

8. 9. 2011

**AKAROA/WAIREWA COMMUNITY BOARD
20 JULY 2011**

**Report of a meeting of the Akaroa/Wairewa Community Board
held on Wednesday 20 July 2011 at 9.30am in the Little River Service Centre,
4238 Christchurch-Akaroa Road, Little River**

PRESENT: Pam Richardson (Chairman), Lyndon Graham, Leigh Hickey and Stewart Miller and Claudia Reid.

APOLOGIES: An apology for absence was received and accepted from Bryan Morgan.

The Board reports that:

PART A – MATTERS REQUIRING A COUNCIL DECISION

1. AKAROA WHARF – ROGER BEATTIE – APPROVAL TO ENTER INTO SUB-LICENCE

General Manager responsible:	General Manager, City Environment DDI 941 8608
Officer responsible:	Unit Manager, Transport and Greenspace
Author:	Kathy Jarden, Leasing Consultant

PURPOSE OF REPORT

1. The Board considered a report seeking its support in obtaining the Council's approval to provide delegated authority to staff to grant landlord's consent for the approval of a sub-licence under the current head licence between the Council and Roger Douglas Beattie which permits the occupation and use of part of the Akaroa wharf as shown on the **attached** plan (area C).

EXECUTIVE SUMMARY

2. The Council currently licences Roger Douglas Beattie of Sea-Right Investments Limited the right to occupy parts of the Akaroa wharf for the purposes of gaining access and providing support to the building owned by him which immediately abuts the wharf for the purposes of storing fish and other marine and tourist associated activities. The licence expires on 30 June 2016.
3. Mr Beattie has held a licence to occupy the Akaroa Wharf for over 15 years and has established the Eyris Blue Pearl centre in one half of his building which is a visual display where visitors can learn about the evolution of pearls and how they are cultured. To complement the exhibit Jacek and Ilona Powlowski - NZ Blue Pearls have set up a jewellery studio in the other half of the building specialising in making pieces of jewellery out of the locally harvested blue pearls. Mr Beattie has leased his building to NZ Blue Pearls and is seeking the permission of the Council as Head Licensor to consent to the sub-licence to NZ Blue Pearls.
4. The licence requires the Licensor's permission to sublet/licence any part of the premises. There is no delegation from Council to provide such approvals. This report seeks to obtain delegation so that any such requests in the future can be processed in a timely and efficient manner, thereby meeting the commercial and market needs of the licensee and in turn ensuring the protection of the Council's interests.

FINANCIAL IMPLICATIONS

5. There will be no change in revenue or expenditure for the Council.

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

6. Yes.

LEGAL CONSIDERATIONS

7. The Community Board does not have the delegated authority to authorise the granting of the proposed sub-licences; that decision needs to be made by the full Council. The Community Board may make recommendations to the Council.
8. The Corporate Support Unit Manager has delegated authority to enter into lease agreements for terms not exceeding five years and \$50,000 per annum rent. As the head licence exceeds the five year term, permission is required from the Council to enter into any sub-licence arrangements.

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

9. The licence requires that permission from the landlord must be obtained prior to entering into any sub-licence arrangements.
10. Council's Legal Services Unit will review the Deed of Sub-Licence to ensure that it meets Council requirements.
11. Head licensor's consent will be required for the Deed of Sub-Licence to Occupy entered into. Under the licence head licensor's consent shall be given so long as certain conditions are met, namely the proposed subtenant is solvent, suitable, experienced etc. It generally transpires that there is little discretion in granting these approvals.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

- 12 Parks Waterways and Open Spaces – harbours and marine structures

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

13. Yes – provision of wharves, marine and other harbour structures that enhance marine recreation and support economic activity.

ALIGNMENT WITH STRATEGIES

14. The Council manages wharves, moorings and boat ramps at Lyttelton Harbour, Akaroa Harbour and around the Peninsula, for recreational and commercial use. (page 119 LTCCP 2009-2019 volume 1).

CONSULTATION FULFILMENT

15. N/A

STAFF RECOMMENDATION

It is recommended that the Akaroa/Wairewa Community Board recommend to Council that delegated authority be granted to the Corporate Support Unit Manager to grant head licensor's consent to the sub-licence agreement between Roger Douglas Beattie and Jacek and Ilona Powlowski - NZ Blue Pearls or any other suitable individual or company put forward by the head licensee in accordance with the terms and conditions of the existing head licence between the Christchurch City Council and Roger Douglas Beattie for a term not to exceed 29 June 2016.

BOARD CONSIDERATION

The Board signalled that it would not like to see staff arrange leases for the Akaroa Wharf that were within delegated authority, without consulting the Community Board, because of the significance of the facility to the Akaroa community,

BOARD RECOMMENDATION

The Board **decided** to adopt the staff recommendation.

PART B – REPORTS FOR INFORMATION

2. DEPUTATIONS BY APPOINTMENT

2.1 ZANE CAMERON, LIAM ELLIOT and FINN CAMERON

Zane Cameron addressed the Board with a request for a skateboard park to be developed in the Little River area. The Board was informed that the nearest skateboard park was 30 minutes away in Akaroa, and due to the number of people in the appropriate age range, it was felt a skateboard park would be well utilised in Little River. The boys also informed members that the school principal was in favour of a skateboard park and that a petition was being organised to gain community support.

The Board complimented the boys on this initiative and agreed that a skateboard park would be an asset to the Little River community. The Board asked Zane and the others to produce a sketch of what they would consider a suitable style.

Staff present at the meeting agreed to visit proposed sites for the skateboard park with the deputees.

(Refer Clause 5.1 – Correspondence)

2.2 DEAN and CLARE WHITE

Mr White addressed the Board regarding planting on the boundary of his property and the Little River Cemetery. He said at the present time there was only a simple wire and batten fence and he wished to enhance the boundary by planting a low native shelter.

Mr and Mrs White believed the proposal would enhance the visual aspect of the cemetery and would give privacy to both properties.

The Board **decided** to ask staff to comment on this proposal. The Board also noted that the adjacent property owner (Little River Anglican Church) should be consulted regarding the proposal.

3. PRESENTATION OF PETITIONS

Nil.

4. NOTICES OF MOTION

Nil.

5. CORRESPONDENCE

5.1 ZANE CAMERON

Zane Cameron had written to the Board in support of his deputation to this meeting.

The Board **received** the correspondence and supported in principle the formation of a skateboard park in Little River, and asked that staff investigate the potential opportunities and sites for this proposal.

The Board **decided** that a letter be written to Zane Cameron thanking him for attending the meeting and speaking to his proposal, which was very much appreciated by the Board.

5.2 AKAROA PLAYCENTRE

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The President of the Akaroa Playcentre had written to the Board regarding the lack of suitable heating in the Akaroa Sports Complex building.

It was pointed out that the facility was not being used to its full potential as it was too cold and regular users had now found alternative premises to hire, resulting in lost income for the Council.

The Board was informed that the Canterbury Playcentre Association may contribute towards an improved heating system for the Akaroa Sports Complex, as it was used by the Akaroa Playcentre and was therefore required to meet the heating standards for Playcentres.

The Board **received** the correspondence and asked that it be forwarded to staff for urgent investigation and comment back to the Board on the heating and insulation for the building.

6. RESERVE MANAGEMENT COMMITTEES

The Board **received** the minutes of the following Reserve Management Committees:

- Okains Bay Reserve Management Committee – 14 June 2011.
- Duvauchelle Reserve Management Committee – 13 June 2011.
- Robinsons Bay Reserve Management Committee – 19 May 2011.

7. BRIEFINGS

7.1 KATHY JARDEN – LEASING CONSULTANT

Staff briefed the Board on the process for the re-leasing of the Little River Railway Station.

The Board was also informed that groups interested in utilising the old recycling shed in Little River would need to put a formal proposal to the Council for its use.

8. COMMUNITY BOARD ADVISERS UPDATE

The Board **received** information from the Community Board Adviser on various matters.

- Youth Development Fund

The Board requested that staff report on the criteria for the Youth Development Fund, for the Board to consider in relation to this financial year.

9. ELECTED MEMBERS INFORMATION EXCHANGE

Specific mention was made of the following matters:

- Tree Policy and Vegetation

The Board was informed that the Tree Policy would be forwarded to the Council for consideration in the near future. It was noted that the Tree Policy did not cover “vegetation”, and Board members asked that staff clarify what, if any, policies (including Banks Peninsula District Council policies) the Council had in relation to vegetation. The Board was particularly concerned about roadside vegetation.

10. QUESTIONS UNDER STANDING ORDERS

Nil.

PART C – DELEGATED DECISIONS

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11. CONFIRMATION OF MINUTES

Ordinary Meeting – 27 June 2011

That Board **resolved** that the minutes of the Board's meeting held on Monday 27 June 2011 be confirmed.

12. APPLICATION TO THE AKAROA/WAIREWA COMMUNITY BOARD 2011/12 DISCRETIONARY RESPONSE FUND

The Board considered a report for funding from the Little River Wairewa Charitable Trust of \$2,652 and the Akaroa Civic Trust of \$1,469 to the Akaroa/Wairewa Community Board 2011/12 Discretionary Response Fund.

The Board **resolved** to approve the following grants from its 2011/12 Discretionary Response Fund:

		Amount
1.	Little River/Wairewa Community Trust for the Little River winter badminton project, subject to: (i) Confirmation that the Winding Up clause of their Constitution allows for any equipment to remain in community ownership. (ii) That the purchase of the equipment is the priority for this funding.	\$2,000
2.	Akaroa Civic Trust for replacement of the Welcome to Akaroa sign, subject to the design plan for the new sign being approved by the Community Board.	\$1,469

13. RESOLUTION TO EXCLUDE THE PUBLIC

The Board **resolved** that the resolution to exclude the public, as set out in the agenda, be adopted.

PART C – DELEGATED DECISIONS

14. AKAROA/WAIREWA SMALL GRANTS FUND ASSESSMENT COMMITTEE 2011/14 – COMMUNITY REPRESENTATIVES

The Board considered a report for the appointment of the community representatives to the Akaroa/Wairewa Small Grants Fund Assessment Committee for 2011/14.

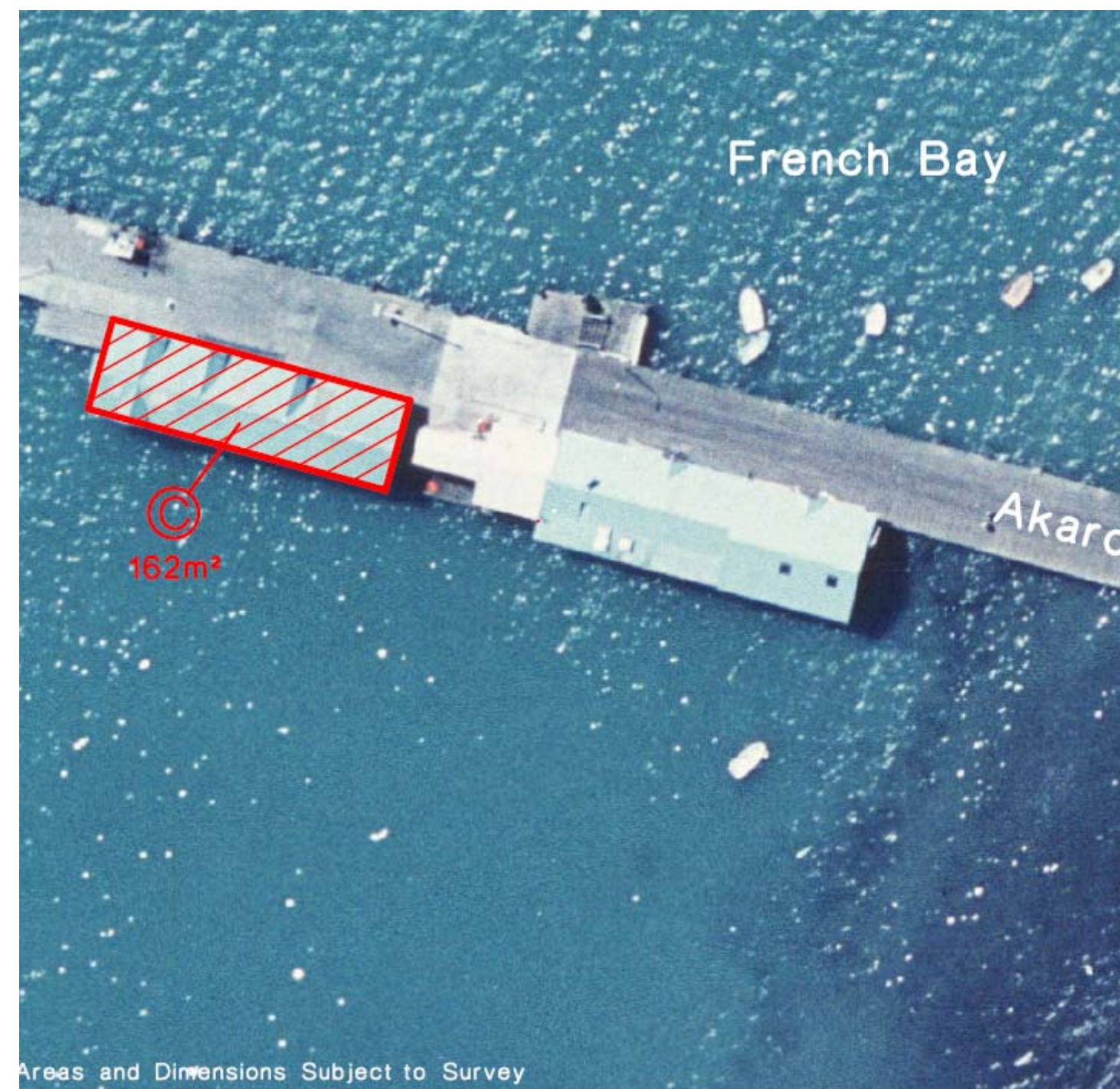
The Board **resolved** to approve the appointment of the following community representatives to be members of the Akaroa/Wairewa Small Grants Fund Assessment Committee for a three year term from 2011/12 to 2013/14.

Kerry Little
Mario Downes
Gaye Jameson

The meeting concluded at 12.10pm.

CONFIRMED THIS 29TH DAY OF AUGUST 2011.

**PAM RICHARDSON
CHAIRMAN**



Areas and Dimensions Subject to Survey



SURVEYED	
DRAWN	L Hay
DATE	08/2006
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PROPOSED