

12. 6. 2008

**BURWOOD/PEGASUS COMMUNITY BOARD  
14 APRIL 2008**

**An ordinary meeting of the Burwood/Pegasus Community Board  
was held on Monday 14 April 2008 at 5pm  
in the Boardroom, corner Beresford and Union Streets, New Brighton**


**PRESENT:** David East (Chairman), Nigel Dixon, Tina Lomax, Gail Sheriff,  
Tim Sintes and Chrissie Williams.

**APOLOGIES:** An apology for absence was received and accepted from  
Linda Stewart.

The Board reports that:

**PART A – MATTERS REQUIRING A COUNCIL DECISION**

**1. VESTING OF COASTAL CONSERVATION LAND**



<b>General Manager responsible:</b>	General Manager City Environment 941-8608
<b>Officer responsible:</b>	Acting Transport and Greenspace Unit Manager
<b>Authors:</b>	Kay Holder and Lewis Burn

**PURPOSE OF REPORT**

1. The purpose of this report is to submit a Board recommendation that the Council accept a vesting from the Department of Conservation of a strip of conservation land on the coast adjacent to Bottle Lake Forest Park and Spencer Park, as recreation reserve.

**EXECUTIVE SUMMARY**

2. Situated between Beach Road and Heyders Road is a narrow strip (approx 30 metres wide by 2.7 kilometres long) of coastal land outside the marine foreshore which is presently held by the Department of Conservation as conservation estate. For the most part this land adjoins Bottle Lake Forest (**Attachments 1 and 2** refer).
3. Discussions have been held with the Department of Conservation (the Department) on the Department's and the Council's responsibility for management in this area. The Department proposes that this land be vested in the Council, a solution which staff see as sensible for administration reasons and to rationalise recreation and ecological management of the area. This land has in effect been managed by the Council for many years as part of its coastal operations.
4. The Department's offer is to vest this land in the Council free of charge as a recreation reserve and if accepted by the Council, Department staff will seek the consent of the Minister of Conservation to the vesting of the land and arrange for the notification in the New Zealand Gazette.

**FINANCIAL IMPLICATIONS**

5. There are little financial implications with supporting this vesting. The vesting is at no land cost. The Department will meet most of the administration costs for this process with the Regional Park budget picking up a minimal cost. Maintenance costs for tracks etc are already covered in the Regional Park coastal area budget.

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

6. Yes.

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**1. Cont'd**

**LEGAL CONSIDERATIONS**

7. The Board does not have the delegated authority to authorise the acceptance of the proposed vesting and as such, a decision needs to be made by the Council. The Board does however have recommendatory powers to the Council.
8. The land is currently a conservation area subject to the Conservation Act 1987. Section 8 of that Act provides that the Minister of Conservation may, by notice in the Gazette, declare any conservation area to be a reserve under the Reserves Act 1977 and have a classification under that Act. Upon becoming a reserve the land ceases to be a conservation area and may be vested by the Minister in a local authority and used for the purpose of the given classification.
9. The classification as a recreation reserve aligns with the activities and amenities that are currently on this land and the way in which it has and will continue to be managed.

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

10. Yes, as above.

**ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

11. Not applicable.

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

12. This fits within the Regional Parks context.

**ALIGNMENT WITH STRATEGIES**

13. Not applicable.

**Do the recommendations align with the Council's strategies?**

14. Yes - Coastal Parks management.

**CONSULTATION FULFILMENT**

15. None appropriate by the Council. The Department will carry out consultation with the iwi rununga as part of the process to vest the land.

**STAFF RECOMMENDATION**

It is recommended that the Council accept a free vesting of the coastal conservation area the subject of this report, as recreation reserve under the Reserves Act 1977, with the Council and the Department of Conservation to meet their own legal and process costs.

**BOARD RECOMMENDATION**

That the staff recommendation be adopted.

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**1. Cont'd**

**BACKGROUND (THE ISSUES)**

16. The Council owns significant park lands adjacent to this coastal strip and the Bottle Lake Forest Park and Spencer Park. There are recreational assets such as tracks on this land. The Spencer Park Surf Life Saving Club, a building owned by the Council and leased to the Club for its surf lifesaving activities and public toilet/changing facilities are situated on the northern part of this land parcel.
17. Attempts have been made in the past to have this land vested in the Council as recreation reserve to rationalise the management of this area but because of past survey requirements to enable a Gazette description, this did not proceed. Changes have now occurred in the way land can be described in Gazette notices which mean that the process is not so prescriptive and cost prohibitive.
18. The Council proposes lifting the Rural Fire District status from the adjacent Bottle Lake Forest (and Chaney's Forest). The principal reason behind this is that because they are separate legal entities, the Christchurch City Council Rural Fire Authority (CCCRFA) is obliged to have separate fire plans for the Bottle Lake Rural Fire District and the Chaney's Rural Fire District in addition to the Christchurch City C rural fire area. The Council also has to respond to audits and performance assessments for each of these separate identities. Clearly this is an unnecessary cost and administration.
19. The consequence of lifting the Rural Fire District status and not being responsible for the land discussed will be that the Department's one kilometre fire margin emanating from the coastal strip will extend into the Bottle Lake forest, making the Department the responsible fire authority for part of this area. This situation is untenable from both the Council's and the Department's points of view. The CCCRFA fully supports the vesting of the coastal strip in the Christchurch City Council to avoid significant complications of fire management for this area. The CCCRFA has been managing the rural fire aspects for at least 15 years in any event, so it is not an additional workload from that perspective.

**THE OBJECTIVES**

20. The objectives of this report are to seek the Council's support for the vesting of this strip of land thereby enabling the more prudent management of the land and to remove the need for fire plans to be prepared for separate areas.
21. These actions will result in clearer management responsibilities between the Crown the Department and the Council in respect of the administration/control of activities and fire fighting on this land and the adjacent Bottle Lake Forest Park.

**THE OPTIONS**

22. There are two options:
  - (1) Status Quo. This would mean declining the offer by the Department of Conservation to vest this land in the Council and to continue with a legal ownership situation that is not compatible with the day to day management of the land whilst also necessitating additional work in developing fire plans.
  - (2) To accept the vesting as proposed.

**THE PREFERRED OPTION**

23. Option 2 is the preferred option and is being recommended given that there is no land cost to the Council and the Council already effectively manages the land.

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**PART B - REPORTS FOR INFORMATION**

**2. DEPUTATIONS BY APPOINTMENT**



**2.1 Mr Michael Campbell Re Christchurch Food Festival 2008**

Mr Michael Campbell presented an overview of the Christchurch Food Festival 2008 to occur on the weekend prior to Showtime Canterbury Week and he expressed his desire for the event to be held at the New Brighton Mall rather than in the central city.

Members asked questions of Mr Campbell who was then thanked by the Chairman for his presentation.

The Board **decided** to offer its support for the initial concept of the Christchurch Food Festival 2008 being held at the New Brighton Mall and to look forward to receiving additional information on the proposal including feedback from the local business community.

**3. PRESENTATION OF PETITIONS**

Nil.

**4. NOTICES OF MOTION**

Nil.

**5. CORRESPONDENCE**

The Board **received** correspondence from Community Watches of Canterbury and from a resident of Baynes Street requesting that the Council undertake traffic control measures in that street.

The Board **decided** to refer the matters raised to the staff for appropriate responses back to the correspondents.

The Board also **decided** to grant leave of absence to Gail Sheriff for the period 14 July to 18 August 2008.

(Note: Chrissie Williams recorded her vote against the adoption of the foregoing decision.)

**6. BRIEFINGS**

Nil.

**7. COMMUNITY BOARD ADVISER'S UPDATE**

The Board **received** an update from the Community Board Adviser on forthcoming Board related activity over the coming weeks including the opportunities available for the Board to continue to consider making submissions to the Council on the Draft 2008 Annual Plan and the various bylaw reviews currently being consulted on.

Further, the Board **decided** to establish a Board Sub-committee comprising David East (ex-officio), Nigel Dixon, Tina Lomax, Tim Sintes, and Linda Stewart, with power to act to prepare submissions, if required, on the Council's Draft Metropolitan Sports Facilities Plan, the Draft Libraries 2025 Facilities Plan and Environment Canterbury's Draft Annual Plan 2008/09.

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Consideration was then given to the draft submissions prepared by the Board's Bylaws Review Subcommittee on the Proposed Dog Control Policy and Bylaw 2008 and the Proposed Public Places Bylaw 2008.

The Board **decided** that the submissions prepared on these bylaws, as amended, be adopted. In addition, the Board **decided** to make a submission to the Council supporting Clauses 7, 8 and 9 of the Proposed Traffic and Parking Bylaw 2008.

The Board also considered the contents of the Council's Draft 2008 Annual Plan and the 2008 Amendments to the Long Term Council Community Plan 2006/16 and supporting documents and **decided** to make a submission to the Council.

Updates were also given on the Strengthening Communities Funding Scheme, the new footpath currently being constructed along the Burwood Park south frontage of New Brighton Road, the Board's 2008 Seminar programme and the current work of the Selwyn Plantation Board in removing some trees along the northern side of Rothesay Road.

**8. BOARD MEMBERS' QUESTIONS**

Nil

**9. BOARD MEMBERS' INFORMATION EXCHANGE**

Members shared information on current issues and activities.

**PART C – DELEGATED DECISIONS TAKEN BY THE BOARD**

**10. CONFIRMATION OF MEETING REPORT – 31 MARCH 2008**

The Board **resolved** that the report of its ordinary meeting of 31 March 2008, be confirmed.

**11. BICKERTON RESERVE - DEVELOPMENT PLAN**

The Board considered a report from the Consultation Leader Greenspace seeking approval for the Bickerton Reserve development plan to proceed to detailed design and construction.

The Board **resolved** to approve the proposed Bickerton Reserve landscape development plan and for the Capital Programme Group to commence design and implementation.

**12. BURWOOD/PEGASUS COMMUNITY BOARD'S 2007/08 DISCRETIONARY AND PROJECT FUNDING – PROPOSED ALLOCATIONS**

The Board considered a report from the Community Development Adviser and the Community Recreation Adviser setting out suggested project proposals involving the allocation of the Board's remaining 2007/08 discretionary funding and returned funds and also to confirm the funding for the "Waitangi Day/Multicultural Events" project.

A total of \$22,699 was available for allocation and an accompanying decision matrix detailed projects proposed and recommended by staff for the Board to consider totalling \$19, 861, leaving a balance of \$2,838 available for allocation through to June 2008.

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The Board **resolved:**

**Discretionary Funding**

1. To allocate \$1,010 from the 2007/08 discretionary budget to the New Brighton and Districts Historical Society for an operational expenses shortfall.
2. To allocate \$730 from the 2007/08 discretionary budget to the New Brighton Returned Services Association towards the costs of its 2008 ANZAC Day event.

(Note: David East declared an interest in relation to 2. above and retired from the discussion and voting thereon, when Tim Sintes temporarily assumed the chair).

**Project Reallocations**

1. To allocate \$3,750 to Canterbury Neighbourhood Support for its Junior Neighbourhood Support programmes in Burwood/Pegasus.
2. To allocate \$1,200 to the Aranui Eagles Rugby League Club towards the costs of team equipment, coaches and managers courses.
3. To allocate \$500 to the Christchurch School of Gymnastics toward the costs of coaches first aid qualifications.
4. To allocate \$1,500 to the Minimites Preschool Music Group towards the costs of equipment replacements.
5. To allocate \$1,482 to the New Brighton Anglican Parish towards the costs of children's workers' wages and volunteer reimbursements.
6. To allocate \$9,689 to the Monaaki Sounds Trust being a contribution towards the Matariki event.

The meeting concluded at 7.50pm.

**CONFIRMED THIS 5TH DAY OF MAY 2008**



**DAVID EAST  
CHAIRMAN**



Scale: 1:21257  
1500 metres



