



Christchurch City Council

AKAROA/WAIREWA COMMUNITY BOARD AGENDA

23 AUGUST 2006

9.30 AM

AKAROA SERVICE CENTRE

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2. **CONFIRMATION OF REPORT**

The report of the ordinary meeting of the Akaroa-Wairewa Community Board held on Wednesday 26 July 2006 is attached.

STAFF RECOMMENDATION

That the report of the ordinary meeting held on Wednesday 26 July 2006 be confirmed.

3. PETITIONS

4. CORRESPONDENCE

5. DEPUTATIONS BY APPOINTMENT

5.1 BI-MONTHLY POLICE REPORT

A member of the Akaroa Police will attend the meeting.

6. AKAROA DESIGN AND APPEARANCE ADVISORY COMMITTEE - 18 JULY 2006

General Manager responsible:	Peter Mitchell
Officer responsible:	Liz Carter, Community Board Principal Adviser
Author:	Wendy Graham, Committee Secretary

PURPOSE OF REPORT

The purpose of this report is to submit the outcomes of the Akaroa Design and Appearance Advisory Committee meeting held on Tuesday, 18 July 2006.

The meeting was attended by Committee members Winston McKean John Davey, Victoria Andrews, Lynda Wallace and Tony Ussher (from 10:10 am after Item 5.3). Also in attendance was Jo Bain, Heritage Adviser from the N.Z. Historic Places Trust and Kent Wilson, Planning Officer (from 10:25 am who was not in attendance for Items 1 to 5 and earlier discussions on Item 7.1)

Mr Paul and Ms Vanetia Bingham applicants for the Black Cat Group attended the meeting to represent and speak to the proposed plan to extend the Black Cat Group's building on the Akaroa Wharf.

1. APPOINTMENT OF ACTING CHAIRMAN

Members **agreed** that Winston McKean be Acting Chairman for this meeting.

2. APOLOGIES

An apology from Kent Wilson for lateness was received.

3. MINUTES OF MEETING HELD ON 20 JUNE 2006

Members **resolved** that the report of the meeting held on 20 June 2006 be confirmed as a correct record of the proceedings subject to a question raised on whether the chiller was currently being used by the local fisherman, being recorded.

4. CORRESPONDENCE

The correspondence as circulated was received.

5. MATTERS ARISING

5.1 BLACK CAT GROUP - BUILDING ON WHARF

Ms Bain reported that Ecan had not received a current resource consent application for the proposed structure to the Akaroa Wharf. She said she had also advised Ecan that the Historic Places Trust should be considered an affected party, along with Christchurch City Council.

5.2 AKAROA AREA SCHOOL GYMNASIUM - COLOUR SCHEME

Ms Bain said she had nothing to report at this time. As the gymnasium was situated on crown land it was not subject to the requirements of the Design Guidelines, however Ms Bain said the Historic Places Trust would take up this issue with the Education Board regarding issues within the Historic Area.

5.3 SIGNAGE - AKAROA CINEMA

Once in attendance the Planning Officer reiterated that the light supports had not been part of the resource consent and that this issue was being dealt with through appropriate staff.

Tony Ussher now entered the meeting - 10:10 a.m.

Item 6 was held over until later in the meeting when the Planning Officer would be in attendance. Item 7.1 was discussed at this stage of the meeting.

7. OTHER BUSINESS

7.1 CHECK LIST

Ms Andrews said this was just a working document in order that all members could bring their comments to the table.

Ms Bain felt it should cover all issues in the Design Guidelines. In reply to a question on whether the "impact on other businesses" should be a point for discussion, members were informed this was not an issue for the committee to comment on. It was also suggested that the heading "Streetscape, building façade" could be altered to Site Planning.

Mr Ussher questioned bullet point three under Streetscape regarding living spaces facing setback space. Ms Andrews said she felt this should be deleted or reworded.

It was suggested that a staff member in the planning department could construct a bullet point list from the Design Guidelines.

It was agreed that this item be placed on the next agenda for further discussion.

6. PLANS TO CONSIDER

6.1 BLACK CAT GROUP - BUILDING ON AKAROA WHARF

The applicants re-presented the proposed plan for the building on the Akaroa Wharf, with Mr Bingham giving a short summary on how this proposal had initiated. He said it was originally intended to extend the current Black Cat building back towards the foreshore but this had not eventuated and it was now proposed to incorporate the chiller, which his company had just acquired, into the design. He said he was aware that a resource consent through Ecan was required.

Mr Bingham tabled the represented plans for members to view. He said, taking into account the comments of the committee the following changes had taken place:

- additional jetty from south side of wharf has been removed
- roofline and spouting line of addition raised
- slot windows from front of Dolphin Experience removed and clad with rough sawn posts with horizontal timber between
- seating for public in front proposed
- a negative joint between the existing building and the addition has been created
- gabled porch removed from the addition to create a more pragmatic, simple form.
- addition to be clad in a light coloured corrugated iron to relate to the existing freezer building and to create a distinctive break in the length.

Two proposed colour schemes were also tabled for members' comments. Members agreed the lighter colours presented were preferred. Mr Bingham also confirmed that the public access from the jetty on the south side of the wharf would be retained. He

informed the committee that he had heard Council was intending to build a further landing down the end of the wharf.

Mr Davey said he had no concerns with the changes proposed. The Planning Officer suggested that the applicant investigate further with Council regarding the proposed new landing.

Mr Bingham also spoke on the discussions he had held with the Historic Places Trust's Heritage Adviser, and that obviously a misunderstanding had occurred when it was indicated to him that the Trust approved of the proposal.

The applicants then left the meeting -11:00 a.m.

7.1 CHECK LIST - CONTINUED

At this point of proceedings the Chairman informed the Planning Officer on the discussions held under Item 7.1, which had been discussed earlier in the meeting prior to his attendance. The Chairman said it had been suggested that a staff member from the Planning section could create a bullet point list from the Design Guidelines. At this point members also agreed that the Design Guidelines now incorporated into the District Plan be circulated to members. The Planning Officer agreed to action the suggestions of the committee regarding this item.

6.1 BLACK CAT GROUP - BUILDING ON AKAROA WHARF - CONTINUED

Members agreed that the Black Cat Group had taken on board comments made by the committee at its previous meeting however the façade of the south side of the building was still of concern to some members along with the footprint of the existing structure.

The committee still had reservations regarding two of the bullet points raised in the letter to the applicant's architect.

It was agreed that the applicants be thanked for taking on board many of the comments made by the committee and for providing further information but wished it to be noted that two points in the letter have yet to be addressed. Those points being:

- The appropriateness of expanding the footprint of the existing structure
- The legibility of public open space on the south side of the wharf and the way in which the design convey this.

The Planning Officer was asked to convey the committee's comments through a letter to the applicants and that the committee would welcome any further discussions on this matter at a future meeting if they so wished. Members said it was important that the applicants understood that appropriate development within the Historic Area was undertaken from a design and appearance point of view. The Planning Officer said he would also inform the applicants of issues that may arise through submissions from affected parties to their resource consent application to Ecan.

The Planning Officer said he would also write to the Property Department setting out the concerns of the committee.

Members agreed that the alterations made to the northern elevation were an improvement on the original design.

7. OTHER BUSINESS

7.1 CHECK LIST

This item had been discussed earlier in the meeting.

7.2 PARKING AND TRAFFIC SURVEY REPORT

7.3 WALKING AND CYCLING REPORT

Members agreed that the above reports had a huge impact on the Akaroa Historic area and that early consultation with the Akaroa Design and Appearance Advisory Committee regarding these reports was important. It was felt that the implementation of the Strategic Plan for Akaroa was imperative before any of these reports were adopted.

Members **resolved** that the Akaroa/Wairewa Community Board be advised of the committee's concerns regarding the Urban Transportation and Parking Strategy Study being implemented prior to a Strategic Plan for Akaroa being developed.

The committee felt that the Strategic Plan must be the over-arching and guiding document for the town within which plans, such as the traffic study and the walking and cycling study, can be considered.

Ms Bain said she would attend a meeting of the Akaroa/Wairewa Community Board on behalf of the Historic Places Trust to express the Trust's concerns on this matter.

The Planning Officer undertook to advise managers of relevant Council departments on this discussion.

7.4 ISSUES AND OPTIONS DOCUMENT - AKAROA HISTORIC AREA

Following general discussion members received the document. It was noted that individuals would be making submissions to the recommendations as stated in the report.

7.5 AKAROA DESIGN GUIDELINE BROCHURE

Ms Andrews had brought this to the attention of the committee as she said this had been developed over a period of 5 - 6 years and that there had been a sum of \$10,000 set aside prior to the abolishment of the Banks Peninsula District Council, in order that a brochure would be produced. She asked that the Akaroa/Wairewa Community Board be informed of this.

Members agreed that the brochure needed to be visually attractive and easy to read. It was also possible that this could be undertaken through the expertise of Christchurch City Council staff.

The Chairman said he would report to the Community Board to request that action be taken on this matter.

7.6 DONALD PATERSON - SCULPTURE

Members discussed the proposal of Mr Paterson who wished to erect a sculpture in Akaroa township. It was generally felt that another sculpture for Akaroa was not needed. It was felt that it was important not to have a degree of clutter in the open spaces and that the addition of another one would not contribute to Akaroa as a unique place.

Members agreed that any decision by the Akaroa/Wairewa Community Board should be suspended until a Strategic Plan for Akaroa was implemented. The Chairman said this message would be relayed to the Community Board through its agenda process.

7.7 LETTER TO THE EDITOR

Ms Wallace informed members that as the Museum Director she would be replying to a letter to the editor that was in the Akaroa Mail recently regarding colours of historic buildings.

The meeting closed at 12:22 p.m.

Next meeting - Tuesday 15 August 2006 if required.

STAFF RECOMMENDATION

That the Board receive this report.

7. BANKS PENINSULA RUGBY CLUB LIQUOR LICENCE - AWA-ITI DOMAIN, LITTLE RIVER

General Manager responsible:	General Manager City Environment , Jane Parfitt DDI 941-8656
Officer responsible:	Transport and Greenspace Manager, Michael Aitken
Author:	Parks and Waterways Area Advocate, Rod Whearty

PURPOSE OF REPORT

1. The purpose of this report is for the Akaroa Waiwera Community Board to consider an application from the Banks Peninsula Rugby Club to obtain landowners consent to enable the District Liquor Licensing Authority to consider an application by the Club to renew and extend their existing Liquor Licence.

BACKGROUND

2. The Banks Peninsula Rugby Club require landowners consent to enable an application to be made to the District Liquor Licensing Authority for a renewal and extension of their existing club liquor licence.
3. The Banks Peninsula Rugby Club (here after referred to as the "Club) are based on Awa-iti Domain (Little River) where they have had their existing clubroom facilities since 1993, although their presence and association with the park goes back many more years.
4. The club currently has approximately 115 members, comprising of 1 senior team and 6 junior teams competing in the winter competition. The club also has aspirations of commencing a summer "touch" module at some stage in the near future.

EXECUTIVE SUMMARY

5. The club has applied to the District Licensing Agency (DLA) to renew their Liquor Licence which includes a slight extension to their existing hours. The club's licence was due to expire on 30 April 2006, however because an application has been lodged and is currently being processed, the existing Liquor Licence remains live and operative until a decision on the application has been made.
6. The club has applied for a Liquor Licence covering the following hours.

1 February – 30 September
Tuesday, Wednesday, Thursday 6.00 p.m. –11.00 p.m.
Saturday 11.00 a.m.- 12 midnight
Sunday and Public Holidays 1.00 p.m. – 10.00 p.m.

1 October – 31 January
Wednesday, Thursday 6.00 p.m. – 11.00 p.m.
7. The clubs previous Liquor Licence covered the following hours.

1 March – 30 September
Tuesday, Wednesday, Thursday 6.00 p.m. –11.00 p.m.
Saturday 1.00 p.m.- 12 midnight
Sunday and Public Holidays 1.00 p.m. – 10.00 p.m.

1 October – 28 February
Wednesday 6.00 p.m. – 11.00 p.m.

8. The clubs current application is very similar to their previous liquor licence, albeit with a minor extension to the hours of operation. The extension sees their Winter hours running from 1 February- 30 September (previously 1 March – 30 September) with Saturdays commencing at 11.00 a.m. (previously 1.00 p.m.) during the same period.

The Summer hours are now 1 October – 31 January (previously 1 October – 28 February) and now includes Wednesday and Thursday night (previously Wednesday nights only)

9. The District Licensing Agency publicly advertised the Clubs application on the 1 April 2006 and 12 April 2006. There were no public submissions opposing the application. Part of the notification procedure also involves formal notification of the application to Crown Public Health and the Police. Both the Crown Public Health and the Police have formally responded and advised that they have no concerns with the current application.
10. The day to day administration, management and maintenance of Awa-iti Domain is currently carried out by the Awa-iti Reserve Committee. However those responsibilities do not extend to the granting of “Landowners” consent. That delegation currently sits with the Akaroa Wairewa Community Board.
11. The Parks and Waterways Area Advocate has recently spoken to the Chairman and the Secretary of the Awa-iti Reserve Committee regarding clubs application. While the Committee has not formally considered the matter, both the Chairman and the Secretary indicated they were supportive of the clubs application.
12. The Council has a Host Responsibility Policy where lessees operate a Liquor Licence on our reserves. The District Licensing Agency also requires applicants to furnish a Host Responsibility Policy as part of the Liquor Licence application process. In practice, Host Responsibility covers a range of areas. Some examples are listed below.
 - Always having food available whenever alcohol is being served.
 - A good range of non alcoholic drinks available, including free water.
 - Ensuring no minors are served alcohol.
 - Serving guidelines to ensure intoxicated people are not served.
 - Safe transport options to prevent drink driving.
13. The Transport and Greenspace Unit is not aware of any issues related to the clubs previous liquor licence and is comfortable with proposed application. There are numerous other clubs on Council reserves that hold and operate liquor licences with hours similar to this. While the hours of operation may seem fairly extensive on the surface, in reality the clubs are not operating their Liquor Licence on each and every occasion their licence allows. The proposed hours simply provide them with the flexibility to serve alcohol in association with organised club activities.

FINANCIAL AND LEGAL CONSIDERATIONS

14. There are no financial considerations related to this report.
15. There is no formal lease agreement between the Banks Peninsula District Council (succeeded by the Christchurch City Council), and the Banks Peninsula Rugby Club. The Awa-iti Reserve Board administer the site where the rugby club rooms are located. The Banks Peninsula Rugby Club owns the clubrooms.
16. Pursuant to clause 32 of Schedule 7 of the Local Government Act 2002, Council has delegated a number of its powers to Community Boards. Under the current list of delegations, Community Boards have been delegated the following powers in respect to the sale of liquor.

Sale of Liquor

1. The power to give consent of the Council as landowner (including reserves) for the purpose of the Sale of Liquor Act 1989;

2. The power to appoint one or more members of each Community Board to appear and be heard under s.108(e) of the Sale of Liquor Act 1989, for the purpose of providing community input.

The Board is considering this report in relation to their power to grant "Land Owners" consent as shown in point 1. immediately above.

OPTIONS

17. There are three possible options in relation to this application.

1. Decline the clubs application in total.

This is not considered a realistic option given that the club has previously held a Liquor Licence and the Council is not aware of any adverse issues related to the previous operation of that licence. In addition to this both the Crown Public Health and the Police have indicated they have no concerns with the clubs current application.

2. Approve the clubs application with reduced or amended hours of operation.

This is also not considered a reasonable option for the same reasons outlined above.

3. Approve the club's application in accordance with the hours applied for in their current application. Those hours are:

1 February – 30 September
Tuesday, Wednesday, Thursday 6.00 p.m. – 11.00 p.m.
Saturday 11.00 a.m.- 12 midnight
Sunday and Public Holidays 1.00 p.m. – 10.00 p.m.

1 October – 31 January
Wednesday, Thursday 6.00 p.m. – 11.00 p.m.

PREFERRED OPTION

16. The preferred option is option 3.

The reason being that the proposed hours of operation are similar to those held by other sports clubs operating Liquor Licences on reserves under the Council's control. The Council is not aware of any previous incidents were the club has operated their previous licence irresponsibly, and neither the Crown Public Health or the Police have opposed the clubs current application.

STAFF RECOMMENDATION

1. It is recommended that the Akaroa Wairewa Community Board grant Land Owners consent to the Bank Peninsula Rugby Club to apply for a Liquor Licence related their clubroom facilities on Awa-iti Domain for the hours of operation as outlined in Option 3 of the report.
2. That the Banks Peninsula Rugby Club has a Host Responsibility Policy in place that is actively applied on each and every occasion they are serving alcohol under the terms and conditions of their Liquor Licence.

8. QUARTERLY REPORT TRANSPORT CAPITAL PROJECTS

Separately circulated for the information of members are schedules showing the status of capital projects under action by the former Transport and City Streets Unit as at July 2006.

STAFF RECOMMENDATION

That the information be received and the Transport and Greenspace Manager be thanked for his report.

9. AKAROA HARBOUR ISSUES WORKING PARTY

This Working Party is continuing its work with issues relevant to the general wellbeing of the Akaroa Harbour.

Attached are the minutes of its last meeting held on Tuesday 4 July 2006.

STAFF RECOMMENDATIONS

That the Board receive the minutes of the Akaroa Harbour Issues Working Party meeting held on 4 July 2006.

10. ADMINISTRATION MANAGERS UPDATE

10.1 NOTIFICATION PERIOD FOR SUBMISSION HEARINGS

At the June meeting of the Board, Mr McKean lodged the following question:

“Does the Christchurch City Council have an established policy that states procedures to be followed when public consultation on major planning initiatives is undertaken?”

He explained that when members of the public and interested organisations made a submission on the draft LTCCP they were asked if they wished to attend hearings on the plan, in person. Submitters who replied that they wished to attend were given no more than 48 hours notice of their attendance time.

The Board agreed that staff be asked to clarify whether there was a minimum notification time for submission hearings included in any Council policy.

The following reply has been received from the Council Secretary, Max Robertson:

In some instances (such as resource management hearings) a minimum notification period is prescribed by the relevant legislation. Although the Council does not have any formal policy in respect of other types of hearings, it endeavours to ensure that submitters wishing to be heard are given a reasonable period of notice.

The number of submitters who asked to be heard in person in support of their submission on the draft 2006/16 LTCCP was much greater than expected, and this unexpected response placed a tremendous strain on the limited staff and other resources available, with the result that some of the affected submitters were given a shorter period of notice than usual. However, staff did their best to accommodate those submitters who sought an alternative hearing time/date, and also arranged return bus transport from Akaroa to the Civic Offices for Akaroa/Wairewa submitters.

10.2 Walnut Place – Education Board Land

At the 28 June Community Board meeting, following a deputation from Mr Geoff Maxwell, the Board agreed that staff should be asked to report on the status of Council's interest in purchasing the Ministry of Education properties in Walnut Place, and to report on what response had been made to Mr Maxwell's offer of purchase.

Attached is a memo from the Asset Policy Engineer, Weng Kei Chen, in reply to the Board's request.

The memo does not cover what response had been made to Mr Maxwells offer of purchase so I will follow this up separately.

11. QUESTIONS

11.1 UNFORMED LEGAL ROADS

Board Member S. Lowndes wishes to put the following question:

What is Council's policy with regard to the formation of unformed legal roads?

Members may at any ordinary meeting put a question to the Chairman concerning any matter relevant to the role or function of the Community Board concerning any matter that does not appear on the order paper. All questions are subject to Standing Orders 4.1.1 to 4.1.5 as follows:

12. BOARD MEMBERS' INFORMATION EXCHANGE

13. RESOLUTION TO EXCLUDE THE PUBLIC

Section 48, Local Government Official Information and Meetings Act 1987.

I move that the public be excluded from the following parts of the proceedings of this meeting, namely item 13 - Community Services Awards.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

	GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED	REASON FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER	GROUND(S) UNDER SECTION 48(1) FOR THE PASSING OF THIS RESOLUTION
PART C 13	COMMUNITY SERVICE AWARDS NOMINATIONS) GOOD REASON TO WITHHOLD EXISTS UNDER SECTION 7	SECTION 48(1)(a)

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public are as follows:

Item 13 Protection of privacy of natural persons (Section 7(2)(a))

Recommendation: That the foregoing motion be adopted.

Note

Section 48(4) of the Local Government Official Information and Meetings Act 1987 provides as follows:

- “(4) Every resolution to exclude the public shall be put at a time when the meeting is open to the public, and the text of that resolution (or copies thereof):
 - (a) Shall be available to any member of the public who is present; and
 - (b) Shall form part of the minutes of the local authority.”