christchurch City Council since 1998. This is the first time they have approached the Spreydon/Heathcote Community Board for funding assistance.
21. At the end of December 2008 Molten Media had \$1,693.93 in their account that was not tagged. The financial document provided, plus the fact that they had a very small surplus at the end of last year, suggests that the organisation is being prudently financially managed.
22. Molten Media have had their financial work booked in with a Chartered Accountant so provided they receive the funds, there is no financial risk that the project will be delivered.

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

23. Yes.

13 Cont'd.

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

24. There are no legal issues to be considered.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

25. Aligns with LTCCP and Activity Management Plans.

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

26. Yes page 170.

ALIGNMENT WITH STRATEGIES

27. This application meets the following Council Community Grants Funding Outcomes:

- Support capacity building of local community organisations.
- Provide community based programmes which enhance the ability to use information and communications technology.

28. It also helps to meet the following Community Board objectives:

- Objective 5 to improve social wellbeing in Spreydon/Heathcote.

Do the recommendations align with Council

29. Strengthening Communities Strategy.

CONSULTATION FULFILMENT

30. Not applicable.

STAFF RECOMMENDATION

It is recommended that the Spreydon/Heathcote Community Board:

- (a) Agree to grant \$3,000 from its 2008/09 Discretionary Response Fund to the Molten Media Trust towards the cost of developing sound financial systems and preparing the Trust's accounts for auditing as a contribution to the groups capacity building.
- (b) Decline the request for the auditing of Molten Media's Trust accounts as this may be deemed by the Council as a conflict of interest should the group then apply to the Council for further funding assistance.

CHAIRPERSONS RECOMMENDATION

For discussion.

17. 3. 2009

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14. **COMMUNITY BOARD ADVISER'S UPDATE**
15. **ELECTED MEMBERS INFORMATION EXCHANGE**
16. **MEMBERS QUESTIONS UNDER STANDING ORDERS**