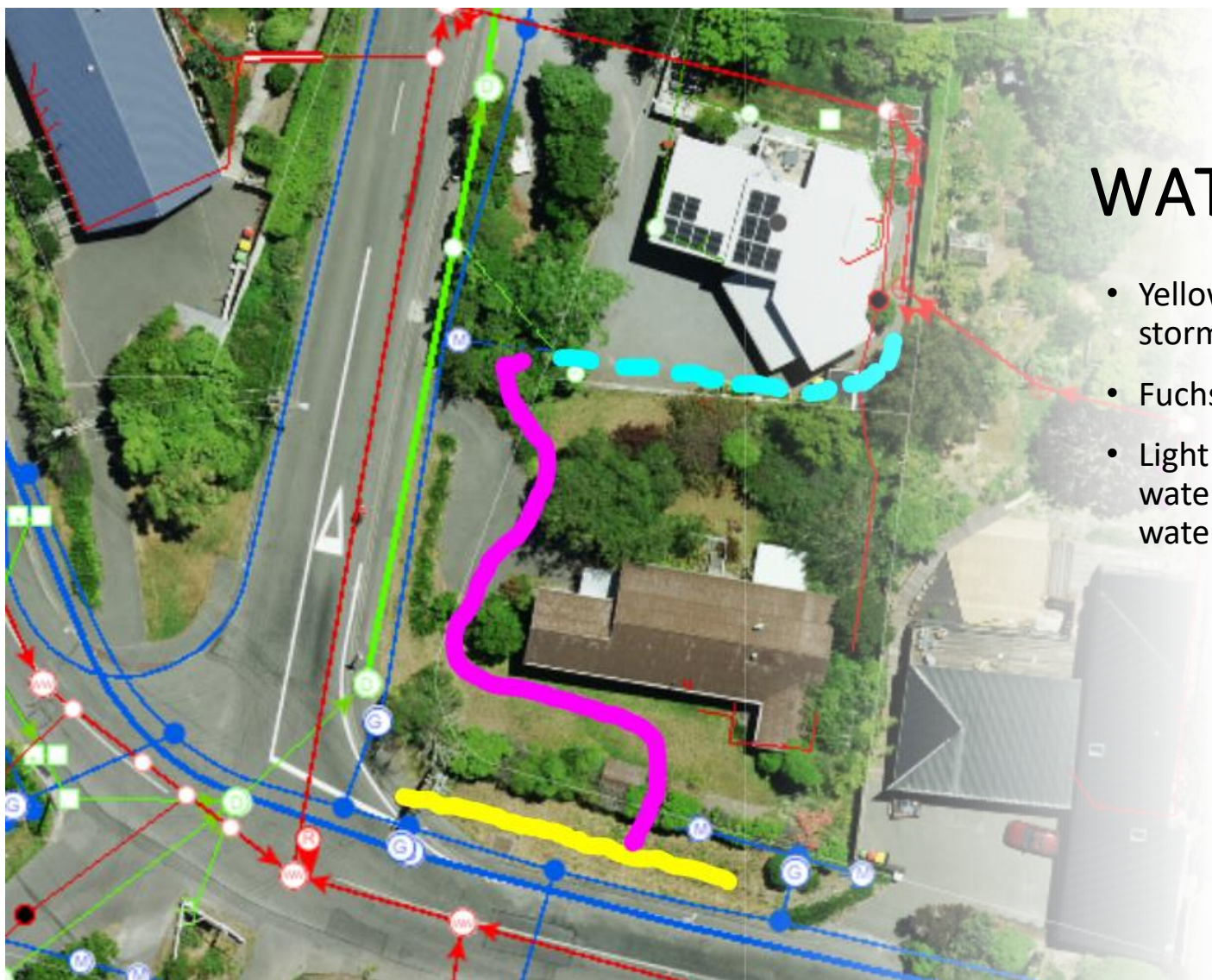


Waikura
Linwood-Central-Heathcote Community Board
MINUTES ATTACHMENTS

Date: Wednesday 30 March 2022
Time: 4.30pm
Venue: Audio/Visual Link

TABLE OF CONTENTS	PAGE
4.2. Public Forum - Mt Pleasant Road Water Reticulation and Stormwater	
A. Clause 4.2 Public Forum Presentation Mt Pleasant Road – Water Reticulation and Stormwater by Wayne Rollinson 30 March 2022	3
5.1. Deputations by Appointment - Woolston Community Centre (former) - Gift of Building and Granting of Ground Lease to Te Waka Unua School	
A. Clause 5.1 Deputation Woolston Community Centre (former) - Gift of Building and Granting of Ground Lease to Te Waka Unua School by Janeane Reid - 30 March 2022	7
8. Woolston Community Centre (former) - Gift of Building and Granting of Ground Lease to Te Waka Unua School (#Part A#)	
A. Clause 8 Woolston Community Centre (former) - Gift of Building and Granting of Ground Lease to Te Waka Unua School Letter from Roimata Reading Group - 30 March 2022	10
4.3. Public Forum - The Harm Minimisation Bill	
A. Clause 4.3 Public Forum The Harm Minimisation Bill by Wayne Hawker – 30 March 2022	12
5.3. Deputations by Appointment - Hagley Tennis Court Floodlight Application	
A. Clause 5.3 Deputation Hagley Park North Tennis Court Floodlights by Christchurch Civic Trust – 30 March 2022	13



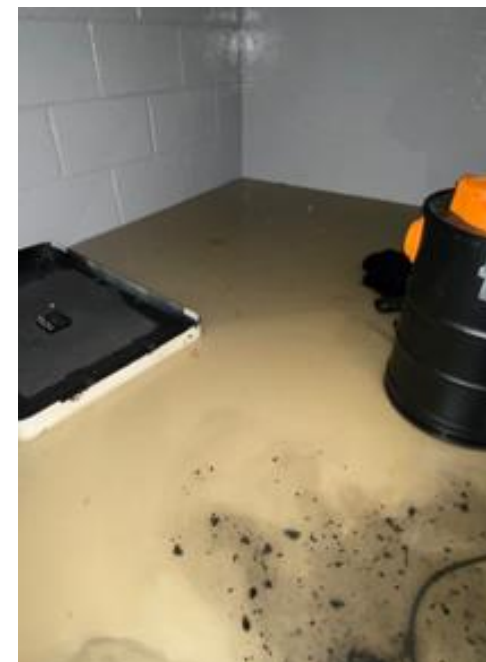
WATER PROBLEMS

- Yellow line = potable water leaks + storm water
- Fuchsia line = water tracked
- Light blue = drain dug to channel water across the property to storm water sump



WATER PROBLMES

- Land was soaked (4 months) – area for a duck pond
- Water flowed continuously under/over driveway
- Retaining wall integrity compromised



OUTCOME

- Bottom floor completely flooded with storm water
- Storm water overflowed – diverted water plus the fact the ground was already saturated
- 2 x bedrooms, reception area, bathroom and laundry



SOLUTIONS

- Bund inserted above property at 259 (replicate what is in place up the road)
- Road & gutter repairs
- Most effective solution = drain placed along the lower end of the council owned bank
 - ☐ Captures stormwater overflow
 - ☐ Captures water leaks from potable water system
 - ☐ Captures free flowing water

WOOLSTON COMMUNITY CENTRE

Te Waka Unua Schools Vision for the ongoing utilisation of the Woolston Community Centre:

Ensuring the continued use of this space to provide a hub for the community to connect, learn, guide and support each other.



Proposal: Te Waka Unua School Board of Trustees to act as guardian of the facility for the local community

Our intention would be to maintain this building and the access to the school community and wider community organisations that provide positive, mana enhancing and well being related activities a place to provide these opportunities to the community they serve for many years to come. Allowing space to provide opportunities for the children and adults in the community to engage in activities otherwise limited without suitable spaces available.

The school has taken on a short term lease of the facility this term while the building was sitting unused. Below you will see some of the activities that have already taken place in this space over the past 2 months.

Janeane Reid (Principal)



PASIFIKA AFTERSCHOOL PROGRAMME



"We love using this space to learn Samoan Language. We all run there after school, we sneak in the back door to greet our tutors" Leah



MUSIC THERAPY WITH DRUMS



"A lady called Music Liz came to do Music Therapy with us, she had cool drums. I was nervous to participate but it was actually really fun" Brock



COVID VACCINATION DROP IN



"My Mum took me to get my vaccination after school at the Community Centre. The nurses were really kind and I wasn't even nervous" Isla



Music Therapy

A fantastic space for small groups to access Music Therapy Sessions



St John's Safety Training

Students were trained in basic safety and first aid skills.



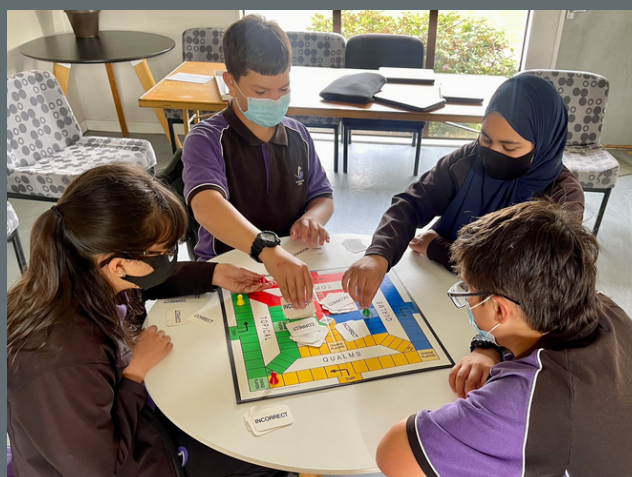
Computer & IT Support

Phill from REVIT provides technical support with all Tech Challenges from this space to teachers.



Social Skills Programme

Selected young students have been working with volunteers to participate in a Social Skills programme



Pride & Responsibility

Our students have had the opportunity to take responsibility for caring for the Community Centre. Cleaning up damage & learning about the CCC graffiti reporting system.



Life Skills Lessons

Senior students have benefitted from using the space to learn about healthy eating and budgetting.



Samoa Study Support Centre

Three afternoons a week from 3-5:30pm a Samoan Language support centre operates out of the community centre



COVID-19 Vaccination Clinic

Pegasus Health provided a drop-in Vaccination Clinic to the local community during the first week of March



Submission, 28 March 2022, regarding the proposed transfer of the

Woolston Community Centre,

502 Ferry Road, Christchurch
to Te Waka Unua School

To Kathy Jarden
Team Leader Leasing
Consultancy Facilities, Property & Planning
Christchurch City Council
P O Box 73104
Christchurch 8154
Email: Kathy.Jarden@ccc.govt.nz

Submission from Peter Oakley
P O Box 40106
Christchurch 8140
Email: ohgoroo@gmail.com

The Woolston Community Centre at 502 Ferry Road is well situated in Roimata to be within walking distance of most people in Roimata, and is accessible not only from Ferry Road, but also from the residential area of Roimata via the part of Woolston Park that meets Silvester Street. The current building was built, at a guess, in the 1980s, and replaced the prefabricated facility which was the base for the two Woolston community workers employed by the City Council in the 1980s, and at the same time served as a busy community hub.

I run the Roimata Reading Group, which has three groups that meet regularly, one to read the oldest Māori poetry, one that reads Old English poetry, and one that reads the literature that was formative for Charles Dickens. We do not charge fees nor importune for donations, so the expenses are borne by those of us who choose to pay.

In 2019 and 2020 I used the Woolston Community Centre at 502 Ferry Road for the Māori poetry group, and was also involved in a community Māori language group run by Waikura McGregor, and in a group providing an exercise programme for the disabled.

In 2021 and 2022 the Roimata Reading Group has been meeting elsewhere, where the fees are lower, the bookings are not cancelled at a moment's notice, the facilities are cleaner, the lavatories work, and so far we have not been sent bizarrely inappropriate bills. Sadly, the place where we meet is not as central to Roimata.

Submission 28 March 2022 from Peter Oakley regarding the Woolston Community Centre

The Woolston Community Centre has been, and could still be, a place for community use.

The current City Council policy includes not providing a community worker; bleeding fees out of the community into the great black hole in the central city from anyone using our community facilities, and providing opaque, orgulous and offputting administrative hurdles for anyone wishing to use the facility.

This does not need to continue. At the very least the City Council could provide regular maintenance for the building, and provide a competent booking and billing service for the use of it. And even look at pitching fees more affordably for genuine community meetings. Obviously, in one of the most impoverished parts of the city, basing community workers in the offices of the building is a clear need, too, and one which, by reason of the layout of the building, would not get in the way of community users of the building.

It is useless to tell local people to go away to facilities in central Woolston, miles away; we would rather use the facility that we already have and have paid for, and that we can walk to. The result will be that people just won't bother.

It is useless to tell people that Te Waka Unua might let us use our facility, even after they have taken it. The idea is likely to persist only until Te Waka Unua has its hands on it. And can you imagine trying to make bookings?

It is important not to transfer any of our rights in the facility to Te Waka Unua, which is a central government body and thus, as we have seen in the wake of the earthquakes, ultimately hostile to the community. If Te Waka Unua wishes to use the facility, why can it not book the facility just like everyone else? They might even be able to provide enough pressure to get the Council to institute a competent booking and billing system.

Thank you for this opportunity to speak with you.

Recently I learnt about the members bill that Green MP Chloe Swarbrick was bringing to Parliament in regards reducing Alcohol Harm. It is called The Harm Minimisation bill. Included in this bill is a clause that would stop anyone from lodging an appeal against a Local Alcohol Policy , which is something that happened here in Ch Ch when our council tried introducing such a policy and sadly ever since our communities have been the poorer for this.

Recently The Auckland City Council passed a unanimous vote to support a motion to fully support the bill that Chloe is introducing into Parliament.

I have for a number of years been trying to do what I can to bring about change in our proliferation of liquor stores in the community, but the current Sale and Supply of Alcohol Act 2012 really is designed to support the liquor industry and now after many years of writing letters to MP's we finally have one who is listening to the community.

I am here today to ask this community board to start the ball rolling at a local community level and to consider the opportunity to be able to also support this bill that Chloe is introducing and to take this up on behalf of our community with the full council to do likewise.

In our communities we have had enough and the time has come to give the power back to our communities, to present submissions to help our council develop a new Local Alcohol Policy that can not be appealed against and gives our communities a glimpse that we can start the long road to minimising alcohol harm in our communities

After all that is the key object of The Sale and supply of Alcohol Act2012 yet with the continuing growth of alcohol harm across NZ it is clear for anyone to see this legislation has failed all New Zealanders

Thank You

Supporting Document for Christchurch Civic Trust Deputation 30th March 2022.

https://christchurch.infocouncil.biz/Open/2022/03/LCHB_20220330_AGN_7603_AT.PDF

Agenda Item 11. Hagley Park North - Tennis Court New Floodlights

The Christchurch Civic Trust (the Trust) thanks the Community Board for granting it speaking rights on this agenda item.

The stated purpose of the staff report is '*to seek a recommendation from this Community Board to the Council to approve proposed new floodlights in the Hagley Park Tennis Club area in Hagley Park North*'. The Hagley Park Tennis Club has made an application to erect six new floodlight towers with floodlights at a height of 12.2 metres to cover four existing tennis courts, all costs of installation and operation to be borne by the club. '*The proposed development is substantial*', according to the staff report (at 3.1.2).

The Trust agrees that the proposed additional floodlights will provide improved amenity to members of the Hagley Park Tennis Club without causing undue disruption to the amenity of other users of North Hagley Park or adjacent properties.

The Trust's concern is with the procedures being applied by Council to facilitate the tennis club's application to install permanent structures in Hagley Park, Council procedures, which contravene the requirements that normally apply to all such applications in respect of Hagley Park, protected by its own statutory Hagley Park Management Plan (HPMP) and the Christchurch City (Reserves) Empowering Act 1971. That Act requires, '*for the avoidance of doubt*', that Hagley Park be administered subject to the provisions of the Reserves Act.

Elected members are reliant upon the integrity of the advice they receive from staff. The reasoning behind that advice should be evidence-based and verifiable, even if authorship is omitted or redacted.

On the matter of delegation

The Trust contends that the staff report and advice have taken into account an irrelevant matter, in specifying the delegation proposed for Council approval of the Hagley Park Tennis Club's application.

Under the heading *Statutory power to undertake proposals in the report*, the staff report at 8.4.1 sets out the delegated power proposed to be exercised by Council in respect of '*landowner approval*' for the installation of the Hagley Park Tennis Club's floodlights:

8.4.1 ...Page 94 of the Delegations Register applies:

*"To decide on the installation of floodlights on sports parks (whether the sports park is located on a park or reserve). **Subject to the Council obtaining the necessary resource consents.**" (emphasis added)*

From the wording of the delegation as recorded in the Delegations Register (set out below), it is evident that exercise of the delegated power is limited to approving the installation of floodlights on sports parks where the Council is required to obtain the necessary resource consents:

Installation of floodlights on sports parks

Responsibilities, duties, powers etc.

To decide on the installation of floodlights on sports parks (whether the sports park is located on a park or reserve).

Limits etc.

Subject to the Council obtaining the necessary resource consents.

<https://ccc.govt.nz/assets/Documents/The-Council/How-the-Council-works/Delegations-Register/Delegations-Register.pdf> P94

With regard to the Hagley Park Tennis Club's application, it is the Hagley Park Tennis Club, which will be obtaining any necessary resource consents, as stated at 8.7 and also in 2. 3.a. in *Officer Recommendations* in the staff report. (The Trust suggests that the cited delegation may apply where Council-owned and operated floodlights are proposed to be located in the Park.)

The Lease history

The Trust's comment: *'The Civic Trust understands that the Hagley Park Tennis Club (The applicant) continues to occupy an area within North Hagley Park without a current lease under the Reserves Act'* is confirmed by the staff advice in Attachment C on the history of the club's lease.

If simply continuing to pay the rent is accepted by Council and no new lease in accordance with the Reserves Act is required by Council, the Trust contends that Council is being derelict in its functions as the administering body under the Reserves Act.

Both the staff report and staff advice claim that Hagley Park is a 'sports park'. However, the Trust maintains that whilst some sports grounds are located in areas of North and South Hagley Park, Council is required to manage the Park, including Little Hagley Park, according to the purpose of the Park, which is that set down in section 17 of the Reserves Act, and in accordance with all other relevant provisions of that Act.

When Council receives an application from a club to install permanent structures in Hagley Park, as in the case of the tennis club's application, the approval process is not *'independent of any required statutory process under the Reserves Act'*, contrary to the claim in Attachment C. A land lease is a prerequisite and the appropriate type of lease providing for the erection of structures by the club has to be granted and be current under s54 Reserves Act. As demonstrated in the approval processes for the Canterbury Cricket Trust's installation of floodlights at Hagley Oval, there was no dodging the necessity of an appropriate and current land lease before Council could grant approval as 'landowner'.

The staff report states at 8.3:

The Council's Legal Services team have confirmed that the Reserves Act 1977 does not prescribe a process for approving additional lights on leased premises and it is appropriate for this to be considered under the Local Government Act 2002.

The report also states at 8.8:

There is no legal context, issue or implication relevant to this decision. Therefore, advice has not been sought from the Council's Legal Service Delivery.

There is need for clarification on the role of the Legal Services team, as these statements are at variance with each other. The Trust contends that there are indeed legal issues to be resolved.

With regard to the staff report on the Club's current application for consideration by the Community Board today (30th March 2022), paragraph 8.2 states:

The Hagley Park Tennis Club has a ground lease for the whole of the area used by the club for tennis activity purposes, including the tennis courts, clubhouse and car parking area. The lease allows for the installation of new floodlights with landowner approval.

A request from the Trust was lodged with Council on 25th March 2022 by Chris Kissling on behalf of the Trust as follows:

Would you please supply the Christchurch Civic Trust, through me as their member of the HPRG, with copy of the ground lease held by the Hagley Park Tennis Club, wherein all the elements mentioned in 8.2 are covered explicitly. It is also relevant to know the dates when any amendments to the ground lease were put into effect and by what authority. We are looking for actual quotable wording in the lease, not a summary statement as in 8.2 above.

A pdf copy of the expired lease was provided on Monday 28th March 2020.

The problem here is that the lease in question expired in 2003, confirmed both in the staff advice and in the 2007 HPMP. The expired lease was a lease under S54 (1) (c) of the Reserves Act 1977, which did not provide for the erection of structures, such as now applied for by the Hagley Park Tennis Club.

In the 2014 High Court case **CIV-2014-485-9681** [\[2014\] NZHC 3245](https://www.nzlii.org/cgibin/sinodisp/nz/cases/NZHC/2014/3245.html?query=Nzski%20Ltd%20conservation), MACKENZIE J considered the matter of expired leases granted under s54 Reserves Act. He held that a renewal of a lease would, on the proper interpretation of the lease, involve the creation of a new lease, not an extension of the existing lease. This High Court Judgment is viewable at <http://www.nzlii.org/cgibin/sinodisp/nz/cases/NZHC/2014/3245.html?query=Nzski%20Ltd%20conservation>

Simply rolling over an historical lease complete with all previous provisions is not an acceptable form of compliance with the Reserves Act for leases in reserves generally and within Hagley Park, in particular. It does not exonerate Council from performing its delegated duty to administer Hagley Park in accordance with **all relevant statutory requirements**, including the often overlooked Christchurch City (Reserves) Empowering Act.

The staff report at 5.8 refers to the 27 October 2021 meeting of the Hagley Park Reference Group (HPRG) and states:

The HPRG expressed consensus and support for the installation of the lights as there were no concerns around light spill given there were no residential neighbours to be impacted.

The Minutes of that meeting record that the club's representative '*confirmed next step is to hear back from the Council re the lease so they can then commence the resource consent application*'. However, no discussion occurred regarding the matter of the lease, and no lease issue was identified. During the HPRG meeting on 29th March, those attending via Zoom advised that they were unable to recall whether this matter of the lease was, had in fact, actually been raised.

Policy Framework Implications

The staff report omits reference to the 2007 HPMP. Policies 17.4 and 17.6 in respect of Objective 17 Buildings and Structures state:

17.4 Any proposal for new buildings and structures shall take into account the following:

*(a) The effect of the building or structure on the Hagley Park environment. All designs (including external materials, **colour scheme**, and associated landscaping) **must be***

approved by the Council to ensure the building or structure is properly integrated into the Park environment. (emphasis added)

17.6 Colour schemes shall be prepared that are complementary to the Hagley Park environment, appropriate to the architectural character of each building and structure and be in harmony with the adjoining buildings and structures. (emphasis added)

<https://ccc.govt.nz/assets/Documents/Parks-Gardens/Christchurch-BotanicGardens/hagleyparkmgtplan2007-all-lr-popularparks.pdf> P93

The proposed six floodlight towers, 1.2m taller than the club's existing floodlight poles, would be visible from Riccarton Avenue against the backdrop of the existing tall trees. The adverse visibility effect would be mitigated if the proposed floodlight towers were to be painted a similar colour to that of the existing tennis club floodlight poles.

The Solution

- Council consider issuing a new lease appropriate for the application by the Hagley Park Tennis Club under relevant provisions of the Reserves Act. i.e. S54 (1) (b).
- Council provisionally approve the Hagley Park Tennis Club's application for the additional floodlights, with the proviso that construction/installation not proceed until the appropriate **land lease for the proposed structures has been granted** under the Reserves Act.

This may mean the installation will be delayed, but this is the consequence of the applicant and Council not having moved earlier to resolve the expired lease issue. The Trust is watchful over statutory compliance matters, particularly where proposed Council actions may lead to precedent setting and/or the circumventing of statutory requirements.