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**AKAROA-WAIREWA COMMUNITY BOARD
22 AUGUST 2007**

**A meeting of the Akaroa-Wairewa Community Board
was held on Wednesday 22 August at 9.30am**

- PRESENT:** Stewart Miller (Chairman), Steve Lowndes, Bryan Morgan, Rod Naish, and Eric Ryder
- APOLOGIES:** An apology for absence was received and accepted from Bob Parker.

The Board reports that:

PART A – MATTERS REQUIRING A COUNCIL DECISION

1. ROAD LEGALISATION - HEMPLEMAN DRIVE

General Manager responsible:	General Manager, Jane Parfitt
Officer responsible:	Transport & Greenspace Manager, Michael Aitken
Author:	Weng-Kei Chen

PURPOSE OF REPORT

1. This report seeks approval for the existing road reserve defined as Lot 69, DP34982, as shown on attachment 1, to be dedicated as road pursuant to section 111 of the Reserves Act 1977.

EXECUTIVE SUMMARY

2. In 1990 the Council granted Mr Shackleton of 15 Hempleman Drive, Lot 6, DP34983 permission to construct his driveway on road reserve. This property is a rear site served by a ROW to Hempleman Drive. The lesser earthworks required for the driveway construction was the main reason for the Council's approval.
3. In August 2003 the surveyor acting on Mr Shackleton's behalf applied to the Council for a ROW easement over the road reserve. This was required as the property has no rights of access to land vested in the Council as "Road Reserve".
4. The request for easement rights was reviewed and staff considered that it would be more appropriate to dedicate this road reserve as road. The existing access to the cemetery has always been maintained by the Council and vesting the entire Lot 69, DP34982 as road allows existing users automatic access rights.

FINANCIAL IMPLICATIONS

5. The cost for dedication of road process is approximately \$1,500 and this will be funded by the Transport and Greenspace subdivision works budget.

Do the Recommendations of this Report Align with 2006-16 LTCCP budgets?

6. Covered by existing unit budgets.

LEGAL CONSIDERATIONS

7. The section as defined in Lot 69, DP34982 is road reserve and will require the Council's approval pursuant to Section 111 of the Reserves Act 1977 to dedicate it as a road.

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1 Cont'd

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

8. As above.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

9. LTCCP page 152 "Streets and Transport objective" – to provide public street frontages to properties.

Do the recommendations of this report support a level of service or project in the 2006-16 LTCCP?

10. As above.

ALIGNMENT WITH STRATEGIES

11. This action is consistent with the objectives of the city plan.

Do the recommendations align with the Council's strategies?

12. As above.

CONSULTATION FULFILMENT

13. Not applicable.

STAFF RECOMMENDATION

That the Council dedicate the existing road reserve defined as Lot 69, DP34982 as road, pursuant to section 111 of the Reserve Act 1977.

BOARD RECOMMENDATION

That the staff recommendation be adopted.

BACKGROUND

14. The Council approved a subdivision at Hempleman Drive in 1974 with Lots 1 to 5, DP34982, having vehicle access to the road using the driveway constructed to serve the cemetery Res 56. The driveway to the cemetery is vested in the Council as road reserve Lot 6, DP34982. The attachment shows the location of these properties.

15. In 1990 the Council granted consent for the construction of a driveway on road reserve Lot 69, DP34982 to the owner of 15 Hempleman Drive. Owing to an oversight the driveway construction proceeded without easement rights of access being granted to the property as required by the Reserves Act 1977.

16. The issue of easement rights was raised in 2003 but not resolved. A property has no common law rights of access to "road reserve" as it has if the land is vested as road.

17. The existing driveway to the cemetery is maintained by the Council and dedication of the land as road will resolve all the easement rights requirement issues.

PART B – REPORTS FOR INFORMATION

2. BANKS PENINSULA RESERVE MANAGEMENT COMMITTEES

The Board considered a staff report regarding the future status, functions, and management of the Banks Peninsula Reserve Management Committees, and their reserves. The matter had also been considered by the Lyttelton-Mt Herbert Community Board on 15 August 2007.

The report and accompanying recommendations from the Akaroa/Wairewa and Lyttelton/Mt Herbert Community Boards were submitted to the Council meeting on 6 September 2007 as a joint report from the Board Chairmen.

3. DEPUTATIONS BY APPOINTMENT

3.1 Friends of the Akaroa Museum – Garden of Tane

Warwick Harris and Jim Sunckell addressed the Board on behalf of the Friends of the Akaroa Museum (FOAM). They explained to the Board that FOAM wanted to signal an ongoing interest in the Garden of Tane. They asked that a formal line of communication be established between the Council and FOAM, so that they could be informed of any Council plans for the area. They noted that the Garden of Tane, unlike many other Council reserves, did not have a specific management committee.

Mr Harris and Mr Sunckell pointed out that there were significant historical exotic trees in the Garden of Tane and expressed some concern for the future of those trees if, as they believed, the Council had a policy which focused on native trees.

The meeting was informed that a tree assessment had recently been carried out in the Garden of Tane and that there was funding for a management plan to be prepared in the 2008/09 financial year. As part of that process Council staff would consult with key stakeholders and the community. In the meantime the Council was carrying out some remedial work in the garden along with basic maintenance. It was also reported that a walkway report had been prepared for the local area, and that the garden had been identified as a critical element in terms of walkways.

Staff also pointed out that the Council was accustomed to using both native and exotic trees, depending on the particular situation.

3.2 Bi-monthly Police Report

Senior Constable Steve Ditmer was present and addressed the Board on various matters including:

- A series of fires lit by bored youths. Fires were not dangerous, but annoying to police and the local fire brigade. The offenders would be tendering a public apology and carrying out some voluntary work for the fire brigade.
- Gaiety Hall functions continuing until the early hours of the morning. Two recent functions did not finish until 5.00am and 7.00am respectively. Police were called on both occasions.

The Board asked that staff investigate the status of the resource consent application for The Gaiety to be able to stage events which exceeded the current noise level for the Town Centre Zone. Members noted that finishing times for functions were to have been included in that consent.

- Stolen car found burnt out on Onawe Flat Road.
- Copper stolen from Council waterworks as well as copper cisterns stolen from public toilets in Duvauchelle.

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4. BRIEFINGS

4.1 Asset Engineer – Roading Update

David McNaughton (Asset Engineer, Asset & Network Planning Unit) attended the meeting and updated the Board on local roading issues and answered some questions raised by members.

5. COMMUNITY BOARD ADVISERS UPDATE

The Community Board Adviser updated the Board on an offer made by the local Britomart Scout Group, to pick up the rubbish from the Akaroa Skatepark area over the next two months. They had also offered to sweep the skatepark on a regular basis.

6. BOARD MEMBERS' EXCHANGE OF INFORMATION

Members made specific mention of the following matters:

- Siene de Vries – request to erect a sculpture in Akaroa.

The Board agreed that it supported making Akaroa an interesting and vibrant place, which included enhancement through artwork. However, in this case more detail was needed before community consultation could be carried out on the proposal. It was also noted that formerly such offers were considered under the Banks Peninsula Art in Public Places Policy. Members asked that staff make enquiries as to whether the Council had a similar policy, and if so, which policy would apply in this instance.

The Board also noted that Mr de Vries would require funding for his sculpture and members questioned whether there was any funding avenues through the Council for the purchase of public artwork.

- Community Board Survey from Local Government New Zealand
- Resource consent hearings – the Chairman noted that staff were now sending the Board information on notified resource consent applications. He pointed out to members that this was for their information only and that if they wished to make a submission on the application they could not subsequently form part of the resource consent hearing panel for that application.
- Public meeting in Little River regarding the Council property behind the Railway Station
- Bylaws Review Committee – will next be considering Public Places & Signs Bylaw and Mobile Shops, Hawkers & Itinerant Traders. Members considered that flexibility was needed when reviewing bylaws, as they felt that a “one size fits all” approach could not be taken because of the diverse nature of the communities across the city.

PART C – DELEGATED DECISIONS

7. CONFIRMATION OF REPORT

The Board **resolved** that the report of the ordinary meeting held on Wednesday 25 July 2007 be confirmed

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8. AKAROA-WAIREWA COMMUNITY DEVELOPMENT SCHEME 07/08

The Board **resolved** that the following grants be made from the Community Development Scheme for 2007/08:

Akaroa Heritage Park Trust	472.00
Little River School Support Group	3,781.00
Akaroa Resource Collective Trust	1,983.00
Total	<u>\$6,236.00</u>

The Board **resolved** that the unallocated 2007/08 Community Development Scheme funds of \$2,704, be held by the Board to distribute throughout the year to applications made for Board discretionary funding that more readily aligned with the Strengthening Communities Strategy.

9. DISCRETIONARY FUNDING APPLICATION

The Board resolved that the funding application of \$2,065.00 from the Akaroa Community Arts Council to cover the cost of signage, banners and advertising for the monthly 'art spot', and to provide an all-weather outdoor venue and a marquee, for a participation event in December 2007, be fully funded from the 2007/08 Community Development Scheme.

10. PROPOSALS FOR AKAROA-WAIREWA SCHEDULE F FUNDING 2007/08 -2009/10

The Board **resolved** to approve the allocation of Schedule F projects for the Akaroa Wairewa area for 2007/08 – 2009/10 as detailed in the programme attached to the staff report on this issue.

11. CHILDREN'S BAY WALKWAY PLAN

The Board **resolved** to approve the final plan to construct a walkway around part of Childrens Bay in Akaroa, subject to the Capital Programme Group undertaking the necessary legal survey and documentation to add the accreted land to the existing legal road.

The meeting concluded at 11.20am

CONSIDERED THIS 26TH DAY OF SEPTEMBER 2007

**STEWART MILLER
CHAIRMAN**