

## **SHIRLEY/PAPANUI COMMUNITY BOARD AGENDA**

**WEDNESDAY 18 JULY 2012**

**AT 4PM**

**IN THE BOARDROOM PAPANUI SERVICE CENTRE  
CNR LANGDONS ROAD AND RESTELL STREET**

**Community Board:** Chris Mene (Chairperson), Anna Button, Ngaire Button, Kathy Condon, Pauline Cotter, Chris English and Aaron Keown.

**Community Board Adviser**  
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**1. APOLOGIES**

**2. CONFIRMATION OF MINUTES– 4 JULY 2012**

The minutes of the Board's ordinary meeting of Wednesday 4 July 2012 are **attached**.

**CHAIRPERSON'S RECOMMENDATION**

That the minutes of the Board's ordinary meeting of Wednesday 4 July 2012 be confirmed.

**3. DEPUTATIONS BY APPOINTMENT**

**3.1 GRACE KING AND STUDENTS FROM BELFAST SCHOOL – POSITIVE YOUTH DEVELOPMENT SCHEME REPORT BACK**

Grace King and students from Belfast School will be in attendance to update the Board on their participation in various events.

**4. PRESENTATION OF PETITIONS**

**5. NOTICES OF MOTION**

**6. BRIEFINGS**

**7. 28 SPRINGWATER AVENUE – STORMWATER EASEMENT**

<b>General Manager responsible:</b>	General Manager City Environment, DDI 941-8608
<b>Officer responsible:</b>	Unit Manager Transport and Greenspace
<b>Author:</b>	Lewis Burn

**PURPOSE OF REPORT**

1. The purpose of this report is to obtain the approval of the Shirley/Papanui Community Board, under the delegated authority of Council, to create an easement in gross over a vested recreation reserve in favour of a six Lot residential subdivision for the drainage and treatment of storm water by an open swale that has been formed.

**EXECUTIVE SUMMARY**

2. The owners of Lot 3 DP 368948, 28 Springwater Avenue, Northwood, Englefield Limited and Skipio Limited have undertaken a residential subdivision adjacent to the Council's reserve at 26 Springwater Avenue. This subdivision comprises five residential allotments and an accessway to which subdivision consent was granted on 5 October 2009. The current subdivision is the third stage of a three stage subdivision and has provided for the treatment and disposal of storm water on the Council's adjacent reserve (refer **attachment 1**).
3. The Council's recreation reserve was created out of a prior subdivision of the applicant's property, as well as the subject development at 28 Springwater Avenue. From the outset of the earlier subdivision and the subject development the management of the storm water was discussed and the solution arrived at was for the treatment to be a swale within the edge of the reserve long before the reserve was created. This solution was a condition of the October 2009 subdivision consent and received engineering approval from the Council and accordingly a swale was constructed in order to comply with the condition on the subdivision consent.
4. The option of discharging the storm water into the Council's drainage reserve to the south (Lot 66 DP 330387) was looked at but discounted as it was at capacity for the subdivision it was designed to serve. In addition it is understood that the applicant would have had to raise the land and driveway considerably to be able to have sufficient elevation to drain into the existing retention pond. It was a condition of the subdivision consent that the existing drainage reserve is not used for storm water treatment and disposal for any part of this development.

**FINANCIAL IMPLICATIONS**

5. There are no financial implications of any significance for the Council with all costs to create the easements to be met by the applicant. Given the background to the creation of the Council's reserve and the construction of the swale which has minimal impact on the reserve it is considered it would be unreasonable to seek a compensation payment in this case.

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

6. Not applicable.

**LEGAL CONSIDERATIONS**

7. Section 48 of the Reserves Act 1977 provides that the administering body, with the consent of the Minister and on such conditions as the Minister thinks fit, may grant rights of way and other easements over any part of the reserve for, in this case (1) (f), "providing or facilitating access or the supply of water to **or the drainage of any other land not forming part of the reserve** or for any other purpose connected with any such land".
8. Subsection 2 provides that before granting a right of way or an easement under subsection (1) over any part of a reserve vested in it, the administering body shall give public notice in accordance with section 119 specifying the right of way or other easement intended to be granted, and shall give full consideration, in accordance with section 120, to all objections and submissions received in respect of the proposal under that section.

**7. Cont'd**

9. Further subsection (3) states subsection (2) shall not apply in any case where:
- (a) The reserve is vested in an administering body and is not likely to be materially altered or permanently damaged; and:
  - (b) The rights of the public in respect of the reserve are not likely to be permanently affected by the establishment and lawful exercise of the right of way or other easement.
10. In this case the development of the swale within the intended easement has already occurred so there would be no purpose to be achieved in advertising the proposed easement as required by Section 48 (2) of the Reserves Act 1977. Refer paragraphs 3 and 4 for an explanation. This situation has been discussed with the Department of Conservation who have indicated that if the Council approves the easement they will process the application for the Minister of Conservation's consent without expecting the intended easement to be publicly notified notwithstanding that the exemptions as set out in 9 (a) and (b) above can not now be applied.

However if we were to apply these exemptions it could well be considered;

- (a) that a swale comprising some 78 square metres in an unobtrusive area of a reserve having a total area 4670 m2 does not materially alter the reserve (a substantial or considerable affect on the reserve) and unlikely to be considered to be damage permanent or otherwise to the reserve as a whole, and further,
  - (b) The location of the easement and its physical impact in relation to the public's use of the reserve as a whole is unlikely to permanently affect the public's rights in respect of the reserve by the exercise of this easement.
11. The Community Board has the delegated authority of Council as the decision maker to approve the granting of easements pursuant to Section 48 (1) of the Reserves Act 1977.

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

12. Yes, as above.

**ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

13. Not applicable.

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

14. Not applicable.

**ALIGNMENT WITH STRATEGIES**

15. Not applicable.

**Do the recommendations align with the Council's strategies?**

16. Not applicable.

**CONSULTATION FULFILMENT**

17. Refer paragraph 10.

## 7. Cont'd

### STAFF RECOMMENDATION

It is recommended that the Shirley/Papanui Community Board acting under the delegated authority of Council pursuant to section 48(1)(f) of the Reserves Act 1977, approve the granting of an easement in gross in favour of Englefield Limited and Skipio Limited over approximately 78 square metres shown as Area C LT 449909 on **attachment 1**. Being part of Lot 2 DP 368948, a Recreation Reserve vested in the Christchurch City Council, for the purpose of drainage and treatment of storm water subject to the following conditions.

- (a) The consent of the Minister of Conservation being obtained.
- (b) The easement terms and costs being negotiated and concluded by the Corporate Support Unit Manager or her nominee.
- (c) All costs associated with the survey and registration of the easement on the Councils title, being paid for by the applicant.
- (d) The applicant is to provide the Council, within three months of consent being given by the Minister of Conservation, a surveyed easement plan on which the new easement is shown.
- (e) The Council is to charge the applicant for officer's time, and other processing costs (DOC approval fees etc) to process the application for the easement in accordance with Council Policy (12/7/01).

### CHAIRPERSON'S RECOMMENDATION

That the staff recommendation be adopted.

**8. KEEP NEW ZEALAND BEAUTIFUL CONFERENCE 2012 – BOARD MEMBER ATTENDANCE**

<b>General Manager responsible:</b>	General Manager Regulation and Democracy Services, DDI 941-8462
<b>Officer responsible:</b>	Democracy Services Manager
<b>Author:</b>	Peter Croucher, Community Board Adviser

**PURPOSE OF REPORT**

1. The purpose of this report is for the Shirley/Papanui Community Board to consider appointing a Board member to attend the Keep New Zealand Beautiful Conference 2012 and Annual General Meeting in Porirua from Friday 28 to Sunday 30 September 2012.

**EXECUTIVE SUMMARY**

2. The Board's representative on the Keep Christchurch Beautiful Committee is Pauline Cotter.
3. The Committee is a voluntary organisation, which aims to promote a cleaner, more beautiful environment within Christchurch, and to raise the level of awareness of what the individual can do to improve his or her community and reduce litter. Notice of the national conference has been received. Keep New Zealand Beautiful is governed by a Board comprising of Zone Representatives from around the country. For Christchurch the Board member is Rod Cameron.

**FINANCIAL IMPLICATIONS**

4. The cost for one member to attend the conference is approximately \$900, which would be met from the Board's 2012/13 operational budget. This covers travel, accommodation and the conference registration.

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

5. Yes.

**LEGAL CONSIDERATIONS****Have you considered the legal implications of the issue under consideration?**

6. There are no legal considerations involved.

**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?**

7. Yes, clause 4 above refers.

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

8. Yes, page 117 of the LTCCP, Parks, open spaces and waterways activities – Improving the Environment.

**CONSULTATION FULFILMENT**

9. Not applicable.

**8. Cont'd**

**STAFF RECOMMENDATION**

It is recommended that the Shirley/Papanui Community Board consider approving the attendance of Pauline Cotter to the Keep New Zealand Beautiful Conference and Annual General Meeting in Porirua from 28 to 30 September 2012.

**CHAIRPERSON'S RECOMMENDATION**

That the staff recommendation be adopted.

## 9. SHIRLEY/PAPANUI COMMUNITY BOARD STRENGTHENING COMMUNITIES FUNDING 2012/13 ALLOCATIONS

<b>General Manager responsible:</b>	General Manager Community Services, Ph 941-8607
<b>Officer responsible:</b>	Unit Manager Community Support
<b>Author:</b>	Christine Lane, Strategic Initiatives

### PURPOSE OF REPORT

1. The purpose of this report is for the Shirley/Papanui Community Board to allocate the Shirley/Papanui Strengthening Communities Fund for 2012/13.

### EXECUTIVE SUMMARY

2. This report provides information to Community Board Members on the applications received for the Strengthening Communities Fund.
3. The total pool available for allocation in 2012/13, as outlined in the LTCCP, is \$238,918. There are no pre-existing commitments. Applications totalling \$665,159 were received. Current staff recommendations total \$238,918.
4. A decision matrix (separately circulated as **Attachment 1**), which outlines the projects that funding is being sought for. Following staff collaboration meetings, staff have ranked all projects as either Priority 1, 2, 3 or 4 and have made recommendations as to funding.
5. The Shirley/Papanui Community Board Funding Workshop on 11 June 2012 provided Community Board Members the opportunity to go through the applications received in order to clarify any issues or questions about applications.
6. The Shirley/Papanui Community Board has put forward three projects as Key Local Projects in 2012/13 amounting to \$125,000. These have been recommended for funding from the Metropolitan funding pool.

### FINANCIAL IMPLICATIONS

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

7. Yes, see LTCCP pages 176 and 177 regarding community grants schemes including Board funding.

### LEGAL CONSIDERATIONS

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

8. Yes. Community Board funding decisions are made under delegated authority from the Council.

### 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?

9. Yes Strengthening Communities Funding and Community Board Funding, see LTCCP pages 176 and 177 regarding community grants schemes, including Board funding.

### ALIGNMENT WITH STRATEGIES

#### Do the recommendations align with the Council's strategies?

10. The funding allocation process carried out by Christchurch community boards is covered in the Council's Strengthening Communities Strategy.



**9. Cont'd**

**CONSULTATION FULFILMENT**

11. Not applicable.

**STAFF RECOMMENDATION**

It is recommended that the Board give consideration to the projects detailed in the separately circulated decision matrix and approve allocations from the Shirley/Papanui Community Board Strengthening Communities Funding for 2012/13.

**CHAIRPERSON'S RECOMMENDATION**

For discussion.

9. Cont'd

**BACKGROUND**

**Strengthening Communities Strategy**

13. The Council adopted the Strengthening Communities Strategy on 12 July 2007. The Strengthening Communities Grants Funding Programme comprises four funding schemes:
  - (a) Strengthening Communities Fund
  - (b) Small Projects Fund
  - (c) Discretionary Response Fund
  - (d) Community Organisations Loan Scheme
14. For detailed information on the Strengthening Communities Strategy's Outcomes and Priorities, please see **Attachment 2**. The specific criteria for the Strengthening Communities Fund is also attached, as **Attachment 3**.

**The Decision Matrix**

15. Information on the projects is presented in a Decision Matrix, circulated separately. To ensure consistency, the same Decision Matrix format and presentation has been provided to the Metropolitan Funding Committee and all Community Boards.
16. Applications are project-based; information is provided that relates specifically to the project for which funding is being sought, not the wider organisation.
17. All applications appearing on the Decision Matrix have been assigned a Priority Rating. The Priority Ratings are:
  - Priority 1** Meets all eligibility criteria and contributes significantly to Funding Outcomes and Priorities. Highly recommended for funding.
  - Priority 2** Meets all eligibility criteria and contributes to Funding Outcomes and Priorities. Recommended for funding.
  - Priority 3** Meets all eligibility criteria and contributes to Funding Outcomes and Priorities but to a lesser extent than Priority 2 applications. Not recommended for funding.
  - Priority 4** Meets all eligibility criteria and has minimum contribution to Funding Outcomes and Priorities; or Insufficient information provided by applicant (in application and after request from Advisor); or other funding sources more appropriate. Not recommended for funding.
18. Staff have used the following criteria to determine whether an application is a Priority One:
  - Impact the project has on the city
  - Reach of the project
  - Depth of the project
  - Value for Money
  - Best Practice
  - Innovation
  - Strong alignment to Council Outcomes and Priorities
  - Noteworthy leverage or partnership/match funding from other organisations or government departments.
19. The matrix was presented to the Board at a workshop on 11 June 2012, no decisions were made at the workshop. The purpose of the workshop was to enable the Board and staff to discuss the projects, clarify any issues and seek further information, if necessary.

**9. Cont'd****Key Local Projects**

20. Each Board may nominate Key Local Projects (KLPs) in its area that are put forward to the Metropolitan Funding Committee for consideration for metropolitan funding.
21. The Shirley/Papanui Community Board has put forward three projects as Key Local Projects in 2012/13. Council makes KLP decisions on 13 July 2012.
22. These are:

<b>Name of Group and Project</b>	<b>Amount Recommended</b>
Belfast Community Network Inc ( <i>Agency Manager</i> )	\$35,000
Shirley Community Trust ( <i>SHIRLEY Alive</i> )	\$50,000
Te Ora Hou Otautahi ( <i>Youth and Whanau Services</i> )	\$40,000

**Timeline and Process**

23. Community Boards have delegated authority from the Council to make final decisions on the Strengthening Communities Funding for their respective wards. The Board's decisions will be actioned immediately following the decision meeting. All groups will then be informed of the decisions and funding agreements will be negotiated where relevant. All funding approved is for the period of September to August each year, therefore grants will be paid out in early September 2012 with the provision of a signed funding agreement.

**10. CORRESPONDENCE**

Items of correspondence have been received and separately circulated to members.

**11. COMMUNITY BOARD ADVISER'S UPDATE**

**11.1 CURRENT ISSUES**

**11.2 LOCAL EARTHQUAKE RECOVERY COORDINATION**

**12. ELECTED MEMBERS' INFORMATION EXCHANGE**

The purpose of this exchange is to provide a short brief to other members on activities that have been attended or to provide information in general that is beneficial to all members.

**13. QUESTIONS UNDER STANDING ORDERS**