

**CHRISTCHURCH CITY COUNCIL/
BANKS PENINSULA DISTRICT COUNCIL
TRANSITIONAL JOINT COMMITTEE**

MONDAY 5 DECEMBER 2005

10.00 AM

**IN THE CHRISTCHURCH CITY COUNCIL CHAMBERS
CIVIC OFFICES, 163-173 TUAM STREET, CHRISTCHURCH**

**Transitional Joint
Committee:**

Christchurch City Council:

Mayor Garry Moore and Councillors Barry Corbett, Bob Shearing and Gail Sheriff

Banks Peninsula District Council:

Mayor Bob Parker and Councillors Stuart Bould, Stephen Lowndes and Stewart Miller

Committee Secretary

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1. APOLOGIES

2. MINUTES OF THE PREVIOUS MEETING

Attached.

3. MEMORANDUM OF UNDERSTANDING UPDATE

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|-------------------------------------|---|
| General Manager responsible: | General Manager Regulation and Democracy Services |
| Officer responsible: | Peter Mitchell |
| Author: | Peter Mitchell, DDI 941-8549 |

PURPOSE OF REPORT

1. The purpose of this report is to advise the Joint Committee of the adoption by the Christchurch City Council and the Banks Peninsula District Council of a Memorandum of Understanding relating to the proposed dissolution of Banks Peninsula District, and its inclusion within Christchurch City.

BACKGROUND

2. At its meeting on 17 October 2005 the Joint Committee recommended to the Christchurch City Council and the Banks Peninsula District Council the adoption of the Memorandum of Understanding that was before the Joint Committee on 17 October 2005.
3. The Memorandum of Understanding was before the Christchurch City Council at its meeting on 27 October 2005 and the Council resolved to adopt the Memorandum of Understanding with one change in the penultimate paragraph on page three of the Memorandum, so that it referred to the Council working with the District Council to “incorporate” (rather than investigate) committees into the enlarged organisation.
4. The Memorandum of Understanding was before a meeting of the Banks Peninsula District Council on 31 October 2005 and that Council agreed to adopt the Memorandum with the following changes requested to Appendix 4:
 - Lyttelton Reserves Management Committee to be included in the list
 - Orton Bradley Park to be entered into Category 4 as it has a BPDC and CCC representative on the Board
 - Akaroa Arts Council to be changed to read Akaroa Community Arts Council
 - Lyttelton/Mt Herbert Arts Council to be changed to read Lyttelton District Community Arts Council
 - To include the BPDC’s representation on the Banks Peninsula Pest Liaison Committee
5. Appendix 6 of the Memorandum of Understanding is the subject of a separate report to this Joint Committee meeting from the Long Term Council Community Plan Subcommittee.

STAFF RECOMMENDATIONS

That the information be received.

4. REPORT OF THE LTCCP SUBCOMMITTEE

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| General Manager responsible: | General Manager Regulation and Democracy Services |
| Officer responsible: | Peter Mitchell |
| Author: | Peter Mitchell, DDI 941-8549 |

PURPOSE OF REPORT

1. The purpose of this report is to put before the Joint Committee recommendations from the LTCCP Subcommittee relating to a report (Attachment 1), Appendix 6 of the Memorandum of Understanding, and the Governors Bay Water and Sewer Loans (Attachment 2).

BACKGROUND

2. The LTCCP Subcommittee (Councillors Corbett, Lowndes, Miller, Shearing) of the Joint Committee has had meetings on 28 September 2005 and 21 November 2005.
3. At its meeting on 21 November 2005 the Subcommittee considered reports on the addition of Appendix 6 to the Memorandum of Understanding and a report on the Governors Bay Water and Sewer Loan Scheme.

APPENDIX 6 – MEMORANDUM OF UNDERSTANDING

4. The Memorandum of Understanding adopted by the two Councils recently contains the following section headed "Long Term Council Community Plan Direction":

"A key strategic document in recording community aspirations is the 2004 Banks Peninsula Community Plan and 2005 Community Outcomes document produced as a result of community consultation

BPDC will prepare for the joint 2006-16 – LTCCP a 10-year plan based on the commitments made in the Banks Peninsula Community Plan 2004-2014 and the Banks Peninsula District Annual Plan 2005/06 which includes the Lyttelton Town Centre Development Plan.

In addition the enlarged CCC via its LTCCP will make provision for funding the infrastructural issues highlighted by the Capital Strategies Report by the provision of an additional sum of \$27.3m for capital projects over the next 10 years, and \$400,000 in operation expenditure annually from 2006/07.

Any additional funding required for the development of the public good facilities at the Naval Point Marina is outside of the \$27.3 million.

During 2004 and early 2005 Banks Peninsula District Council undertook a large community consultation process that resulted in additional capital requests and further community priorities for operational expenditure being identified. A schedule of these items will be prepared and be considered for inclusion in the CCC 2006-16 LTCCP along with other items presented on behalf of all residents.

A schedule of these items that has been considered by the Banks Peninsula District Council will be attached as an Appendix 6.

Documents that are important to the Banks Peninsula District Community Planning and should be referred to but are not attached to this Memorandum of Understanding are:-

- *Banks Peninsula Community Plan 2004-2014.*
- *Banks Peninsula Annual Plan 2005/06.*
- *Banks Peninsula People – Our Community Outcomes.*
- *Akaroa Streetscapes Report.*
- *Lyttelton Town Centre Development Plans.*
- *Banks Peninsula District Council Urban Transportation, and parking Studies for Akaroa, Diamond Harbour, Lyttelton and Little River."*

5. The Subcommittee notes from its 28 September 2005 meeting provide:

"Members discussed the paper circulated at meeting and concluded that the following steps should be taken to proceed forward.

- 1) *Discussion in future will continue to clearly identify costs as either capital or operating and will be presented separately as much as possible.*
- 2) *Banks Peninsula District Council will continue to develop the budget requirements for Peninsula based programmes and projects as follows:*
 - i) *Revise the LTCCP 04-14 to include cost revisions for:*
 - (a) *projects previously included,*
 - (b) *projects and programmes revised and/or added in the Annual Plan 2005-2006 process,*
 - (c) *the marina project and*
 - (d) *essential emerging requirements. (see agenda paper for detail).*
 - ii) *Include the projects and costs identified in the Capital Strategy report for the Local Government Commission as they have been presented, i.e. in the amounts and for the projects listed. (Note: these costs are NOT adjusted for inflation). \$27.3 mn Capital and \$400k Operating).*
 - iii) *Identify, cost and prioritise programmes and capital projects which have arisen either from the Annual Plan 2005-2006 and not included in that plan and/or the projects identified in the consultation undertaken by BPDC with the community in recent months.*
 - iv) *For previously identified projects, reconsider or confirm the timing of the projects over the 10-year planning timeframe.*
- 3) *This information will be reported to the Transitional Joint Committee.*
- 4) *The results of the BPDC review will be forwarded to CCC for consideration into the CCC LTCCP 2005-2016.*
- 5) *It was noted that the CCC planning workshops are scheduled for the week of 21 November and BPDC will endeavour to meet this timetable.*
- 6) *The above noted principles and process will be included in the MOU being developed between the Councils."*
6. *At its meeting on 21 November 2005 the Subcommittee considered a report and a draft Appendix 6 from Mick O'Donnell, Community Consultation Manager of Banks Peninsula District Council. A copy of this report and the draft Appendix 6 are attached.*
7. *The notes from that Subcommittee meeting record:*

"Mick O'Donnell, Community Consultation Manager, advised that during the period 2004 through into 2005 a fairly exhaustive consultation process had been held. This was largely centred around a series of public meetings, from which the list of issues and project priorities had been arrived at.

Schedule A High Priority Capital Items was tabled showing the costs and ranking given to them by BPDC Councillors. These were emphasised as being genuine priorities.

It was proposed that the Schedule of Priorities be included as Appendix 6 of the Memorandum of Understanding.

Questions were asked in respect of:

- *Effect of the extra \$2.4m in projects that had been identified.*
- *Whether the \$1.25m for drinking water standards had been provided for.*

It was noted that if the schedule became part of the MOU, it would give BPDC residents some confidence and would likely avoid the need to go out for further consultation.

Roy Baker added that his Financial Team would start working with that of BPDC to see how the projects would be fitted into the overall LTCCP."

8. *The Subcommittee's recommendations to the Joint Committee are set out below. If accepted by the Joint Committee, then those recommendations (or amendment to them) will need to go to both Councils for adoption.*

- Subcommittee recommendations:**
1. That the LTCCP Subcommittee recommend to the Joint Transitional Committee Schedules A-F to be included as Appendix 6 to the MOU between the CCC and BPDC.
 2. That the LTCCP Subcommittee recommend to the Joint Transitional Committee that the CCC include Schedule A, incorporating the rankings provided by BPDC in its own capital planning processes for 2006-2016 LTCCP.

GOVERNORS BAY WATER AND SEWER LOANS

9. At its meeting on 28 September 2005 the Subcommittee had been advised that legal advice was being sought on the issue of the elimination of the Governors Bay Water and Sewer Loans and that this would be discussed further when this legal advice had been received.
10. At its meeting on 21 November 2005 the Subcommittee considered the attached report from Mr Ian Thomson and discussed the options identified in that report.
11. After consideration of this report the Subcommittee preferred Option 6 (status quo) as it believed this represented the fairest option. An opportunity would be available to ratepayers affected to make submissions to the 2006-2016 LTCCP process next year.

Subcommittee recommendation: That Option 6 (status quo) be recommended to the Joint Transitional Committee.

5. EARTHQUAKE-PRONE POLICY

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|-------------------------------------|---|
| General Manager responsible: | General Manager Regulation and Democracy Services |
| Officer responsible: | Peter Mitchell |
| Author: | Peter Mitchell, DDI 941-8549 |

PURPOSE OF REPORT

1. The purpose of this report is to advise that all territorial authorities are required, under the Building Act 2004, to adopt a policy on dangerous, earthquake-prone and insanitary buildings within their districts by 31 May 2006.

BACKGROUND

2. All territorial authorities are required by 31 May 2006 to adopt, under the Building Act 2004, a policy on danger, earthquake-prone and insanitary buildings within their districts. The policy is required to state the approach that the territorial authority would take in performance functions under the Building Act, the territorial authority's priorities in performing those functions and how that policy will apply to heritage buildings.
3. The City Council had agreed some time ago to draft a policy for consideration by Banks Peninsula District Council.
4. The policy must be adopted by the special consultative procedure and because of the completion date of 31 May 2006, it is necessary that the special consultative procedure begin by the end of this year. Accordingly reports will be before both the Christchurch City Council and the Banks Peninsula District Council in the next few weeks, recommending the adoption of this policy and it is proposed that the Councils publicly notify the special consultative procedure before Christmas. Submissions would then be received by both Councils until the end of February 2006 and hearings will be held by Christchurch City Council in April 2006 after Banks Peninsula District Council has been abolished. Legal advice has been received to advise that the submissions from Banks Peninsula District can be dealt with in this way and it is proposed that the Order in Council to be gazetted incorporates a clause which refers to this process.
5. Once the hearings on those Christchurch City and Banks Peninsula submissions are held by Christchurch City Council the special consultative procedure will be completed by Christchurch City Council in time for the policy to be formally adopted before 31 May 2006.

STAFF RECOMMENDATIONS

That the information be received.

6. REMUNERATION

Verbal update by Peter Mitchell.