



Christchurch City Council

AKAROA-WAIREWA COMMUNITY BOARD AGENDA

THURSDAY 18 SEPTEMBER 2008

AT 9:30 AM

IN THE BOARDROOM
LITTLE RIVER SERVICE CENTRE
STATE HIGHWAY 75, LITTLE RIVER

Community Board: Stewart Miller (Chairman), Bryan Morgan (Deputy Chairman), Jane Chetwynd, Claudia Reid, Pam Richardson and Eric Ryder

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- PART A - MATTERS REQUIRING A COUNCIL DECISION
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1. **APOLOGIES**

2. **CONFIRMATION OF MEETING MINUTES – 21 AUGUST 2008**

The minutes of the Board's ordinary meeting of 21 August 2008 are **attached**.

STAFF RECOMMENDATION

That the minutes of the Board's ordinary meeting be confirmed.

**AKAROA/WAIREWA COMMUNITY BOARD
21 AUGUST 2008**

**A meeting of the Akaroa-Wairewa Community Board
was held on Thursday 21 August 2008 at 9.30am**

PRESENT: Stewart Miller (Chairman), Jane Chetwynd, Bryan Morgan, Claudia Reid, Pam Richardson and Eric Ryder

APOLOGIES: An apology for absence was received and accepted from Claudia Reid.

The Board reports that:

PART A – MATTERS REQUIRING A COUNCIL DECISION

1. TAKAPUNEKE – GREENS POINT DECLARATION OF LAND FOR RESERVE

1. The Community Board considered a report under Part C of this meeting, seeking approval to declare that land known as Greens Point in Red House Bay Akaroa, to be an Historic Reserve.
2. The Board on the 19th February 2008 formally resolved to change the classification of the Takapuneke Reserve from Local Purpose (Historic) Reserve to Historic Reserve, and public notice of this was given concurrent with notice of the intent to declare the land known as Greens Point to be an Historic Reserve. The Community Board has the delegation (except the hearing of submissions/objections) in relation to the “change of classification or purpose or revocation of a reserve (s.24 and 24A Reserves Act)” and importantly, also following notice under the Reserves Act 1977, to declare land to be a reserve.
3. A total of 10 supportive submissions were received to the public notice. No objections to the proposal were lodged. As submissions had been received a hearings panel was established and a formal Reserve Act hearing held on the 26th May 2008. A full transcript of proceedings along with the determination and recommendations of the Panel is attached.
4. The hearings panel formally recommended to the Board that, on the basis of objections and submissions received, the proposal to declare the Greens Point land to be an Historic Reserve was appropriate and that the Akaroa/Wairewa Community Board was free to resolve to so declare the land if it wishes to do so.
5. The Hearings Panel also made additional recommendations to the Board for consideration. Staff in turn included those recommendations for consideration by the Board and Council, as the Board does not have the delegated authority to act on the recommendations.

STAFF RECOMMENDATION

It is recommended that the Akaroa/ Wairewa Community Board recommend to Council that the “Recommendations of the Hearing Panel at clause 7” be implemented, namely:

- (i) That all the land described in the above determinations (6.1.4 and 6.2.4) be named as “Takapuneke Historic Reserve”, and that this name be passed to the New Zealand Geographic Board for adoption, and that the Minister of Conservation be advised accordingly.
- (ii) That the Council acknowledge the great work of many people over many years in bringing the history of Takapuneke to this current stage of formal and deserved recognition.
- (iii) That the Council plan a formal celebration to mark the occasion of the current Takapuneke Reserve and Greens Point land becoming an Historic Reserve at an appropriate time.

1 Cont'd

- (iv) That the Council allocate resources to the development of a Conservation Plan and a Management Plan for the whole area of Takapuneke and Britomart Reserve for the 2009-12 work programme.
- (v) That the Council acknowledge the offers of assistance from many submitters to be involved in the work of Conservation and Management Plans, and that the Council plan to include these agencies in the group(s) that would develop these Plans
- (vi) That the Council acknowledge the wish of the submitters to have the waste water treatment works removed from the site in due course, and to achieve if possible the eventual inclusion of all the original land areas within the Takapuneke Historic Reserve.
- (vii) That the Council continue to enact the February 2006 resolution of the Banks Peninsula District Council, (to obtain written evidence of the historical background of all three Historic Reserve areas to enable an Order-in-Council to be approved to make Greens Point, Takapuneke Reserve and the Britomart Historic Reserve into a National Reserve) acknowledging also the wish of the submitters to have the whole area, including Britomart Reserve, elevated to National Historic Reserve status, and that the Council allocate resources to supporting the process of achieving that status in the future.
- (viii) That the Council acknowledge the wish of the submitters to have the name Takapuneke applied to the whole area including the Britomart Reserve, and that this matter be given full and appropriate consideration in the lead up to the development of the Conservation Plan and Management Plan for the whole area.

BOARD RECOMMENDATION

That the staff recommendation be adopted.

18.09.08

UNDER The Reserves Act 1977

IN THE MATTER OF Proposed resolutions to declare land a reserve under Section 14 of that Act, and to change the classification of a reserve under Section 24 of that Act

BY the Christchurch City Council

DECISION AND RECOMMENDATION OF THE HEARINGS PANEL OF THE CHRISTCHURCH CITY COUNCIL

DATE OF HEARING: At Akaroa on 26 May 2008 at 11:00am.

PANEL MEMBERS: Stewart Miller (Chair)
Councillor Yani Johanson
Councillor Claudia Reid

LAND AFFECTED: Takapuneke Reserve and Green Point Endowment Land, Akaroa

SUBMITTERS: George Tikao, Te Rūnanga o Onuku
David Higgins, Te Rūnanga o Ngāi Tahu (TRoNT)
Elizabeth Cunningham
Helen Brown, NZ Historic Places Trust
John Wilson, Christchurch
Paul Dingwall, Akaroa Civic Trust
Victoria Andrews
Jim Sunckell, Friends of Akaroa Museum

PERSONS IN SUPPORT AND OTHERS IN ATTENDANCE: Peter Clayton, Te Rūnanga o Onuku
Marama Higgins, Ngāi Tahu Whānui
Karen Murphy, TRoNT
Meri Robinson, Ngāi Tahu Whānui
Robert Tutuki-Tewharau, Ngāi Tahu Whānui
Trevor Howse, Ngāi Tahu Whānui
Milly Robinson, Ngāi Tahu Whānui
Takerei Norton, TRoNT
Gilbert Glausius, Akaroa Civic Trust
Ashley Spice, Akaroa Civic Trust
Steve Carswell, Akaroa Civic Trust
Angus Davis
Chad Huddleston
Lynda Wallace, Akaroa Museum and Civic Trust
Jane Chetwynd, Akaroa/Wairewa Community Board

CHRISTCHURCH CITY COUNCIL: David Rowland (Property Consultant)
Joe McCarthy (Hearings Adviser)

1. INTRODUCTION

In accordance with the delegation given to it, in respect of the Reserves Act 1977 (the "Act"), the Panel considered submissions received on resolutions made or proposed to be made under Sections 14 and 24 of the Act.

2. BACKGROUND

The Christchurch City Council owns land at Red Bay, Akaroa known as Green Point and Takapuneke. This land is adjacent to and beyond the Britomart Reserve, along Beach Road. A map (Attachment 1), shows the sites that are briefly described below.

The Green Point land is endowment land (4.2Ha approx) and has no reserve status. The Takapuneke land is also endowment land; it is currently a Local Purpose (Historic) Reserve (9.6Ha approx). Beyond Takapuneke Reserve the council owned waste water treatment works is located on fee simple land and appears to also occupy small areas of adjoining reserve land plus legal road. The treatment works was built in the late 1960s.

The Green Point land and the Takapuneke Reserve land were purchased by the Council in the mid 1970s. A part of the Green Point land, 2864m² inclusive of a dwelling, was subsequently sold to a private owner. A refuse tip (now closed) was established at the top of the Takapuneke Reserve land in the mid 1970s. A former immigration barrack is also on the site.

The Green Point land has a total area of 4.2352 hectares being Lot 1 on Deposited Plan 73274 having an area of 4.0611 hectares comprised in Certificate of Title CB42B/680, along with 0.1741 m² being Lot 3 on Deposited Plan 73274 and comprised in certificate of Title CB42B/682.

The Takapuneke Reserve land has an area of 9.6087 hectares being Lot 1 on Deposited Plan 76825 and comprised in Certificate of Title CB40A/795.

Because of their historical significance these lands have been the subject of substantial awareness from the Banks Peninsula Council and its predecessor Councils in recent years, and more latterly from the Christchurch City Council. Awareness of their significance has created a wish to have them designated as Historic Reserve.

On 8 February 2006 the then Banks Peninsula District Council passed the following resolution:

"That Council instruct staff:

(i) in terms of the Reserves Act 1977, to initiate the making of Green Point into an Historic Reserve and change the classification of Takapuneke Reserve from Local Purpose (Historic Site) Reserve into an Historic Reserve (as is the adjacent Britomart Historic Reserve).

(ii) To obtain written evidence of the historical background of all three Historic Reserve areas to enable an Order-in-Council to be approved to make Green Point, Takapuneke Reserve and the Britomart Historic Reserve into a National Reserve.

(iii) That a Management Plan be prepared for the three Historic Reserves."

These matters were further reported to the Christchurch City Council on 4 October 2007 at which time the Council resolved to:

(a) authorise Council staff to apply to the Minister of Internal Affairs pursuant to section 140(4) of the LGA seeking his approval for a change in the endowment purposes for which Greens Point land may be used from an "endowment in aid of Council funds" to an endowment to facilitate and support firstly, the use of the land at Greens Point as an historic and/or national reserve and, secondly, the vesting of that land as an historic and/or national reserve under the Reserves Act 1977."

(b) authorise Council staff to apply to the Minister of Internal Affairs pursuant to section 140(4) of the LGA seeking his approval for a change in the endowment purposes for which Takapuneke Reserve land may be used from an "endowment in aid of Council funds" to an endowment to facilitate and support firstly, the use of the land at Takapuneke/Greens Point as an historic and/or national reserve and, secondly, the vesting of that land as an historic and/or national reserve under the Reserves Act 1977."

The Minister of Local Government has subsequently granted approval for the changes outlined in (a) and (b) above.

The matter was also fully reported to the Akaroa/Wairewa Community Board on 19 February 2008. At its meeting of that date the Board resolved, under delegated authority, *pursuant to Section 24 of the Reserves Act 1977 to change the classification of that land known as the Takapuneke Reserve being all that land containing 9.6087 hectares being Lot 1 on deposited Plan 76825 and comprised in Certificate of Title CB40A/795 from Local Purpose (Historic Site) Reserve to Historic Reserve, to protect and preserve in perpetuity the local and national historical, archaeological and cultural nature and interest in this site and that public notice be given of this intent.*

This resolution was reported to and received by the full Council at its meeting of 10 April 2008.

It is noted that the above resolution did not refer to the Green Point Land; the reason for this is described under relevant legislation below.

In order to give further effect to Council and Community Board resolutions public notice was given on 8 March 2008 of the intention to pass a resolution pursuant to Section 14 of the Reserves Act 1977 to have the land forming Green Point declared to be a Historic Reserve within the meaning of Section 18 of that Act, and of the proposal to change pursuant to Section 24 of the Reserves Act 1977 the existing classification of that land known as the Takapuneke Reserve from Local Purpose (Historic) Reserve to Historic Reserve.

The public notice invited submissions and objections. Ten submissions were received in response to that notification, all in support of the resolutions. The consideration of those submissions is the subject of the hearing that was held. It is noted that a number of matters raised in the submissions were beyond what the Panel had authority to determine.

The decision of this Hearings Panel makes determinations on matters that are within the Panel's authority to determine and makes recommendations on those matters, raised by submitters, that are beyond the Panel's authority to determine.

3. RELEVANT RESERVES ACT SECTIONS; DELEGATED AUTHORITIES

3.1 Takapuneke Reserve Land

The necessary process with the **Takapuneke Reserve land** is covered by Section 24 of the Reserves Act 1977. Relevant provisions of Section 24 **Change of classification or purpose or revocation of reserves** are summarised as a) to e) below in italics. Steps a) to e) also include comments on the current situation (ordinary type).

- (a) *the local authority may resolve to change the classification of a reserve. Reasons for the proposed change are to be stated in the resolution.*

This step has been achieved by the Community Board resolution of 19 February 2008.

- (b) *the local authority notifies the Commissioner that pursuant to that resolution it considers that the classification of a reserve should be changed, and provides a copy of that resolution to the Commissioner*

The decision of this Panel clears the way for this to occur. The term Commissioner is used in the legislation; the Department of Conservation (DoC) is the relevant government department.

- (c) *the classification cannot be changed until the proposed change has been publicly notified, persons claiming to be affected by the proposed change have had an opportunity to object, and all such objections have been considered by the local authority.*

While the legislative provisions for public notification refer only to submissions it is known that DoC staff expect submissions in support to be considered and reported on also. The proposed change of classification has been publicly notified, opportunity to object has been provided, all submissions (there were no objections) have been considered as part of the decision of this Panel on behalf of the local authority. The requirements of (c) have been met.

- (d) *the local authority must provide the Commissioner with a copy of all objections, and a copy of the resolution of the local authority in relation to those objections.*

The decision of this Panel clears the way for this to occur.

- (e) *the Minister will give the matter due consideration and may, in his discretion, change the classification of the reserve.*

The Minister will be in a position to do this once staff have provided the documentation described in (d) above.

The determinations and recommendations at the end of this report provide the steps necessary to complete (a) to (e) above.

3.2 Green Point Land

The necessary process with the **Green Point land** is covered by Section 14 of the Reserves Act 1977. Relevant provisions of Section 14 **Local authority may declare land vested in it to be a reserve** are summarised as (i) to (iv) below in italics. Steps (i) to (iv) also include comments on the current situation (ordinary type).

- (i) *the local authority may by resolution declare any land vested in it to be a reserve*

This step has not yet been taken; it is subject to (ii) below. The Community Board have delegated authority to pass such a resolution when it is required.

- (ii) *the resolution cannot be passed until the intention to pass the resolution has been publicly notified calling for objections, and until all such objections have been considered.*

The intention to pass the resolution has been publicly notified, objections have been called for and have been considered and are being reported on in this decision of the Hearings Panel. Once again, DoC staff expect submissions in support to also be considered and reported upon.

This decision is to be reported to the Community Board. The Board, if it considers it appropriate, will pass a resolution to declare the Green Point land as historic reserve.

- (iii) *a copy of the resolution is to be forwarded via the Commissioner to the Minister, together with all objections received (if any) and the comments of the local authority on those objections*

This can be done once the resolution is passed by the Community Board, dealing with submissions in support as well as any objections.

- (iv) *the Minister will give the matter due consideration and shall then 'in his discretion either cause the resolution to be gazetted or refuse to do so'.*

This step will follow on from (iii).

The determinations and recommendations at the end of this report provide the steps necessary to complete (i) to (iv) above.

3.3 Delegated Authority for Hearings Panel

In accordance with the delegation given to it at the ordinary Council meeting of 7 November 2007, in respect of the Reserves Act 1977, the Hearings Panel has the power to hear and determine submissions and objections in relation to the:

- declaration of land as a reserve (S.14 of the Act), and
- change of classification or purpose or revocation of a reserve (ss 24 and 24A of the Act).

3.4 Delegated Authority for Community Board

In accordance with the delegation given to it at the ordinary Council meeting of 7 November 2007, in respect of the Reserves Act 1977, the Community Board has the powers of the Council (except the hearings of submissions/objections) in relation to:

- declaration of land as a reserve (S14 of the Act), and
- change of classification or purpose or revocation of a reserve (ss 24 and 24A of the Act).

4. THE HEARING

A hearing was held on Monday 26 May 2008 at Akaroa, attended by submitters and supporters.

Following an opening karakia from David Higgins of Te Rūnanga o Ngāi Tahu (TRoNT) submissions were heard in the following order.

4.1 George Tikao, Te Rūnanga o Onuku

Mr Tikao told the Panel that while the area in question was known by various names, it had always been known to local Māori as Takapuneke. He described the site as one of great sorrow and great significance. This is why over a long period of time his people have opposed moves for development or other wrong uses of the land.

Mr Tikao reminded the Panel that some years ago Noeline Allan, former Mayor of Banks Peninsula District Council, had publicly apologised to local Ngāi Tahu for the wrongs of the past. He also said that following many meetings and continuing support from Mayor Bob Parker the area was now being recognised as having not only local significance but also national significance. He referred to the 'sad story of Takapuneke', and said it was so important because, even though no one had been buried there, the area had been covered with the bones and the blood of Ngāi Tahu people. For Ngāi Tahu the area is an **urupā**.

Mr Tikao reminded the Panel of the slaughter that had taken place in the bay in 1830, and the involvement of English people in that slaughter. The bones of those slaughtered had been gathered up and burned by a settler who had brought sheep and cattle to the bay. The ashes of the dead had been blown across the land. Because of that slaughter moves had begun that would eventually lead to the Treaty of Waitangi being drawn up. The slaughter also led to the setting up of the Confederation of Chiefs. Hence the site is very significant, and this is the story that Ngāi Tahu has been telling to Councils for some time, and this is the reason why in submissions he and his people have been asking for the site to be made a Historic Reserve.

Mr Tikao acknowledged the work of historian Harry Evison, a great friend of Ngāi Tahu, someone to whom Ngāi Tahu owes something. In doing so he noted that Mr Evison had been unable to attend the Hearing and tendered an apology on his behalf. He noted the submission of Mr Evison, the request that the area be made into an Historic Reserve, and read from parts of that submission – "what Harry has written, we agree with".

In his closing remarks Mr Tikao implored the Panel to look at the historical argument that had been put up, to understand that if one more house is built on the land the wāhi tapu will be ruined, to fully consider the history of this 'very significant site' and declare it an Historic Reserve.

In response to questions Mr Tikao confirmed to the Panel that his people agree with everything in Harry Evison's submission letter of 18 April 2008. He also asked that his people be included in all talks regarding the proposed Management Plan.

4.2 David Higgins, Te Rūnanga o Ngāi Tahu

Mr Higgins conveyed the apology of Mark Solomon, Kaiwhakahaere of TRoNT and that he was here today to represent TRoNT. He told the Panel he had come to support the whānau and the hapū of Onuku. He said that he is the Moeraki representative on the board of TRoNT and had been heavily involved in the Ngāi Tahu Claim to the Waitangi Tribunal. Moeraki is significant to today's kaupapa because the great chief Te Maiharanui had been born there. To this hearing he had brought with him his mother, also from Moeraki, in order to acknowledge that important link.

Mr Higgins told the Panel that the families of Onuku and Ngāi Tahu had had to live with what had happened at Takapuneke. While it was important to commemorate history it was also important to celebrate it. He acknowledged the work and the speech of Mr Tikao, and also acknowledged the huge work of Harry Evison.

Mr Higgins then turned to the future, asking that the work of the future must treat the site with the dignity and the respect that are deserved. He asked on behalf of TRoNT that the Council allocate sufficient resources to properly manage the reserve and to develop a proper Management Plan for it. He requested that TRoNT and the local Rūnanga be at the centre of decision making in the development of the Management Plan, and told the Panel that TRoNT would be happy to assist with this work. He noted that he had brought with him to the hearing Mr Takerei Norton, an environmental planner with TRoNT. In his view the Management Plan would ensure the co-ordination of all agencies relevant to the future management of the Reserve, for example Ngāi Tahu, Department of Conservation, NZHPT, the Christchurch City Council, the Akaroa Civic Trust, and the Akaroa Museum.

In his closing remarks Mr Higgins acknowledged the work of the Council in bringing forward the matter of the Takapuneke Reserve and pointed out that there now exists an opportunity to make a difference.

4.3 Elizabeth Cunningham, personal submission and in support of Te Rūnanga o Ngāi Tahu and Te Rūnaka o Onuku

Ms Cunningham told the Panel that she wanted to make three key points.

The first was in relation to place names. She showed to the Panel the book "Tikao Talks, Teone Taare Tikao" written by Herries Beattie and published in 1935. The book is a resource for place names in the Banks Peninsula area. She told the Panel that Council representatives should read this book and acknowledge the names that are within it. She appealed to the Panel to ensure that 'our names stay'. Ms Cunningham told the Panel that this book is used in the history departments of all universities – "this is the book to read".

Her second point related to the 2025 vision of Ngāi Tahu. She pointed out that the status of Takapuneke is a national issue and that the people wanted their identity to be recognised. She told the Panel that Māori have strong links with the landscape, and they take their moral strength from their surroundings. Hence the importance of respecting significant historical sites.

Thirdly Ms Cunningham wanted to acknowledge what was happening at the hearing – the coming together of people to support the moves to properly classify the land as Historic Reserves. She congratulated and thanked all involved.

4.4 Helen Brown, NZ Historic Places Trust

Ms Brown told the Panel that primarily she wanted to re-iterate the written submission of the Trust. She said that the Trust supported and commended the Council in its moves to classify the area as Historic Reserve. She also commended the work of many contributors, making particular mention of Harry Evison and Victoria Andrews (Akaroa Civic Trust).

Ms Brown told the Panel that the site was registered with the Trust as a wāhi tapu site in May 2002 – the first such registration in Te Wai Pounamu.

She noted that in the 1970s the Trust had opposed the establishment of a refuse tip on the site.

Ms Brown expressed a need to have key agencies involved in the development of a Management Plan. She noted that the area comprises three reserves abutting one another and pointed out that before a Management Plan is drawn up an over-arching Conservation Plan for all three areas should be drawn up.

She told the Panel that the Historic Places Trust would like to see the area become a National Reserve in the future. She also expressed a wish for plans to include the eventual removal of the waste water treatment works so that this site would become part of the reserve area, and that the property currently in private ownership would eventually come into the reserve also.

Ms Brown noted that the name Takapuneke is not on any map. She said that the Trust wanted this name to be used, stating that the naming of sites is important to the Trust and that when reserves are gazetted it is important to have the correct name laid over them.

In response to a question Ms Brown was uncertain about steps for taking Britomart Reserve to National Reserve status, suggesting that Mr Rowland would be able to clarify that.

4.5 John Wilson, Christchurch (formerly of Banks Peninsula)

Mr Wilson introduced himself as one who had spent 30 years researching and writing history. He had come to the hearing to reinforce his written submission, pointing out that the area and its history are important to both Pakeha and Māori. He assured the Panel that the historical significance of the site is beyond dispute, and that this significance had been proven in a long process over many years.

He wished that the role of three people in bringing the issue to its current state of understanding be acknowledged publicly – George Tikao, Harry Evison, and Victoria Andrews.

Mr Wilson told the Panel that the site cannot be treated as just another city park; local people and local bodies must be involved in its management. He felt reassured to hear that the National Reserve status would be looked at in the course of time. He said that the existence of the waste water treatment works on the site was a fact that had to be faced, with plans needing to be made to remove it in due course.

4.6 Paul Dingwall, Akaroa Civic Trust

Mr Dingwall introduced himself as a member of the Board of the Civic Trust. He acknowledged the presence with him of Mr Glausius (Trust chairperson), Victoria Andrews, and other Trust members. He told the Panel that the Trust had some 150 members, some of them located in Australia and America.

Mr Dingwall said that the Trust is a key advocacy group in the Akaroa area, and had been involved in making submissions for the Takapuneke site for more than a decade. He described the site as a vitally important place in terms of the development of bicultural history, a place which is the genesis of the Treaty of Waitangi. He described the hearing as a very important milestone on the path towards proper recognition of the site. It was the vision of the Trust that the whole site should become a National Reserve, giving to the site the legal status that matches the status that it has always had within Maoridom.

Mr Dingwall told the Panel that the Civic Trust is willing to assist the Christchurch City Council in its efforts to secure, administer, interpret and manage the site of Takapuneke for education, cultural and other purposes.

4.7 Victoria Andrews, personal submission and in support of Akaroa Civic Trust

Ms Andrews told the Panel that the site of Takapuneke provided a very important layer of local Maori history, prior to the popularly acknowledged French history of the Akaroa area. She regarded the protection of the Takapuneke area as another important step towards protecting the whole of the sensitive heritage landscape area all the way round to Childrens Bay.

Ms Andrews acknowledged the hospitality and generosity of Onuku and Ngāi Tahu over the many years of her research into the area. She wished to add her voice to those seeking the removal of the waste water treatment works, adding that plans for this should be being made already.

Ms Andrews also acknowledged the steps taken by the Akaroa County Council to acquire the land in the 1970s, and the ongoing contribution of MP Ruth Dyson in attending many meetings and generally helping the process of recognition to go ahead smoothly. She noted that, fortunately, the land had been undeveloped and unmodified since the time of its purchase and said that while progress had been made there is still some way to go. She compared the situation at Takapuneke with that of Bastion Point 30 years earlier, and told the Panel that for Māori land has more values than just those of 'property'.

In response to questions Ms Andrews advised the Panel as follows:

- The waste water treatment works is on road reserve land
- The road reserve area is not in the area that is registered as having wāhi tapu status
- Her submissions have not made mention of the area of land that is in private ownership, out of deference to the land owners. If it is possible, her wish would be that the land would eventually be brought into the reserve. She had not had discussions with the private landowners
- She would want the subsequent effort to obtain National status for the area to include the Britomart Reserve as well.
- She supports the idea of having a single name Takapuneke for the whole area.

4.8 Jim Sunckell, Friends of Akaroa Museum

Mr Sunckell told the Panel that involvement in this issue is outside what the Friends of the Museum normally get involved in. Nevertheless, 'this is the history of Akaroa and we are interested; the decision of the Council will affect a lot of people'. He said that the group had more than 250 members, and they supported the proposals to achieve Historic Reserve status for the Takapuneke area.

Mr Sunckell described his personal connection to the area, saying that his great grandfather had arrived in the area just 20 years after the Takapuneke 'incident'. On behalf of his group he wished all the submitters well, and supported and encouraged the Council in their efforts to achieve Historic Reserve status for the area.

4.9 George Tikao, Te Rūnanga o Onuku

Mr Tikao spoke again at the end of the submissions. He acknowledged the work of the Community Board and the City Council, and the staff and wished them well in continuing the process.

He pointed out that it had taken a long time to get to this point, and another 10 or 12 or 20 years was not the issue – "as long as it happens, but the sooner the better". He stated that the view of his runanga is that the whole area should be 'umbrellaed' and declared as a Historic Reserve.

Mr Tikao also acknowledged the submitters, the friends and supporters of Te Rūnanga o Onuku.

On behalf of **Ngāi Tahu David Higgins** closed the submissions with a karakia.

The hearing ended at 12:25pm and the Panel retired to undertake its deliberations.

5. DELIBERATIONS

The Panel noted that there had been no objections to the proposed resolutions, and that all ten submissions had been in support. The Panel also noted that the matters covered by the various submitters included not only those relevant to the statutory purpose of the resolution but also to other considerations. The Panel was mindful of the need to keep the two considerations separate where appropriate. It would do this by making determinations on matters which it had delegated authority to determine, and by making recommendations on other matters.

The Panel noted that the process for making resolutions had been different for each of the two blocks of land up to this point because of the differences between each of Sections 14 and 24 of the Act. The Panel was mindful of the need to word its determinations appropriately and differently in each case.

The Panel noted that all voices had been in harmony at the hearing, with the following points of substantial common agreement among the submitters.

- Support for the intention and content of the resolutions that are proposed to be passed
- The significance of accurate interpretation and use of place names in the context of the site, so that the Maori identity is recognised.
- The wish to have a single overall name for the area, and for this name to be “Takapuneke”
- The wish for the name of the area to be formally recognised by the New Zealand Geographic Board
- The wish to continue towards having the whole area, including the Britomart reserve, declared a National Reserve.
- The contribution of historian Harry Evison to the whole process of achieving recognition for Takapuneke, and the regret that Mr Evison had been unable to appear at the hearing.
- Support for the creation of Conservation and Management Plans for the whole area.

- The need to take both a short term and a long term view of the area and its management including, if possible, eventual incorporation into the reserve of the waste water treatment works site and the privately owned property within the site should that opportunity arise.
- The very genuine offers of assistance from Ngai Tahu and other submitters of resources, information and knowledge in the development of conservation and management plans and towards national reserve status.

The Panel also considered the following points:

- The subject being dealt with by the Hearings Panel, and the issues raised by the submitters, are of immense significance. While the Hearings Panel process has itself been statutory in nature it will be important for future processes to fully reflect the significance of the occasion of bringing Takapuneke into full recognition. It would be appropriate to have a formal celebratory occasion to mark that.
- The occasion of the Hearing had been one of great dignity, backed by a highly committed community who brought forward the results of work by many people over many years
- A number of submitters had referred to the Britomart Reserve, and its possible eventual inclusion into the one over arching reserve. The Panel considered that this reserve already had significance of its own, and that the inclusion of it within an eventual over arching reserve should be a matter for consideration in the development of future management plans for the site in consultation with the extended community. The Panel noted that the matter of place names would also have to be carefully considered in that process. The Panel also noted that it did not have sufficient background information on this reserve to make a firm recommendation on the substance of this issue, and that to do so would be to act outside the role of the Hearings Panel.

6. DECISION

6.1 Under delegated authority and in accordance with Section 14 of the Reserves Act 1977, for the reasons outlined above the Panel makes the following determinations in relation to **Green Point land**

- 6.1.1 No objections were received to the publicly notified intention to resolve to declare the Green Point land to be a Historic Reserve
- 6.1.2 Ten submissions were received in support of the publicly notified intention to declare the Green Point land to be a Historic Reserve.

- 6.1.3 The Panel supports the content of the submissions in support of the publicly notified intention to declare the Green Point land to be a Historic Reserve.
- 6.1.4 The Panel has determined that, on the basis of objections and submissions received, the proposal to declare the Green Point land to be an Historic Reserve is appropriate; and that on this basis the Akaroa/Wairewa Community Board is free to resolve to so declare the land if it wishes to do so.

For the purposes of this determination the Green Point land is *all that land containing 4.0611 hectares being Lot 1 on Deposited Plan 73274, comprised in Certificate of Title CB42B/680 along with that land containing 0.1741 hectares being Lot 3 on deposited Plan 73274, comprised in certificate of Title CB42B/682.*

- 6.1.5 The Panel has determined that this matter is to be referred back to the Akaroa/Wairewa Community Board for consideration of an appropriate resolution as described in 6.1.4 above.

6.2 For the reasons outlined above the Panel makes the following determinations in relation to **Takapuneke Reserve land**

- 6.2.1 No objections were received to the publicly notified proposal to change the classification of Takapuneke Reserve from Local Purpose (Historic) Reserve to Historic Reserve.
- 6.2.2 Ten submissions were received in support of the publicly notified proposal to change the classification of Takapuneke Reserve from Local Purpose (Historic) Reserve to Historic Reserve.
- 6.2.3 The Panel supports the content of the submissions in support of the publicly notified proposal to change the classification of Takapuneke Reserve from Local Purpose (Historic) Reserve to Historic Reserve.
- 6.2.4 The Panel has determined that, on the basis of objections and submissions received, the proposal to change the classification of Takapuneke Reserve from Local Purpose (Historic) Reserve to Historic Reserve is appropriate.

For the purposes of this determination Takapuneke reserve is *all that land containing 9.6087 hectares being Lot 1 on deposited Plan 76825 and comprised in Certificate of Title CB40A/795.*

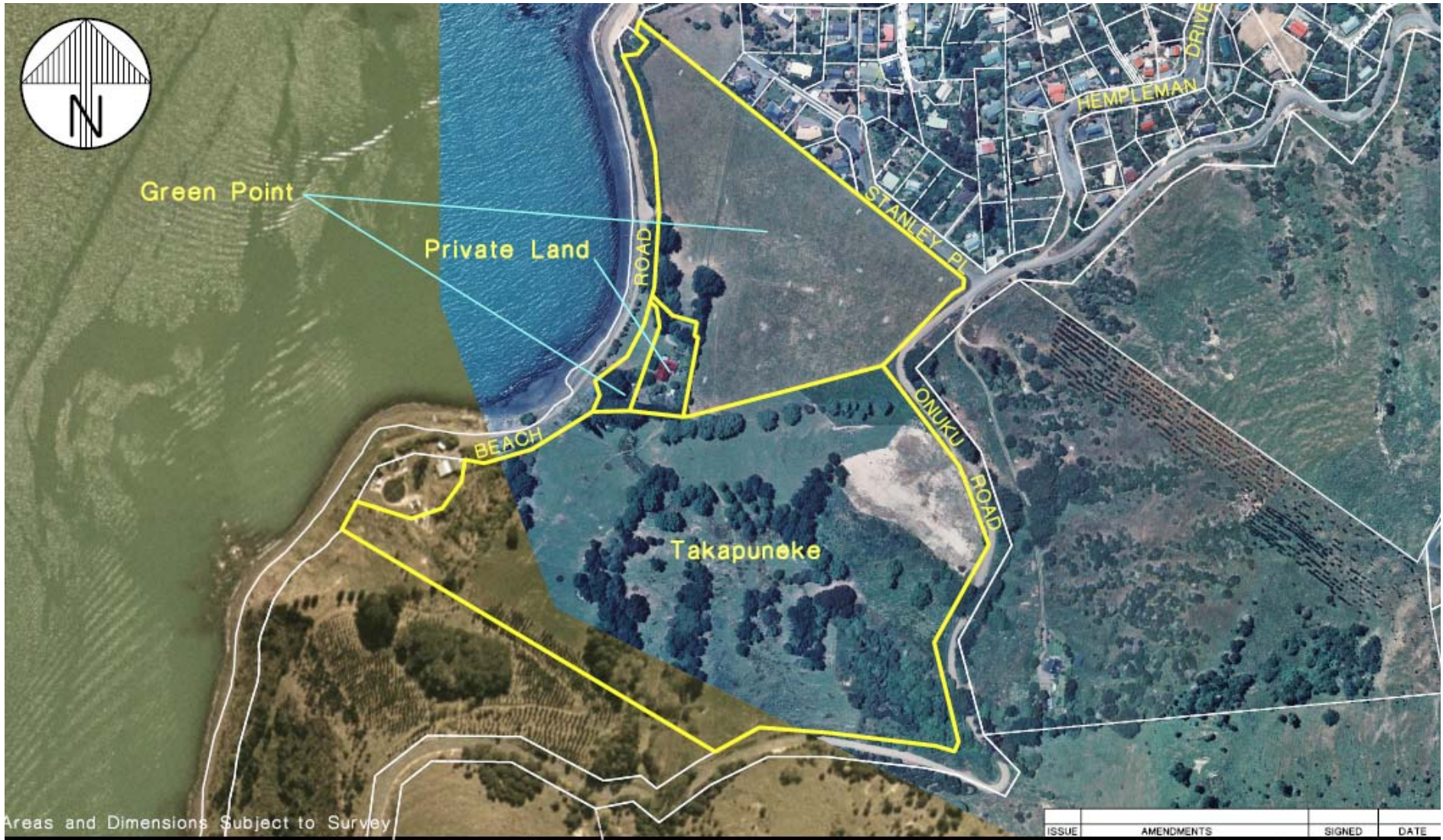
- 6.2.5 The Panel has determined that this matter may now be reported to the Minister of Conservation, for decision, in accordance with Section 24 of the Act.

7. RECOMMENDATIONS

The Panel, in acknowledging and considering matters that were raised by submitters but which are beyond the Panel's power to determine, makes the following recommendations to the Akaroa/Wairewa Community Board and asks that the matters be referred to Council staff for further consideration and action as appropriate:

1. That all the land described in the above determinations (6.1.4 and 6.2.4) be named as "Takapuneke Historic Reserve", and that this name be passed to the New Zealand Geographic Board for adoption, and that the Minister of Conservation be advised accordingly.
2. That the Council acknowledge the great work of many people over many years in bringing the history of Takapuneke to this current stage of formal and deserved recognition.
3. That the Council plan a formal celebration to mark the occasion of the current Takapuneke Reserve and Green Point land becoming a Historic Reserve at an appropriate time.
4. That the Council allocate resources to the development of a Conservation Plan and a Management Plan for the whole area
5. That the Council acknowledge the offers of assistance from many submitters to be involved in the work of Conservation and Management Plans, and that the Council plan to include these agencies in the group(s) that would develop these Plans.
6. That the Council acknowledge the wish of the submitters to have the waste water treatment works removed from the site in due course, and to achieve if possible the eventual inclusion of all the original land areas within the Takapuneke Historic Reserve; and that the Council make plans to try and achieve these wishes when and where practicable.
7. That the Council continue to enact the February 2006 resolution of the Banks Peninsula District Council, acknowledging also the wish of the submitters to have the whole area, including Britomart Reserve, elevated to National Historic Reserve status, and that the Council allocate resources to supporting the process of achieving that status in the future.
8. That the Council acknowledge the wish of the submitters to have the name Takapuneke applied to the whole area including the Britomart Reserve, and that this matter be given full and appropriate consideration in the lead up to the development of the Conservation Plan and Management Plan for the whole area.

DATED THIS 26TH DAY OF MAY 2008



SURVEYED	
DRAWN	M.C. DUGGAN
DATE	06/2007
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TAKAPUNEKE AND GREEN POINT AKAROA

ISSUE	AMENDMENTS	SIGNED	DATE
CONTRACT NUMBER	ORIGINAL SHEET SIZE A4	SCALES	
FILE REFERENCE	301/101	1 : 4000	
DRAWING NUMBER	SM1790-01	SHEET	OF

PART B – REPORTS FOR INFORMATION

3. DEPUTATIONS BY APPOINTMENT

3.1 Akaroa District Promotions - Showers and Barbeque Area at Akaroa Beach

Ms Hollie Hollander, Marketing Executive for Akaroa District Promotions presented a letter to the Board requesting that consideration be given for a shower to be situated near the grassed area of the beach and also that a coin operated barbeque be installed.

It was pointed out that a shower would require a timer system and water restrictions would be imposed over the Summer if the water supply became critical, in which case the shower would not be in service. The meeting was informed that staff were already investigating the installation of a shower. Members felt that a plan of the beach front grassed area, including the nearby public conveniences should also be investigated.

It was suggested that this matter could be raised with staff at the Board Seminar to be held on 25 August.

3.2 Akaroa District Promotions - Ellerslie International Flower Show 2009

Ms Hollie Hollander, Marketing Executive for Akaroa District Promotions presented a letter to the Board requesting financial support for Akaroa to participate in the Ellerslie International Flower Show in March 2009.

Ms Hollander said she had been approached by the organisers of the Flower Show with a request for Akaroa to participate. She said approximately \$9,000 was required to present a flower bed, which had already been designed around local themes. Ms Hollander said she would be approaching Christchurch Tourism and Akaroa District Promotions for financial support, but was also seeking some financial assistance from the Board. She explained to members her idea for a garden display and that marketing displays would be permissible as part of the presentation.

Members supported this idea and asked that staff look into funding avenues for the project.

4. CORRESPONDENCE

4.1 Akaroa Lighthouse Preservation Society

The Board considered a letter from the Akaroa Lighthouse Preservation Society regarding the removal, or trimming, of an old man pine between the Akaroa Cruising Club and the Akaroa Lighthouse.

Members were informed that a Council arborist had made an assessment of the tree and had reported there were no structural safety concerns at present. The tree would be pruned when an arboricultural crew next visited Akaroa.

Members expressed their concern that if the tree fell towards the Akaroa Lighthouse it could damage parts of the historic building that were irreplaceable, such as some of the glass in the structure. It was pointed out that old man pine limbs were dangerous, as they were known to drop for no reason.

The Board decided to request that an on site meeting be arranged with staff, representatives of the Akaroa Lighthouse Preservation Society, the Akaroa Cruising Club and Council's roading unit to discuss this problem

5. BRIEFINGS

5.1 Poma Palmer - Department of Conservation

Mr Palmer addressed the Board on the Conservation Management Strategy (CMS) that the Department of Conservation is developing for Canterbury. He said the CMS is a ten year plan which guides the Department of Conservation in its management of conservation places, values and issues. He said the Department of Conservation sees the Board as the contact for the wider community and asked members to encourage the public to make comment on the review. The draft document will be available on the Website.

Items discussed were:

- management programme for the increasing seal numbers
- wilding pine numbers on Banks Peninsula
- water quality of Lake Forsyth (Te Wairewa)
- fencing issues of DOC reserves

5.2 Pat Creasy (Canterbury Neighbourhood Support) and Belinda Barrett-Walker (Junior Neighbourhood Support)

Mr Creasy and Ms Barrett-Walker addressed the Board and presented a number of items for members' information.

Mr Creasy and Ms Barrett-Walker explained some of the benefits of Neighbourhood Support; it encouraged people to meet each other and to get to know their neighbours, and the potential to use the programme in the event of a civil defence or pandemic incident. Basically it establishes a framework that can be used and adapted to best suit peoples needs.

The purpose and focus of the Junior Neighbourhood Support Programme was also explained to members. The programme operates through schools and was already successfully functioning in three Community Board areas in Christchurch. At present this programme was aimed at Year 1 to year 8 students.

Board members suggested that the programme could be promoted to all schools on Banks Peninsula at the same time, through a combined sports event, as this would help with the cost of delivering the programme to each individual school.

6. COMMUNITY BOARD ADVISER'S UPDATE

The Community Board Adviser updated the Board on a number of issues:

- Proposed Waste Management Bylaw - It was questioned what the definition of 'household' stood for in Item 11 of the Bylaw. Staff were asked to seek clarification on this and request that a definition of "Household" be included in the Interpretation section Bylaw.
- Wheelie Bin Kerbside Collection Trail - Members were invited to attend the trial of the new wheelie bins on the steep streets around Lyttelton on 16 September.
- Public Toilets - cleaning issues - this item to be discussed at the Board Seminar to be held on 25 August.
- N.Z. Community Boards' Executive Committee Conference - Best Practise Awards - Members were informed that some of the Boards in Christchurch had employed the help of professional services through their Discretionary Funds to assist them to enter a project. Board members were not in favour of such applying public funds to this purpose.
- Monitoring our Management of Banks Peninsula Landscape Report Discussion Paper - Members were asked to submit their comments on this paper to the Chairman or Community Board Adviser.

7. ELECTED MEMBERS INFORMATION EXCHANGE

Members shared information on current issues and activities, including:

- Le Race - Change of Ownership - Meeting with Events Manager to be held on Tuesday 9 September.

The Board decided that Eric Ryder and Jane Chetwynd should represent the Board at this meeting.

- Akaroa District Promotions' Website - Members were informed that churches, community groups etc. could be included on a link to this commercial website, however the cost of joining the website was preventing any groups from doing so. It was suggested that the Small Projects Fund may be a source of revenue for these groups.

PART C – DELEGATED DECISIONS

8. CONFIRMATION OF MINUTES

The Board **resolved** that the minutes of the ordinary meeting held on Thursday 17 July 2008 be confirmed.

9. TAKAPUNEKE - GREENS POINT DECLARATION OF LAND FOR RESERVE

The Board considered a report seeking its approval to declare the land known as Greens Point in Red House Bay, Akaroa to be an Historic Reserve.

The Board **resolved** that the Akaroa-Wairewa Community Board acting under delegated authority declare:

- (a) under Section 14 of the Reserves Act 1977 the land known as Greens Point Akaroa and described as Lot 1 on Deposited Plan 73274, comprised in Certificate of Title CB 42B/680 having an area 4.0611 hectares and Lot 3 on Deposited Plan 73274, comprised in Certificate of Title CB 42B/682 having an area of 1741m² be an Historic Reserve pursuant to Section 18 of that Act and
- (b) that the consent of the Department of Conservation be sought

10. APPLICATION TO THE AKAROA-WAIREWA COMMUNITY BOARD'S YOUTH DEVELOPMENT SCHEME - NATHAN PRYOR

The Board considered a report regarding the allocation of funds from the Community Board's 2008/09 Youth Development Scheme Discretionary Fund to Nathan Pryor. It was pointed out that funds could only be allocated to an applicant once in any financial year.

The Board **resolved** to allocate \$350.00 from the 2008/09 Youth Development Scheme Discretionary Funds to Nathan Pryor to assist with his participation in the Australian Open Taekwondo Championships in Sydney.

11. AKAROA MUSEUM ADVISORY COMMITTEE MINUTES - 3 JULY 2008

The Board expressed concern regarding a full sprinkler system not being installed in the new storage building for the Museum due to variable water pressure. The Board asked that this issue be investigated by staff and that funding be sought so that a full sprinkler system could be installed at the time the building was being constructed.

The Board **received** the minutes of the Akaroa Museum Advisory Committee held on 3 July 2008.

12. NEW STANDING ORDERS

The Board considered a staff report on the new Standing Orders for the Christchurch City Council, which were adopted at the Council meeting on 24 July 2008.

It was felt a casting vote was not necessary as if the Board could not reach a majority decision then more investigation into the matter was probably required.

The Board **resolved** the Chairman, or any other person presiding at meetings of the Akaroa Wairewa Community Board and its committees and subcommittees, shall **not** have a casting vote in the case of an equality of votes.

13. APPLICATION TO THE AKAROA-WAIREWA COMMUNITY BOARD'S DISCRETIONARY RESPONSE FUND - AKAROA BOATING CLUB INC.

Board Member Eric Ryder declared a pecuniary interest in this item and left the room for the duration of the discussion and resolution..

The Board considered a report regarding the allocation of funds from the Akaroa-Wairewa Community Board's Discretionary Response Fund to the Akaroa Boating Club Inc. for financial assistance to repair and upgrade the existing launching deck at the Boatshed.

There was considerable discussion on this item as there was concern from Board members that there were probably more appropriate funding sources for a project such as this, rather than the Board's Discretionary Response Fund. It was pointed out that this building was not owned by Council and the general public did not, as of right, have access to the facilities.

Board members were also concerned about whether the Club would be able to proceed with the project in this financial year, if it was unable to raise the total funding required.

The Board **resolved** that \$5,000.00 from the Board's Discretionary Response Fund be allocated towards the upgrade of the Akaroa Boating Club's facilities, subject to:.

- (a) Staff being unable to establish any alternative funding sources.
- (b) The Boating Club providing evidence that the project will proceed in the current financial year, as indicated in the application.
- (c) The Boating Club obtaining a second quotation for the required work.

Board Member Bryan Morgan asked that his vote against this motion be recorded.

Board members noted that the Akaroa Boatshed, which the Akaroa Boating Club owned and operated, was an iconic Akaroa landmark and a significant historic building. As such its maintenance and preservation were important to everyone, not just Club members, who had the onerous task of trying to finance any required work. It was questioned whether Council could enter into an arrangement with the Club, as had been done in other instances, whereby public funds could be applied towards the maintenance and upgrading of the facility. Public access to the facility could be negotiated as part of such an arrangement. Staff were asked to investigate options available for Council to foster such an arrangement.

18.09.08

14. **COMMUNITY BOARD ADVISERS UPDATE – continued**

14.1 **Character Housing Grants Panel**

The Board **resolved** to appoint Board Member Bryan Morgan to the Character Housing Grants Panel for the 2007/2010 triennial term.

14.2 **Duvauchelle Reserve Management Committee - Manager's Residence**

The Board **resolved** to support the Duvauchelle Reserves Management Committee in its proposal to build a manager's residence on the Duvauchelle Reserve.

The meeting concluded at 1:05 pm.

CONFIRMED THIS 18TH DAY OF SEPTEMBER 2008

**STEWART MILLER
CHAIRMAN**

3. DEPUTATIONS BY APPOINTMENT

3.1 ROD LAWRENCE - BANKS PENINSULA SIGNAGE PROJECT

Mr Lawrence will update the Board on this project.

3.2 BI-MONTHLY POLICE REPORT

A representative from the Akaroa Police has been invited to attend the meeting.

4. PRESENTATION OF PETITIONS

5. NOTICES OF MOTION

6. CORRESPONDENCE

6.1 WASTELINE SERVICES

A letter (**attached**) has been received from Wasteline Services commenting on the Board's concern over the toilet cleaning in Akaroa and questioning why the work has been allowed to remain at an unacceptable standard.

STAFF RECOMMENDATION

It is recommended that the Board receive this correspondence and pass it to the appropriate staff for comment.

18.09.08

Wasteline Services
24 School Rd
Robinsons Bay
R D 1 Akaroa



Mrs Carter
Secretary to Kre
Community Board

Re: Toilet cleanliness as reported in the Akaroa Mail 1st August.

It is interesting to find that the Council are still plagued with this problem. The last toilet tender was worded in such a way to overcome the poor standard of cleanliness.

Interestingly enough it was only the would be contractors, ourselves included, that priced these requirements into their proposal. The existing contractor seemed oblivious to the implied slur to his standard of work and kept his price the same low and unrealistic to standards of workmanship required. It was the lowest tender and so accepted by Council who relied on strict supervision and council inspections of the work to eliminate this historic problem. So why has the work remained at an unacceptable standard.

Yours Respectfully,

7. **AKAROA WAIREWA SMALL PROJECTS FUND ASSESSMENT COMMITTEE MINUTES - 21 AUGUST 2008**

Please note these minutes have not been confirmed.

**AKAROA-WAIREWA COMMUNITY BOARD
SMALL PROJECTS ASSESSMENT FUND COMMITTEE**

**A meeting of the Akaroa-Wairewa Community Board's Small Projects
Assessment Funding Committee
was held on Thursday 21 August 2008 at 1.35pm
in the Boardroom, Akaroa Service Centre**

PRESENT: Stewart Miller, Jane Chetwynd, Bryan Morgan, Pam Richardson,
Eric Ryder, Gaye Jameson, Meri Robinson and Kerry Little

APOLOGIES: Nil

The Committee reports that:

PART C – DELEGATED DECISIONS TAKEN BY THE COMMITTEE

1. ELECTION OF CHAIRMAN

Nominations were called for the position of Chairman.

Pam Richardson was nominated by Jane Chetwynd and seconded by Eric Ryder

There being no further nominations the Committee **resolved** that Pam Richardson be the Chairman of the Small Projects Fund Assessment Committee for the term of the Committee.

2. CONFIRMATION OF MEETING REPORT

The Committee **resolved** that it delegate authority to the Committee Chairman and the Community Board Chairman to confirm the minutes of the meeting.

3. AKAROA-WAIREWA STRENGTHENING COMMUNITIES FUNDING 2008/09 – SMALL PROJECTS FUND

The Committee considered a report and its attached matrix which set out the applications made to the Akaroa-Wairewa Small Projects Fund for 2008/09.

Detailed information on each applicant's project was presented in a decision matrix attached to the report. The matrix named the organisation applying for funding and clearly described the individual project applied for, including up to four project goals that will be delivered via the project. Details of alignment with Council strategies and Board objectives was provided as well as historical background to projects and applicants where applicable. The matrix also included staff recommendations for funding.

COMMITTEE DECISION

The Akaroa-Wairewa Small Projects Funding Committee **resolved** that the grants be made as outlined in the table below.

No.	Group	Project	Amount Allocated	Committee Discussion
1	Akaroa and Bays Swimming Club	Purchase of computerised locking system	\$ 3,800	Members agreed that the Swimming Club had been a great asset to the community over the years with its 'learn to swim' programme. It was suggested that the Swimming Club could pursue funding options within the Council's Recreation and Sports Unit through Council's LTCCP.
2	Little River School Support Group	Purchase of Chlorine and treatment costs and pool attendant costs.	\$2,300	Members agreed that this was a worthwhile project. It was also suggested that this group pursue other avenues of funding through the Recreation and Sports Unit of the Council.
3	Akaroa and Bays Probus Club	Assist towards meeting costs, venue hire, guest speakers etc.	\$ 440	
4	Akaroa Croquet Club	Two sets of Croquet Balls	\$ 960	As this was a Council reserve it was suggested that the club seek assistance for ground maintenance through Council's reserve maintenance budget. It was agreed that two sets of croquet balls be funded to the amount of \$960.00.
5	Akaroa Toy Library	To assist with arrangements for the toy Library's 10 year anniversary event, subject to the event proceeding.	\$ 500	It was suggested that the Toy Library could apply to the 'Neighbourhood Week Funds" and also approach the Akaroa and Bays Lions Club for use of the Club's marquee. It was agreed to fund this project to the value of \$500.00, subject to the event proceeding.
6	Birdlings Flat Newsletter Committee	Costs for producing a monthly newsletter.	\$0	The application was declined due to insufficient funds, however, it was pointed out that Council did fund residents groups newsletters and that the applicant should approach Council's Community Engagement Team to seek funding for further information on that source.

7	Akaroa Golf Club	Assist towards salary for Secretary/Manager	\$0	The application was declined due to insufficient funds. It was suggested that other funding bodies, such as SPARC could assist the golf club.
8	Akaroa Community Arts Council	Purchase of laptop etc.	\$0	Members were advised that the Arts Council would be applying to Council's free computer programme for a laptop. On that basis the application was declined.
9	Akaroa Heritage Park Trust	Insurance premium for toilet building	\$0	Members were informed that although the reserve was owned by Council, the Trust would need to 'gift' the public toilet building to Council in order for Council to cover the insurance premiums on it. Members were informed that staff were investigating alternative funding to pay for the premium this financial year. On that basis the application was declined.
10	Banks Peninsula Agriculture and Pastoral Association	Development of professional website	\$0	The meeting was informed that there were options already available locally for inclusion on a professional website, and this application was therefore declined.

The meeting closed at 2.23 pm.

CONFIRMED THIS _____ DAY OF _____ 2008

**Pam Richardson
CHAIRMAN**

**Stewart Miller
CHAIRMAN
AKAROA-WAIREWA
COMMUNITY BOARD**

STAFF RECOMMENDATION

That the minutes of the Akaroa Wairewa Small Projects fund Assessment Committee be received.

8. DUVAUCHELLE AGRICULTURAL AND PASTORAL AND BANKS PENINSULA PONY CLUB SUB-LEASE TO VOGAN

General Manager responsible:	City Environment Jane Parfitt DDI 941 6287
Officer Responsible:	Transport & Greenspace Unit , DDI 941
Author:	Kathy Jarden DDI 941 8203

PURPOSE OF REPORT

1. The purpose of this report is to obtain the approval of the Akaroa Wairewa Community Board under delegated authority of Council to allow the Duvauchelle Agricultural and Pastoral Association and the Banks Peninsula Pony Club to sublease part of the land contained in their lease with Council, to Keith Vogan for the purpose of grazing.

EXECUTIVE SUMMARY

2. The land contained in Certificate of Title 7C/1117 and CT 13F/801, as shown on the attached plan, is recreation reserve. It is leased to the Duvauchelle Agricultural and Pastoral Association and the Banks Peninsula Branch of The Christchurch Pony Club (the "Lessee") for the establishment and provision of recreation, cultural and sporting activities including agricultural and pastoral events.
3. The lease has a final expiry date of 1 June 2015. The Lessee wishes to enter into a sublease agreement for a term of three years, commencing 1 September 2007 and expiring 31 August 2010.
4. The Lessee has carried out a tender process and wishes to sublet part of the land to Keith Vogan for the purpose of grazing and maintenance of the land. The sublease does not involve any change in the present use of the land.

FINANCIAL IMPLICATIONS

5. There are no financial implications for Council with this transaction. The costs of the Deed of Sublease are borne by the Lessee and Sublessee.

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

6. N/A

LEGAL CONSIDERATIONS

7. The lease permits subletting of the land or part thereof subject to the consent of the Council. Officers of the previous Banks Peninsula District Council have given consent to a prior sublease which expired 31 August 2007, copy attached. The Akaroa Wairewa Community Board has the power to approve the sublease under the delegated authority of Council.
8. The sublease will be in a form acceptable to Council.

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

9. Yes, as above

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

10. N/A

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

11. N/A

ALIGNMENT WITH STRATEGIES

12. N/A

Do the recommendations align with the Council's strategies?

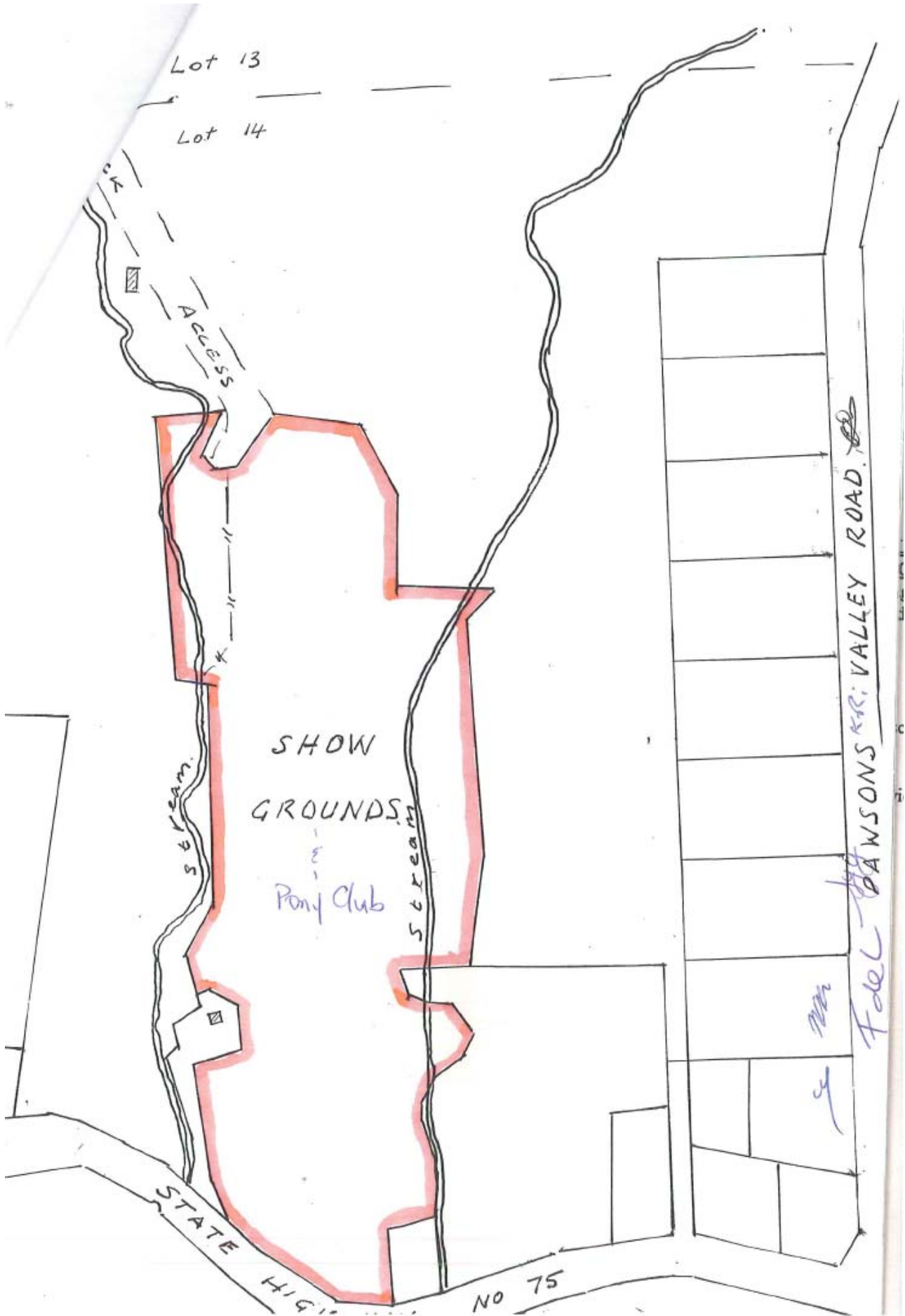
13. N/A

CONSULTATION FULFILMENT

14. N/A

STAFF RECOMMENDATION

It is recommended that the Akaroa Wairewa Community Board grant consent on behalf of Council, as head lessor, to the sublease of that part of the land identified in Certificate of Title 7C/1117 and 13F/801, to Keith Vogan for the purpose of grazing.



**DUVAUCHELLE AGRICULTURAL AND PASTORAL ASSOCIATION INC AND BANKS
PENINSULA BRANCH OF THE CHRISTCHURCH PONY CLUB
CONDITIONS OF TENDER OR LEASE**

- AREA** 4.85 hectares bounded by Highway 72 and Akaroa Golf Course; divided into three paddocks.
- FENCES** All fences shall be sheep proof at the start of the lease and are to be kept in the same condition by the lessee. If sheep penetrate fenced off trees, the tenant is responsible for replacing damaged trees.
- STOCK** Sheep and calves up to four months of age are the only animals to be grazed on the Show Grounds proper.
- TREES** No trees are to be cut or removed without the permission of the Grounds Committee.
- WEEDS** All noxious weeds to be sprayed, including stinging nettles and thistles.
- HAY** The bottom quarter of the Show paddock (south end) is to be available for Pony Club throughout the year. If the lessee makes hay on the remainder of the paddock then the hay is to be cut before 20 December. The lessee must mow the Show paddock by 20 December.

STOCK REMOVAL All stock to be removed 3 weeks before A & P Show and for Pony Club rallies or events if requested.

GROUND The Pony Club has the right to hold rallies as it wishes. The grounds may also be required for other local Sporting Bodies. Stock to be kept out of the old bar building.

WALNUTS All walnuts to be the property of the lessee.

CAMPERS Any caravans, tents and picnic groups will be allowed only at the discretion of the committee with all payments being paid to the Show Secretary. Camping will generally be restricted to periods associated with Show or Pony Club events.

GOLF CARTS Access along the boundary fence from the Produce Show shed to the Golf Course for golf carts must be available at all times.

LEASE TERMS The lease shall run from 1 Sept 2004 to August 31st 2007. Rent to be paid annually on Show Day to the Show secretary.

Terms of lease to be confirmed by the District Council prior to final acceptance.

Lessee..... *M. Nagan* Grounds Committee..... *P.H. Farley* Council..... *[Signature]* Date *30/8/04*.

*Reserve
Homage
15/9/04*

9. PROPOSED EASEMENT SEWERAGE. – L'AUBE HILL RESERVE, AKAROA

General Manager responsible:	General Manager City Environment, Jane Parfitt; DDI 941 8608
Officer responsible:	Unit Manager, Transport and Greenspace, Alan Beuzenberg
Authors:	Tom Lennon, Property Consultant ; DD1 941 8191

PURPOSE OF REPORT

1. To seek the Community Board's approval for the granting of an easement over a portion of L'Aube Hill Reserve identified as Lot 1 DP 73138 and Lot 4 DP 68748 currently occupied by an existing access road and electrical, telephonic and drainage services. The proposed easement will be granted pursuant to the requirements of Section 48 (6) of the Reserves Act 1977.

EXECUTIVE SUMMARY

2. In early 1990 Banks Peninsula District Council approved a subdivision of Part Lot 1 DP 2866 and Lot 1 DP 1378. The attached plan LT 56505, set out a Right of Way identified as "A" in a memorandum to be created as part of the subdivision approval in favour of Lot 1 DP 68748.
3. Council has received a request from The Roman Catholic Bishop of the Diocese of Christchurch. The diocese is the registered proprietor of the property identified as Pt RES 108 (BM 289) for Council to consider extending the easement rights thought to be benefiting Lot 1 DP 68748 to include the Church's' property.
4. The initial thought was that a right of way easement was already in place over a portion of L'Aube Hill Reserve benefiting the property currently identified as Lot 1 DP 68748 and that those existing rights could be easily extended to include the Church's' property.
5. Further investigations however, revealed that, although the approved subdivision plan showed a right of way easement in favour of Lot 1 DP 68748 as a condition of the subdivision consent, this easement was never formally created.
6. In order to formalise this outstanding issue in accordance with the conditions of the approved subdivision illustrated in LT 56505, it is proposed that Council proceed with the creation of the Easement for right of way and the conveyance of water, electric power, telephonic communications and the drainage of water and sewerage in favour of Lot 1 DP 68748 and Pt RES 108 (BM 289) over that portion of Council's' reserve currently occupied by such services.

FINANCIAL IMPLICATIONS

7. The costs associated with the legalisation of the proposed easement will be covered by the applicants.

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

8. The easement legalisation costs will be covered by the applicants.

LEGAL CONSIDERATIONS

9. Council's' reserve, being Lot 1 DP 73138 and Lot 4 DP 68748, is a recreation reserve vested in the Council which is held under the provisions of the Reserves Act 1977.
10. The easement will be granted under section 48 (1)(f) of the Reserves Act 1977.
11. No public advertising will be required because :
 - (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.*

18.09.08

12. The Council is required to grant the easement in accordance with the conditions of the subdivision approval.

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

13. The legal implications associated with the granting of the easement are minor and are covered in sections 9 to 11 above.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

14. N/A

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

15. No

ALIGNMENT WITH STRATEGIES

16. The proposed legalisation of the easement is a minor issue and consequently it is not specifically mentioned in the LTCCP.

Do the recommendations align with the Council's strategies?

17. The proposed legalisation of the easement to formalise the existing infrastructure and access rights is neutral and not in contravention of any Council strategies.

CONSULTATION FULFILMENT

18. Not required, see section 8 above.

STAFF RECOMMENDATION

It is recommended that the Board approve, in accordance with the requirements of section 48 of the Reserves Act 1977, the granting of an Easement for right of way and the conveyance of water, electric power, telephonic communications and the drainage of water and sewerage over L'Aube Hill Reserve identified as Lot 1 DP 73138 and Lot 4 DP 68748, a recreation reserve held under the Reserves Act 1977 which is vested in the Council in favour of Lot 1 DP 68748 and Pt Res 108 (BM 289) as shown on the attached plan subject to the following condition:

- (a) that the consent of the Department of Conservation for the proposed easement be sought.



PROPOSED EASEMENT

NATURE	SHOWN	SERVIENT TENEMENT	DOMINANT TENEMENT
Right of Way	A	Lot 1 DP 73138	Lot 1 DP 68748

Areas and Dimensions Subject to Survey

ISSUE	AMENDMENT	SIGNED	DATE
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PROPOSED EASEMENT



SURVEYED	
DRAWN	J Anderson
DATE	08/2008

DRAWING NUMBER	500981-01
FILE REFERENCE	WBS 304/4333

ORIGINAL SHEET SIZE	A4
SCALES	1: 750

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PROJECT NUMBER	500981
SHEET	1 OF

10. **AKAROA WAIREWA COMMUNITY BOARD - FUNDING ACCOUNTABILITY REPORT 2007/2008**

General Manager responsible:	General Manager, Regulation and Democracy Services, DDI 941-8462
Officer responsible:	Democracy Services Manager
Author:	Liz Carter, Community Board Adviser

PURPOSE OF REPORT

1. The purpose of this report is to submit, for the Board's information, accountability details for the end of year outcomes regarding the funding allocations of \$35,000 made by the Akaroa-Wairewa Community Board in 2007/08.

EXECUTIVE SUMMARY

2. At various meetings throughout 2007/08, the Board allocated its funding as follows:

• Reserves Discretionary Funding	20,000
• Discretionary Funding	15,000
	<u>\$35,000</u>

3. Staff will be in attendance to respond to any questions of clarification and to elaborate on the outcomes achieved from the funding support provided by the Board.

FINANCIAL IMPLICATIONS

4. The **attached** accountability matrix summarises the various project outcomes against the allocations made by the Board during the 2007/08 period.

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

5. Yes, pages 113 and 170, Volume 1 of Our Community Plan 2006/16 refer.

LEGAL CONSIDERATIONS

6. There are no direct legal considerations.

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

7. As in 6. above.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

8. **LTCCP
Democracy and Governance**

Yes, pages 113 and 170, Volume 1 of Our Community Plan 2006/16 refer.

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

9. As in 8 above.

ALIGNMENT WITH STRATEGIES/POLICIES

10. Strengthening Communities Strategy
Heritage Conservation Policy
Arts Policy & Strategy
Youth Strategy
Environmental Policy
Community Boards' Discretionary Funding Policy

18.09.08

Do the recommendations align with the Council's strategies?

11. Yes, as in 10. above

STAFF RECOMMENDATION

It is recommended that the information be received.

**AKAROA-WAIREWA COMMUNITY BOARD DISCRETIONARY FUND REPORT
(1 JULY 2007 TO 30 JUNE 2008)**

Appl No	Group	Amount of Board Funding Allocated	Project/Service Description	How was the Money Spent? (please list)	Has the Project been Completed? If not, why not?	What Outcomes were Achieved (please list)	Staff Comments including whether reporting requirements were met	Alignment with Board Objectives and LTCCP Outcomes
RESERVES DISCRETIONARY FUND								
CAPITAL DEVELOPMENT								
	Little Akaloa Domain	2,500.00	For the 2007/2008 Little Akaloa Domain Redevelopment project for the purchase and installation of a picnic table and a park bench.	Funding was spent on the purchase and installation of a picnic table and park bench.	Yes	Creating a comfortable area for the residents and visitors to enjoy.		Improving the range and quality of recreational experiences in the Akaroa-Wairewa area.
	Little Akaloa Cemetery Committee	3,000.00	For the renovation of the plaque listing unnamed graves and the plaque on the memorial gates.	Money has been spent on purchase and installation of the plaques.	Yes – for the manufacture of the plaques. No - to the installation The recent wet weather has delayed the installation of the plaques.	Enhancing the Heritage and identity of the Little Akaloa Community.	The request for installation has already been made the plaques will be installed shortly.	Enhancing the culture, heritage and identity of Akaroa-Wairewa communities through the built, natural and working environments.
	Garden of Tane	3,000.00	For new steps and an improved pedestrian and vehicle entrance to the Beach Road entrance to the Garden of Tane	Funding was spent on new steps and an improved pedestrian and vehicle entrance.	Yes	Creating a safe access for pedestrian and vehicle access.	Damage has occurred due to recent storm water run off – this is currently being looked at. Drainage is being installed to solve this problem and the track will be repaired.	Enhancing and sustaining the Banks Peninsula environment.
	Stanbury Reserve & Wainui Foreshore	5,000.00	For picnic tables in Stanbury Reserve and the Wainui foreshore	Tables have been purchased.	Yes	Creating a comfortable area for the residents and visitors to enjoy.	The Residents Association will be carrying out the installation.	Improving the range and quality of recreational experiences in the Akaroa-Wairewa area.
	Pigeon Bay Foreshore	2,000.00	To replace two seats on the foreshore at Pigeon Bay.	The money was spent on the purchase and installation of the seats on the foreshore at Pigeon Bay.	Yes	Creating a comfortable area for the residents and visitors to enjoy.	The seats have been purchased and the installation will be completed shortly.	Improving the range and quality of recreational experiences in the Akaroa-Wairewa area.
	Takamatua Reserve	1,500.00	To install three picnic tables at Takamatua	The money was not expended.	No This project is on hold because the Residents Association have not decided on where they want the tables installed.	Not Applicable	This project did not proceed due to delay in confirming the locations of the picnic tables. Installations will be undertaken as an operational matter when the locations are confirmed.	Improving the range and quality of recreational experiences in the Akaroa-Wairewa area.
	Okains Bay Reserve	3,000.00	To purchase three picnic tables as part of the Okains Bay Reserve development plan.	The money was spent to purchase three picnic tables	Yes	Creating a comfortable area for the residents and visitors to enjoy.	The picnic tables were purchased and they will be installed as part of the Okains Bay Reserve development.	Improving the range and quality of recreational experiences in the Akaroa-Wairewa area.
	TOTAL	\$20,000						

Appl No	Group	Amount of Board Funding Allocated	Project/Service Description	How was the Money Spent? (please list)	Has the Project been Completed? If not, why not?	What Outcomes were Achieved (please list)	Staff Comments including whether reporting requirements were met	Alignment with Board Objectives and LTCCP Outcomes
DISCRETIONARY RESPONSE FUND								
DEMOCRACY SERVICES								
	Akaroa-Wairewa Community Board Newsletter	177.50	For the production of the <i>OnBoard</i> newsletter to 30 June 2008.	The money was not expended.	No newsletters were produced due to other work priorities.	Not Applicable	If the Board wishes to produce a newsletter, such as <i>OnBoard</i> , for the 2008/09 year, there may need to be greater involvement on the part of the Board members in identifying suitable stories.	Not Applicable
Appl No	Group	Amount of Board Funding Allocated	Project/Service Description	How was the Money Spent? (please list)	Has the Project been Completed? If not, why not?	What Outcomes were Achieved (please list)	Staff Comments including whether reporting requirements were met	Alignment with Board Objectives and LTCCP Outcomes
DEMOCRACY SERVICES - continued								
	Akaroa-Wairewa Community Board	2,560.00	For ANZAC Day Commemorative Services in Akaroa and Little River.	ANZAC Day services, with associated road closures and community functions were held in Akaroa and Little River.	Yes	The communities of Akaroa and Little River were able to commemorate ANZAC Day in a safe and controlled manner.	The ANZAC Day services in these two communities are well attended and are a true example of the community meeting and sharing through a common bond.	<p>Board Objectives Promoting the participation of Akaroa-Wairewa residents in recreation and cultural events/programmes. Increasing community awareness of the Boards role, responsibilities and activities.</p> <p>Community Outcomes A City of Inclusive and Diverse Communities - Our city is built in strong communities</p>
COMMUNITY DEVELOPMENT								
	Nathan Pryor	320.00	To participate in the The New Zealand Taekwondo Open tournament in Auckland.	The money was used as detailed to assist Nathan in costs associated with attending the NZ Taekwondo championships in Auckland.	Yes			<p>Board Objectives Promoting the participation of Akaroa-Wairewa residents in recreation and cultural events/programmes.</p> <p>Community Outcomes Meets the objectives of the Youth Development scheme and aligns with the LTCCP pg.170</p>
	Birdlings Flat Community Centre Establishment Committee	3,000.00	To undertake an independent research project to determine the need for a community centre in the area.	The money was applied totally to the researcher for costs associated in providing the research and report.	The final report will be provided firstly to the community for comment after which a report will be provided to the Board at their October or November ordinary meeting for consideration	A report providing an analysis of the community's needs for their own community facility and options for a preferred site.	To undertake an independent research project to determine the need for a community centre in the area.	The money was applied totally to the researcher for costs associated in providing the research and report.

Appl No	Group	Amount of Board Funding Allocated	Project/Service Description	How was the Money Spent? (please list)	Has the Project been Completed? If not, why not?	What Outcomes were Achieved (please list)	Staff Comments including whether reporting requirements were met	Alignment with Board Objectives and LTCCP Outcomes
COMMUNITY DEVELOPMENT - continued								
	Akaroa Health Centre	5,900.00	To contribute to a scoping exercise on the future provision and expansion of health care services in Akaroa.	The money was applied to all costs for the researcher in providing a report, including draft drawings and options for consideration.	The final report has yet to be presented to the Board but is intended to be available for the Board to discuss at its November or December ordinary meeting.	The community, Health professionals and the Board will be better able to access and/or provide health services that meet the community's needs in the longer term	To contribute to a scoping exercise on the future provision and expansion of health care services in Akaroa.	The money was applied to all costs for the researcher in providing a report, including draft drawings and options for consideration.
	Chalice Productions	2,500.00	To assist in the production of an historical documentary film.	Professional fees, film and equipment, film production, launch of film.	Yes	Reaffirmed the values of small communities. Enabled stories of history and location and encouraged community participation in cultural activities.	To assist in the production of an historical documentary film.	Professional fees, film and equipment, film production, launch of film.
COMMUNITY ENGAGEMENT								
	Duvauchelle & Little River Agricultural & Pastoral Shows	500.00	For attendance at the Duvauchelle and Little River Agricultural and Pastoral Shows in January 2008	Transportation and erection of the stall, advertising in the show catalogue and payment for the stall site.	Yes	Profile of the Community Board raised. Provided an opportunity for the Community Board members to engage with their constituents. Supported communication to Banks Peninsula residents about the services available from the Christchurch City Council, including the use of the call centre as the main point of contact for service requests. Provided info to the public about fire restrictions and civil defence.	The stand was 'staffed' by customer service representatives from the Lichfield St call centre and supported by other Council staff as necessary. Community Board members attended on a rostered basis.	Board Objectives Increasing community awareness of the Board's role, responsibilities and activities. Increasing community awareness of civil defence emergency management issues, including Rural Fire Parties. Recognising the need to retain and enhance core community services to banks Peninsula communities.
UNSPENT								
	Unallocated	42.50						
	TOTAL	\$15,000						

11. RESERVE MANAGEMENT COMMITTEES: DELEGATIONS & TERMS OF REFERENCE

General Manager responsible:	General Manager Regulation and Democracy Services , DDI 941-8462
Officer responsible:	Democracy Services Manager
Author:	Liz Carter, Community Board Adviser

PURPOSE OF REPORT

1. The purpose of this report is for the Community Board to consider for approval:
 - (a) Proposed Terms of Reference for its Reserve Management Committees (**attached**).
 - (b) Proposed Delegations to its Reserve Management Committees (**attached**).

EXECUTIVE SUMMARY

2. The Board has previously resolved to adopt the nine Reserve Management Committee's (RMCs) in the Akaroa-Wairewa area as sub-committees of the Akaroa-Wairewa Community Board. The nine RMCs are:
 - Ataahua Reserve Management Committee
 - Awa-iti Reserve Management Committee
 - Duvauchelle Reserve Management Committee
 - Le Bons Bay Reserve Management Committee
 - Little Akaloa Reserve Management Committee
 - Okains Bay Reserve Management Committee
 - Pigeon Bay Reserve Management Committee
 - Robinsons Bay Reserve Management Committee
 - Stanley Park Reserve Management Committee.
3. The Council has delegated to Community Boards certain powers in regards to parks (reserves) some of which the two Banks Peninsula Community Boards, in consultation with the RMCs, have informally agreed to sub-delegate to the RMCs. Only the powers which the Council has stipulated could be sub-delegated have been included in the consideration of delegations to the RMCs.
4. Council staff have prepared Terms of Reference for the RMCs based on a structure informally agreed between the two Banks Peninsula Community Boards and the RMCs, and in accordance with Council policy.

FINANCIAL IMPLICATIONS

5. The only financial implications will be the cost of advertising the decision making meetings of the RMCs, as required in the Terms of Reference. Whilst the annual general meetings of the RMCs have been advertised in the past, the ordinary meetings have not been.

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

6. Yes. There is capacity within the existing Community Board operational budget for these meetings to be advertised from within that budget.
7. Other financial issues have been considered by the Council's Accounting Operations Team and where appropriate have been included in the Terms of Reference for the RMCs.

LEGAL CONSIDERATIONS

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

8. Yes. The legal considerations around the establishment of the RMCs and their activities have been considered in previous reports to the Community Board and Council.

- 15 August 2007 – Lyttelton-Mt Herbert Community Board considers a report on RMCs
- 22 August 2007 – Akaroa-Wairewa Community Board considers the same report
- 6 September 2007, a joint report from the Chairmen of the Banks Peninsula Community Boards (from their August meetings) is presented to Council. Council resolved to adopt that report which contained the following recommendation:

(a) *Discharge the Reserve Management Committees appointed by the Banks Peninsula District Council, as subcommittees of the Council, with the discharge taking effect from the date the Akaroa-Wairewa Community Board and the Lyttelton-Mt Herbert Community Board resolve to appoint the following Reserve Management Committees as their subcommittees:*

(b) *Recommend to the Akaroa-Wairewa Community Board and the Lyttelton-Mt Herbert Community Board that on appointing the above Reserve Management Committees as their subcommittees they also resolve that they are not discharged on the coming into office of the members of the Community Board elected or appointed at, or following, each triennial general election, and that they specify which parts of the standing orders do or do not apply to the Reserve Management Committees.*

(c) *Confirm that the delegations in relation to reserves made to the Akaroa-Wairewa and Lyttelton-Mt Herbert Community Boards are the same as the Council's delegations to all its Community Boards.*

(d) *Resolve to prohibit the following delegations in relation to reserves, from being sub-delegated by the Akaroa-Wairewa Community Board or the Lyttelton-Mt Herbert Community Board to a reserve management committee or any other body or person. The power of the Council to:*

- *Declare land reserve*
- *Exchange reserve for other lands*
- *Change of classification or purpose or revocation of a reserve*
- *Prepare, review and change Reserve Management Plans for parks and reserves held under both the Reserves Act and the Local Government Act.*
- *Grant rights of way and other easements over reserves*
- *Grant licences and leases under the Reserves Act (and the power to approve an assignment, sublease, mortgage or to vary licences or leases). This includes any recreation and commercial leases.*
- *Accept tenders for stall licences on reserve sites.*
- *Make submissions on relevant resource consents applications, on behalf of Council, to other authorities.*

- 5 December 2007 - Akaroa-Wairewa Community Board considers a report and resolves to adopt the Reserve Management Committees in its area as subcommittees of the Board.

- 12 December 2007 – Lyttelton-Mt Herbert Community Board considers a report and resolves to adopt the Reserve Management Committees in its area as subcommittees of the Board.

On the above dates the two Community Boards also resolved to:

- confirm the current members of the RMCs
- declare that the RMCs not be discharged on the coming into office of the Board members.
- appoint a Working Party to review the guidelines and delegations to the RMCs

18.09.08

9. The proposed delegations and terms of reference for the RMCs have been prepared in accordance with Schedule 7 of the Local Government Act and the provisions of Council's Standing Orders, specifically
- *A local authority may discharge or reconstitute a committee or subcommittee or other subordinate decision-making body.....*
 - *A committee or subcommittee or other subordinate decision-making body is, unless the local authority resolves otherwise, deemed to be discharged on the coming into office of the members of the local authority.....*
 - *A committee or other subordinate decision-making body is subject in all things to the control of the local authority, and must carry out all general and special directions of the local authority.....*
 - *The members of a committee or subcommittee may, but need not be, elected members of the local authority, and a local authority or committee may appoint to a committee or subcommittee a person who is not a members of the local authority or committee if, in the opinion of the local authority that person has the skills, attributes or knowledge that will assist the work of the committee or subcommittee.....*
 - *Unless expressly provided otherwise in the Local Government Act.....for the purposes of efficiency and effectiveness in the conduct of a local authority's business, a local authority may delegate to a committee.....responsibilities, duties or powers except -*
(Note – none of the powers delegated to the RMC's are listed in the exceptions.)

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

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

10. Democracy and Governance: By making decisions that respond to or plan for current and future community needs.

ALIGNMENT WITH STRATEGIES

Do the recommendations align with the Council's strategies?

11. Aligns with:

A Well-Governed City: Our values and ideas are reflected in the actions of our decision-makers. Our decision-makers manage public funds responsibly, respond to current needs and plan for the future

Strong Communities: Promote participation in democratic processes

CONSULTATION FULFILMENT

12. Consultation has taken place with the Reserve Management Committees concerned. Public consultation is not required.

STAFF RECOMMENDATION

It is recommended that the Akaroa-Wairewa Community Board approve:

- (a) the proposed Terms of Reference for the Reserve Management Committees outlined in attachment A.
- (b) the proposed Delegations to the Reserve Management Committees outlined in attachment B

BACKGROUND (HISTORY)

13. The 1989 Local Government reform included provisions which made the new Local Authorities responsible and accountable for the administration of areas formerly under the control of Reserve Boards (more commonly known as Domain Boards). It appears that the original Domain Boards were established under the Public Reserves Act 1881 and subsequent legislation relating to reserves, including the Reserves and Domains Act 1953 and the Reserves Act 1977, which is the current relevant legislation.
14. Banks Peninsula District Council (BPDC) choose to retain the Reserve Boards by appointing them as sub-committees of the Council. They were renamed Reserve Management Committees and basically allowed to operate as they had done in the past. A set of guidelines was established for the RMC's to operate under, however the Council generally adopted a hands off approach to the committees and left them to carry out all the day-to-day administration and maintenance for the reserves under their care, along with higher level activities including the employment of caretakers, contractors etc. The Reserves Manager was available to assist the Committees if necessary and one Councillor was appointed as a liaison person.
15. With the merger of Banks Peninsula into Christchurch City, the Council inherited the RMCs. Because the RMCs were sub-committees of BPDC, legally they were now sub-committees of Christchurch City Council (CCC). CCC did not have RMCs prior to that time or any committees/groups that could be considered comparable. At the time of the amalgamation there were 11 RMCs - these are listed in the Memorandum of Understanding between the two Councils.
16. Following consultation with both Banks Peninsula Community Boards and the RMCs, plus reports to both Boards and the Council) the Council resolved to discharge the Reserve Management Committees as sub-committees of the Council. The two Community Boards then resolved to appoint the Reserve Management Committees (relevant to their area) as sub-committees of the Boards.



CHRISTCHURCH CITY COUNCIL

RESERVE MANAGEMENT COMMITTEES

DELEGATIONS

1. INTRODUCTION

Any decision by a Reserve Management Committee shall be consistent with any policies or standards adopted by the Council.

It is the decision of the Akaroa-Wairewa and Lyttelton-Mt. Herbert Community Boards that the Reserve Management Committees exercise the delegations set out below in respect of projects on the relevant reserve(s); that is, any project which has an impact on the reserve(s) under the care of that particular Committee.

The decision as to whether on any particular occasion the exercise of a delegated power is for a local project shall be made by the General Manager, City Environment and the General Manager, Regulation and Democracy Services on behalf of the Chief Executive. The General Managers may consult with the chairperson of the relevant Community Board.

LOCAL

2. DELEGATIONS

The powers of the Community Boards (Council) (except the hearing of submissions/objections) in relation to:

- (a) Afforestation of reserves by the Council, provided that it is consistent with agreed plans for the reserve. (s.75 Reserves Act)
- (b) Power to make decisions as to alterations and/or additions to any building, fence or structure or construction of the same, within the context of agreed management plans, on any reserve land leased by the Council (administered by the Greenspace Unit) where the lease specifies the requirement of Council consent.
- (c) To plant, maintain and remove trees on reserves, parks and roads under the control of the Council within the policy set by the Council and within the context of agreed management plans.
- (d) To approve the design of landscape plans on reserves, parks and roads provided the design is within the context of agreed management plans and within the policy authorised by the relevant community board.

In addition each Reserve Management Committee will have the delegated authority to:

- (a) Appoint its own Chairperson, provided that the election or appointment of that person to the relevant Committee is approved by the Community Board when it approves the membership of each Committee.
- (b) Set its own meeting schedule, or call its own meetings at an appropriate date and time, if a regular schedule is not set.



CHRISTCHURCH CITY COUNCIL

RESERVE MANAGEMENT COMMITTEES - TERMS OF REFERENCE

1. STATUS

The following Reserve Management Committees ("the Committee") are sub-committees of the relevant Community Board:

Awa-iti	{	
Ataahua	{	
Duvauchelle	{	
Le Bons Bay	{	Sub-committees of the
Little Akaloa	{	Akaroa-Wairewa
Okains Bay	{	Community Board
Pigeon Bay	{	
Robinsons Bay	{	
Stanley Park	{	

Resolved by the Akaroa-Wairewa Community Board 5 December 2007

Allandale	{	Sub-committees of the
Lyttelton Recreation Ground	{	Lyttelton-Mt Herbert
Lyttelton	{	Community Board

Resolved by the Lyttelton-Mt Herbert Community Board 12 December 2007

2. TERM

The term of office for the Committee is three years.

The Committee will be discharged one month from the coming into office of the members of the community board, following each triennial general election.

3. COMPOSITION

The Committee will have a minimum of five representatives (inclusive of the Chairperson and Secretary/Treasurer), who may be elected or appointed at a public meeting, or co-opted by the Committee.

4. ELECTIONS

Elections will be held at a triennial public meeting in the month immediately following the Local Government Triennial Elections, on a date to be agreed between the Committee and Council staff.

The Council will arrange for public notice of the date, time and place of the public meeting by placing an advertisement in a newspaper circulating in the Ward, between seven and fourteen days prior to the public meeting.

The Chairman of the outgoing Reserve Management Committee, or in his/her absence a member of the Committee appointed by a majority of the Committee members, shall preside at the public meeting.

A candidate for election is not required to be present at the meeting to be eligible for election, provided he/she has advised the outgoing committee in writing of his/her intention to stand.

5. APPOINTMENTS

The Committee may recommend members for appointment at the triennial election meeting and may co-opt additional members at any time throughout the three year term.

Appointments may be made of representatives from sporting clubs or organisations which use the particular reserve on a regular basis, or of persons who are able to make a contribution to the work of the Committee.

Prospective appointees must consent to nomination in writing or verbally at the public meeting.

6. APPROVAL OF MEMBERSHIP

The names of persons elected or recommended for appointment to a Committee must be submitted to the relevant Community Board for approval within one week of the public meeting at which the election was conducted.

The names of persons co-opted by the Committee throughout the three year term must be submitted to the relevant Community Board for approval within one week of the person agreeing to accept appointment to the Committee.

In the event of any member(s) not being approved by the Community Board, the matter will be referred back to the Committee with an explanation of the reason for the Board's decision and a request for a further nomination(s).

Should the Community Board be dissatisfied by the further nomination(s) made, the Board may appoint to any Committee any person who in the opinion of the Board has knowledge or qualities that will assist the work of the Committee.

7. EXTRAORDINARY VACANCIES

In the event of extraordinary vacancies occurring in the membership of the Committee, the Committee will make a recommendation to the relevant Community Board for the filling of any such vacancy.

The Committee may choose to recommend that the vacancy not be filled.

Should the Community Board be dissatisfied with a nomination to fill an extraordinary vacancy, the provisions of the preceding clause will apply.

8. QUALIFICATIONS TO BE A CANDIDATE OR AN ELECTOR FOR A RESERVE MANAGEMENT COMMITTEE

To qualify **for election** to a Committee, a candidate must be registered as a New Zealand parliamentary elector.

To qualify as **an elector** persons must meet the requirements of Sections 23 and 24 of the Local Electoral Act 2001 (with the proviso that the relevant area for qualification is the community in which the particular reserve is located), and be present at the triennial election meeting.

This means that any person qualifies as:

1. A **residential** elector - if the address in respect of which the person is registered as a parliamentary elector is within the community in which the reserve is located.
2. A **ratepayer** elector - if the address in respect of which the person is registered as a parliamentary elector is outside of the community in which the reserve is located and the person is identified in the valuation roll as the sole ratepayer or the nominated ratepayer elector in respect of a rating unit within the community in which the reserve is located.

9. COMMITTEE OFFICERS

Each Committee will elect its own Chairman, Deputy Chairman and Secretary/Treasurer (as per delegated authority from the Community Board).

10. ADMINISTRATION and MEETINGS

Each Committee will decide when and at what frequency it will hold ordinary meetings (as per delegated authority from the Community Board).

As a Community Board sub-committee the Committee is bound by the various Acts and Regulations governing the operation of a Local Authority and is also subject to the Council's Standing Orders.

Each Committee must keep a record (minutes) of all meetings, which must include the following information:

- *the names of those present*
- *any apologies submitted*
- *any decisions or resolutions made at the meeting*

The minutes from each meeting of the Committee will be forwarded to the relevant Community Board for its information and the consideration of any recommendations.

Meetings of the Committee, where a decision(s) will be made, must be publicly advertised. Advice of upcoming meetings must be given to Council staff at least fourteen days prior to the meeting. Staff will then arrange for public notice of the date, time and place of the public meeting by placing an advertisement in a newspaper circulating in the Ward between seven and fourteen days prior to the public meeting.

The quorum at a Committee meeting will be half of the members if the number of Committee members is even, or a majority of members if the number of Committee members is odd.

The quorum for the triennial election meeting will be five

11. FINANCIAL

The money earned by a Committee is effectively Council income, however, this money and any interest accrued to it is to be managed by the Committee.

Each Committee will be provided with a Cashbook that should be used to document financial transactions.

The following information must be forwarded on request to the Council's Accounting Operations Team by 31 July each year to enable the information to be processed and completed end of year accounts prepared:

- Details of revenues generated and expenses incurred for the year ended 30 June
- Copies of all bank statements as at 30 June
- Copies of expense invoices in excess of \$1,000
- Details of any appointments or resignations of committee members during the year.

The Committee will not be able to raise loans. Any request for capital will have to be submitted through the Community Board to the Long Term Community Council Plan (LTCCP) process.

The Community Board will meet with the Committee on an annual basis to discuss annual plan requirements and will include the Committee in the LTCCP process.

12. DELEGATIONS

The Council has delegated to Community Boards some of its powers under the Reserves Act 1977. The Banks Peninsula Community Boards have in turn sub-delegated some of those powers to the Reserve Management Committees. (See attached)

NOTE: The delegations which have been retained by the Community Boards are as follows:

The powers of the Council (except the hearing of submissions/objections) in relation to:

- Declaration of land as a reserve.
- Exchange of reserves for other land.
- Change of classification or purpose or revocation of a reserve.
- Preparation, review and change of management plans for reserves.
- Granting of rights-of-way and other easements over reserves.
- Granting of leases or licences on reserves.
- The power to approve an assignment, sublease or mortgage of the lease of land under the Reserves Act where the lease provides such consent will not be unreasonably withheld.
- The power to grant leases for a maximum term of 20 years (less 1 day) to voluntary organisations over land held under s.138 of the Local Government Act 2002 for the erection of pavilions and other buildings and structures associated with and necessary for the use of the land for outdoor sports games and other recreational activities.
- The power to issue leases or licences for the carrying on of any trade, business or occupation on land (excluding public road) held under s.138 of the Local Government Act 2002 for terms not exceeding five years and at rentals not exceeding \$20,000.
- The acceptance of tenders for stall licences on reserve sites.
- The power to make submissions on behalf of the Council, on applications for resource consents, to other territorial authorities or the Canterbury Regional Council, where the application is of particular concern to the local community.

13. RESERVE MANAGEMENT PLANS

The Community Boards will consult fully with the relevant Committee on the preparation, review and change for management plans.

14. DAILY OPERATIONS

Where possible the Council and the Community Boards intend to adopt a "hands off" approach and encourage the continuance of local involvement in the Committee. The Committee shall make all the necessary arrangements for the day-to-day running, maintenance and management of reserves in accordance with Council policy, relevant legislation and any development or management plans for the reserve.

Council staff will liaise with the Committee on appropriate matters.

The Committee may seek guidance from Community Board members or Council staff on any issues that arise.

12. NEIGHBOURHOOD WEEK FUNDING

General Manager responsible:	General Manager Community Services, DDI 941-8534
Officer responsible:	Community Support Manager, DDI 941 8879
Author:	Andrea Wild, Community Engagement Adviser, DDI 941-5605

PURPOSE OF REPORT

1. The purpose of this report is to present the applications for Neighbourhood Week funding to the Akaroa/Wairewa Community Board.
(Note: The schedule of applications for funding will be circulated separately to this report, as applications did not close until after the agenda for this meeting closed).

EXECUTIVE SUMMARY

2. Local community groups, including residents' associations and neighbourhood support groups have been sent information inviting them to apply for the Neighbourhood Week Funding that has been set aside by the Board.
3. Neighbourhood Week is a dedicated week in which individuals and groups are encouraged to get together and get to know one another locally. Neighbourhood Week 2008 is to be held from 1-9 November 2008. Applications for funding closed on 5 September 2008.

FINANCIAL IMPLICATIONS

4. The Board has set aside \$2,000 from the Strengthening Communities Fund to assist individuals and groups to run events. It is not the intention of this funding to totally fund events. Those applying for funding are expected to partially resource events themselves either financially or through supply of materials.

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

5. Yes. Page 170 describes the funding allocated to Community Boards for distribution in their ward.

LEGAL CONSIDERATIONS

6. Under Council Standing Orders 1.9 and 1.10 a sub committee may be appointed and given powers of delegation.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

7. See page 170 regarding Community Board Funding.

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

8. As above.

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

9. Funding for Neighbourhood Week activities aligns with the Council's Strong Communities strategic outcomes.

CONSULTATION FULFILMENT

10. Not applicable.

STAFF RECOMMENDATION

It is recommended that the Community Board consider the schedule of applications and allocate Neighbourhood Week funds.



Neighbourhood Week

1 November - 9 November 2008

Neighbourhood Week - Funding Guidelines

These guidelines are intended as aid for Community Boards to assist with Neighbourhood Week Funding allocations

Definition of a Neighbourhood Week Event

1. A Neighbourhood Week event should be any event that encourages people in the same neighbourhood to come together to help to get to know each other.

Intention of Funding

2. Neighbourhood Week funding is seen as a small contribution towards holding an event. Because it is intended to 'bring neighbours together' applications from individuals getting together and holding a local event should take priority over organisations (especially businesses).
3. Neighbourhood Week funding should not be seen as a way for organisations to hold an event that they would at other times of the year.
4. It is expected that those holding the event will contribute in some way towards the event, even if it is through supplying some of the materials.

Dates of Events

5. While there are set dates for Neighbourhood Week, it is not feasible to have all events take place within those dates. If events are to be funded outside of this time, an explanation as to why it is necessary to be held outside of this time should accompany the application. Priority will be given to events that fall within Neighbourhood Week as opposed to other times of the year.

Numbers of People per Event

6. While there are no limitations on numbers attending NW events it should be remembered that the main purpose of NW is to bring neighbours together to get to know each other and therefore events with too small or too large numbers may be less successful in achieving this.
7. Consideration may be made of whether an application for an event for 15 people should be given the same level of funding as an event for 50.

Conflict of Events

8. Where two events are to be held in a close locality (ie same street or park), there should be some encouragement to combine these events.
9. Where two or more people apply separately for the same event, these applications should be considered together.

13. BRIEFINGS

13.1 LOCAL ROADING UPDATE

David McNaughton will attend the meeting to update the Board on roading issues.

14. COMMUNITY BOARD ADVISERS UPDATE

15. ELECTED MEMBERS INFORMATION EXCHANGE

16. QUESTIONS UNDER STANDING ORDERS

17. 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 17 - Wainui Sewer Project

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 17. WAINUI SEWER PROJECT) 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 17 Commercial Negotiations (Section 7(2)(i))

“Enable the local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)”

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.”