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**LYTTELTON/MT HERBERT COMMUNITY BOARD
28 SEPTEMBER 2010**

**Report of a meeting of the Lyttelton/Mt Herbert Community Board
held on Tuesday 28 September 2010 at 9.33am in the Meeting Room
of the Lyttelton Service Centre, 33 London Street, Lyttelton.**

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

Prior to commencing the business of the meeting, the Chairperson acknowledged that it was the first time the Lyttelton/Mt Herbert Community Board had met since the earthquake on 4 September 2010. A formal record of appreciation was acknowledged for all work done by volunteers in the communities, especially the Lyttelton, Governors Bay and Diamond Harbour Volunteer Fire Brigades, St John's Ambulance, Timebank, Lyttelton Information Centre and Civil Defence volunteers acting on their own initiative.

Thanks was expressed to the Council, staff and all authorities for their work during the civil emergency. Whilst there is relief that all here are unharmed, there is also sadness at the large amount of damage to our old buildings.

The Board reports that:

PART A – MATTERS REQUIRING A COUNCIL DECISION

**1. 47 DUBLIN STREET, LYTTELTON – ADDITIONAL INFORMATION REPORT
ACQUISITION FOR RECREATION RESERVE**

This item was reported to the Council meeting of 30 September 2010 by way of a Chairperson's Report.

PART B - REPORTS FOR INFORMATION

2. DEPUTATIONS BY APPOINTMENT

2.1 DR JOHN LYFTOGT – CASS BAY DEVELOPMENT PLAN

Dr Lyftogt addressed the Board as a resident of Cass Bay regarding the Development Plan. Dr Lyftogt commended the Council for an excellent plan but raised safety issues concerning numbers of vehicles presently being parked on the beach, the proposed raft being in line with the boat launching line and increasing numbers of jetskis. Dr Lyftogt pointed out that usage of Cass Bay by boaties is increasing since Environment Canterbury instigated a fee to launch at Naval Point.

(Clause 15 of these minutes refers.)

2.2 MARK QUAIL – COMMODORE, NAVAL POINT CLUB

Mr Quail, the new Commodore of the Naval Point Club addressed the Board regarding the Club's objectives, activities undertaken and resources needed for the area at Naval Point. A business plan is being put together for the new marina and breakwater with a user pay funding emphasis and the Club will report back to the Community Board on progress in the future.

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2.3 CYNTHIA VAN DE LOO AND VANYA MAW – LIVING MORE SUSTAINABLY

Ms Van de Loo addressed the Board and provided supporting information outlining a proposal which involves a number of initiatives including making Lyttelton a spray free zone, planting edible trees/bushes and living more sustainably. Ms Vanya Maw an organic farmer from Broadfields also spoke to the Board on alternative methods of weed control which she is using successfully on her farm.

(Clause 10 of these minutes refers)

2.4 ELIZABETH GRAHAM

Ms Graham addressed the Board and provided a written statement regarding the London Street Sculpture and the Easements over Reserve 4450, Charteris Bay. Ms Graham outlined concerns regarding her deputation of 17 August 2010 being misquoted in the minutes from that meeting, and informed the Board she is seeking to verify historical information on the building the London Street Sculpture will replicate. Ms Graham advised the Board of additional points regarding the staff report regarding the Easements over Reserve 4450.

(Clause 16 of these minutes refers.)

2.5 NOELINE ALLAN AND CAINE TAUWHARE – WHAKARAUPU CARVING CENTRE TRUST

Ms Allan addressed the Board outlining a proposal to place a pou carved by the Whakaraupo Carving Centre in the Sutton Reserve which is an old pa site. Mr Tauwhare interpreted a conceptual drawing of the proposed pou. The Trust advised that funding is available to construct the pou, and undertook to contact appropriate Council staff regarding the placement of the pou. The Board decided to **request** information from staff regarding the proposal and the placement of it at Sutton Reserve.

3. CORRESPONDENCE

The Board **received** a letter from Alison Ross, Lyttelton Environment Group regarding the proposed funding and construction of the London Street sculpture.

(Clause 18 of these minutes refers.)

4. PRESENTATION OF PETITIONS

Nil.

5. NOTICES OF MOTION

Nil.

6. MINUTES OF THE ALLANDALE RESERVE MANAGEMENT COMMITTEE MEETING HELD 23 JULY 2010

The Board **received** the minutes of the Allandale Reserve Management Committee meeting held 23 July 2010.

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7. MINUTES OF THE LYTTELTON RESERVES MANAGEMENT COMMITTEE MEETING HELD 23 AUGUST 2010

The Board **received** the minutes of the Lyttelton Reserves Management Committee meeting held 23 August 2010.

With regard to item 5.3 in the minutes, the Board **requested** information on how old mans beard is managed generally at the Urumau site and around Lyttelton.

8. LYTTELTON/MT HERBERT COMMUNITY BOARD SMALL GRANTS FUND ASSESSMENT COMMITTEE REPORT

The Board **received** the report from the Lyttelton/Mt Herbert Community Board Small Grants Fund Assessment Committee meeting of 12 August 2010.

9. BRIEFINGS

Nil.

10. COMMUNITY BOARD ADVISER'S UPDATE

The Board **received** information from the Community Board Adviser on forthcoming Board related activities and projects. Specific mention was made of the following:

- **Christopher Cape Correspondence**

The Board **decided** to seek advice from staff on the photographic record concept in the correspondence, to be co-ordinated with requests from other Community Boards.

- **Stoddart Point Draft Management Plan**

The Board **received** the revised Stoddart Point Draft Management Plan 2010 incorporating updated dates. The Open Day planned for 16 October is still proceeding.

- **Weed Spraying**

The Board **decided** to request staff to report as to whether the Council has a spray policy, what the practices are and how these fit within the Pest Weed Management Strategy.

11. BOARD MEMBERS' INFORMATION EXCHANGE

Specific mention was made of the following matters:

- **Draft Trading and Events Public Places Policy**

The Board received information that an omission leaving Lyttelton as not having a place to busk is being rectified.

- **Proposed National Environmental Standard for Plantation Forestry**

The Board received information that the Ministry for the Environment are currently consulting on a Proposed National Environment Standard for Plantation Forestry. Board members expressed interest and **requested** information on any Council submission on the proposed standards. Board members would consider making a submission before the closing date of 18 October 2010.

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- **Civil Defence and Earthquake Recovery**
Board members discussed Civil Defence and Earthquake recovery within the ward. Discussion included acknowledgement of the community response during the civil emergency and the positive public meetings held in Diamond Harbour and Lyttelton. Board members identified a need to strengthen the Neighbourhood Support network. Board members were aware of concern in the community about local Civil Defence personnel not being formally activated, and **requested** a debrief on activity be held with the new Board.
- **Environment Canterbury – Draft Canterbury Regional Policy Statement**
Board members **requested** copy of the draft plan.
- **Final Meeting of the Term**
Members acknowledged this was the final meeting of the term, and received good wishes from Claudia Reid who acknowledged the outstanding Chairmanship provided by Paula Smith and the powerful way the Board and community needs have been presented to the Council during the term.

12. QUESTIONS UNDER STANDING ORDERS

Nil.

PART C - REPORT ON DELEGATED DECISIONS TAKEN BY THE BOARD**13. CONFIRMATION OF MEETING MINUTES**

13.1 The Board **resolved** that the minutes of its ordinary meeting held on 17 August 2010 be confirmed, subject to the several amendments.

14. CASS BAY PLAYGROUND – PROPOSED EASEMENT FOR RELOCATED 11 KVA SUBSTATION

The Board considered an application from Orion Company Limited (Orion) for an easement to enable them to relocate their present 11 KVA transformer in the Cass Bay Playground. The Board previously considered a report on this matter on 15 December 2009, and at that time let the report lie on the table until the Board received clarification of points raised.

The Board **resolved** to grant Orion Company Limited an easement pursuant to section 48(1)(d) of the Reserves Act 1977 over approximately four square metres on which to place a transformer, and an area "as built" in which cables to the transformer will be laid, of the Cass Bay Playground which is Lot 77 Deposit Plan 24151 a recreation reserve of 5084 square metres vested in the Council under the Reserves Act 1977 contained in Certificate of Title CB5C/302, subject to the following conditions:

- (a) The consent of the Minister of Conservation being obtained;
- (b) The easement terms being negotiated by the Corporate Support Manager or his nominee in association with the Policy and Leasing Administrator;
- (c) The easement construction area being maintained by the applicant and their contractors in a safe and tidy condition at all times;
- (d) All costs associated with the survey and registration of the easement on the Councils title, being paid for by the applicant;
- (e) The applicant is to provide the Council, within three months of completion of the work, a surveyed easement plan on which the new easements are shown;

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- (f) The applicant is to provide the Council, within three months of completion of the work, a copy of the title on which the easement is shown;

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- (g) That the Council resolves **not** to request a one off compensatory payment for the privilege of having the easement encumbrance placed on the Council's title in accordance with Council policy (27 September 2001), because the easement being requested is to relocate an existing 11 KVA transformer within the reserve to a better location from the reserve design perspective;
- (h) The Council is to charge the Orion Co Ltd for the officers' time, public advertising, Department of Conservation approval fees and other processing expenses to process the application for the easement in accordance with Council Policy (12 July 2001);
- (i) That Orion Company Limited at their expense relocate the gravel path leading into the park around the newly located transformer, re-grass the area after connecting up the cables to the transformer in its new location; and 'make good' the wall of the toilet block after the addition has been removed;
- (j) The applicant is to pay a \$2,000 bond to the Council via the Greenspace Contract Manager, Lyttelton Service Centre, and sign a temporary access licence before any construction commences on the site. The bond less any expenses incurred by the Council will be refunded to the payee upon completion of the development to a standard acceptable to the Greenspace Manager.

15. CASS BAY DEVELOPMENT PLAN

The Board considered a report seeking approval for the Cass Bay Development Plan following public consultation in order to inform and be considered for future LTCCP funding. A deputation was heard on this matter, clause 2.1 refers.

STAFF RECOMMENDATION

- (a) It is recommended that the Lyttelton/Mt Herbert Community Board approve the Cass Bay Development (Plan - LP 329902) as shown in attachment 1.
- (b) Funding for the proposed works be submitted for consideration in the preparation of the draft 2012-2022 LTCCP.

The Board **resolved** to:

- (a) Approve the Cass Bay Development (Plan - LP 329902), with an amendment to point 20 on the plan to read: "Remove the existing timber slipway and replace it with a safer alternative".
- (b) Request that funding for the proposed works be submitted for consideration in the preparation of the draft 2012-2022 LTCCP, with the exception of the pine tree removal which should be given a higher priority.

16. EASEMENT OVER RESERVE 4450, CHARTERIS BAY

The Board considered a report which would enable the Reserves Hearings Panel to recommend to the Lyttelton/Mt Herbert Community Board that it reconfirm the decision that the Board made on 16 December 2008 to grant right-of-way easements over Reserve 4450, Charteris Bay for the benefit of the adjoining land owners of Lot 40 DP 12000 and Lot 1 DP 12335.

RESERVES HEARINGS PANEL RECOMMENDATION

That the Reserves Hearings Panel (Reserve 4450 Charteris Bay) recommend that the Lyttelton/Mt Herbert Community Board acting under the delegated authority of the Council endorse its original decision made at its meeting held on 16 December 2008 to approve the granting of the easements for right-of-ways pursuant to section 48 of the Act over Reserve 4450 as shown in Digital Title Plan 500928-03 subject to the following conditions:

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- (a) The applicants each being responsible for all costs associated with the easement (processing, survey, legal and registration) including all Council related costs (with the exception of the costs associated with the hearing).
- (b) The consent of the Department of Conservation being sought.
- (c) That staff view the original copy of the Mt. Herbert County Council to Mr Falla dated 7 September 1943 authorising permanent access to the site.

The Board **resolved** to approve the granting of the easements for right-of-ways pursuant to section 48 of the Act over Reserve 4450 as shown in Digital Title Plan 500928-03 subject to the following conditions:

- (a) The applicants each being responsible for all costs associated with the easement (processing, survey, legal and registration) including all Council related costs (with the exception of the costs associated with the hearing).
- (b) The consent of the Department of Conservation being sought.
- (c) That staff view the original copy of the Mt. Herbert County Council to Mr Falla dated 7 September 1943 authorising permanent access to the site.
- (d) The incorporation of the condition included in the Mt Herbert County Council original 1943 approval that the accessway to be so constructed that no stormwater drainage therefrom is to be discharged on to the Council's reserve.

17. CONSIDERATION OF APPLICATIONS FOR NEIGHBOURHOOD WEEK FUNDING

The Board considered a report seeking approval for applications to the Lyttelton/Mt Herbert Community Board Neighbourhood Week fund, and received a late application from the Purau Residents Association.

The Board **resolved** to:

- (a) Allocate the Neighbourhood Week fund as follows:

Name	Location	Board Decision
Frances T James	Bay Heights Cul-de-sac, Governors Bay	\$128.00
Donald John Cleaver	40 Reserve Terrace, Lyttelton	\$110.00
Julie Simpson, Cass Bay Residents Assn	Cass Bay Beach	\$250.00
Bruce A Glennie, Koromiko Crescent & James Drive Neighbourhood Support Group	James Drive Reserve, Church Bay	\$140.00
Larry Anderson, Governors Bay Road Neighbourhood Support Group	888 Governors Bay Road, Governors Bay	\$74.00
Jillian Frater	19 Buxtons Road, Lyttelton	\$36.00
Jacinda Gilligan	Cnr Waipapa & Tau Crescent, Diamond Harbour	\$70.00
Sarah Van der Burgh	18 Foster Terrace, Lyttelton	\$100.00
Ali Watersong	Brenchley Road, Lyttelton	\$92.00

- (b) Consider the late application from the Purau Residents Association for \$1,650 for a Long Lunch and Barn Dance to be held at the Purau Camping Ground on 7 November 2010.

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- (c) Allocate \$600 from the Lyttelton/Mt Herbert 2010/11 Discretionary Response Fund to the Purau Residents Association event towards the cost of a marquee.

(**Note:** Chairperson Paula Smith declared a conflict of interest and retired from discussion and voting on this matter. Deputy Chairperson Jeremy Agar assumed the Chair for consideration of this item).

18. APPLICATION TO LYTTELTON/MT HERBERT COMMUNITY BOARD DISCRETIONARY FUND – LYTTELTON HARBOUR BUSINESS ASSOCIATION

The Board considered a report presenting a request for funding of \$5,000 from the Lyttelton Harbour Business Association towards the cost of artist's fees for the London Street Sculpture Project.

The Board **resolved** to decline the request.

(**Note:** Claudia Reid requested her vote against the above motion be recorded.)

19. LYTTELTON AREA – RESOLUTION OF PARKING RESTRICTIONS AND TRAFFIC CONTROL DEVICES

The Board considered a report seeking revocation of a previous resolution made on 18 May 2010, and the approval of an amended schedule for resolutions for the parking restrictions and traffic control devices as currently marked and/or signed in the Lyttelton area.

The Board **resolved** to

- (a) Rescind the following resolution made at its meeting held on 18 May 2010:

The Board resolved to approve the Schedule of Resolutions for the Lyttelton Area Restrictions and Traffic Control Devices, as follows: (Schedule of Restrictions thereafter attached).

- (b) Approve the Schedule of Resolutions (as circulated) for the Lyttelton Area Parking Restrictions and Traffic Control Devices.

(**Note:** A further amendment was made to Clause (2ae) of the Schedule of Resolutions, Cunningham Terrace, last line to replace the word "westerly" with "easterly".)

The meeting closed at 12.32pm.

CONFIRMED THIS 8TH DAY OF OCTOBER 2010.

**SIGNED BY THE CHAIRPERSON OF THE BOARD AND THE
COMMUNITY BOARD ADVISER PURSUANT TO STANDING ORDER 3.18.2**

**PAULA SMITH
CHAIRPERSON**

**JO DALY
COMMUNITY BOARD ADVISER**