

**LYTTELTON MT/HERBERT COMMUNITY BOARD
AGENDA**

**TUESDAY 17 MARCH 2009
AT 9:30 AM**

**MEETING ROOM
LYTTELTON RECREATION CENTRE
25 WINCHESTER STREET, LYTTELTON**

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

Community Board Adviser

Liz Carter

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PART A - MATTERS REQUIRING A COUNCIL DECISION

PART B - REPORTS FOR INFORMATION

PART C - DELEGATED DECISIONS

INDEX		PAGE NO
	KARAKIA	
PART C	1. APOLOGIES	3
PART C	2. CONFIRMATION OF MINUTES	3
	2.1 Joint Extraordinary Meeting of 29 January 2009	
	2.2 Ordinary Meeting of 17 February 2009	
PART B	3. DEPUTATIONS BY APPOINTMENT	11
	3.1 Sally Tripp	
	3.2 Helen Chambers	
PART B	4. CORRESPONDENCE	11
	4.1 Governors Bay Youth Club & Friends	
PART B	5. PRESENTATION OF PETITIONS	14
PART B	6. NOTICES OF MOTION	14
PART B	7. MINUTES OF LYTTELTON RESERVE MANAGEMENT COMMITTEE HELD 2 FEBRUARY 2009	15

PART C	8.	BLACK POINT SUB-DIVISION - ROAD AND RIGHT OF WAY NAMING	18
PART A	9.	ROAD STOPPING POLICY	23
PART A	10.	SLOW VEHICLE BAY – DYERS PASS ROAD	35
PART C	11.	ALLANDALE RESERVE DEVELOPMENT PLAN	40
PART C	12.	THE TERRACE – PROPOSED NO STOPPING RESTRICTIONS	45
PART C	13.	PARK TERRACE (CORSAIR BAY) – PROPOSED NO STOPPING RESTRICTIONS	48
PART C	14.	HAWKHURST ROAD/JACKSONS ROAD – PROPOSED NO STOPPING RESTRICTION	55
PART B	15.	BRIEFINGS	58
PART B	16.	COMMUNITY BOARD ADVISER’S UPDATE	58
	16.1	Joint Banks Peninsula Submission to Representation Review for 2010 Local Authority Election	
	16.2	Board Funding Balances	
PART B	17.	ELECTED MEMBERS INFORMATION EXCHANGE	62
PART B	18.	QUESTIONS UNDER STANDING ORDERS	62

1. APOLOGIES

2. CONFIRMATION OF MEETING MINUTES

2.1 Joint Extraordinary Meeting of 29 January 2009

The Minutes of the Board's Joint Extraordinary Meeting with Akaroa Wairewa Community Board of 29 January 2009 are **attached**.

STAFF RECOMMENDATION

That the Minutes of the Board's Joint Extraordinary meeting held on 29 January 2009 be confirmed.

2.2 Ordinary Meeting of 17 February 2009

The Minutes of the Board's ordinary meeting of 17 February 2009 are **attached**.

STAFF RECOMMENDATION

That the Minutes of the Board's ordinary meeting held on 17 February 2009 be confirmed.

**AKAROA/WAIREWA COMMUNITY BOARD
LYTTELTON/MT HERBERT COMMUNITY BOARD
JOINT EXTRAORDINARY MEETING**

29 JANUARY 2009

**Minutes of the extraordinary joint meeting of the
Akaroa/Wairewa Community Board and Lyttelton/Mt Herbert Community Board
held on Thursday 29 January 2009 at 9.30am
in the Boardroom of the Little River Service Centre, Little River.**

PRESENT: Paula Smith (Chairperson), Stewart Miller, Jeremy Agar, Jane Chetwynd, Doug Couch, Ann Jolliffe, Dawn Kottier, Claudia Reid and Pam Richardson.

APOLOGIES: An apology for absence was received and accepted from Bryan Morgan. An apology for early departure was received and accepted from Claudia Reid who retired at 11:59am and was absent for Clause 4.

The Board reports that:

PART B - REPORTS FOR INFORMATION

1. DEPUTATIONS BY APPOINTMENT

1.1 Ms Lynda Wallace

Ms Wallace, the Akaroa Museum Director, addressed the meeting regarding the signage report and her concern to the proposal to re-brand State Highway 75 as the French Highway. She felt there was no French influence along the highway from Christchurch to Akaroa. In the town, although the street names resembled a French town, this was actually not the case. She said Akaroa was a typically New Zealand small town with colonial buildings. Ms Wallace said that often French visitors were disappointed because they expected the township to be a French settlement because it was promoted as such. She said the smallness, isolation and landscape features were what should be highlighted to promote Akaroa.

1.2 Ms Victoria Andrews - Akaroa Civic Trust

Ms Andrews, on behalf of the Akaroa Civic Trust, also addressed the meeting regarding the re-branding of State Highway 75 as the French Highway and felt it was misrepresenting the history of the region to both residents and visitors. Ms Andrews tabled a letter from the Akaroa Civic Trust which itemised the concerns of the Trust in relation to the signage proposal report.

1.3 Mr Steve Lowndes

Mr Lowndes reiterated the comments of Ms Wallace and Ms Andrews with regards to the proposal that State Highway 75 be re-branded as the French Highway and did not agree with this proposal.

1.4 Mr Sheldon Ramer

An email from Mr Ramer, Chairman of the Purau Residents Association was read to the Boards. It stated that the Association had not been asked to comment on the signage in the Purau area and wished to be included in any consultation that affected them.

Mr Ramer said that for some time they had wanted the "Heritage Trail" signage removed from its beachside location because it made no reference to Purau and was generally considered an eyesore. This sign had appeared suddenly one day without any consultation.

1 Cont'd

Members were informed that this sign had been placed there as part of a project initiated by the Lyttelton Information Centre.

PART C - DELEGATED DECISION**2. APPOINTMENT OF MEETING CHAIRPERSON**

Paula Smith was appointed Chairperson for this meeting.

3. BANKS PENINSULA - SIGNAGE REPORT

The Boards considered a report seeking approval for the location and priorities, within available funding, for interpretation tourist signage for Banks Peninsula.

Mr Rod Lawrence and Ms Juanita Friend, Christchurch and Canterbury Tourism (CCT), addressed the meeting. Mr Lawrence outlined to the Boards what consultation had been carried out. He said visitors were not specifically surveyed. However, he had spoken to Information Centre staff who received feed back from visitors. Mr Lawrence informed members that the idea to re-brand State Highway 75 as the French Highway had been identified through CCT. Mr Lawrence said it had the potential to further promote Akaroa.

The Capital Project Team's Manager explained to the Boards the background as to how this project had originated.

Members expressed their concerns that the original intent for this funding, under the former Banks Peninsula District Council, was for visitor interpretation signage. It was also intended that total signage actually be reduced, but that it be more effective. A "Banks Peninsula" theme had been suggested for the signage.

The Boards agreed that the re-branding of State Highway 75 to "The French Highway" was inappropriate and they did not favour this proposal.

Points raised by the Boards were:

- Consultation with the local Rūnanga should take place
- More consultation required with specific groups, e.g. Summit Road Groups etc., although coordinator should not actively seek additional signage requests.
- Proliferation of signs - the original idea was to reduce signs
- "No petrol" signs - necessary to advise visitors when visiting in Lyttelton Harbour
- Consideration be given to domestic (local) visitors as signs should assist all visitors
- Intersections like the Cabstand require good signage
- Costs only estimates - resource consents may be required for some signage
- Private signs have been included in report
- "Heritage Highway" - this needs to be defined
- Clarification of what is an Interpretation panel - what information is included?
- More communication required with non commercial organisations
- Should focus more on Banks Peninsula signage
- Bi-lingual signage suggested - ie English and Maori place names
- Need to link Banks Peninsula signage with Christchurch signage
- More emphasis should be placed on smaller attractions – e.g. local museums, historic sites
- All entry points to the Peninsula should have information signage, not just Little River.

The Boards felt that signage was required to identify areas (roads) where it was not suitable to take camper vans because of the safety issues involved. It was agreed that staff be asked to look into the practicalities of such signs being erected in the appropriate locations and to update the Board's on the outcome of their request.

3 Cont'd

It was suggested that instead of signage stating "No camping", as some currently did, it may be better to have signs directing camper vans to where they could camp and that each community could identify what would be required on such signage. It was felt however that enforcement monitoring would be required. The Boards agreed that the issue on camper van signage needed to be addressed as a separate issue. Staff were asked to bring this issue back to the Boards at a future date.

The Boards **resolved** to defer a decision on this matter and request that staff re-examine the project based on the following principles:

- Emphasis on visitors needs rather than marketing
- Avoidance of a proliferation of signs
- No public money is to be used for commercial signage
- A signage system that is recognisable as "Banks Peninsula"
- Signage is classified in three categories;
 - visitor information
 - directional signage
 - interpretive (explanatory) signage
- Consideration of the needs of the different types of visitors travelling within Banks Peninsula
- Additional dialogue with bodies such as the New Zealand Transport Agency and local Rūnanga
- A link between Banks Peninsula signage and Christchurch signage.

The Boards asked that more realistic costings for the proposed signage be included in the revised report, in addition to an analysis of the current visitor signage.

The Board also requested that a joint Board workshop be held to consider signage and that Mr Rod Lawrence and a representative from CCT be invited to attend.

4. REPRESENTATION REVIEW

The Boards discussed their submission to the Representation Review. The Boards agreed that the status quo remain and agreed that the Chairperson draft a submission following the lines of the previous one submitted in November 2008, and that the draft be circulated to members for comment.

The Boards **resolved** to make a submission to the Christchurch City Council Representation Review process based on seven specific points:

- Effective Representation
- Isolated Community
- Natural Geographic Boundary
- Urban versus Rural Issues
- Banks Peninsula Rūnanga
- Resource Management
- Separate Authority Areas.

The meeting concluded at 12:20pm.

CONFIRMED THIS 17TH DAY OF MARCH 2009

**PAULA SMITH
CHAIRPERSON**

CONFIRMED THIS 11TH DAY OF MARCH 2009

**STEWART MILLER
CHAIRMAN**

**LYTTELTON-MT HERBERT COMMUNITY BOARD
17 FEBRUARY 2009**

**Minutes of a meeting of the Lyttelton-Mt Herbert Community Board
held on Tuesday 17 February 2009 at 9.30am in the Meeting Room
of the Lyttelton Recreation Centre, 25 Winchester Street, Lyttelton**

PRESENT: Paula Smith (Chairperson), Jeremy Agar, Doug Couch, Ann Jolliffe,
Dawn Kottier and Claudia Reid

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

The Board reports that:

PART B - REPORTS FOR INFORMATION

1. DEPUTATIONS BY APPOINTMENT

Nil.

2. CORRESPONDENCE

Nil.

3. PRESENTATIONS OF PETITIONS

Nil.

4. NOTICES OF MOTION

Nil.

5. BRIEFINGS

5.1 LYTTELTON TOWN CENTRE UPGRADE

Jack Wormald, Project Manager, addressed the Board and advised that construction is likely to commence on the town upgrade on 14 April 2009 and will take six months to complete. Tender documents have been sent to three organisations. The length of time being taken for the library garden artwork was discussed and in particular, possible delays arising from the consent processes. Discussion also covered the situation regarding the empty supermarket building in London Street. Mr Wormald advised that he would be contacting the building owner with a view to finding out if any future intentions had been formulated for the building yet.

6. COMMUNITY BOARD ADVISERS UPDATE

The Board **received** updates from the Community Board Adviser on:

6. Cont'd

- (a) Current Consultations:
- (i) Statement of Proposal for Funding Council's Social Housing Portfolio. Members would be attending the Lyttelton public drop in consultation session on Thursday 26 February. Members were of the view that the Council should remain in the business of providing self-funding social housing and would prepare a draft submission to this effect for submission by 2 March 2009 closing date. Members agreed that Council's Social Housing should not be funded through rates.

Members also requested a report back from staff on the Needs Assessment for Social Housing on Banks Peninsula, carried out during 2008.
 - (ii) Proposed Alcohol Restrictions in Public Places Bylaw 2009 – the Board did not consider it necessary to make a submission on this matter.
 - (iii) Draft Water Supply Strategy – Members would be attending a forthcoming meeting on this issue and the Chairperson would prepare a submission on behalf of the Board.
 - (iv) Community Facilities Plan – Members will be attending public consultation meetings in Diamond Harbour on Thursday 2 April and Lyttelton on Saturday 4 April 2009.
- (b) Sculptural Artwork – an update and budget was provided from the Lyttelton Harbour Arts Council. It was noted that consultation had taken place with some community groups on this proposal, but no consultation had been carried out with the community at large. It was suggested that this should occur before the project proceeded too much further.
- (c) Strengthening Communities Fund – a Board seminar will be organised for late June followed by an Extraordinary Board meeting on Wednesday 5 August or Thursday 6 August to consider applications to the Fund. Members were advised funding requests would be submitted for Anzac Services and Neighbourhood Week. Members requested information regarding the sourcing of funds from Council for road closures in the Lyttelton Mt Herbert area for Anzac services.
- (d) Activity Management Plans – to be circulated to Board members for use in the preparation of a submission to the LTCCP.
- (e) As of 1 February 2009 the Board's Discretionary Response Fund had an unallocated balance of \$12,642 and the Reserves Discretionary Fund had an unallocated balance of \$18,960.

7. ELECTED MEMBERS INFORMATION EXCHANGE

Members made specific mention of the following matters:

- Lyttelton Reserves - concerns were raised regarding the state of some Lyttelton Reserves which have become overgrown with weeds, neglected and subject to dumping of litter. Also some shrubs had grown to a height which was now restricting views for seats that had been placed at various viewing points.
- Lyttelton Cenotaph – the World War II memorial seat and Cenotaph are both in need of maintenance and repair. Staff were asked to follow up on this, particularly before Anzac Day. Members were advised that staff had been contacted about these matters and were undertaking to trim the shrubs and arrange for a weekly litter pickup. Weed areas had already been sprayed and it was proposed to replant the affected areas with native plants.
- Gaol Trust – the Board was updated on a meeting held yesterday where no final decision was able to be made by the Group on matters relating to the provision of information plaques and future plans. Further consultation between the Trust and Councillor Reid would be taking place later this week.
- Rose Garden - concerns were raised regarding the lack of provision of seating and litter bins. Also it was felt that a ramp would be a more suitable access way instead of the present steep steps. Staff were asked to investigate.

7. Cont'd

- Old Mans Beard – members noted that the Lyttelton Reserve Management Committee was carrying out some good work in trying to eradicate this noxious plant. It was suggested that the Board could run a campaign in conjunction with others, to educate people and make them aware that this weed could be in their own gardens.
- Footpath obstacles - concerns were raised regarding an incident where a disabled person on a mobility scooter was forced on to the street outside a café where tables and chairs completely blocked footpath access. Staff were asked to check that footpaths were kept to a minimum width, and carry out enforcement action if necessary.
- Community Van – correspondence had been received from Project Lyttelton, informing the Board of their intention to purchase a community van. Some financial support would be sought from the Board towards the van.
- Purau Planning Day/Workshop – correspondence was received from the Uniquely Purau Society advising of an upcoming planning day and requesting that the Board assist with the costs for the day. Staff were asked to provide funding application information to the Society.

8. QUESTIONS UNDER STANDING ORDERS

Nil.

PART C - REPORT ON DELEGATED DECISIONS TAKEN BY THE BOARD

9. CONFIRMATION OF MEETING MINUTES – 16 DECEMBER 2008

The Board **resolved** that the minutes of the ordinary meeting held on Tuesday 16 December 2008 be confirmed.

10. APPLICATION FOR FUNDING FROM THE BOARD'S DISCRETIONARY RESPONSE FUND

The Board considered a report from the Lyttelton Community House Trust seeking funding assistance from the Board's Discretionary Response Fund for \$3,000 towards the set up of the community kitchen, support for some of the rental costs and production costs of in-house brochures and posters advertising services and providing information.

The Board **resolved** to make a grant of \$3,000 to the Lyttelton Community House Trust as a contribution towards set up costs for the Community House.

11. APPLICATION FOR FUNDING FROM THE BOARD'S DISCRETIONARY RESPONSE FUND

The Board considered a report from Project Lyttelton seeking funding assistance from the Board's Discretionary Response Fund for \$1,500 towards the cost to research, compile and produce a print-ready file for a 30 page booklet about Project Lyttelton's journey, projects and successful methodology.

Board member Dawn Kottier declared an interest in this application and withdrew from the discussion and voting.

The Board expressed some concern regarding what benefit there would be for the Lyttelton Mt Herbert community if this funding was to be granted. It was felt that there were higher priorities for the Board's funding and that Project Lyttelton could apply to other agencies for this funding.

The Board **decided** to decline the application.

12. LYTTTELTON HARBOUR BASIN YOUTH COUNCIL INC – REQUEST FOR FUNDING

The Board considered a report from the Lyttelton Harbour Basin Youth Council Inc seeking funding assistance to cover the costs for Project Legit to work with the young people to design and paint the two side walls and complete the mural on the back wall at Lyttelton Skate Park.

The Board **resolved** to allocate \$1,215.00 from their Reserve Discretionary Fund to the Lyttelton Harbour Basin Youth Council to cover the costs for Project Legit to work with the young people to design and paint murals at the Lyttelton Skate Park, subject to Board approval of the final design.

The meeting concluded at 10.55 am.

CONFIRMED THIS 17TH DAY OF MARCH 2009.

**PAULA SMITH
CHAIRPERSON**

3. DEPUTATIONS BY APPOINTMENT



3.1 Sally Tripp

Ms Tripp wishes to address the Board regarding the Allandale Reserve Development Plan.

3.2 Helen Chambers – Governors Bay Community Association

Ms Chambers also wishes to address the Board regarding the Allandale Reserve Development Plan.

4. CORRESPONDENCE

4.1 Governors Bay Youth Club and Friends



Attached is a letter signed by 37 members of the Governors Bay Youth Club and Friends. The Group is requesting that the Board reconsider a request that was made several years ago, for a bike track/jumps to be allowed in the gully that the Cholmondeley Childrens Home had given to the Council.

STAFF COMMENT

Staff are aware of this request and have written to the group explaining that it is not possible at this point to develop a bike track on the land in question, as it is neither owned by, or under the control of, the Council.

STAFF RECOMMENDATION

It is recommended that the Board receive the letter from the Governors Bay Youth Club and Friends.

GOVERNORS BAY YOUTH CLUB
AND FRIENDS

CCC
163-173 Tuam St
PO Box 237
Christchurch

GBYC
C/o Viv Smith
5 Ernest Adams Drive
Governor's Bay
RD1 Lyttelton 8971

13/1/09

To whom it may concern,

Re the once proposed Cholmondeley Gully Bike Tracks

Some years ago a group of us wrote a petition asking for bike tracks/jumps to be allowed in the gully that Cholmondeley Children's Home had given to the Council. We know that a plan was drawn up and the digging of the tracks was organised, but then all was halted when you, our new Council, found that the land had not been properly signed over to the Banks Peninsula Council. Since then all has gone quiet, we the original petitioners are drawing near to leaving home age, and there is still nowhere in Governor's Bay for younger teens to safely go downhill biking. We feel that bike tracks/jumps in the gully would be a great asset to our community. They would provide a safe place for us to ride on hills. We can access this area easily and safely. We would not have to be driven up to the Summit Road (to access the big tracks there) by our parents, or have to ride there (not very safe especially at the weekends). There are many willing workers here who would gladly assist if asked.

We therefore request that this be put back on your agenda so that we, and the teens of the future, may enjoy many hours of healthy, outdoor fun and exercise.

Yours Sincerely,



c.c. Governor's Bay Community Association
Paula Smith, Community Board

Neil Smith
 Jack Harris
 Tom Harris
 Caitlin MacEwan
 LUCH FORRESTER
 Phoebe Rostick
 Katherine Coldicott
 Charlotte Fraser
 Annie Lockyer
 Krista McPhail
 Thomas Gant
 Joe Stanley
 Chris McLean
 Colum Ormond
 Hugo Dyer
~~Leon~~ Feely
 Liam O'Brien
 Finn MacEwan
 Matthew Seymour
 Orlin Patel
 Karina Patel
 Fergus Lockyer
 Jackson Gant
 Sam Weston
 Raphael Soltero
 Kaspar Soltero
 Ben Alder
 Elliott Alder
~~Richard~~ Richard Weaver
 Jessa O'Brien
 Lorna Forrester
 Obedia Jones
 Hamish Coldicott

5. **PRESENTATION OF PETITIONS**

Nil.

6. **NOTICES OF MOTION**

Nil.

7. **MINUTES OF LYTTELTON RESERVE MANAGEMENT COMMITTEE**



The Minutes of the Lyttelton Reserve Management Committee meeting held on 2 February 2009 are **attached** for Members information.

Minutes of an ordinary meeting of the Lyttelton Reserves Committee held at Royal Hotel, Lyttelton, on Monday 2 February commencing at 7.40 pm.

Present: Gary Broker, Ian Hankin, John King, Dugall Wilson, Robert Tobias, Ann Joliffe, Daryl Warnock, John Skilton, Brian Downey, Jen Miller.

1 Apologies: Josh Harris, Jodi Rees.
John K/Robert; **that the apologies be accepted.**

2 Minutes of meeting held 3 November 2008

Gary requested a correction to the minutes: item 6.3, the Lyttelton Reserves quorum has now increased to six committee members.

Gary/Dugall; **that the minutes, as amended, be confirmed as a true and correct record of the meeting.**

3 Correspondence In

3.1 CCC, 29 01 09, Invitation to be involved in the development of a Christchurch City Council Smokefree public places policy. It was agreed that no reply was necessary.

4 Treasurer's report

The balance at 2 02 09 was \$4,170.23

5 Convener's Report

5.1 Watering

Gary noted the great work already being done by the watering parties and highlighted the great stress plants were under and the need for more help with watering. With only a few more volunteers, each person will only need to water for 1.5 – 2 hours, once per month in the dry season.

Jen offered to write an article for the local press, with some assistance from Daryl/Robert. Jen to send copy to Gary for publishing.

Daryl, Jen, and John Skilton all agreed to join watering parties.

Ian and John King were both unable to join the watering parties but instead agreed to each phone four friends/associates from the list, to increase the number of people on the watering parties.

Gary asked that all committee members approach friends or associates from the list to encourage them to help with watering.

The Lyttelton Timebank was suggested as a source of labour for watering parties and workdays. No-one was sure how the Timebank scheme worked.

5.2 Work Days

Gary reported that attendance at recent workdays has been low. Ideas for increasing participation included:

- Offering biscuits/tea or lunch at workdays.
- More public advertising.
- Phoning associates to encourage participation.
- Different committee members to organise workdays so that the workload of phoning associates or organising tea etc can be shared.

It was agreed to discuss workday attendance at the next committee meeting.

5.3 Foster Terrace Neighbourhood Party

Steps have been constructed at the end of Foster Terrace and a path has been mown up to the track.

Residents are keen to take up the offer of plants supplied by the committee for planting a fire break between properties and the reserve. It is expected that approximately \$300 may be spent on supply of plants. Maintenance of the plantings will be the responsibility of the property owner.

6 Business

6.1 Urumau Tracks

Dugall explained the work carried out to date, including GPS mapping of possible tracks and meeting with Nick Singleton from the Port Hills Rangers. Nick was impressed with the possibilities for tracks in Urumau and is keen that tracks are constructed in a sustainable manner that requires minimal future maintenance.

Dugall tabled 2 draft plans: draft plan 1 (attached) – an abridged track plan showing only initial track development and the access to be requested across LPC land; and draft plan 2 (attached) showing more detail of track development throughout the reserve. Daryl has already started marking some of these tracks through the reserve for Nick's further review prior to any construction.

It was noted that exact alignment of tracks may vary on the ground due to site constraints that only become apparent during construction.

Robert abstained from voting due to unresolved access issues over the right of way at the end of Gilmour Terrace.

Gary/Jen; that Dugall should submit draft plan 1 (the abridged track plan) to LPC as a draft for LPC approval, and that Daryl and Dugall be thanked by the committee for their work in producing the plan.

6.2 Secretary for the Committee

Josh has offered to fill the role of secretary to the committee. No other volunteers came forward.

6.3 Pest Management Sponsorship

Dugall noted that with the inclusion of donations from MWH employees, the pest management sponsorship from MWH is now \$3,300 excl GST. Dugall will arrange for a cheque to be prepared and sent to Gary.

7 General business

Brian noted that volunteers are requested for assistance with a kereru survey on 22 February.

8 Next Meeting Date

The next ordinary meeting of the Committee will be held on Monday 6 April 2009 commencing at 7.30 pm at the Lyttelton Club, Dublin Street.

The meeting finished at 9.45 pm.

8. BLACK POINT SUB-DIVISION - ROAD AND RIGHT OF WAY NAMING

General Manager responsible:	General Manager Regulation and Democracy Services, DDI 941-8462
Officer responsible:	General Manager Regulation and Democracy Services
Author:	Peter Mitchell

PURPOSE OF REPORT

1. The purpose of this report is to obtain the Board's approval for one new road, and three new right of way names for the new subdivision at Black Point.

EXECUTIVE SUMMARY

2. The Council's power to name roads is derived from the Local Government Act 1974. That Act does not set out any criteria as to how the Council will name roads and for this reason the Council has adopted a Road and Rights of Way Naming Policy which is referred to below (**Attachment A**). Because this decision by the Council to approve road names is a statutory power then the exercise of that decision can be the subject of judicial review proceedings in the High Court if any persons wishes to challenge the decision making process.
3. It has been the Council's practice for many years for the Council to delegate its power to name roads to the Community Boards.

The Council's delegation register also provides:

'any decision by a Community Board shall be consistent with any policies or standards adopted by the Council.

4. In 1993 the Council adopted its Roads and Rights of Way Naming Policy and a copy of this policy is attached. The Council has followed the provisions of this policy since that time. It will be noted that the process established by the Council policy is that names are submitted by the subdivider together with an application for subdivision consent. The choice of the names can be important to the subdivider in terms of being able to market the subdivision and for this reason the Council has no doubt provided the subdivider with the ability to recommend the names that the subdivider would like to see going into the subdivision.
5. As can be seen in paragraph four of the policy the Council requires that the subdivider submit several names so that the Council has the ability to choose from amongst those names.
6. As part of the road naming process the sub-division officer will check the proposed names against information held with Land Information New Zealand, New Zealand Post and the Fire Service to avoid any potential confusion by the postal authorities or emergency services. That check has been carried out in this instance and no confusion is anticipated with the proposed names.
7. If a Community Board was of a mind to accept a different road name from those put forward by the subdivider then effectively the Community Board is stepping outside of the policy the Council has adopted, and in that situation the Community Board would not have the legal power to make a decision on the road name but would have to make a recommendation to the Council and the Council would then make the decision. This is not an unusual situation and has arisen in other cases where a Board wishes to put forward a recommendation outside an existing Council policy.
8. Certainly it has been the long standing practice of the Council, and for Community Boards acting under delegated authority, to choose one of the three names that are put forward by the subdivider.
9. At its meeting on 21 October 2008 the Board had before it a report from a Council Subdivision Officer recommending the approval of the following names for the subdivision by Stowe Properties Ltd at 321 Marine Drive, Diamond Harbour. The plan that was before the Board at its 21 October 2008 meeting is attached as **Attachment B**.

8. Cont'd

10. The recommended road names were:

- Black Rock Place - public road
- Church Bay Lane - private lane
- Port View Lane - private lane
- Hays Bay Lane - private lane

11. The second and third preferences put forward by the sub-divider were as follows:

- Black Point Place and Black Place
- Quail View Lane and Quail Island Lane
- Blue Water Lane and Water View Lane
- Hays View Lane and Hays Lane

12. At the 21 October 2008 meeting, the Board did not accept any of the names put forward and additional names have also since been put forward for consideration by the Board.

13. Those other names with the comments from the subdivision officer in terms of his checking process are:

Black Point Road	Acceptable - appropriate but a No Exit sign will also be needed, as "Road" usually indicates a through road and "Place" a cul-de-sac.
Te Wharau	Acceptable - suitable for use.
Ohinehau Lane	Acceptable - suitable for use.
Otamahua Lane	Not acceptable - in use already in Diamond Harbour for about twelve years.
Kiaoruru Lane	Probably acceptable – there is a Kia Ora Street in Bexley.
Ollie Hunter	Not acceptable - there is a Hunters Road in Diamond Harbour, possibly named after Ollie Hunter.

14. At a meeting held at Rāpaki Rūnanga on 8 February 2009 there was an expression of support for a better balance between Maori and English names around the Harbour. The table of names from Diamond Harbour shows there to be ten English names and sixteen Maori names.

English & Maori names currently in use in Diamond Harbour

English names	Maori names	Maori names
Andersons Road	Ngaio Lane	Te Ra Crescent
Castle Peak Road	Takutai Place	Te Papau Crescent
Hunters Road *	Patiki Place	Waipapa Avenue
James Drive	Koromiko Crescent	Purau Avenue
Emerson Crescent	Ranui Crescent	Rawhiti Street
Athol Place	Te Ara Crescent	Otamahua Lane
Marine Drive	Ngatea Road	
Euan Sargison Drive	Marama Terrace	
Jervois Close	Whero Avenue	
Doris Faigan Lane	Kura Lane	

15. The sub-divisional works have now been completed and the naming of the roads and rights of way is one of the last formal steps that need to occur before the scheme plan for the subdivision can be deposited and titles issued for sale to purchasers. There is an outstanding resource consent issue relating to the subdivision which has yet to be resolved.

16. The Board therefore has before it potential names to choose for the road and the three rights of way involved in this instance.

8. Cont'd

STAFF RECOMMENDATION

It is recommended that the Lyttelton Mt Herbert Community Board:

- (a) Consider the three road and right of way name options put forward by the subdivider and the additional names.
- (b) Choose a road name and three right of way names from these options.
- (c) Note that if the Board decides not to choose any of the three names put forward, in accordance with the Council's Road Naming Policy, then other names settled on by the Board will need to be referred to the Council for a decision.

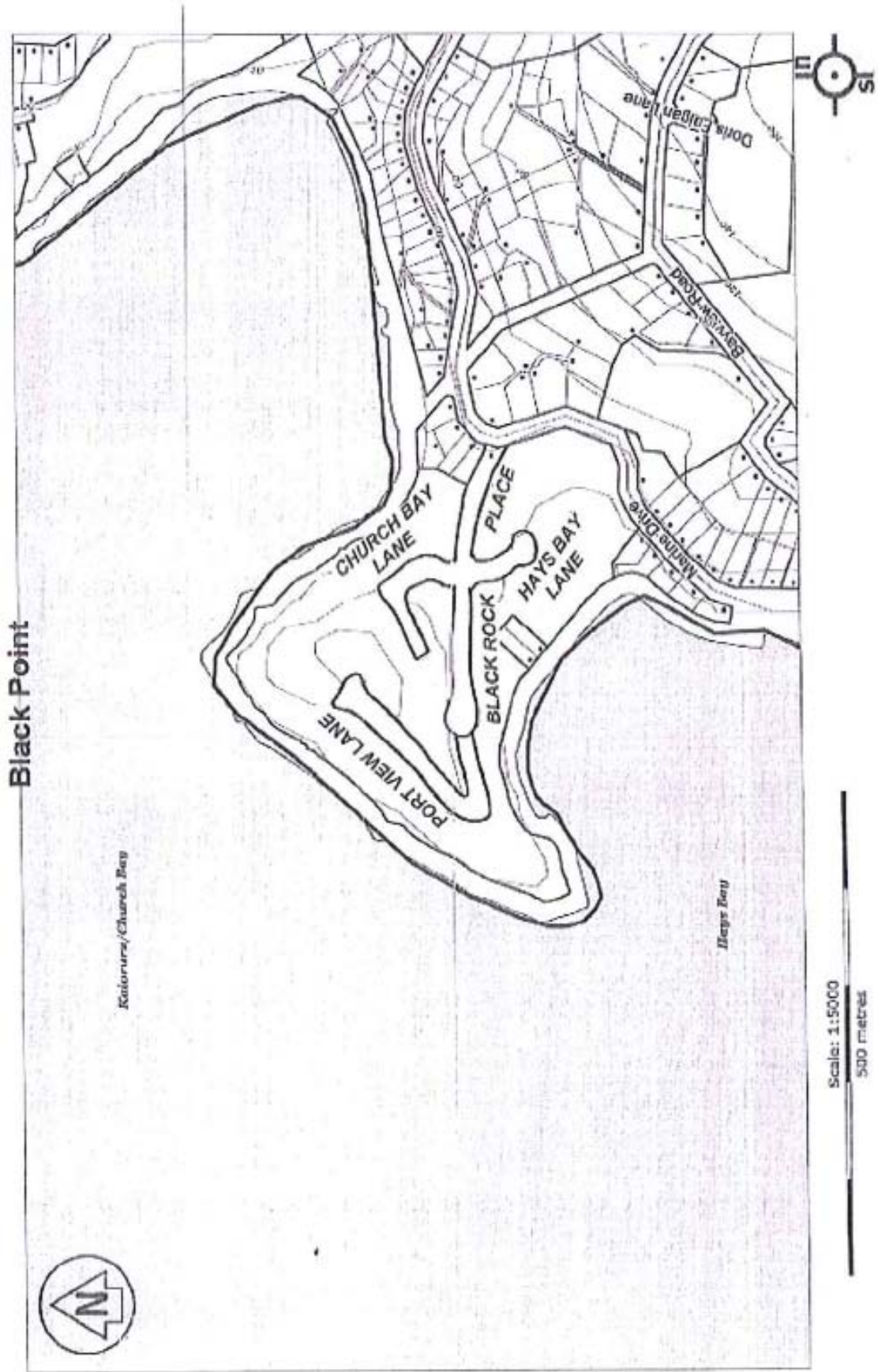
Policy Register

Roads and Rights-of-Way Naming

That the following policy be accepted for the naming of roads and rights of way.

1. Proposed names are to be submitted with the application for subdivision consent.
2. Reference is to be made to a current street list of Christchurch when selecting names to avoid duplication.
3. The Developer or Consultant is to consult with the Subdivision Planning Officer (Civic Offices) before submission for an initial check on names.
4. To avoid repeating the whole process, several names should be submitted for each proposed road or right of way in case of rejection. The names to be listed in order of preference.
5. A background to the names, their origins and their link with the area is to be supplied.
6. Where more than one road is being created in a subdivision, a common theme is recommended for the names.
7. Names are to be chosen in proportion to the length of the road. Long names on short cul-de-sacs can be very difficult to display on a map.
8. Where a road or right of way name is requested to be changed, a minimum of 85% of residents and owners must give their consent to the change.
9. All new private rights of way are to be called 'Lane'.
10. All new residential complexes of sufficient size to warrant the allocation of a name are to be called 'Courts'.
11. Where a street nameplate is required, the standard Council nameplate shall be erected.
12. When a development company has erected its own ornamental nameplate, in addition to the Council nameplate, and that ornamental nameplate is damaged or stolen, then the Council shall not be responsible for the repair or replacement of that nameplate.
13. Personal names are to be discouraged unless the name submitted has an historical connection with the property being subdivided, or that of a well known local identity or prominent Cantabrian, or New Zealander.
14. It is the Council's prerogative to name streets and the Council may refuse to approve names considered unsuitable for any other reason.

Council
2 November 1993



9. ROAD STOPPING POLICY



General Manager responsible:	General Manager City Environment, DDI 941-8608
Officer responsible:	Manager Property Consultancy
Author:	Angus Smith, Manager Property Consultancy

PURPOSE OF REPORT

1. The purpose of this report is for the Community Board to provide comment on a recommendation which is going to the Council for the adoption of a formal policy in relation to the stopping of legal road.

EXECUTIVE SUMMARY

2. The Council at its meeting on the 14 August 2008 passed the following resolution in response to a report concerning a proposed stopping of legal road adjacent to the property at 10 Waiwetu Street –

“It was resolved that the Council leave this matter to lie on the table at Council until the Council has resolved its policy position on these matters, as highlighted by the report on the disposal of surplus road land outside 173 Clyde Road, which was deferred by the Council at its meeting on 12 June 2008.”

3. A report recommending the adoption of policy and delegations for road stopping was subsequently considered by Council on the 25 September 2008 which resulted in the following resolution -

*“It was **resolved** on the motion of Councillor Wall, seconded by Councillor Buck, that this report be forwarded to Community Boards for their comment and a subsequent amended report to be brought back to the Council.”*

4. This report, amended from the original to incorporate comments/issues arising from the Council debate, seeks to attend to this resolution.
5. Every year the Council stops a number of roads, or parts of road(s), either to meet Council policies or strategies, or in direct response to a road stopping application by a third party. Most of these are straight-forward applications involving small non-complying land parcels held by the council along the road frontage of properties no longer required for roading purposes. The decisions taken on these straight-forward applications are generally governed by infrastructure needs at an asset planning and management level. Accordingly, allowing these minor decisions to be undertaken at a management level, rather than at a governance level, would enable such applications to be processed more quickly, more efficiently and with less cost and would remove unnecessary administrative issues from the Council’s meeting agenda. However, some road stopping applications are more strategic in nature and involve significant parcels of land that should be considered by elected members.
6. At the moment individual road stopping decisions are made in isolation without reference to a policy document or statement of Council objectives. Accordingly staff have prepared a draft ‘Road Stopping Policy’ for consideration by the Council.
7. In summary, this report proposes:
 - (a) That the Council:
 - o Approves and adopts the attached Road Stopping Policy
 - o approves the delegations set out in the staff recommendations to this report that delegate the decision making for minor road stopping decisions to Council staff and the delegation for all other road stopping decisions to Community Boards.

9. Cont'd

(b) That Community Boards may:

- approve or decline any road-stopping applications received in relation to any legal road situated in their Wards where such decision making is consistent with the Council's Road Stopping Policy and is **not** subject to a staff delegation.

(c) That the Corporate Support Manager under delegated authority may:

- approve or decline road-stopping applications only where:
 - The area of road to be stopped is not a complying lot under the City Plan on its own; and
 - It will be necessary for the stopped road to be amalgamated with the title to the adjoining property; and
 - The adjoining owner is the logical purchaser of the stopped road; and
 - The proposed road-stopping complies with the Council's Road Stopping Policy.
 - where his delegated authority applies, determine which statutory road-stopping process is to be used and implement the necessary statutory and other procedures required to effect the road stopping in accordance with the Road Stopping Policy.
8. The Council has the legal ability to stop roads either under the Local Government Act 1974 (LGA) or the Public Works Act 1981 (PWA). The major difference between the two procedures is that under the LGA process there is a requirement for public notification and the ability of members of the public to object, whereas, with the consent of all adjoining land owners, there is no such general consultation requirement and objection process under the PWA.
9. Currently the Christchurch City Council does not have a Road Stopping Policy. The development of such a policy will ensure that the Council's decision-making and application processes are clear and consistent. Consistency is required in terms of determining under which Act a road will be stopped, as well as the assessment and evaluation criteria to be utilised.
10. The recommended Policy has been developed by the Property Consultancy Team in consultation with the Asset and Network Planning Unit, the Legal Services Unit and the Survey Team.

FINANCIAL IMPLICATIONS

11. The Policy is based on the principle of full cost recovery from third party applicants and recommendations will be made through the Annual Plan and LTCCP processes to support this. It is proposed that purchasers of land will reimburse the Council for the costs (including Council staff time) and disbursements incurred by the Council to complete the transaction.

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

12. Yes.

LEGAL CONSIDERATIONS

13. Under the Local Government Act 2002 the Council is permitted to adopt a policy to provide guidelines as to the criteria and process to be adopted by the Council when considering and implementing any decision to stop any legal road.
14. The Council has the ability to stop road, or parts of a road, either by using the process under the PWA or the process under the LGA. The procedures that are required to be followed by the Council when using the LGA process are set out in the Tenth Schedule to the LGA, and include the public notification of the proposed road stopping and for the hearing of any objections received. Conversely, the PWA process does not require public notification, however the Council and any adjoining landowner(s) must consent to the proposal.
15. The relevant sections of each Act are summarised below.

9. Cont'd

Local Government Act 1974

Section 319 (h) – General powers of councils in respect of roads -

This Section gives local authorities the general power to stop any road or part thereof in accordance with the Act.

Section 342 (1) (a) – Stopping of roads -

Confers on the Council the ability to declare a road to be formally stopped.

Section 345 – Disposal of land not required for road -

In relation to stopped road that is no longer required by the local authority, this Section provides that the Council may sell or lease that part of the stopped road to the owner(s) of any adjoining land.

This Section goes on further to provide that the price or rent for the stopped road is to be fixed by a competent valuer appointed by the Council. If the owner(s) is not prepared to pay the fixed price or rent, the Council may sell the land by public auction or private tender.

Section 345 (2) – Amalgamation of stopped road with adjoining land -

This Section enables the Council to require the amalgamation of stopped road with adjoining land if deemed appropriate.

Section 345 (3) – Stopped road to vest as Esplanade Reserve

Where any road along the mark of a mean high water springs of the sea, or along the bank of any river within an average width of 3 metres or more, or the margin of any lake with an area of 8 hectares or more is stopped, this Section requires an area of road to vest in the Council as an esplanade reserve for the purposes specified in Section 229 of the Resource Management Act 1991.

Tenth Schedule – Conditions as to Stopping of Roads

Outlines the procedure to be undertaken in order to stop a road. The following table summarises the various steps:

1.	The Council prepares: (a) a survey plan of the road proposed to be stopped; and (b) an explanation as to why the road is to be stopped and the purpose or purposes to which the stopped road will be put. And lodges the plan at LINZ for approval.
2.	Once LINZ has approved the plan, the plan is made available to the public with a view to receiving objections to the proposal(s). The Council must: (a) at least twice, at intervals of not less than 7 days, give public notice of the proposal(s); (b) serve the same notice on the occupiers of all land adjoining the road; The Plan is open for public objection for a minimum period of 40 days from the date of the first publication of the public notice.
3.	A notice of the proposed stopping is fixed in a conspicuous place at each end of the road proposed to be stopped for the duration of the public notification period.
4.	If no objections are received, the Council may by public notice declare that the road is stopped.
5.	If objections are received, the Council shall, unless it decides to allow the objections, send the objections together with the plans and a full description of the proposed alterations to the Environment Court.
6.	The Environment Court will make a final and conclusive decision.
7.	If the Environment Court reverses the decision of the Council, no proceedings shall be entered by the Court for stopping the road for 2 years thereafter.
8.	If the Environment Court confirms the decision of the Council, the Council may declare by public notice that the road is stopped.
9.	The notice and survey plan will be lodged with LINZ for record.

9. Cont'd

Public Works Act 1981

Section 116 – Stopping Roads -

This Section provides that, subject to the consent of the territorial authority and the owner(s) of the land adjoining the road in writing to the stopping, then the road can be declared formally stopped by notice in the Gazette.

Section 117 – Dealing with stopped roads -

This Section enables the Council to deal with the stopped road in the same manner as if the road had been stopped pursuant to the Local Government Act 1974.

Section 118 – Application of other Acts to stopped roads -

Where any road or any portion of a road along the mark of a mean high water springs of the sea, or along the bank of any river, or the margin of any lake (as the case may be) is stopped under Section 116 of this Act, then Section 345(3) of the Local Government Act 1974 (relating to esplanade reserves) shall apply to the stopped road.

Section 120 – Registration-

This Section provides for the road stopping to be noted by the District Land Registrar and if deemed appropriate by the Council for it to be amalgamated with the adjoining land.

The road stopping procedure pursuant to this Act is summarised in the table below:

1.	The owners of any land adjoining the road to be stopped must consent in writing to the stopping.
2.	The Council must consent to the road stopping proposal.
3.	The Council prepares a survey plan of the road proposed to be stopped and lodges the plan at LINZ for approval.
4.	The land is declared stopped by proclamation and publication of that proclamation in the New Zealand Gazette. A copy of the entry in the Gazette is then registered at LINZ.

Determining which statutory process to follow

- Neither the LGA nor the PWA gives specific guidance as to which statutory procedure should be used. Currently, Council staff make this assessment on a case by case basis having due regard to the effect of the road-stopping on the public and parties other than the applicant and the likelihood of the proposal succeeding. Council staff have operated on the basis that best practice has dictated that if in doubt, the LGA procedure should apply. Guidelines about which Act to follow are set out in the proposed Road Stopping Policy document below.

DELEGATIONS

- Pursuant to paragraph 32 of the 7th Schedule of the Local Government Act 2002 the Council has the legal ability to delegate its road-stopping powers under both the LGA and the PWA.
- Currently, the only road-stopping power that the Council has delegated is a delegation to Community Boards to stop "access ways". Section 315(1) of the Local Government Act 1974 defines "accessway" as:

"any passage way, laid out or constructed by the authority of the council or the Minister of Works and Development [or, on or after the 1st day of April 1988, the Minister of Lands] for the purposes of providing the public with a convenient route for pedestrians from any road, service lane, or reserve to another, or to any public place or to any railway station, or from one public place to another public place, or from one part of any road, service lane, or reserve to another part of that same road, service lane, or reserve".

9. Cont'd

It is proposed not to alter this delegation.

The Council has delegated the power to hear objections to road stopping procedures pursuant to the Tenth Schedule of the Local Government Act 1974 to Council Hearings Panels. It is not proposed to alter this.

19. The Council has not delegated any other part of its road-stopping powers. The practical effect of this is that all road-stopping applications, whether from Council staff, implementing Council agreed policies and strategies, or from third parties, require a formal Council resolution.
20. When the Council initially considered this report on 25 September 2008, Councillors raised concerns in the debate about unformed legal (paper) roads (particularly in relation to Banks Peninsula) and issues around scale and size of road-stoppings. With respect to Banks Peninsula, the retention of appropriate legal but unformed roads will be considered and evaluated as part of the development of the open space strategy being prepared by Strategy and Planning. The intention being to provide and retain appropriate access to reserves, bays and foreshores and to provide linkages and connections throughout the Peninsula. Before any action was taken to stop a road these matters would first have to be considered before any decision to proceed was recommended.
21. The Council may delegate authority to proceed with a road stopping application to either Council staff or to community boards. In addressing these two issues, whilst endeavouring to maintain the necessary balance to enable the delivery of an efficient and effective service, the following is proposed:
 - a) Staff are delegated the authority to process and make decisions, in accordance with the attached policy, on applications relating to non complying lots / strips of land adjacent to properties which are required to be amalgamated into the adjoining neighbouring title.
 - b) That decisions on applications for complying lots in their own right and the stopping of unformed legal (paper) roads or other significant parcels be delegated to the relevant community board.
22. There are compelling reasons why the Council may consider delegating to Council staff the power to deal with minor road-stopping applications, as follows:
 - On the adoption of a formal Road Stopping Policy, the Council will have established, in its governance role, the rules or guidelines to be implemented when road stopping decisions are considered. It would therefore be logical that the 'management' decision of implementing the Policy be delegated to Staff
 - In financial terms road-stopping issues are often relatively insignificant.
 - There are generally no associated significant strategic issues.
 - Consistency in decision-making across the city.
 - Both the LGA and the PWA provide for consultation according to the statutory process used.

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

23. Yes, see above.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

24. Not Applicable.

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

25. Not applicable.

9. Cont'd

ALIGNMENT WITH STRATEGIES

26. Not Applicable.

Do the recommendations align with the Council's strategies?

27. Not Applicable.

CONSULTATION FULFILMENT

28. There is no mandatory obligation on the Council to consult before it makes a decision on the proposed Road Stopping Policy.
29. The proposal is not significant in terms of the Council's Significance Policy.
30. The Policy is intended to establish a transparent and consistent platform on which future decisions can be based. This is for the benefit of both Council staff and people who intend entering into negotiations for the purchase of land previously vested in the Council as legal road. It is expected that they will prefer this approach to the ad hoc manner in which road-stopping has been undertaken to date. It is also fair that prospective purchasers meet the Council's reasonable costs (including Council staff time) of carrying out the process required to enable transactions to be concluded.
31. This report is being presented at each Community Board for a formal recommendation to the Council. Recommendations made by individual boards will be compiled by staff into a final report which staff will present to the Council.

STAFF RECOMMENDATION

It is recommended that the Community Board offer comment on the following recommendation, which will be put to the Council for the consideration of a Road Stopping Policy:

- (a) That the Council adopts the 'Christchurch City Council Road Stopping Policy' in the form attached to this report.
- (b) That the Council's power to accept or decline an application from either a Council Business Unit or from any other person to stop legal road be delegated to the Corporate Support Unit Manager PROVIDED THAT such application shall meet the following criteria:
- The area of road to be stopped will not constitute a complying lot under the City Plan on its own account; and
 - It will be necessary for the stopped road to be amalgamated with the certificate of title to the adjoining property; and
 - The owner of the adjoining property is the logical purchaser of the stopped road; and
 - That the proposed road-stopping complies with the Council's Road Stopping Policy.
- (c) That where the Corporate Support Manager's delegated authority under paragraph (b) of this resolution shall apply:
- (i) that the Council's powers under sections 116, 117 and 120 of the Public Works Act 1981 and Sections 319(h), 342(1)(a) and 345 of the Local Government Act 1974 (excluding the power to hear objections and recommend to the Council whether the Council should allow or otherwise any objections received to road stopping procedures pursuant to the Tenth Schedule of the Local Government Act 1974 and the Council's powers under paragraph 5 of the Tenth Schedule) in relation to road stopping and the disposal of land that was previously stopped road be delegated to the Corporate Support Unit Manager.
 - (ii) that the power to determine (in compliance with the Council's Road Stopping Policy) which statutory procedure should be employed to undertake a particular road stopping (either under the Local Government Act 1974 or under the Public Works Act 1981) be delegated to the Corporate Support Unit Manager.

9. Cont'd

- (d) That the Council's power to accept or decline an application from either by a Council Business Unit or from any other person to stop legal road which does not fall within the delegation given to the Corporate Support Unit Manager under paragraph (b) of this resolution shall be delegated to the Community Board for the Ward within which the legal road proposed to be stopped is situated.
- (e) That where the Community Board's delegated authority under paragraph (d) of this resolution shall apply:
- (i) that the Council's powers under sections 116, 117 and 120 of the Public Works Act 1981 and Sections 319(h), 342(1)(a) and 345 of the Local Government Act 1974 (excluding the power to hear objections and recommend to the Council whether the Council should allow or otherwise any objections received to road stopping procedures pursuant to the Tenth Schedule of the Local Government Act 1974 and the Council's powers under paragraph 5 of the Tenth Schedule) in relation to road stopping and the disposal of land that was previously stopped road be delegated to the Community Board for the Ward within which the proposed legal road is situated and to be exercised in accordance with the Council's Road Stopping Policy..
- (ii) that the power to determine (in compliance with the Council's Road Stopping Policy) which statutory procedure should be employed to undertake a particular road stopping (either under the Local Government Act 1974 or under the Public Works Act 1981) be delegated to the Community Board for the Ward within which the proposed legal road is situated and to be exercised in accordance with the Council's Road Stopping Policy.

BACKGROUND (THE ISSUES)

32. This report seeks to:

- present the legislative and statutory provisions governing the stopping of roads;
- provide a basis of assessment to determine whether an application to stop a road should proceed or not;
- outline the statutory process to be followed under the respective legislation;
- consider delegations;
- formulate a policy for adoption by the Council.

9. Cont'd

PROPOSED CHRISTCHURCH CITY COUNCIL ROAD STOPPING POLICY 2009

NAME OF POLICY

1. This policy shall be known as the Christchurch City Council Road Stopping Policy 2009

APPLICATION OF POLICY

2. This policy shall apply to all road stoppings undertaken or proposed to be undertaken by the Council following the date of adoption by the Council of this Policy.

INTERPRETATION

3. For the purposes of this Policy the following meanings shall apply:
 - (a) "Council" means the Christchurch City Council and shall include any delegate acting under delegated authority of the Christchurch City Council.
 - (b) "road" means that part of a legal road the subject of a road stopping application to the Council.

EVALUATION CRITERIA

4. In considering an application for road stopping the Council must firstly consider whether the stopping should be initiated or not. The rules to govern this decision are outlined in the chart below.

City Plan	Is the road shown to be stopped in the operative City Plan or does the stopping have any adverse impact on adjoining properties under the City Plan i.e. set backs/site coverage or the neighbourhood in general.
Current Level of Use	Is the road the sole or most convenient means of access to any existing lots or amenity features e.g. a river or coast.
	Is the road used by members of the public.
Future Use	Will the road be needed to service future residential, commercial, industrial or agricultural developments.
	Will the road be needed in the future to connect existing roads.
	Will the road be needed to provide a future or alternative inter-district link.
Alternative Uses	Does the road have potential to be utilised by the Council for any other public work either now or potentially in the future.
	Does the road have current or potential value for amenity or conservation functions e.g. walkway, utilities corridor, esplanade strip, protected trees etc.
Road adjoining any water body	If so, there is a need to consider Section 345 LGA, which requires that after road stopping, such land becomes vested in Council as an esplanade reserve.
Encumbrances	Is the road encumbered by any services and infrastructure and can they be protected by easements
Traffic Safety	Does access and egress of motor vehicles on the section of the road constitute a danger or hazard to the road users.
Infrastructure	Does the road currently contain infrastructure, or will it in the future, that is better protected and managed through ownership.

9. Cont'd

5. An application for road stopping will not proceed if the Council shall in its discretion determine that:
- (a) the road has been identified as providing a future road corridor; or
 - (b) the road has the potential to provide a future or alternative inter-district link; or
 - (c) the road is required, or may be required at any time in the future, for any roading or associated purpose.
 - (d) the road is required, or may be required at any time in the future, for any public work by the Council or any other agency.
 - (e) the stopping of the road will result in any land becoming landlocked; or
 - (f) the road provides access from a public road or reserve to a watercourse or coastal marine area, unless there are sound management or ecological reasons for doing otherwise; or
 - (g) the road provides primary access to an esplanade reserve, reserve or park, unless there are sound management or ecological reasons for doing otherwise; or
 - (h) the stopping of the road will adversely affect the viability of any commercial activity or operation; or
 - (i) objections are received from any electricity or telecommunications service provider and those objections are not able to be resolved by agreement between the Council and that provider; or
 - (j) any infrastructure or utilities situated on the road would be better protected and managed through continued Council ownership; or
 - (k) the road stopping could injuriously affect or have a negative or adverse impact on any other property; or
 - (l) the road stopping could have an impact on a public work to be undertaken by any other agency including the Crown
 - (m) any other relevant circumstances apply.

MARKET VALUATIONS TO BE USED

6. All dealings with stopped road will be at the current market value as determined by an independent registered valuer commissioned by the Council and in accordance with the relevant legislation.

AGREEMENT FOR SALE AND PURCHASE TO BE ENTERED INTO

7. Where a road stopping has been initiated by a third party and the application is accepted by the Council then it will only be processed subject to the following requirements first being accepted by the applicant:
- (a) That the proposed terms of sale of the road once stopped be recorded in a formal Agreement for Sale and Purchase prepared by the Council's solicitors and signed by both the applicant as purchaser and the Council as vendor prior to the Council taking any further steps. Such agreement to be conditional to the approval of the Minister of Lands to the stopping, if applicable, and compliance with the all relevant statutes.
 - (b) That the Agreement require the purchaser to meet all the costs incurred by Council in relation to the proposed road stopping, including but not limited to the following costs: staff time, hearing costs, consent costs, LINZ costs relative to any proclamation required to be made and published in the NZ Gazette, LINZ registration fees, professional fees (valuers, accredited agents), court costs, advertising, legal and survey costs.

9. Cont'd

- (c) That the purchaser will pay a deposit on execution of the Agreement sufficient to cover the Council's estimate of all the Council's costs. The Agreement will provide that in the event of the road stopping being discontinued for any reason the deposit will be refundable to the applicant less the actual costs incurred by the Council in processing the application to that point, as determined by the Council.
- (d) That when a road stopping is initiated by an adjoining landowner to the road proposed to be stopped, and the process determined to be used shall be the Local Government Act 1974 process, the Agreement will provide as appropriate that:
 - (i) if any objection is received and is allowed by the Council, the Agreement will be automatically deemed to be cancelled and the deposit paid (if any) refunded to the applicant less any costs incurred by the Council to that date; and
 - (ii) if any objection is received and is not allowed by Council, and the objector wishes the matter to be referred to the Environment Court, the applicant may at that point elect to cancel the Agreement Provided that all costs incurred in relation to the application by the council to that date shall be deducted from the deposit; or
 - (iii) if the applicant does not elect to cancel the agreement in the circumstances described in paragraph (ii) and the objection is referred to the Environment Court for determination, the applicant shall pay on demand to the Council all costs incurred by the Council in referring the matter to the Environment Court and in relation to the hearing by that Court.
- (e) That if the Agreement for Sale and Purchase is cancelled for any reason the applicant will meet all costs incurred by the Council.

WHICH STATUTORY PROCESS TO USE

- 8. The following criteria have been established to ensure that the appropriate statutory procedure is consistently adopted by the Council, and to avoid, as much as practicable, such decisions being successfully contested by any party.
- 9. The Local Government Act 1974 road-stopping procedure shall be adopted if one or more of the following circumstances shall apply:
 - (a) Where any public right of access to any public space could be removed or materially limited or extinguished as a result of the road being stopped; or
 - (b) The road stopping could injuriously affect or have a negative or adverse impact on any other property; or
 - (c) The road stopping is, in the judgment of the Council, likely to be controversial; or
 - (d) If there is any doubt or uncertainty as to which procedure should be used to stop the road.
- 10. The Public Works Act 1981 road stopping procedure may be adopted if **all** of the following circumstances shall apply:
 - (a) Where there is only one property adjoining the road proposed to be stopped; and
 - (b) Where the written consent to the proposed road stopping of all landowners affected by proposed road-stopping is obtained; and
 - (c) Where the use of the Public Works Act 1981 procedure is approved (where necessary) by the relevant Government department or Minister ; and
 - (d) Where no other persons, including the public generally, are considered by the Council in its judgment to be adversely affected by the proposed road stopping; and

9. Cont'd

- (e) Where the road is to be amalgamated with the adjoining property; and
- (f) Where other reasonable access exists or will be provided to replace the access previously provided by the stopped road (i.e. by the construction of a new road).

PROVIDED THAT If any one of the above circumstances shall not apply, then the Local Government Act 1974 procedure shall be used.

PROPOSED ROAD STOPPING COSTS AND FEES (SUBJECT TO ADOPTION BY THE COUNCIL IN ITS ANNUAL PLAN)

11. Where a road stopping is initiated by the Council, the costs and expenses associated with such road stopping (including Council staff time) are to be funded from the Business Unit initiating the road stopping.
12. Where any other person applies to stop a road, then that person shall be responsible for meeting all costs and expenses associated with the road stopping process as determined by the Council (including Council staff time) PROVIDED THAT where it is determined by the Council, in its discretion, that there is an element of public benefit to the proposed road stopping, the Council may agree that the costs associated with the road stopping should be shared between the applicant and the Council in such proportions as the Council shall in its discretion determine.
13. The Council shall not commence any road stopping procedure unless it obtains a written agreement in advance from the applicant to pay such costs and expenses.
14. The costs and expenses associated with the road stopping process will include:
 - (a) **Application Fee**

An application fee of \$500 (GST inclusive) shall accompany a road stopping application to the Council (unless the application is made by a Council Business Unit). The purpose of this fee is cover the administration and staff costs incurred by the Council as a result of evaluating the application in accordance with this Policy. This fee is already included in the Council's Annual Plan.
 - (b) **Processing Fee**

If the applicant wishes to proceed with the road stopping application after evaluation by Council staff of the application and the preparation and presentation of the first report to the relevant Community Board or the Corporate Support Manager (as applicable), then a further non-refundable fee of \$1,000 (GST inclusive) will become due and payable to the Council to cover the staff time in processing the application from that point.
 - (c) **Other Costs**

Other costs and expenses that an applicant will be liable to meet should a road stopping application proceed, include (but are not limited to):

 - Survey Costs*

Includes identification and investigations of the site and professional fees associated with the compilation of a survey office plan.
 - Cost of Consents*

Any costs associated with obtaining consent to the proposal including, but not necessarily limited to, the Minister of Lands.
 - Public Advertising*

Includes the cost of public notification required under the Local Government Act 1974..
 - Accredited Agent Fees*

Includes professional and other fees incurred as a result of any gazettal actions required.
 - Land Information New Zealand (LINZ) Fees*

Includes lodgement fees associated with survey office plan approval, registration of gazette notice, easement instrument or any other dealing, and raising of new certificate(s) of title.

9. Cont'd

Legal Fees

The applicant will be responsible to meet their own legal costs, as well as those incurred by the Council including, but not limited to, the preparation of an Agreement for Sale and Purchase and the settlement of the transaction.

Valuation Costs

The costs to obtain an independent registered valuation of the proposed stopped road, including any additional costs that may be incurred by any ensuing discussions with the valuer as a result of the applicant querying the valuation.

Cost of Court and Hearing Proceedings

Pursuant to the Tenth Schedule LGA, if any objections is received to a road stopping application, and the application is referred to the Environment Court for a decision, then the applicant shall meet all of the Council's legal and other costs associated with the conduct of the legal proceedings in that Court.

Market Value of the Road

In addition to the administrative and staff costs associated with a road stopping costs the applicant shall pay to the Council the current market value of the stopped road as determined by a registered valuer appointed by the Council, or if the land is to be leased a rent as determined by a registered valuer appointed by the Council .

10. SLOW VEHICLE BAY – DYERS PASS ROAD



General Manager responsible:	General Manager City Environment, DDI 941-8608
Officer responsible:	Transport and Greenspace Manager
Author:	Lewis Burn, Property Consultant, DDI 9418522, Philip Crossland Project Manager, DDI 914 8611

PURPOSE OF REPORT

1. The purpose of this report is to seek the recommendation of the Board to the Council to pass a resolution under Section 114 of the Public Works Act 1981 to enable application for a declaration of land within Sugarloaf Scenic Reserve to be road.

EXECUTIVE SUMMARY

2. A need has been identified to build a slow vehicle bay on Dyers Pass Road (Lyttelton side) This project is being driven from a safety perspective and is being completed as part of the Inner Harbour Roding project.
3. To build the proposed slow vehicle bay there is a need to acquire two relatively small parcels from Sugarloaf Scenic Reserve. The Council is the administering body of this reserve which is a Crown owned reserve controlled by the Department of Conservation (DOC).
4. Discussions have been held with DOC and they have no objection in principle to the proposed road widening proceeding which will take in a sliver of the reserve for a distance of about 95 metres alongside the existing road.
5. The impact on the reserve is considered minor with the proposal involving the removal of six trees (with a further two to be pruned) near the alignment of the new boundary.
6. The process will involve the payment of compensation and costs to the Crown to acquire the land. DOC advise that as the Council is the administering body, the 50/50 principle will apply meaning that the Council will need to pay 50% of the assessed land value. It has been mutually agreed with DOC to engage Ford Baker (Valuers) to set a satisfactory level of compensation.
7. Construction of the slow vehicle bay is planned to commence within the 2009/10 financial year.

FINANCIAL IMPLICATIONS

8. There will be process costs for survey, consent and proclamation expenses (estimated \$8,000) in addition to a one off compensation payment to the Crown. At the time of writing this report the level of compensation had not been assessed but considering the area involved, the rural zoning and that the Council will only need to pay 50% of valuation it is not expected this payment will exceed \$3,000 - \$4,000, This payment will be covered by funding allocated to the Inner Harbour Roding Project.

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

9. This project aligns with the Transport and Greenspace Units Asset Management Plan section 10.0.6. The budget for this project is covered by the Inner Harbour Roding project as included in the LTCCP.

LEGAL CONSIDERATIONS

10. Under Section 114 of the Public Works Act 1981 the Minister of Lands may, by notice in the Gazette declare any land, whether owned by the Crown or not to be road. Land shall not be declared to be road without the written consent of all parties having an interest in the land. In this case the consent of the Council and the Minister of Conservation is required before a gazettal process can proceed. On passing of a Council resolution DOC will be requested formally to seek the approval of the Minister of Conservation to the taking of the reserve land for road. On publication of a notice in the NZ Gazette the land vests in the Local Authority as road.
11. The Community Board does not have delegated authority to authorise the proposal to apply for a declaration of part of a reserve as road, such a decision needs to be made by the full Council . The Board has, however, recommendatory powers to the Council.

10. Cont'd

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

12. As above.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

13. As above

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

14. As above

ALIGNMENT WITH STRATEGIES

15. This project is consistent with key Council strategies including the Road Safety Strategy.

Do the recommendations align with the Council's strategies?

16. As above

CONSULTATION FULFILMENT

17. The process to acquire the land under Section 114 of the Public Works Act 1981 with the appropriate consents does not require consultation.

STAFF RECOMMENDATION

That the Lyttelton Mt Herbert Community Board recommend to Council that it pass the following resolution:

Resolution

The Christchurch City Council hereby resolves pursuant to Section 114 (1) of the Public Works Act 1981, to seek the consent of the Minister of Conservation to declare the land described in the schedule below to be road.

Schedule

- (a) All those parcels of land described as Section 1 (521m²) and Section 2 (215m²) being part Reserve 4149 and part Reserve 4170 respectively being Scenic Reserve by NZ Gazette 1990 p2079 as shown outlined yellow on drawing number 500321-01 **attached**, subject to survey.
- (b) That the Corporate Support Unit Manager be authorised to negotiate and conclude with the Department of Conservation, the amount of compensation to be paid by the Council for the land required for road.

BACKGROUND (THE ISSUES)

18. As part of a road safety improvement on Dyers Pass Road, a slow vehicle bay for uphill traffic between Governors Bay and the Summit Road is proposed.
19. Design of an appropriate slow vehicle bay has been completed. The design goes over the existing roadway boundary into the Sugarloaf Scenic Reserve. The extent it goes over the boundary is minimal and to complete construction of it, a sliver of the reserve is required to be proclaimed as legal road.
20. This proposal has been discussed with the Department of Conservation and the Council's Area Head Ranger and both parties agree in principle that this proposal may proceed.
21. The subject land falls outside the protected area under the Summit Road (Canterbury) Protection Act 2001 so the provisions of that Act do not apply

10. Cont'd

THE OBJECTIVES

22. To receive approval to purchase a sliver of land in order for the proposed slow vehicle bay to be constructed on Dyers Pass Road.

THE OPTIONS

Option 1

23. To proceed with the process to acquire part of Sugarloaf Scenic Reserve to provide sufficient land to construct the proposed slow vehicle bay at this location on Dyers Pass Road.
24. This is the preferred option as it allows the proposed slow vehicle bay to be constructed.

Option 2

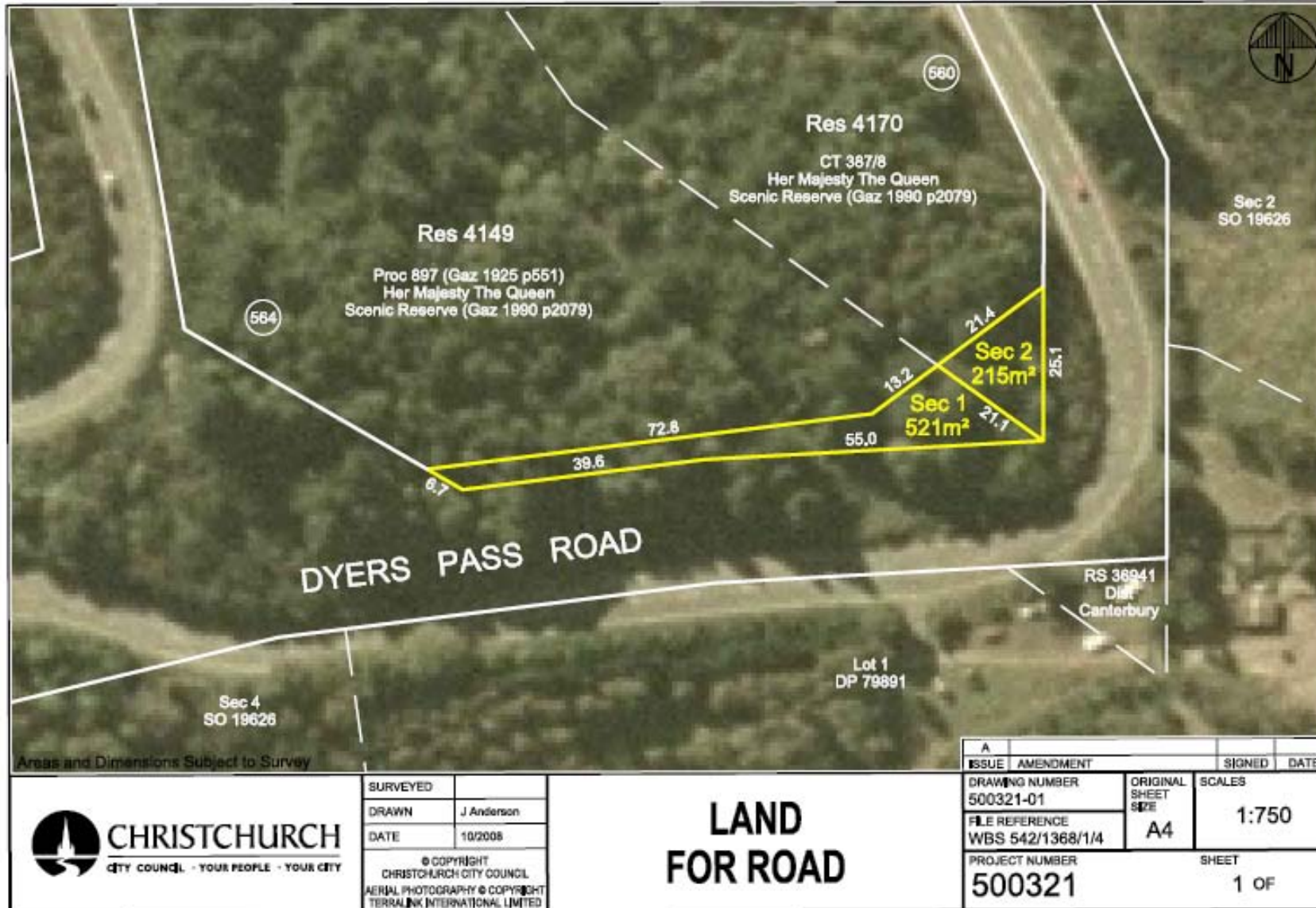
25. Maintain the Status Quo i.e. do not proceed with the current proposal affecting part of the Sugarloaf Scenic Reserve.
26. This is not the preferred option as it does not allow for the proposed slow vehicle bay to be constructed.

Option 3

27. Reassess alternative locations on Dyers Pass Road to build a slow vehicle bay.
28. This is not the preferred option as no other suitable locations for a slow vehicle bay have been identified on this section of Dyers Pass Road.

THE PREFERRED OPTION

29. Option 1 is the preferred option as it allows the proposed slow vehicle bay to be constructed.



Areas and Dimensions Subject to Survey

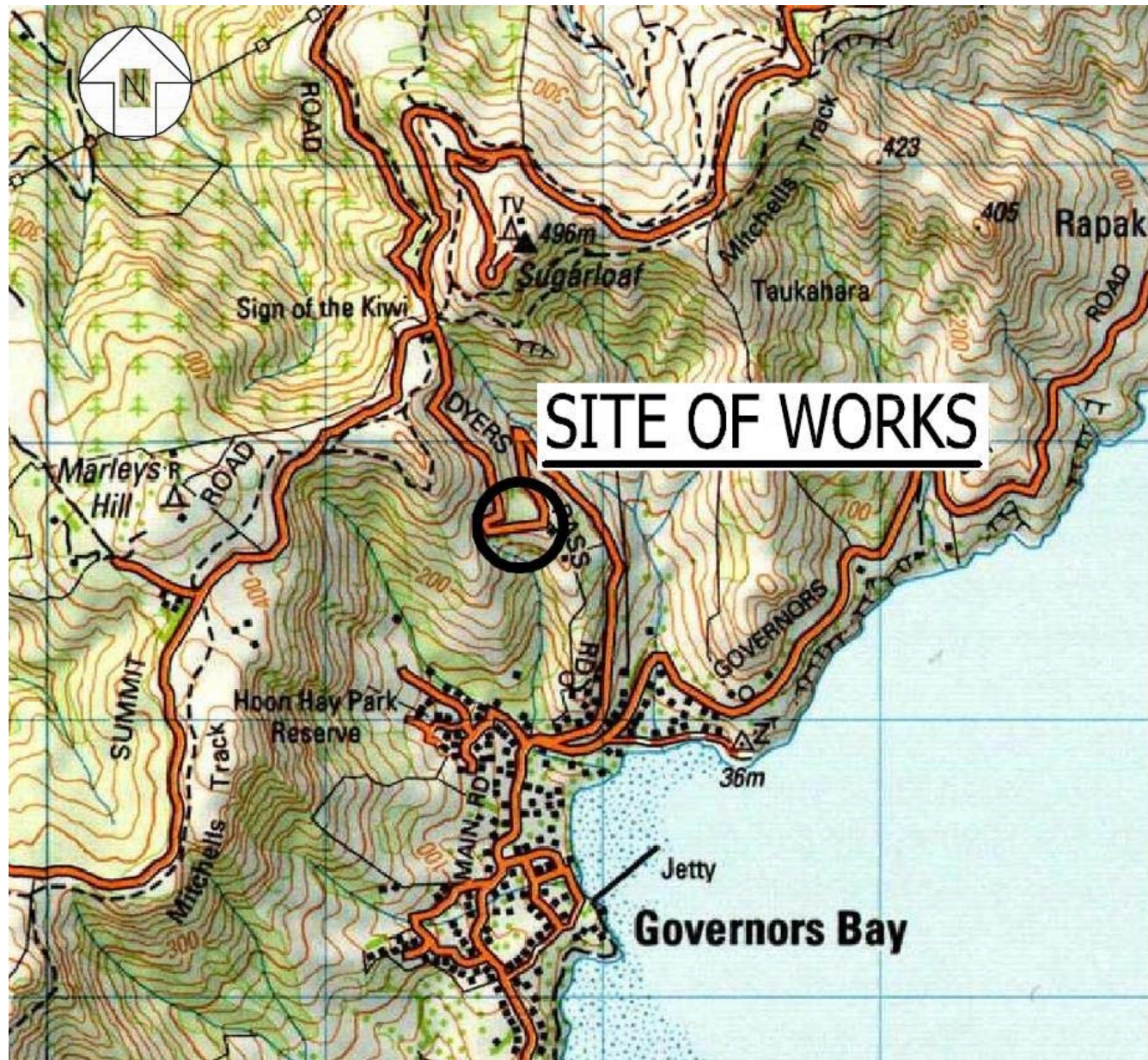


SURVEYED	
DRAWN	J Anderson
DATE	10/2008

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TERRALINK INTERNATIONAL LIMITED

LAND FOR ROAD

A		SIGNED	DATE
ISSUE	AMENDMENT		
DRAWING NUMBER	500321-01	A4	1:750
FILE REFERENCE	WBS 542/1368/1/4		
PROJECT NUMBER	500321	SHEET 1 OF	



11. ALLANDALE RESERVE DEVELOPMENT PLAN

General Manager responsible:	General Manager City Environment, Jane Parfitt, DDI 941-8608
Officer responsible:	Transport & Greenspace Manager, Alan Beuzenberg
Author:	Consultation Leader – Greenspace, Ann Campbell

PURPOSE OF REPORT

1. The purpose of this report is for the Lyttelton Mt Herbert Community Board to approve the final landscape development plans for Allandale Reserve (**refer Attachment 1**).

EXECUTIVE SUMMARY

2. Allandale Reserve is located on Governors Bay-Teddington Road between Governors Bay township and the entrance to Living Springs. It sits alongside the estuarine waterfront into Lyttelton Harbour and adjacent to a popular rest area.
3. The Reserve has a sports ground where in the past rugby, cricket and soccer have been played and this sportsfield layout has been retained.
4. The development plan identifies landscaping opportunities to enhance the entranceway into the reserve and also create a link between the reserve and the popular adjacent rest area. Also identified is the urgent need for a new toilet block in a safer location than the existing toilet block (which is now no longer in use).
5. The Governors Bay Community Hall and pre-school outdoor play area, although identified, is not included for future development opportunities on this plan.
6. The development plan has been prepared from the Schedule of Works and Policies from the Allandale Recreation Reserve Management Plan 2006, which was approved by the former Banks Peninsula District Council.

FINANCIAL IMPLICATIONS

7. A programme will be developed for the projects detailed in the development plan and funding required will be sought through the LTCCP process.

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

8. As per above.

LEGAL CONSIDERATIONS

9. Any work undertaken will be carried out by a Council approved contractor.
10. Any consents required will be obtained at the time of construction.

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

11. As per above.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

12. Parks Access Policy
Environmental Policy
Banks Peninsula Tree Planting Policy 1999

11. Cont'd

13. **LTCCP 2006-16 Parks, Open Spaces and Waterways, Page 123**

Environment – by offering opportunities for people to contribute to projects that improve our city's environment.

Recreation – by offering a range of active and passive recreation and leisure opportunities in parks, open spaces and waterways.

Governance – by involving people in decision making about parks, open spaces and waterways

Community – by providing welcoming areas for communities to gather and interact

14. **Parks and Open Spaces Activity Management Plan**

Council's objective with urban parks is to provide and manage Community Parks, Garden and Heritage Parks, Sports Parks and Riverbanks and Conservation Areas throughout the city that provide amenity values, areas for recreation and organised sport, garden environments and green corridors, that contribute to the city's natural form, character, heritage and Garden City image.

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

15. As per above.

ALIGNMENT WITH STRATEGIES

- 16. Draft Biodiversity Strategy
- Open Space Strategy
- Banks Peninsula Reserves Strategy
- Safer Parks Policy

Do the recommendations align with the Council's strategies?

17. As per above.

CONSULTATION FULFILMENT

- 18. As full consultation was undertaken during the development of the Management Plan for Allandale Reserve, and this current landscape development plan is a reflection of the Schedule of Works and Policies from that document, it was considered that another round of consultation was not required.
- 19. A copy of the concept plans were however sent to the Allandale Reserve Management Committee and the Governors Bay Community Association for comment prior to final approval, to ensure that the concept did meet their expectations in relation to the Management Plan.
- 20. Feedback was received from several members of the Governors Bay Community Association in relation to the species identified for planting. The comment received requested that all planting be locally sourced native plants (no exotics) as specified in the Banks Peninsula Ecological Plan 1997.
- 21. Following this feedback, the Landscape Architect and Council Botanist revised the list and have incorporated most of the changes suggested. All new planting will consist of locally sourced native plants.
- 22. No feedback or comment was received from the Reserve Management Committee.

STAFF RECOMMENDATION

It is recommended that the Lyttelton Mt Herbert Community Board approve the final landscape development plans for Allandale Reserve and request staff to proceed to detailed design and construction as funding is finalised.



KEY	
	Existing trees and shrubs in need of maintenance and enhancement (pruning, thinning and removal) NOTE: this may include planting under the canopy
	Existing low planting to be retained
	Existing buildings
	Existing fence
	Existing post and cable fence
	Existing rugby practice light



A EXISTING ENTRANCE



B EXISTING ENTRANCE



C EXISTING CARPARK



D EXISTING COMMUNITY HALL



E EXISTING PLAYING FIELDS



F EXISTING CRICKET PRACTICE NETS



G EXISTING WOODEN FOOTBRIDGE BETWEEN THE DOMAIN AND REST AREA



H EXISTING FORESHORE VEGETATION INCLUDING MACROCARPA

<p>CHRISTCHURCH CITY COUNCIL - YOUR PEOPLE YOUR CITY</p> <p>CAPITAL PROGRAMME GROUP</p>	DATE: 15/03/09	DWG: 500460	DESIGNED: A. SMITH	ISSUED: 15/03/09	DATE: 15/03/09	APPROVED: [Signature]	FOR CHECK:
	DRAWN: G. WILLIAMS	CHECKED: J. MOORE	DATE: 08/07	DATE: 08/07	DATE: 08/07	DATE: 08/07	DATE: 08/07
	DATE: 08/07	DATE: 08/07	DATE: 08/07	DATE: 08/07	DATE: 08/07	DATE: 08/07	DATE: 08/07
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	DATE: 08/07	DATE: 08/07	DATE: 08/07	DATE: 08/07	DATE: 08/07	DATE: 08/07	DATE: 08/07

PROJECT TITLE	ALLANDALE RECREATION RESERVE, GOVERNORS BAY LANDSCAPE DEVELOPMENT PLAN
DRAWING TITLE	EXISTING SITE AND TREE MAINTENANCE PLAN

CONTRACT NUMBER	07/08-	ORIGINAL SHEET	A1	SCALES	1:1000 (A1) 1:2000 (A3)
CAD DRAWING FILE NUMBER	LP216101	SHEET	1	OF	3
DWG PROJECT FILE NUMBER	500460				



PLANT LISTS

Plant List A - Native Specimen trees	Plant List C - Native Foreshore planting
<i>Alseodaphne acuminata</i> (Tahiti)	<i>Cassipouira pasubina</i> (Māori kahurangi)
<i>Hobbitia angustifolia</i>	<i>Coriaria alba</i> (Tōtara)
<i>Raukawaia ruscifolia</i> (Kākararaka)	<i>Cycas sulcata</i> (Umanu Kāwhiri)
<i>Phyllocladus argentea</i> (Kōwhiriwari)	<i>Diospyros australis</i> (Native Inkberry)
<i>Rhodocarpus totara</i> (Totara)	<i>Muehlenbeckia australis</i> (Shrub muellebeka)
<i>Sapota microphylla</i> (South Island Kowhai)	<i>Freycinetia tenax</i> (Haka)
	<i>Elaglanthus alvarezius</i> (Saltmarsh dabwood)
Plant List B - Native trees	Plant List D - Native Domain planting
<i>Cambisella australis</i> (NZ Broom)	<i>Actinocodium spectabile</i>
<i>Carpodacus serratus</i> (Putaputaweta)	<i>Asteria fragrans</i>
<i>Coprosma crassifolia</i> (Māori kahurangi)	<i>Coriaria cordata</i> (Yakara - mōtaka haka)
<i>Corylinus australis</i> (Cabbage tree)	<i>Euphorbia glauca</i> (Native spurge)
<i>Eucalyptus novae-zelandiae</i> (Kōwhiriwari)	<i>Cestrum novae-zelandiae</i>
<i>Chorizanthe linearis</i> (Grassleaf)	<i>Hebe salicifolia</i> (Kōwhiri)
<i>Kunzea ericoides</i> (Kānuka)	<i>Poa cha</i> (Silver tussock)
<i>Mallosia scopulorum</i> (Pōtiki haka)	<i>Sophora prostrata</i> (Prostrate kowhai)
<i>Myoporum laetum</i> (Ngakuru)	
<i>Ohia palmulata</i> (Akeake)	
<i>Phytosporum euphraticum</i> (Lemonwood)	
<i>Pseudopanax arboreum</i> (Five-finger)	
<i>Pseudopanax crassifolium</i> (Lancewood)	

NOTES

Other work required as highlighted in the Management Plan:

PUBLIC HALL

1. Upgrade the internal toilets, construct internal showers and extend the stage area in the hall.
2. Remove any dilapidated, derelict or hazardous buildings and structures.

SIGNS

Provide the following:

3. A directional 'ALLANDALE RESERVE' sign on the roadside opposite the reserve entry
4. An Information sign in or near the carpark
5. Directional signs to the proposed foreshore area from the domain and from the adjacent rest area.
6. A Directional sign to the horse area.

KEY

- Existing buildings
- Existing fence
- Existing post and cable fence
- Proposed post and cable fence
- Proposed shute path
- Proposed public table
- Proposed rugby practice light
- Proposed sign
- Proposed information board

PLANT KEY

- Existing trees and shrubs
- Existing low planting
- Proposed trees (Exotic) - Plant List A
- Proposed trees (Native) - Plant List B
- Proposed low planting - Plant List C
- Proposed low planting - Plant List D

	DATE: 07/08	NAME: J. MOORE	DATE: 08/02	APPROVED: [Signature]
	DESIGNED: J. MOORE	DRAWN: J. WILLIAMS	CHECKED: J. MOORE	DATE: 08/02
	SURVEY: 08/02	OWNER: J. WILLIAMS	DATE: 08/02	
	DATE: 08/02	DATE: 08/02	DATE: 08/02	

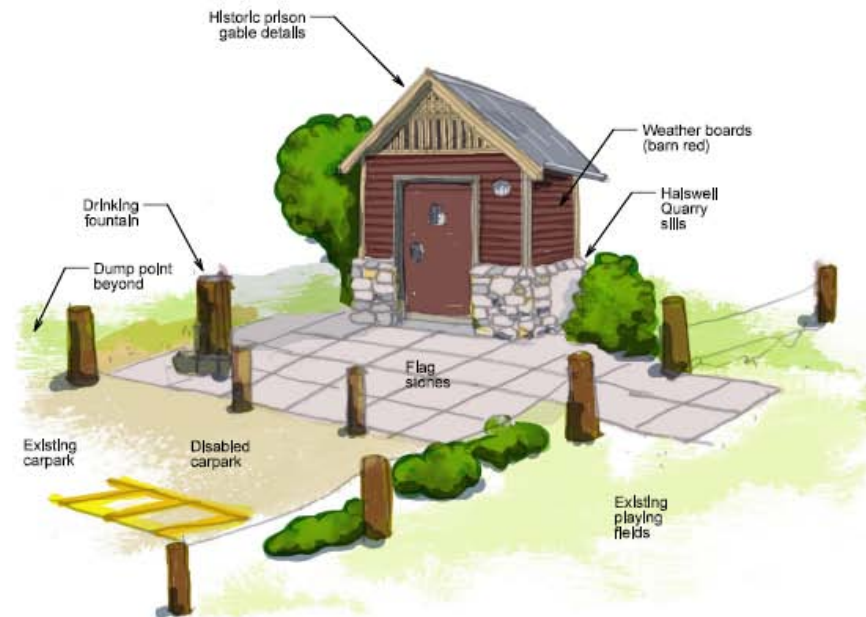
PROJECT TITLE	ALLANDALE RECREATION RESERVE, GOVERNORS BAY LANDSCAPE DEVELOPMENT PLAN
DRAWING TITLE	CONCEPT PLAN

CONTRACT NUMBER	07/08-	SCALE	1:1000 (A1)
DATE DRAWING PREPARED	12/10/02	SCALE	1:2000 (A3)
DATE PROJECT PREPARED	500460	SHEET	2 OF 3



Location Plan
Scale - approx 1:50

Note: Refer to LP216102 for toilet block location within the domain



Perspective View of Proposed New Public Toilets



DATE	BY	FOR	APPROVED
DESIGNED	J. WOODS	08/08	FOR TENDER
DRAWN	J. WOODS	08/08	DATE
CHECKED	J. WOODS	08/08	DATE
APPROVED	J. WOODS	08/08	DATE

PROJECT TITLE	ALLANDALE RECREATION RESERVE, GOVERNORS BAY LANDSCAPE DEVELOPMENT PLAN
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DRAWING TITLE	NEW PUBLIC TOILETS AND ASSOCIATED WORKS SKETCH PLAN
---------------	---

REV	REVISIONS	DRAWN	CHECKED	DATE
07/08	CONTRACT NUMBER	500460		
LP216103	ORIGINAL SHEET NO.	A1		
	SCALE	1:50 (A1)		
		1:100 (A3)		
	SHEET	3	OF	3

12. THE TERRACE (GOVERNORS BAY) – PROPOSED NO STOPPING RESTRICTIONS

General Manager responsible:	General Manager City Environment, Jane Parfitt, DDI 941-8608
Officer responsible:	Transport and Greenspace Manager, Alan Beuzenberg
Author:	Steve Dejong / Michael Thomson – Network Operations

PURPOSE OF REPORT

1. The purpose of this report is to seek the Lyttelton Mt Herbert Community Board's approval that the stopping of vehicles be prohibited at any time on the East side of The Terrace at the intersection of Hyland Brae and on the west side of The Terrace at the entrance of the Lighthouse Lane walking track. Please refer to the **attached** plan.

EXECUTIVE SUMMARY

2. The Council has received a request from a resident of Hyland Brae to reinstate the No Stopping Lines on The Terrace. A No Stopping restriction was previously installed by the Banks Peninsula District Council along The Terrace at the entrance to Hyland Brae to allow residents ease of access to and from Hyland Brae. As part of the construction of a new subdivision further up the road, The Terrace was also reconstructed, however, the previously mentioned No Stopping restriction lines were not replaced. It has since been realised that when the No Stopping restriction was installed by the Banks Peninsula District Council it was not officially resolved.
3. The Terrace is a reasonably narrow road with a 6 metre wide carriageway. When vehicles are parked on the west side of this road opposite the entrance to Hyland Brae it is extremely difficult to enter or exit this private lane.
4. An investigation by staff confirmed the concerns of the residents of Hyland Brae. It also identified visibility issues for walkers where the Lighthouse Lane walking track crosses The Terrace just south of Hyland Brae. The walking track enters from the east via a series of steps up the crib walling and then exits to the west through a gap in the retaining wall up some more steps on the upper side of the road.
5. It is proposed that a No Stopping restriction be installed on the eastern side of The Terrace opposite the entrance to Hyland Brae and extending to the walking track and on the western side of The Terrace where the walking track crosses. These proposed No Stopping restrictions will provide unobstructed access to and from Hyland Brae and will also provide pedestrians using the Lighthouse Lane walking track with a safer, unimpeded crossing point and clearer vision of oncoming traffic.
6. It was not considered necessary to consult with residents since this proposal only involves replacement of previously existing road markings with a small extension across the walkway frontage.

FINANCIAL IMPLICATIONS

7. The estimated cost of this work is \$200.

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

8. The installation of road markings and signs is within the LTCCP Streets and Transport Operational Budgets.

LEGAL CONSIDERATIONS

9. Part 1, Clause 5 of the Christchurch City Council Traffic and Parking Bylaw 2008 provides Council with the authority to install parking restrictions by resolution.
10. The Community Boards have delegated authority from the Council to exercise the delegations as set out in the Register of Delegations dated December 2007. The list of delegations for the Community Boards includes the resolution of parking restrictions.
11. The installation of any parking restriction signs and/or markings must comply with the Land Transport Rule: Traffic Control Devices 2004.

12. Cont'd

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

12. As above.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

13. Aligns with the Streets and Transport activities by contributing to the Council's Community Outcomes- Safety and Community.

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

14. As above.

ALIGNMENT WITH STRATEGIES

15. The recommendations align with the with Council Strategies including the Parking Strategy 2003, Pedestrian Strategy 2001, Road Safety Strategy 2004 and the Safer Christchurch Strategy 2005.

Do the recommendations align with the Council's strategies?

15. As above.

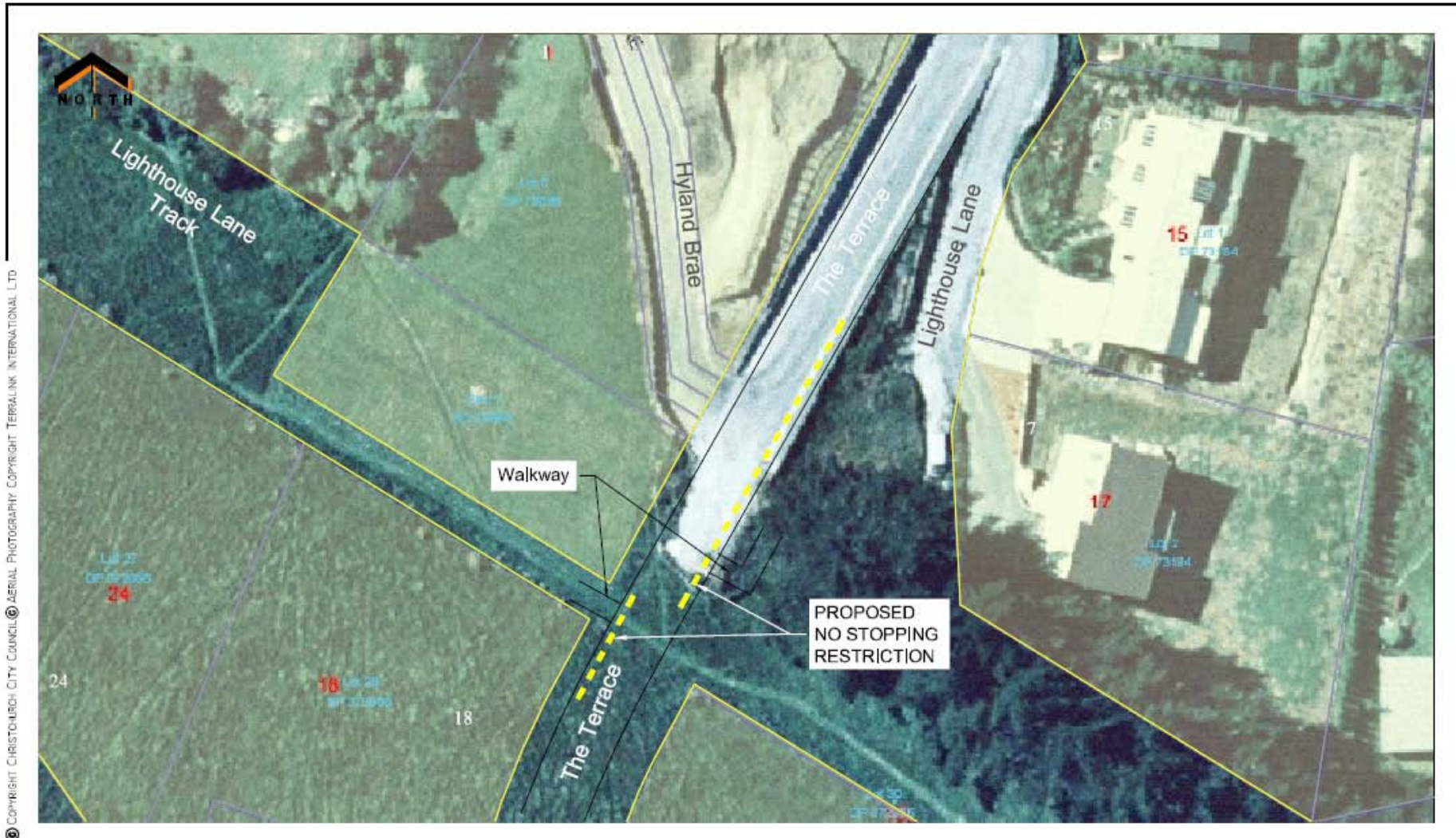
CONSULTATION FULFILMENT

16. It is not considered necessary to consult with residents, given that the Banks Peninsula District Council had previously installed these no stopping lines and the only reason they were removed was due to road works. Unlike most hillside streets in the Peninsula, The Terrace is not afflicted with a dearth of on-street parking and the proposal will only affect the residents of Hyland Brae who have requested the no stopping lines.

STAFF RECOMMENDATION

It is recommended that the Lyttelton Mt Herbert Community Board approve:

- (a) That the stopping of vehicles be prohibited at any time on the east side of The Terrace commencing at point 36 metres south of its intersection with Lighthouse Lane and extending in a southerly direction for a distance of 29 metres.
- (b) That the stopping of vehicles be prohibited at any time on the west side of The Terrace commencing at a point 246 metres south of its intersection with Zephyr Terrace and extending in a southerly direction for a distance of 8 metres.



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THE TERRACE (GOVERNORS BAY)
 Proposed No Stopping Restriction
 For Board Approval

Original Plan Size: A4
 ISSUE. 1 01.09
 — RAH

ViaStrada file location - R:\PROJECTS\001 TO 200\026 TO 050\46 CSR NON CONTRACTED WARDS\HYLAND BRAE\HYLAND BRAE.DWG

13. PARK TERRACE (CORSAIR BAY) – PROPOSED NO STOPPING RESTRICTIONS

General Manager responsible:	General Manager City Environment, Jane Parfitt, DDI 941-8608
Officer responsible:	Transport and Greenspace Manager, Alan Beuzenberg
Author:	Jon Ashford / Mike Thomson – Network Operations 941-8950

PURPOSE OF REPORT

1. The purpose of this report is to seek the Lyttelton Mt Herbert Community Board's approval that the stopping of vehicles be prohibited at any time on the south eastern side of Park Terrace in Corsair Bay.

EXECUTIVE SUMMARY

2. Further to a request from a local resident, the Lyttelton Mt Herbert Community Board have requested that the Network Operations Team investigate the installation of a No Stopping Restriction on the south eastern side of Park Terrace. Please refer to **Attachments 1 and 2**.
3. This part of Park Terrace is a straight, narrow section of road which runs between the sharp corner at Corsair Bay and the corner at number 70 Park Terrace. The carriageway width varies between 7.0m and 7.4m. There are existing No Stopping Restrictions on the south eastern side of the road at the Corsair Bay corner and prior to the entrance to a small carpark/lookout at the corner at number 70 Park Terrace, but no restrictions in between.
4. A carriageway width of 9 metres is normally the minimum required to allow parking on both sides of the road. This part of Park Terrace is too narrow to sustain parking on both sides, as this can restrict traffic flow to a single lane, creating safety issues and traffic delays.
5. This proposal will install a No Stopping Restriction on the south eastern side of Park Terrace joining up the existing No Stopping Restrictions. This will maintain a two way traffic flow and retain unrestricted kerbside parking on the north western side of the road outside the residential properties.

FINANCIAL IMPLICATIONS

6. The estimated cost of this proposal is approximately \$500.

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

7. The installation of road markings and signs is within the LTCCP Streets and Transport Operational Budgets.

LEGAL CONSIDERATIONS

8. Part 1, Clause 5 of the Christchurch City Council Traffic and Parking Bylaw 2008 provides Council with the authority to install parking restrictions by resolution.
9. The Community Boards have delegated authority from the Council to exercise the delegations as set out in the Register of Delegations dated December 2007. The list of delegations for the Community Boards includes the resolution of parking restrictions.
10. The installation of any parking restriction signs and/or markings must comply with the Land Transport Rule: Traffic Control Devices 2004.

13. Cont'd

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

11. As above.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

12. Aligns with the Streets and Transport activities by contributing to the Council's Community Outcomes- Safety and Community.

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

13. As above.

ALIGNMENT WITH STRATEGIES

14. The recommendations align with the with Council Strategies including the Parking Strategy 2003, Pedestrian Strategy 2001, Road Safety Strategy 2004 and the Safer Christchurch Strategy 2005.

Do the recommendations align with the Council's Strategies?

15. As above.

CONSULTATION FULFILMENT

16. Thirteen consultation letters were sent to the property owners on this section of Park Terrace and three responses received. All were in support of the proposal but all three noted that it is only occasionally in summer or when there is an event at Corsair Bay that vehicles are parked on both sides of the road. Two respondents noted that there were greater traffic issues on Park Terrace closer to Lyttelton. Refer **Attachment 3**.
17. The Corsair Bay Residents Association support the proposal but also noted that it is only occasionally in summer or when there is an event at Corsair Bay that vehicles are parked on both sides of the road and again noted that there were greater traffic issues on Park Terrace closer to Lyttelton.
18. The officer in Charge - Parking Enforcement agrees with this recommendation.

STAFF RECOMMENDATION

It is recommended that the Lyttelton Mt Herbert Community Board approve:

Revocations

- (a) That the existing No Stopping Restrictions on the south eastern side of Park Terrace commencing at its intersection with the entrance to Corsair Bay carpark and extending in a predominantly south westerly direction for a distance of 79 metres be revoked.
- (b) That the existing No Stopping Restrictions on the south eastern side of Park Terrace commencing at a point 284 metres in a predominantly south westerly direction from its intersection with the entrance to Corsair Bay carpark and extending in a south westerly direction for a distance of 54 metres be revoked.

No Stopping Restriction

- (c) That the stopping of vehicles be prohibited at any time on the south eastern side of Park Terrace commencing from its intersection with the entrance to Corsair Bay carpark and extending in a south westerly direction for a distance of 338 metres.



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PARK TERRACE (CORSAIR BAY)
Proposed No Stopping Restriction
For Board Approval

Original Plan Size: A4
ISSUE. 1 01.09
RAH

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CONSULTATION RESPONSES FROM RESIDENTS

Subject: Park Terrace Proposed Parking restrictions

I live on Park Terrace and received your letter the other day regarding the proposed parking restrictions.

Although I do support the proposal, there are a few other issues regarding this stretch of road that I think need considering first.

1. The stretch of road in question is very rarely parked on both sides. The only times we have noticed it happen in two years is on the occasional hot summer day when people come to the beach, or when there are triathlons down in Corsair Bay.
2. The stretches of road I have marked on the attached map are double parked on a daily basis. These 2 stretches also tend to have people parking right near the corners, which is very dangerous.
3. The speed that people drive on this road is also a major issue. The stretch of Park Terrace that we live on has people daily driving at well over 50, if not closer to 70, 80 or 100kms in both directions.

Thank you,

Regarding the proposed parking restrictions on Park Terrace:

We are the owners of Park Terrace in Corsair Bay.

We support, in theory, the proposed restriction in parking on the seaward side of Park Terrace but have several thoughts on this matter.

Parking on the seaward side of Park Terrace in Corsair Bay is relatively uncommon. It is not uncommon for a week to pass without anyone parking in this area, so we question whether this area is top priority in Lyttelton.

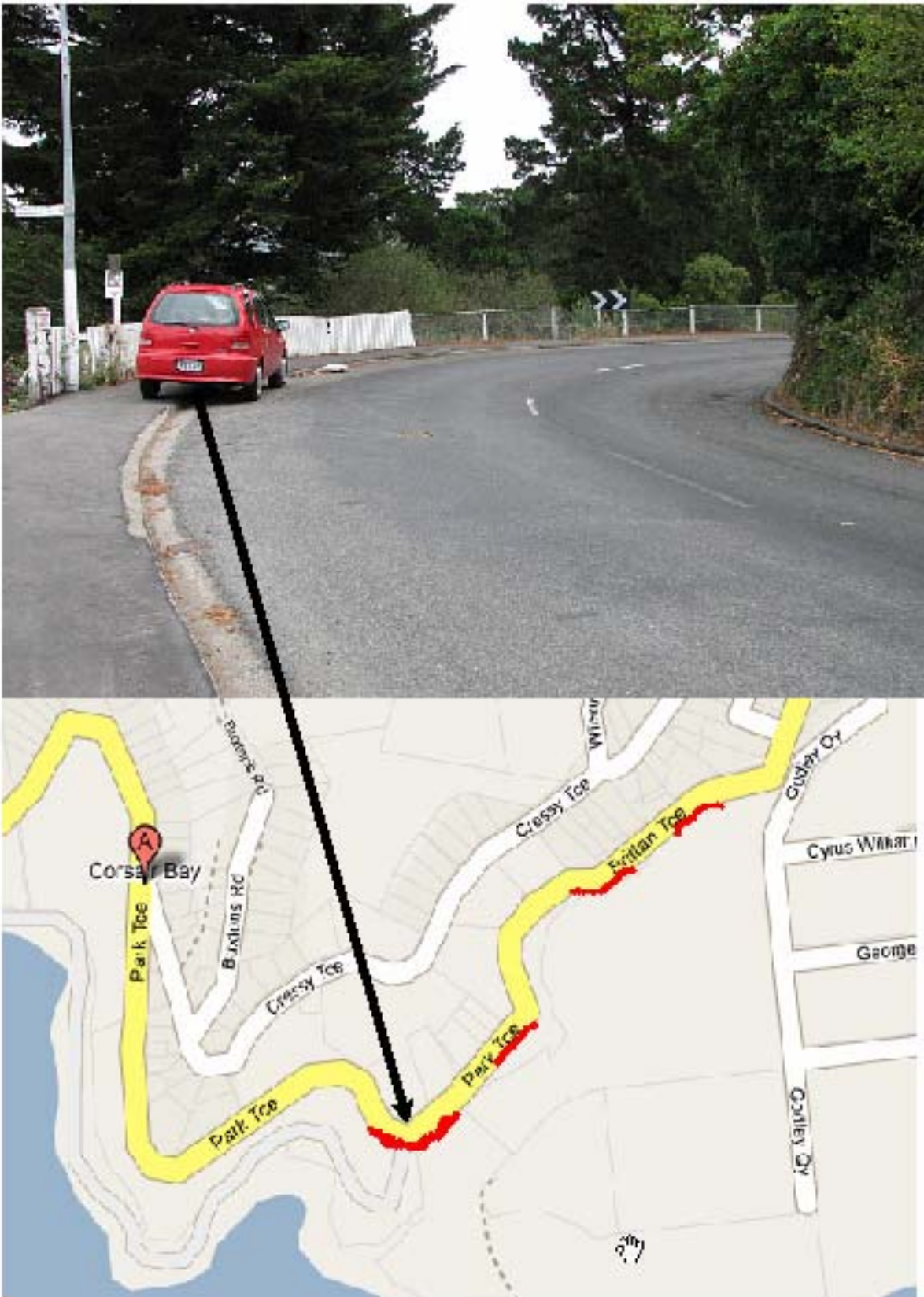
The proposed restrictions are in an area where there is a clear line of sight in both directions, so any parking creates a relatively low level of danger in this 50km/h area.

There is no inclusion in this proposal of areas of Park Terrace that have a much higher degree of danger created by parking on both sides of the road. Please see the attached map highlighting areas where parking occurs on a daily basis. Often cars are left overnight in these stretches of the road, creating what we would imagine is a much larger hazard to traffic and motorists. These areas do not have any clear line of sight and often cars are parked right on the corners, creating significant risk, particularly as this is a road where "boy racers" are already a problem. For example, last year our vehicle, traveling at an appropriate speed, was forced onto the curb by a driver going too fast and crossing the centre line as he swerved to negotiate the vehicles parked on either side of the narrow road. Our wheel was so damaged the whole thing had to be replaced.

Furthermore, in these marked areas the road is narrower than in Corsair Bay, creating a necessity for the cars to park partially on the curb. This forces pedestrians to walk around the parked cars and onto the road. Oncoming traffic cannot see that around the corner there is the possibility of pedestrians on the road due to these parked cars.

Locals are aware of these hazards and know extra caution is required. However this area is very popular with tourists and campers who, unaware of the additional danger, do not slow down approaching the danger spots. The hazard created by cars parking near corners on the seaward side of the road is in our view a much more urgent matter, and we look forward to this situation being addressed.

Yours faithfully,



14. HAWKHURST ROAD/JACKSONS ROAD – PROPOSED NO STOPPING RESTRICTIONS

General Manager responsible:	General Manager City Environment, Jane Parfitt, DDI 941-8608
Officer responsible:	Transport and Greenspace Manager, Alan Beuzenberg
Author:	Jon Ashford/Michael Thomson – Network Operations

PURPOSE OF REPORT

1. The purpose of this report is to seek the Lyttelton Mt Herbert Board's approval that the stopping of vehicles be prohibited at any time at the Hawkhurst Road / Jacksons Road intersection.

EXECUTIVE SUMMARY

2. Earlier this year, the Network Operations Team received a request from the Lyttelton Volunteer Fire Brigade that No Stopping restrictions be installed at the intersection of Hawkhurst Road and Jacksons Road. Please refer to the **attached plan**.
3. The Lyttelton Volunteer Fire Brigade are concerned that they are unable to manoeuvre their fire tender around this corner when cars are parked around the intersection. Staff made an inspection of the site with the Lyttelton Chief Fire Officer to discuss his concerns and confirmed that there is insufficient carriageway width for fire tender to manoeuvre when cars are parked close to the intersection.
4. Jacksons Road intersects with Hawkhurst Road at an angle of approximately 45° and fire tenders turning right into, or left exiting Jacksons Road are required to make a 135° turn. This is further complicated by the steep road gradients of both roads. As can be seen from the turning path on the attached plan, the fire tender is just able to turn at this intersection. When vehicles are parked at the intersection the fire tender is unable to make the turn.
5. Staff are reluctant to remove any on-street parking within the Lyttelton area, as parking is at a premium in this historic hillside settlement. However, in this case it is considered that providing unimpeded access for emergency services vehicles outweighs the loss of street parking, of which only four are in fact legal parking spaces, as parking within six metres of an intersection is illegal.
6. As can be seen on the attached plan, the western end of Jacksons Road extends beyond the road reserve and onto private property, being No. 35 Jacksons Road. However, this is relatively common in the Lyttelton area.
7. The proposed No Stopping restriction will prohibit the parking of vehicles where they currently obstruct the access of the emergency services vehicles. This will improve the safety and peace of mind of local residents.

FINANCIAL IMPLICATIONS

8. The estimated cost of this proposal is approximately \$200.

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

9. The installation of road markings and signs is within the LTCCP Streets and Transport Operational Budgets.

LEGAL CONSIDERATIONS

10. Part 1, Clause 5 of the Christchurch City Council Traffic and Parking Bylaw 2008 provides Council with the authority to install parking restrictions by resolution.
11. The Community Boards have delegated authority from the Council to exercise the delegations as set out in the Register of Delegations dated December 2007. The list of delegations for the Community Boards includes the resolution of parking restrictions.

14. Cont'd

12. The installation of any parking restriction signs and/or markings must comply with the Land Transport Rule: Traffic Control Devices 2004.

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

13. As above.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

14. Aligns with the Streets and Transport activities by contributing to the Council's Community Outcomes- Safety and Community.

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

15. As above.

ALIGNMENT WITH STRATEGIES

16. The recommendations align with the with Council Strategies including the Parking Strategy 2003, Pedestrian Strategy 2001, Road Safety Strategy 2004 and the Safer Christchurch Strategy 2005.

Do the recommendations align with the Council's Strategies?

17. As above.

CONSULTATION FULFILMENT

18. Consultation documents were sent to the owner and residents of Nos. 16, 17, and 19 Hawkhurst Road and no responses were received.
19. The Lyttelton Community Association have been informed of this proposal.
20. The officer in Charge - Parking Enforcement agrees with this recommendation.

STAFF RECOMMENDATION

It is recommended that the Lyttelton Mt Herbert Community Board approve:

- (a) That the stopping of vehicles be prohibited at any time on the west side of Hawkhurst Road commencing at a point two metres north of its northern intersection with Jacksons Road and extending in a southerly direction for a distance of 19 metres.
- (b) That the stopping of vehicles be prohibited at any time on the east side of Hawkhurst Road commencing at its northern intersection with Jacksons Road and extending in a northerly direction for a distance of six metres.
- (c) That the stopping of vehicles be prohibited at any time on the east side of Hawkhurst Road commencing at its southern intersection with Jacksons Road and extending in a southerly direction for a distance of six metres.
- (d) That the stopping of vehicles be prohibited at any time on the north side of Jacksons Road commencing at its intersection with Hawkhurst Road and extending in a easterly direction for a distance of 15 metres.
- (e) That the stopping of vehicles be prohibited at any time on the south side of Jacksons Road commencing at its intersection with Hawkhurst Road and extending in a easterly direction for a distance of nine metres.



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Jacksons Road
Proposed No Stopping
For Board Approval

Original Plan Size: A4
ISSUE. 1 11.08
— RAH

VisTrack file location - R:\PROJECTS\001 TO 200\026 TO 050\46 CSR NON CONTRACTED\WARDS\HAWKHURST JACKSONS RD - NO STOPPING\JACKSONS ROAD.DWG

15. BRIEFINGS

Nil

16. COMMUNITY BOARD ADVISERS UPDATE



16.1 Representation Review Submission

Attached is a copy of the final version of the submission made by the Joint Banks Peninsula Community Boards on the Representation Review. A copy of the final submission was circulated to Board members via email for approval before being submitted.

It is recommended that the Board adopt the Representation Review submission.

16.2 Board Funding Balances

Attached is a report showing the current balance of the Boards Discretionary Response Fund and the Reserves Discretionary Fund.

SUBMISSION TO: Christchurch City Council

ON: Representation Review for 2010 Local Authority Election

FROM: Akaroa-Wairewa Community Board and
Lyttelton-Mt Herbert Community Board

CONTACT: Stewart Miller
Chairman, Akaroa-Wairewa Community Board
Ph 329-7812 or 027-600-2221

Paula Smith
Chairperson, Lyttelton-Mt Herbert Community Board
Ph 329-4445 or 027-241-3772

INTRODUCTION

The Banks Peninsula Community Boards (the Boards) met on 29 January 2009 to discuss the Christchurch City Council's Initial Proposal (November 2008) for the Representation Review for the 2010 Local Authority Election.

Banks Peninsula is one of eight wards in Christchurch City and is currently represented by a single Councillor and two Community Boards.

Having considered all the issues the Boards wish to support the Council's proposal to retain the status quo in terms of the representation structure for the City.

BANKS PENINSULA WARD

Both Boards support the Local Government Commission's April 2005 decision, to retain Banks Peninsula as a separate ward because:

"After careful consideration of the issues, the Commission came to the view that in the context of an enlarged Christchurch City the Banks Peninsula area could be considered to be an isolated community requiring specific representation in terms of section 19v(3) of the Local Electoral Act 2001 for the following reasons:

- *roading access to Christchurch City from the Outer Peninsula can be restricted in winter or storm conditions and roading access from Lyttelton to Christchurch may at times be totally dependent on the Lyttelton Tunnel being open;*
- *parts of the Peninsula are geographically isolated, with limited roading access; and*
- *significant travel times can be incurred from parts of the Peninsula in accessing council services and in enabling effective representation."*

The Commission therefore determined *"that the Banks Peninsula area would be an isolated community requiring specific representation in order to provide effective representation for the area"*.

The Boards wish to put forward the following reasons in support of Banks Peninsula being retained as a single member ward, with two community boards:

1. Effective Representation

Effective representation for the clearly defined communities of interest on Banks Peninsula can only be achieved if the Peninsula remains a separate ward.

2. Isolated Community

The Boards do not consider that there has been any change (significant or otherwise) to alter the status of Banks Peninsula as an isolated community.

The Port Hills form a natural barrier between urban Christchurch and the Banks Peninsula ward. The ward's largest town, the port of Lyttelton, can only be reached by tunnel or by winding roads over steep passes. Banks Peninsula communities can easily become isolated in winter or during storm events. In the past winters there have been several occasions when a large number of roads were closed.

Considerable travel times are still involved for many Banks Peninsula residents to access Council services, and for elected representatives to meet with their constituents.

3. Natural Geographic Boundary

Banks Peninsula is a dominant geographic feature within the Christchurch City Council boundary. Its topography presents a natural geographic boundary with many of the characteristics of an island. The area contains 70% of the land area of the City. Its volcanic origins and steep terrain define a landscape which is in complete contrast to the rest of the City. These characteristics give rise to (or contribute to) issues not faced by other City wards.

The ecology of Banks Peninsula is quite distinct from the ecological systems of the Canterbury Plains. The area is recognised as the Banks Ecological Region which has boundaries that correspond with the existing political boundary of the ward.

4. Urban and Rural Issues

In contrast to the rest of the city, Banks Peninsula is comprised of rural land and small settlements, mostly at the edges of the two harbours. Issues in the Banks Peninsula ward are often quite different from those faced in urban wards. There is a need to recognise that there are explicit issues that face rural communities that do not arise in urban areas. For example the distances that sport teams have to travel to compete in "local" competitions, the need to support rural health providers who could not retain a service to rural areas without support from the local authority.

5. Banks Peninsula Rūnanga

There are four Rūnanga on Banks Peninsula. There are no Rūnanga within any of the other six wards in the City.

6. Resource Management

Banks Peninsula still operates under a separate District Plan which contains marked differences to the City Plan, notably landscape, coastal and rural character issues.

7. Separate Authority Areas

Banks Peninsula is within different areas for other authority boundaries, e.g. a different District Health Board area.

CONCLUSION

The Boards thank Council for the opportunity to make a submission on the Representation Review.

A representative(s) from the Boards wishes to speak in support of this submission.

Liz Carter
Community Board Adviser
Akaroa-Wairewa and Lyttelton-Mt Herbert Community Boards

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Phone: 941-5682
Fax: (03) 304-7731
liz.carter@ccc.govt.nz

	Project/Service/Description/Group	Allocation 2008/2009
As at 17 Mar		
	Budget	15,000
	<i>Allocations made</i>	
9-Oct	Community Board Newsletter (<i>Expenditure to 361/206/8/2</i>)	958
Dec	Diamond Harbour OSCAR (<i>Development of Business Plan</i>)	1,200
Feb	Lyttelton Anglican Parish (<i>Christmas Light display</i>)	200
	Lyttelton Community House (<i>Set up costs</i>)	3,000
	TOTAL: Lyttelton Mt Herbert Discretionary Response Fund Unallocated	9,642
	Lyttelton Mt Herbert Reserves Discretionary Fund	
	Budget	20,000
	<i>Allocations made</i>	
Dec	Diamond Harbour Croquet Club	1,040
Feb	Youth Council - Project Legit costs	1,215
	TOTAL: Lyttelton Mt Herbert Reserves Discretionary Fund Unallocated	17,745

17. ELECTED MEMBERS INFORMATION EXCHANGE

18. QUESTIONS UNDER STANDING ORDERS