

**LYTTELTON/MT HERBERT COMMUNITY BOARD
AGENDA**

**TUESDAY 13 APRIL 2010
AT 9.30 AM**

**IN THE MEETING ROOM
LYTTELTON SERVICE CENTRE
33 LONDON STREET, LYTTELTON**

Community Board: Paula Smith (Chairperson), Jeremy Agar (Deputy Chairperson), Douglas Couch; Ann Jolliffe, Dawn Kottier and Claudia Reid,

Community Board Adviser

Liz Carter
Telephone: 941 5682
Fax: (03) 304-7731
Email: liz.carter@ccc.govt.nz

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

INDEX

KARAKIA

- | | | |
|---------------|-----------|---|
| PART C | 1. | APOLOGIES |
| PART C | 2. | CONFIRMATION OF MINUTES OF BOARD MEETING HELD 16 MARCH 2010 |
| PART B | 3. | DEPUTATIONS BY APPOINTMENT |
| PART B | 4. | CORRESPONDENCE |
| PART B | 5. | PRESENTATION OF PETITIONS |
| PART B | 6. | NOTICES OF MOTION |
| PART B | 7. | MINUTES OF WHAKARAUPO/LYTTELTON HARBOUR ISSUES GROUP MEETING HELD 23 FEBRUARY 2010 |

- PART B 8. MINUTES OF THE LYTTTELTON RESERVES MANAGEMENT COMMITTEE MEETING HELD 8 FEBRUARY 2010**
- PART B 9. PROPOSED ROD DONALD BANKS PENINSULA TRUST**
- PART C 10. APPLICATION TO THE LYTTTELTON MOUNT HERBERT 2009/10 YOUTH DEVELOPMENT SCHEME – RUARAI DH MCLEOD**
- PART B 11. BRIEFINGS**
11.1 David Dally - Unit Manager, Customer Services
11.2 Jack Wormald – Project Manager
- PART B 12. COMMUNITY BOARD ADVISER’S UPDATE**
12.1 Board Funding Balances
12.2 March Update on Local Capital Projects
- PART B 13. ELECTED MEMBERS’ INFORMATION EXCHANGE**
- PART B 14. QUESTIONS UNDER STANDING ORDERS**

1. APOLOGIES

Nil

2. CONFIRMATION OF MEETING MINUTES – 16 MARCH 2010

The Minutes of the Board's ordinary meeting of 16 March 2010 are **attached**.

STAFF RECOMMENDATION

That the Minutes of the Board's ordinary meeting held on 16 March 2010 be confirmed.

3. DEPUTATIONS BY APPOINTMENT

Nil

4. CORRESPONDENCE

Nil.

5. PRESENTATIONS OF PETITIONS

Nil.

6. NOTICES OF MOTION

Nil.

7. MINUTES OF LYTTELTON HARBOUR ISSUES GROUP MEETING HELD 23 FEBRUARY 2010

A copy of the minutes from the 23 February 2010 meeting of the Lyttelton Harbour Issues Group are **attached** for members' information.

STAFF RECOMMENDATION

That the minutes of the Lyttelton Harbour Issues Group meeting held on 23 February 2010 be received.

**8. MINUTES OF THE LYTTTELTON RESERVES MANAGEMENT COMMITTEE MEETING HELD
8 FEBRUARY 2010**

A copy of the minutes from the 8 February 2010 meeting of the Lyttelton Reserves Management Committee meeting are **attached** for members' information.

STAFF RECOMMENDATION

That the minutes of the Lyttelton Reserves Management Committee meeting held on 8 February 2010 be received. 9. Proposed ROD DONALD Banks Peninsula Trust

9. PROPOSED ROD DONALD BANKS PENINSULA TRUST

General Manager responsible:	General Manager Regulation & Democracy Services, DDI 941-8462
Officer responsible:	Legal Services Manager
Author:	Nadine Daines, Solicitor, Legal Services Unit

PURPOSE OF REPORT

1. The purpose of this report is to provide the Community Board with a Draft Trust Deed and Draft Statement of Intent for the proposed Rod Donald Banks Peninsula Trust that is to be established by the Council. The documents are **attached** for the Community Board's consideration and comments.

EXECUTIVE SUMMARY

2. The Council has previously approved the establishment of a charitable trust to administer the funds received from the sale of endowment properties owned by the former Banks Peninsula District Council.
3. The Council also appointed a subcommittee to be responsible for preparing a draft trust deed and draft statement of intent for the proposed trust. The subcommittee elected seven people with interests in the Banks Peninsula area to develop a framework for the operation of the Trust. These people, the "Initial Trustees", have prepared the draft trust deed and draft statement of intent for the Trust. The subcommittee has approved these draft documents.
4. The Council requested that the draft trust deed and draft statement of intent be provided to the Banks Peninsula Community Boards for consideration. The documents are **attached** to this report for the Community Board's consideration and comments.

FINANCIAL IMPLICATIONS

5. As noted in previous Council reports in respect to the proposed Rod Donald Banks Peninsula Trust, the proceeds of sale of the Banks Peninsula District Council endowment properties have been held un-dispersed to date. The sale proceeds will be settled on the Trust when the Trust is established.

Do the Recommendations of this Report Align with 2009-19 LTCCP budgets?

6. The use of the proceeds of sale of the endowment properties was indicated in the 2004-14 LTCCP adopted by the Banks Peninsula District Council.
7. The funds have been held un-dispersed and are therefore available to be used for purposes consistent with the original endowments.

LEGAL CONSIDERATIONS

8. The Council has previously received legal advice that establishing a charitable trust to administer the funds for the benefit of the Banks Peninsula and Christchurch City communities is an acceptable use that is consistent with the purposes of the original endowments.

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

9. Yes, as above.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

Do the recommendations of this report support a level of service or project in the 2009-19 LTCCP?

10. Not applicable.

9 Contd

ALIGNMENT WITH STRATEGIES

Do the recommendations align with the Council's strategies?

11. Not Applicable.

CONSULTATION FULFILMENT

12. A special consultative procedure in respect to the establishment of the Rod Donald Banks Peninsula Trust was conducted in September and October 2007. The Hearings Panel reported back to the Council on 11 October 2007 and the Council adopted the Hearings Panel recommendations. The recommendations are discussed in further detail in the Background section of this Report.

STAFF RECOMMENDATION

13. (a) That the Community Board comment on the attached draft Deed of Trust and draft Statement of Intent of the proposed Rod Donald Banks Peninsula Trust.

(b) That the Board note that any suggestions made by the Community Board will be considered before the Draft Trust Deed and Draft Statement of Intent for the Trust are submitted to the Council for approval.

BACKGROUND (THE ISSUES)

14. On 30 August 2007, the Council passed a resolution approving in principle the establishment of a charitable trust to administer funds obtained from the sale of endowment properties owned by the former Banks Peninsula District Council. The Council resolved that the purpose of the Trust should be to aid the maintenance and development of the natural and built heritage in the Banks Peninsula area, and to aid the maintenance and development of environmental and community based projects in the area. The Trust is dedicated to the memory of Rod Donald, to recognise his commitment to the Banks Peninsula area.
15. Consultation was carried out, as summarised in Clause 12 of this report.
16. The Hearings Panel recommended that the Council -
 - (i) establish a charitable trust as a council-controlled organisation, for the purpose of administering the funds obtained from the sale of endowment properties owned by the former Banks Peninsula District Council;
 - (ii) appoint a subcommittee comprising Garry Moore, Bob Parker and Sue Wells to attend to the formation of the Trust.
17. The subcommittee was asked to -
 - (i) undertake further consultation with the communities affected by or with an interest in the proposed objects of the Trust;
 - (ii) draft a Statement of Intent to be available for consideration by the Council in due course;
 - (iii) consider the potential for increasing the level of Trust funds from sources other than (and in addition to) the funds obtained from the sale of the endowment properties;
 - (iv) prepare a report for consideration by the Banks Peninsula Community Boards and the Council containing the subcommittee's recommendations in respect to the Deed of Trust and the Statement of Intent.

9 Cont'd

18. In April 2009 the subcommittee invited seven people with interests in the Banks Peninsula area to be "Initial Trustees" for the Trust. The role of the "Initial Trustees" is to conduct the groundwork required to establish the Trust and to represent the various communities with an interest in the proposed objects of the Trust. The "Initial Trustees" are Nuk Korako, Nicola Shirlaw, Simon Mortlock, Stuart Wright-Stow, Garry Moore, Claudia Reid and Stewart Miller. The "Initial Trustees" will be formally appointed as trustees when the Trust is settled.
19. The "Initial Trustees" have now developed the objectives of the Trust and a framework for its operation in the future. The objectives and framework, which have been approved by the subcommittee, are set out in the Draft Trust Deed and Draft Statement of Intent attached to this Report. The Community Board's views on the proposals are sought. Following Community Board consultation, the draft Trust Deed and draft Statement of Intent, amended as necessary, will be submitted to the Council for approval.

10. APPLICATION TO THE LYTTTELTON/MOUNT HERBERT 2009/10 YOUTH DEVELOPMENT SCHEME – RUARAI DH MCLEOD

General Manager responsible:	General Manager, Community Services Group DDI 941 8607
Officer responsible:	Unit Manager, Community Support Unit
Author:	Philipa Hay, Community Development Adviser

PURPOSE OF REPORT

1. The purpose of this report is to present a request for funding of \$500 from Ruaraidh McLeod to the Lyttelton/Mount Herbert Community Board from its 2009/10 Youth Development Scheme.
2. The request is for \$500 towards the cost of competing with the New Zealand cycling team at the International Thurigen Rundfahrt (an Under 23 tour for national teams held in Germany).
3. There is currently a balance of \$1,500 remaining in the Board's Youth Development Fund.

EXECUTIVE SUMMARY

4. The applicant, Ruaraidh McLeod, is an 18 year old who lives in Governors Bay. He has been cycling competitively for five years, riding six days and racing up to three times per week. He races in both individual and team events and has represented New Zealand since 2007. Last year he gained two firsts in the team pursuits and a second in the Under 19 Individual Pursuit at the National Track Championships. He was selected for the 2009 NZ Junior World Track Team and was selected for a scholarship to train for two months in Switzerland prior to the Junior World Champs in Moscow where he was placed well in various events and was 4th in the Individual Pursuit. This year he continued to be well placed and finished 3rd overall in the Elite Tour of Dunedin behind national champion and Commonwealth Games medallist Gordon McCauley. This is the first time Ruaraidh has approached the Board for funding.
5. Ruaraidh is seeking Community Board support to contribute towards costs of competing in the 'International Thurigen Rundfahrt' which is held 7-12 June 2010. This is a top race on the international Under 23 calendar and will give Ruaraidh a chance to race against the best in the world in his age group. Ruaraidh will be living in Belgium for six months racing with an amateur cycling team during this time, but will be competing in races such as this one representing New Zealand with the NZ Under 23 Team throughout his European stay.
6. Ruaraidh has itemised very specific goals for the next three years which include winning both individual and team races at home and representing NZ abroad culminating in a Team Pursuit Gold Medal at the Olympics in 2012 and World Champion status.
7. This trip to Europe and more specifically competing in this race with the top Under 23 riders from around the world will be hugely beneficial to Ruaraidh in preparing him to compete successfully in the races he has earmarked as goals.
8. Ruaraidh's strong focus, commitment to his goal and the rewards gained may stand as an example to encourage other young local sports people in the community. He considers that over time his experience could be used to assist and/or coach others.
9. In preparation for this event to help cover costs, Ruaraidh has been cleaning an office twice monthly, selling bags of coffee donated by Underground Coffee, and made proposals to a local mountain biking group and to the Pegasus Cycling Club.

10 Cont'd

FINANCIAL IMPLICATIONS

10. The following table provides a breakdown of funding requested, and funds in hand:

RUARAI DH MCLEOD	
EXPENSES	Cost (\$)
Personal and bike insurance (to cover the month of the tour)	\$ 180.00
Flights to Belgium-Germany-Belgium	\$1500.00
Accommodation and Miscellaneous	\$ 560.00
Total Cost	\$2240.00
Less fund raising \$450	
Balance of funds to raise	\$1790.00
Amount Requested from Community Board	\$ 500.00

11. This is the first time the applicant has applied for funding from the Lyttelton/Mount Herbert Community Board.

12. Ruaraidh is committed to this project whether or not Community Board funding is forthcoming.

Do the Recommendations of this Report Align with 2009-19 LTCCP budgets?

13. Yes, under Grants on Page 184 of the 2009-19 LTCCP.

LEGAL CONSIDERATIONS

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

14. There are no legal issues to be considered.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

15. Aligns with Strengthening Communities and Community Grants on Pages 172 and 176 of the 2009-19 LTCCP.

Do the recommendations of this report support a level of service or project in the 2009-19 LTCCP?

16. Yes, as above.

ALIGNMENT WITH STRATEGIES

17. This application aligns with the Council's Youth Strategy, the Strengthening Communities Strategy and the Council Community Grants Funding Outcome:

- Reduce or overcome barriers to participation

Do the recommendations align with the Council's strategies?

18. Yes, as above.

CONSULTATION FULFILMENT

19. Not applicable.

STAFF RECOMMENDATION

It is recommended that the Lyttelton/Mount Herbert Community Board agree to grant \$500 from its 09/10 Youth Development Scheme to Ruaraidh Mor McLeod as a contribution towards the cost of competing with the New Zealand cycling team at the International Thurigen Rundfahrt.

11. BRIEFINGS

11.1 DAVID DALLY - UNIT MANAGER, CUSTOMER SERVICES

Unit Manager briefing to the Board.

11.2 JACK WORMALD – PROJECT MANAGER

Jack Wormald will update the Board on the Lyttelton Town Centre Upgrade.

12. COMMUNITY BOARD ADVISERS UPDATE

12.1 BOARD FUNDING BALANCES

A copy of the Board's funding balances as at 31 March 2010 is **attached** for members' information.

12.2 MARCH UPDATE ON LOCAL CAPITAL PROJECTS

The March update on local capital projects is **attached** for members' information.

13. ELECTED MEMBERS' INFORMATION EXCHANGE

14. QUESTIONS UNDER STANDING ORDERS