

**LYTTELTON/MT HERBERT COMMUNITY BOARD
AGENDA**

**TUESDAY 14 AUGUST 2012
AT 12.30PM**

**IN THE GOVERNORS BAY HOTEL, MAIN ROAD,
GOVERNORS BAY**

Community Board: Paula Smith (Chairperson), Jeremy Agar (Deputy Chairperson), Ann Jolliffe, Claudia Reid, Adrian Te Patu and Andrew Turner

Community Board Adviser

Liz Carter

Telephone: 941 5682

Fax: (03) 304-7731

Email: liz.carter@ccc.govt.nz

- PART A - MATTERS REQUIRING A COUNCIL DECISION**
- PART B - REPORTS FOR INFORMATION**
- PART C - DELEGATED DECISIONS**

INDEX

KARAKIA

- PART C 1. APOLOGIES**
- PART C 2. CONFIRMATION OF MEETING MINUTES – 31 JULY 2012**
- PART B 3. DEPUTATIONS BY APPOINTMENT**
 - 3.1 Kim Hickford**
- PART B 4. CORRESPONDENCE**
 - 4.1 Ruth Dyson MP**
- PART B 5. PETITIONS**
- PART B 6. NOTICES OF MOTION**
 - 6.1 Jeremy Agar**
- PART B 7. RESERVE MANAGEMENT COMMITTEES**
 - 7.1 Lyttelton Reserve Management Committee – 16 July 2012**
- PART B 8. MINUTES OF LYTTELTON HARBOUR/WHAKARAUPU ISSUES GROUP – 10 JULY 2012**

14. 8. 2012

- PART A 9. NO. 2 SUMNER ROAD LYTTELTON – BOUNDARY ADJUSTMENT/REALIGNMENT
- PART C 10. ESTABLISHMENT OF A LYTTELTON/MT HERBERT YOUTH DEVELOPMENT SCHEME 2012/13
- PART C 11. LYTTELTON/MT HERBERT COMMUNITY BOARD STRENGTHENING COMMUNITIES FUNDING 2012/13 ALLOCATIONS
- PART B 12. BRIEFINGS
 - 12.1 Edward Wright, Environment Canterbury
- PART B 13. COMMUNITY BOARD ADVISER'S UPDATE
 - 13.1 Board Funding Balances
 - 13.2 Banks Peninsula Water Management Zone Committee – 19 June 2012
 - 13.3 Local Earthquake Recovery Co-ordination
 - 13.4 Customer Service Requests: 1 May 2012 – 31 July 2012
 - 13.5 Email Correspondence from Collette Jansen
- PART B 14. ELECTED MEMBERS' INFORMATION EXCHANGE
- PART B 15. QUESTIONS UNDER STANDING ORDERS

Lyttelton/Mt Herbert Community Board Objectives for the 2010 – 2013 Triennium

These objectives were agreed by members of the Lyttelton/Mt Herbert Community. They are intended to guide decision-making and provide a basis for the Board's advocacy work in this triennium and beyond. These objectives can only be achieved in partnership with others, including our many resourceful community groups, mana whenua, local businesses (including Lyttelton Port of Christchurch), the Christchurch City Council and government agencies.

- **Local community partnership in earthquake recovery**
- **Port traffic off waterfront quays**
- **Improved public access to inner harbour waterfront**
- **A rebuilt sustainable Lyttelton town centre, with character**
- **Lyttelton Urban Design Advisory Committee up and running**
- **Retention, restoration, and timely recovery of local heritage**
- **Arts and creative activities supported and celebrated**
- **Lyttelton Harbour catchment water quality steadily improving**
- **Head-to-Head walkway up and running**
- **Predator-free Port Hills**
- **Landscapes protected and sustainably managed**
- **Stoddart Point and Coastal Cliff Management Plan finalised**
- **Agreed plans for Godley House site redevelopment**
- **Destination Lyttelton Harbour “on the map” for visitors**
- **More and different people involved (broader community engagement)**
- **Greater community interest in role of the Community Board**

Lyttelton/Mt Herbert Community Board
Adopted 15 May 2012

14. 8. 2012

1. **APOLOGIES**

2. **CONFIRMATION OF MEETING MINUTES – 31 JULY 2012**

The minutes of the Board's meeting of 31 July 2012 are **attached**.

STAFF RECOMMENDATION

That the minutes of the Board's meeting held on Tuesday 31 July 2012 be confirmed.

14. 8. 2012

3. DEPUTATIONS BY APPOINTMENT

3.1 KIM HICKFORD

Kim Hickford has asked to address the Board regarding a proposed book launch to be held in November 2012, to launch a book about the Lyttelton Fire Brigade, and its involvement in the earthquake response.

4. CORRESPONDENCE

4.1 RUTH DYSON, MP

Attached is correspondence from Ruth Dyson, MP for Port Hills, regarding a proposal to name the Lyttelton Library after Margaret Mahy.

STAFF RECOMMENDATION

It is recommended that the Board receive the correspondence and consider the suggestion therein.

5. **PETITIONS**

6. **NOTICES OF MOTION**

Pursuant to Standing Order 3.10.1 the following Notice of Motion, moved by Jeremy Agar has been received:

MOVED That the Lyttelton/Mt Herbert Community Board support continued public ownership of New Zealand's strategic assets, and continued Christchurch City Council ownership of it's metropolitan and regional strategic assets, in particular, Lyttelton Port of Christchurch.

7. **RESERVE MANAGEMENT COMMITTEE**

7.1 **LYTTELTON RESERVES MANAGEMENT COMMITTEE**

The minutes of the Lyttelton Reserves Management Committee meeting of 16 July 2012 are **attached**.

STAFF RECOMMENDATION

That the Board receive the minutes of the Lyttelton Reserves Management Committee meeting held on 16 July 2012.

8. MINUTES OF LYTTTELTON HARBOUR/WHAKARAPO ISSUES GROUP – 10 JULY 2012

The minutes of the Lyttelton Harbour/Whakaraupo Issues Group meeting of 10 July 2012 are **attached**.

STAFF RECOMMENDATION

That the Board receive the minutes of the Lyttelton Harbour/Whakaraupo Issues Group meeting held on 10 July 2012.

9. NO 2 SUMNER ROAD LYTTELTON- BOUNDARY ADJUSTMENT /REALIGNMENT

| | |
|-------------------------------------|--|
| General Manager responsible: | General Manager City Environment, DDI 941-8608 |
| Officer responsible: | Unit Manager Transport and Greenspace |
| Author: | Lewis Burn, Property Consultant |

PURPOSE OF REPORT

1. The purpose of this report is to obtain the Board’s recommendation to the Council to approve proceeding with negotiations and the conclusion of a proposed sale and purchase of land by way of a boundary adjustment/realignment with the owner of the property at 2 Sumner Road Lyttelton (AM & BM Stanaway Family Trust) which adjoins Council’s land at 4 Sumner Road, the former site of the now demolished Lyttelton Plunket building.

EXECUTIVE SUMMARY

2. The property owner adjoining Council’s Lyttelton Plunket site (Lot 2 DP 307398) has requested consideration be given to having a small area of Council’s site, between 20-30 square metres, subject to survey, on which the former MED substation and transformer pad existed, incorporated into their title. They have submitted that the amalgamation of this area would considerably ease and enhance the rebuilding of their residence which did not survive the 2010/2011 earthquakes and has been demolished.
3. Currently within the Council’s title are retaining walls along the north wall of the former substation site with Sumner Road and the east boundary of the applicant’s property including a disused toilet that is partly set back into this wall. In discussions with the owner it has been agreed, without prejudice to the Council approval, that the boundary realignment would draw a straight line along the eastern boundary from Sumner Road to include the former substation and transformer pad within the owner’s property (Lot 1 DP 51886). This would mean that the new boundary would dissect the disused toilet with that part falling into the Council’s title being incorporated within Lot 2 DP 307398. Refer **Attachment 1** (Topographical survey by Davie Lovell Smith). The proposed new boundary is shown marked red.
4. The proposed boundary adjustment has raised the issue of responsibility for the existing retaining walls. Refer **Attachment 2** (Photographs showing the footprints of the transformer pad, substation and disused toilet). The owner has indicated he is agreeable to a new eastern boundary as described in paragraph three above and has instructed his engineers as to how he can take responsibility for and adequately retain both north and eastern boundaries. Staff consider that both these walls should, after the realignment, lie within the applicant’s property.
5. The applicant’s structural engineers (Structex Lyttelton) have advised that new primary retaining measures will be constructed while leaving the existing wall in place. It is proposed to backfill the disused toilet (which on realignment will be partly in Council’s title, an area of approximately five square metres) using well graded hard fill or flowable concrete and whichever material is used, suitable packing put in below existing toilet roof to ensure bearing on backfill material. The applicant’s engineers also state that while the design of the engineering approach to the existing retaining walls as part of the applicant’s new building is still in development, it is intended that retaining of the east wall with the Council’s land and the north wall along Sumner Road be provided by new concrete walls adjacent to the new building and where not adjacent by the building on the east boundary, to have a new retaining wall constructed against existing (likely to be gabion basket construction). The work it is understood can largely be carried out from within the site and without significant excavation with minimal disruption to the public or property outside the site boundaries.
6. Mr and Mrs Stanaway purchased Lot 1 DP 51886 on subdivision in 1985 of the Plunket site from the Lyttelton Borough Council which contained the old Lyttelton library building and at that time carried out as part of the purchase agreement extensive seismic strengthening to the building. At the time of the purchase there existed in the north east corner a MED substation and transformer. They consider along with their architect and structural engineers that it would not be appropriate to undertake rebuilding on the site without obtaining ownership of the area on which the former MED substation and transformer pad was located.

9 Cont'd

7. The nature of the Council's small holding as will be evident by the photographs at Attachment 2 could present a potential health and safety risk to Council. The subject land has not been used for a community purpose for many years (if ever) and if disposed of (which could only be to the adjoining owner) will not restrict any future use of Council's site for a community or other use.

FINANCIAL IMPLICATIONS

8. There are no financial implications of any significance for Council. The applicant has agreed to meet all costs associated with implementing the boundary realignment. A purchase price has yet to be negotiated. It is considered it would be reasonable to base this price on a value that reflects the added value to his property while having regard to the onerous nature/size of the Council's land, the area of the disused toilet the Council is to receive and the potential cost relief to the Council in terms of contribution to the redevelopment and maintenance of the retaining walls.

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

9. Not applicable.

LEGAL CONSIDERATIONS

10. The Council holds the Lyttelton Plunkett site (a total area of 3359 square metres) in fee simple title without any trusts, restrictions and reservations. Section 138 of the Local Government Act 2002 (Restriction on Disposal of Parks) does apply as this area is part of a site that was originally acquired "upon trust as and for sites for Public Buildings for the use and benefit of the Inhabitants of the Borough of Lyttelton and upon trust to use and occupy the same when and so long as the same or any part thereof shall not be built upon for general municipal purposes". This notation on the title was removed on 12 December 1994 pursuant to an application under Section 14 of the Banks Peninsula District Council Rates Validation, Empowering and Trust Removal Act 1994.
11. Having established that consultation is required, the question that needs to be asked is whether there is any person or party apart from the adjoining owner who is the applicant, to consult with who could reasonably claim that they would be affected by or have an interest in the proposed sale of this area. Given that the area proposed to be sold is not and will not detract from any future Council use of the Plunkett site, it is the view of staff that the Community Board could recommend the proposal to the Council without seeking wider views of the community.
12. The Council's land has been in the name of the local authority since the first title was issued to the Lyttelton Borough Council on 9 March 1928. While ownership prior to the Council owning this site has not been investigated, the provisions of Section 40 (4) of the Public Works Act 1981 (Disposal to former owner of land not required for a public work) allow the disposal of land to a neighbour without the need to offer the land back to a person from whom the land was originally acquired or their successor. Section 40(4) of the Public Works Act states: "Where the chief executive of the department within the meaning of section 2 of the Survey Act 1986 or local authority believes on reasonable grounds that , because of the size, shape , or situation of the land he or it could not expect to sell the land to any person who did not own land adjacent to the land to be sold, the land may be sold to an owner of adjacent land at a price negotiated between the parties." Clearly this situation applies. The subject area is not a complying lot and cannot be sold as a separate title.
13. The Board does not have a delegation to approve the proposed sale/purchase but does have a recommendatory power to Council as the decision maker.

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

14. Yes, as above.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

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

15. Not applicable.

9 Cont'd

ALIGNMENT WITH STRATEGIES

Do the recommendations align with the Council's strategies?

16. Not applicable.

CONSULTATION FULFILMENT

17. Reference is made to consultation in paragraphs 7 and 11. Section 79 of the Local Government Act 2002 allows a local authority to tailor the level of consultation having regard to all relevant matters in proportion to its significance. In this situation it is considered that this matter is of low significance and extensive consultation is not required. Orion has confirmed it has no interest in terms of its network requirements for this former electricity substation site which has long been decommissioned and removed. The Council's controlling asset unit, Transport and Greenspace has no issue with this proposal.
18. The New Zealand Historic Places Trust advise that there still remains archaeological potential within this area of Lyttelton and that an Archaeological Authority would be required for any removal of foundations or earthworks which would cause ground disturbance.

STAFF RECOMMENDATION

It is recommended:

1. That the Council approve the sale of land shown marked "A" and the purchase of land shown marked "B" on **Attachment 1** by way of a boundary alignment/adjustment subject to definition by survey between Lot 1 DP 51886 and Lot 2 DP 307398 delineated as a straight red line on **Attachment 1** subject to:
- (a) The owner of Lot 1 DP 51886 taking ownership and responsibility for all structures and retaining walls on the north and eastern boundaries of Lot 1 DP 51886.
 - (b) Any demolition and construction of retaining walls next to the boundary not adversely compromising the support of the ground and buildings in Lot 2 DP 307398.
 - (c) The applicant obtaining all consents and approvals required including an for work on or associated with the retaining walls and construction on the area proposed for disposal.
 - (d) All costs in implementing the realignment be the responsibility of the applicant.
 - (e) The Corporate Support Manager being given a delegation to further negotiate the terms and conditions including the consideration between the parties, to conclude a contract that gives effect to the proposed boundary adjustment/realignment on terms and conditions acceptable to her.
2. That, given the situation as discussed in paragraphs 7, 11 and 17, that no further consultation in terms of Section 138 of the Local Government Act 2002, be required.
3. That pursuant to Section 40 (4) of the Public Works Act 1981 the Council determine that the Councils land may be sold to the owner of the adjacent land (Lot 1 DP 51886)

10. ESTABLISHMENT OF A LYTTTELTON/MT HERBERT YOUTH DEVELOPMENT SCHEME 2012/13

| | |
|-------------------------------------|--|
| General Manager responsible: | General Manager, Community Services Group DDI 941-8607 |
| Officer responsible: | Unit Manager, Community Support Unit |
| Author: | Lincoln Papali'i, Strategic Initiatives Manager |

PURPOSE OF REPORT

1. The purpose of this report is to seek approval from the Board to set aside \$1,500 from its 2012/13 Discretionary Response Fund for the purpose of establishing a Youth Development Scheme.

EXECUTIVE SUMMARY

2. The purpose of the Youth Development Scheme is to celebrate and support young people living in the Lyttelton/Mt Herbert area by providing financial assistance for their development. This is a way for the Community Board to acknowledge young people's effort, achievement and potential excellence in the community.
3. The Youth Development Scheme would consider applications for the following activities:
 - Personal Development and Growth - For example leadership training, career development, Outward Bound, Spirit of Adventure, extra curricular educational opportunities.
 - Representation at Events - Applicants can apply for assistance if they have been selected to represent their school, team or community at a local, national or international event or competition. This includes sporting, cultural and community events.
4. The following eligibility criteria must be met:
 - Age groups 12-20 years.
 - Projects must have obvious benefits for the young person and if possible the wider community.
 - Only one successful application permitted, per applicant, per year.
 - Applicants should be undertaking other fundraising activities and not relying solely on Community Board support.
 - Successful applicants will be required to report back to the Community Board on their experiences.
5. Each application will be assessed by the appropriate staff member and presented to the Board for its consideration.

FINANCIAL IMPLICATIONS

6. This proposal transfers funds from the Board's Discretionary Response Fund into a separate Youth Development Scheme fund. This will reduce the total amount available in the Board's Discretionary Response Fund in 2012/13 by \$1,500.

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

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

LEGAL CONSIDERATIONS

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

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

10 Cont'd

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

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

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

ALIGNMENT WITH STRATEGIES

Do the recommendations align with the Council's strategies?

10. Aligns with the Strengthening Community Strategy goals:
- Increase participation in community recreation and sports programmes and events.
 - Improve basic life skills so that all residents can participate fully in society.

CONSULTATION FULFILMENT

11. No external consultation needs to be undertaken.

STAFF RECOMMENDATION

That the Lyttelton/Mt Herbert Community Board:

- (a) Establishes a Youth Development Scheme for the 2012/13 year.
- (b) Approves the transfer of \$1,500 from the Lyttelton/Mt Herbert Community Board's 2012/13 Discretionary Response Fund to the Lyttelton/Mt Herbert Youth Development Scheme.

11. **LYTTELTON/MT HERBERT COMMUNITY BOARD STRENGTHENING COMMUNITIES FUNDING 2012/13 ALLOCATIONS**

| | |
|-------------------------------------|---|
| General Manager responsible: | General Manager Community Services, Ph 941-8607 |
| Officer responsible: | Carolyn Gallagher, Unit Manager Community Support |
| Author: | Nicola Martin, Grants Advisor |

PURPOSE OF REPORT

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

EXECUTIVE SUMMARY

2. This report provides information to Community Board Members on the applications received for the Strengthening Communities Fund.
3. The total pool available for allocation in 2012/13, as outlined in the LTCCP, is \$38,398. There are no pre-existing commitments. Applications totalling \$129,444 were received. Current staff recommendations total \$38,398.
4. Attached (as **Attachment 1**) is a decision matrix, which outlines the projects funding is being sought for. Following staff collaboration meetings, staff have ranked all projects as either Priority 1, 2, 3 or 4 and have made recommendations as to funding.
5. The Lyttelton/Mt Herbert Community Board Funding Workshop on 19 June 2012 provided Community Board members the opportunity to go through the applications received in order to clarify any issues or questions about applications.
6. The Lyttelton/Mt Herbert Community Board has put forward one project as Key Local Project in 2012/13 amounting to \$15,000. This has been approved for funding from the Metropolitan funding pool.

FINANCIAL IMPLICATIONS

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

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

LEGAL CONSIDERATIONS

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

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

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

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

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

ALIGNMENT WITH STRATEGIES

Do the recommendations align with the Council's strategies?

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

11 Cont'd

CONSULTATION FULFILMENT

11. Not applicable.

STAFF RECOMMENDATION

It is recommended that the Board give consideration to the projects detailed in the attached decision matrix and approve allocations from the Lyttelton/Mt Herbert Community Board Strengthening Communities Funding for 2012/13.

BACKGROUND

Strengthening Communities Strategy

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

The Decision Matrix

14. Information on the projects is presented in a Decision Matrix, attached as Attachment 1. To ensure consistency, the same Decision Matrix format and presentation has been provided to the Metropolitan Funding Committee and all Community Boards.
15. Applications are project-based; information is provided that relates specifically to the project for which funding is being sought, not the wider organisation.
16. All applications appearing on the Decision Matrix have been assigned a Priority Rating. The Priority Ratings are:
- Priority 1** Meets all eligibility criteria and contributes significantly to Funding Outcomes and Priorities. Highly recommended for funding.
 - Priority 2** Meets all eligibility criteria and contributes to Funding Outcomes and Priorities. Recommended for funding.
 - Priority 3** Meets all eligibility criteria and contributes to Funding Outcomes and Priorities but to a lesser extent than Priority 2 applications. Not recommended for funding.
 - Priority 4** Meets all eligibility criteria and has minimum contribution to Funding Outcomes and Priorities; or Insufficient information provided by applicant (in application and after request from Advisor); or other funding sources more appropriate. Not recommended for funding.

11 Cont'd

17. Staff have used the following criteria to determine whether an application is a Priority One:
- (a) Impact the project has on the city
 - (b) Reach of the project
 - (c) Depth of the project
 - (d) Value for Money
 - (e) Best Practice
 - (f) Innovation
 - (g) Strong alignment to Council Outcomes and Priorities
 - (h) Noteworthy leverage or partnership/match funding from other organisations or government departments.
18. The matrix was presented to the Board at a workshop on 19 June 2012, no decisions were made at the workshop. The purpose of the workshop was to enable the Board and staff to discuss the projects, clarify any issues and seek further information, if necessary.

Key Local Projects

19. Each Board may nominate Key Local Projects (KLPs) in its area that are put forward to the Metropolitan Funding Committee for consideration for metropolitan funding.
20. The Lyttelton/Mt Herbert Community Board has put forward one project as a Key Local Project in 2012/13. Council made KLP decisions on 13 July 2012 and approved the recommendation from the Board.
21. This KLP is:

| Name of Group and Project | Amount Recommended |
|--|--------------------|
| Whakaraupo Carving Centre Trust (<i>Whakaraupo Carving Centre Project</i>) | \$15,000 |

Timeline and Process

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

12. BRIEFINGS

12.1 EDWARD WRIGHT, ENVIRONMENT CANTERBURY

Edward Wright, Operations Planner Passenger Services, Environment Canterbury will update the Board regarding proposed changes to bus services and in particular, will clarify the effect these changes may have on the Diamond Harbour Ferry.

13. COMMUNITY BOARD ADVISERS UPDATE

13.1 BOARD FUNDING BALANCES

A copy of the Board's funding balances as at 31 July 2012 is **attached** for members' information.

13.2 BANKS PENINSULA WATER MANAGEMENT ZONE COMMITTEE – 19 JUNE 2012

Attached for members' information.

13.3 LOCAL EARTHQUAKE RECOVERY CO-ORDINATION

The Community Board Adviser will update the Board.

13.4 CUSTOMER SERVICE REQUESTS – 1 MAY 2012 TO 31 JULY 2012

Attached for members' information.

13.5 EMAIL CORRESPONDENCE FROM COLETTE JANSSEN

Attached for members' information.

14. 8. 2012

14. ELECTED MEMBERS' INFORMATION EXCHANGE

15. QUESTIONS UNDER STANDING ORDERS