

Te Pātaka o Rākaihautū
Banks Peninsula Community Board
AGENDA

Notice of Meeting:

An ordinary meeting of the Te Pātaka o Rākaihautū/Banks Peninsula Community Board will be held on:

Date: Monday 2 March 2020
Time: 10am
Venue: Lyttelton Community Boardroom,
25 Canterbury Street, Lyttelton

Membership

Chairperson	Tori Peden
Deputy Chairperson	Tyrone Fields
Members	Reuben Davidson
	Nigel Harrison
	Howard Needham
	Jamie Stewart
	Andrew Turner
	Scott Winter

24 February 2020

Joan Blatchford
Manager Community Governance, Banks Peninsula/Lyttelton
941 5643
joan.blatchford@ccc.govt.nz

Penelope Goldstone
Manager Community Governance, Banks Peninsula/Akaroa
941 5689
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Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted. If you require further information relating to any reports, please contact the person named on the report.

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Developing Resilience in the 21st Century

Strategic Framework

Whiria ngā whenu o ngā papa,
honoa ki te maurua tāuiki

Bind together the strands of each mat and join
together with the seams of respect and reciprocity

Ōtautahi-Christchurch is a city of opportunity for all

Open to new ideas, new people and new ways of doing things – a city where anything is possible

Principles

Being open,
transparent and
democratically
accountable

Promoting
equity, valuing
diversity and
fostering inclusion

Taking an inter-generational approach
to sustainable development,
prioritising the social, economic
and cultural wellbeing of
people and communities
and the quality of the
environment, now
and into the
future

Building on the
relationship with
Te Rūnanga o Ngāi Tahu
and the Te Hononga-Council
Papatipu Rūnanga partnership,
reflecting mutual understanding
and respect

Actively collaborating and
co-operating with other
local, regional
and national
organisations

Ensuring
the diversity
and interests of
our communities
across the city and the
district are reflected in
decision-making

Community Outcomes

Resilient communities

Strong sense of community
Active participation in civic life
Safe and healthy communities
Celebration of our identity
through arts, culture, heritage,
sport and recreation
Valuing the voices of all cultures
and ages (including children)

Liveable city

Vibrant and thriving city centre
Sustainable suburban and
rural centres
A well connected and accessible
city promoting active and
public transport
Sufficient supply of, and
access to, a range of housing
21st century garden city
we are proud to live in

Healthy environment

Healthy water bodies
High quality drinking water
Unique landscapes and
indigenous biodiversity are
valued and stewardship
exercised
Sustainable use of resources
and minimising waste

Prosperous economy

Great place for people, business
and investment
An inclusive, equitable economy
with broad-based prosperity
for all
A productive, adaptive and
resilient economic base
Modern and robust city
infrastructure and community
facilities

Strategic Priorities

Enabling active
and connected
communities
to own their future

Meeting the challenge
of climate change
through every means
available

Ensuring a high quality
drinking water supply
that is safe and
sustainable

Accelerating the
momentum
the city needs

Ensuring rates are
affordable and
sustainable

Ensuring we get core business done while delivering on our Strategic Priorities and achieving our Community Outcomes

Engagement with
the community and
partners

Strategies, Plans and
Partnerships

Long Term Plan
and Annual Plan

Our service delivery
approach

Monitoring and
reporting on our
progress

Part A	Matters Requiring a Council Decision
Part B	Reports for Information
Part C	Decisions Under Delegation

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Mihi/Karakia Timatanga

1. Apologies / Ngā Whakapāha

At the close of the agenda no apologies had been received.

2. Declarations by Members / Te Ki Taurangi

Sample **attached**.

3. Declarations of Interest / Ngā Whakapuaki Aronga

Members are reminded of the need to be vigilant and to stand aside from decision making when a conflict arises between their role as an elected representative and any private or other external interest they might have.

4. Confirmation of Previous Minutes / Te Whakaāe o te hui o mua

That the minutes of the Te Pātaka o Rākaihautū/Banks Peninsula Community Board meeting held on [Monday, 17 February 2020](#) be confirmed (refer page 6).

5. Public Forum / Te Huinga Whānui

A period of up to 30 minutes will be available for people to speak for up to five minutes on any issue that is not the subject of a separate hearings process.

5.1 Update on Cruise Ships in Lyttelton

Ruth Targus, Manager, will speak on behalf of the Lyttelton Harbour Information and Resource Centre about cruise ships in Lyttelton.

5.2 Lyttelton Reserves Management Committee

Brian Downey, Chairperson and Wendy Everingham, Deputy Chairperson, of the Lyttelton Reserves Management Committee (RMC) will update the Board on its engagement with the Lyttelton Mountain Bike Club and the RMC's priorities for the 2019-22 term, including how it proposes to implement the approved Urumau Reserve Development Plan and a draft timeline for this work.

6. Deputations by Appointment / Ngā Huinga Whakaritenga

Deputations may be heard on a matter or matters covered by a report on this agenda and approved by the Chairperson. There were no deputations by appointment at the time the agenda was prepared.

7. Presentation of Petitions / Ngā Pākikitanga

There were no petitions received at the time the agenda was prepared.

sample



DECLARATION BY COMMUNITY BOARD MEMBER

I,, declare that I will faithfully and impartially, and according to the best of my skill and judgment, execute and perform, in the best interests of the Coastal-Burwood Community, the powers, authorities, and duties vested in or imposed upon me as a member of the Waitai/Coastal-Burwood Community Board by virtue of the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, or any other Act.

DATED at Christchurch on this day of November 2019.

.....

Signed in the presence of:

.....

Kelly John Ashby Barber

CHAIRPERSON – WAITAI/COASTAL-BURWOOD COMMUNITY BOARD

.....

John Malcolm Filsell

HEAD OF COMMUNITY SUPPORT, GOVERNANCE & PARTNERSHIPS

Te Pātaka o Rākaihautū Banks Peninsula Community Board OPEN MINUTES

Date: Monday 17 February 2020
Time: 10am
Venue: Little River Boardroom
4238 Christchurch Akaroa Road, Little River

Present

Chairperson
Deputy Chairperson
Members

Tori Peden
Tyrone Fields
Reuben Davidson
Nigel Harrison
Howard Needham
Jamie Stewart
Andrew Turner

17 February 2020

Joan Blatchford
Manager Community Governance, Banks Peninsula/Lyttelton
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Part A Matters Requiring a Council Decision

Part B Reports for Information

Part C Decisions Under Delegation

Mihi/Karakia Timatanga: Tyrone Fields

The agenda was dealt with in the following order.

1. Apologies / Ngā Whakapāha

There were no apologies

2. Declarations of Interest / Ngā Whakapuaki Aronga

Part B

Andrew Turner declared an interest in Item 1 of Discretionary Response Fund – Application from Lyttelton Information and Resource Centre Trust (Refer Clause 14).

3. Confirmation of Previous Minutes / Te Whakaāe o te hui o mua

Part C

Community Board Resolved BKCB/2020/00010

That the minutes of the Te Pātaka o Rākaihautū/Banks Peninsula Community Board meeting held on Monday, 3 February 2020 be confirmed.

Jamie Stewart/Reuben Davidson

Carried

4. Public Forum / Te Huinga Whānui

Part B

4.1 Recycling and Waste from Freedom Camping

Marcus Puentener, a business owner, spoke to the Board regarding recycling and waste from freedom camping. As the owner of a camping ground he has a large amount of waste dumped at his facility when campers stay. He would like to be able to take recycling to the Birdlings Flat waste facility instead of having to take it to the Barrys Bay Transfer Station.

Part B

That the Te Pātaka o Rākaihautū/Banks Peninsula Community Board:

1. Considers the issues raised during the presentation when looking at Destination Management planning.
2. Refer the issues regarding the disposal of recycling at the Birdlings Flat Waste Facility to staff for comment.
3. Request that staff provide a briefing to the Board at the end of the monitoring period on the enforcement of freedom camping over the 2019/2020 summer.
4. Thanks Marcus Puentener for his presentation.

Attachments

- A Banks Peninsula Community Board 17 February 2020 - Public Forum Marcus Puentener
Freedom Camping Presentation.pdf

5. Deputations by Appointment / Ngā Huinga Whakaritenga

Part B

There were no deputations by appointment.

6. Presentation of Petitions / Ngā Pākikitanga

Part B

There was no presentation of petitions.

7. Correspondence - Cruise Ship Activity Akaroa Harbour and Surrounding Areas

Staff Recommendations / Ngā Tūtohu

That the Banks Peninsula Community Board:

1. Receive the information in the correspondence report dated 17 February 2020
2. Forward the correspondence to Environment Canterbury with a request that their staff reply to the compliance questions raised therein.

Community Board Resolved BKCB/2020/00011

Part B

That the Banks Peninsula Community Board:

1. Receive the information in the correspondence report dated 17 February 2020
2. Forward the correspondence to Environment Canterbury with a request that their staff reply to the compliance questions raised therein.
3. Write to Environment Canterbury asking specifically in regard to the Akaroa and Lyttelton Harbours:
 - What is the permitted level of exhaust emissions?
 - What commitment is there to the use of 'scrubbers' on cruise ships?
 - What is the permitted level of sea bed disturbance?
 - What active monitoring is taking place on these issues and have there been any instances of non-compliance, and if so, what action was taken?

Andrew Turner/Nigel Harrison

Carried

8. Correspondence - Freedom Camping

Officer Recommendations

That the Banks Peninsula Community Board:

1. Receive the information in the correspondence report dated 17 February 2020
2. Forward the correspondence to Regulatory and Compliance staff with a request for information on what, if anything, Council can do regarding the human waste pollution from freedom camping.

Community Board Resolved BKCB/2020/00012

Part B

That the Banks Peninsula Community Board:

1. Receive the information in the correspondence report dated 17 February 2020
2. Forward the correspondence to Regulatory and Compliance staff with a request for information on what Council can do regarding the human waste pollution from freedom camping.
3. Write to the New Zealand Transport Agency asking it to consider prohibiting or restricting freedom camping at the Robinsons Bay picnic area.

Andrew Turner/Jamie Stewart

Carried

9. Reserve Management Committee Meeting Minutes

Community Board Resolved BKCB/2020/00013

Original staff recommendation accepted without change.

Part B

That the Banks Peninsula Community Board:

1. Receive the minutes of the following Reserve Management Committees:
 - Lyttelton Reserve Management Committee – 9 December 2019

Tyrone Fields/Tori Peden

Carried

10. Briefing - Living Streams Community Nursery in Little River

Community Board Resolved BKCB/2020/00014

Original staff recommendation accepted without change.

Part B

That the Te Pātaka o Rākaihautū/Banks Peninsula Community Board:

1. Notes the information supplied during the Briefings.

Howard Needham/Andrew Turner

Carried

Attachments

- A Banks Peninsula Community Board 17 February 2020 Briefing - Living Streams Community Nursery.pdf

11. Briefing - Okuti River Project

Community Board Resolved BKCB/2020/00015

Original staff recommendation accepted without change.

Part B

That the Te Pātaka o Rākaihautū/Banks Peninsula Community Board:

1. Notes the information supplied during the Briefing.

Tori Peden/Howard Needham

Carried

Attachments

- A Banks Peninsula Community Board 17 February 2020 - Briefing - Okuti River Project

12. Briefing - Summit Road Society

Community Board Resolved BKCB/2020/00016

Original staff recommendation accepted without change.

Part B

That the Te Pātaka o Rākaihautū/Banks Peninsula Community Board:

1. Notes the information supplied during the Briefing.

Andrew Turner/Tyrone Fields

Carried

Attachments

- A Banks Peninsula Community Board 17 February 2020 Summit Road Society Presentation
Proposed John Jameson Lookout.pdf
- B Banks Peninsula Community Board 17 February 2020 - Briefing Summit Road Society - Sign Of
The Bellbird Landscape Package 23 Dec 2019 (B)

13. Summit Road Parking

Staff Recommendations / Ngā Tūtohu

That the Te Pātaka o Rākaihautū/Banks Peninsula Community Board:

1. Notes the Information provided

Community Board Resolved BKCB/2020/00017

Part B

That the Te Pātaka o Rākaihautū/Banks Peninsula Community Board:

1. Notes the Information provided

2. Requests information from staff on the condition of the tracks linking the carparks in the Summit Road area in the vicinity of the Sign of the Kiwi and whether there is appropriate signage to inform the public of those tracks.

Tyrone Fields/Howard Needham

Carried

14. Discretionary Response Fund - Applications: Lyttelton Information and Resource Centre Trust, Governors Bay Community Association (Inc.)
Staff Recommendations / Ngā Tūtohu

That the Te Pātaka o Rākaihautū/Banks Peninsula Community Board:

1. Approves a grant of \$6,000 from its 2019-20 Discretionary Response Fund to the Lyttelton Information and Resource Centre Trust towards development and printing costs of promotional brochures for the area.
2. That the Te Pātaka o Rākaihautū/Banks Peninsula Community Board approves a grant of \$1,600 from its 2019-20 Discretionary Response Fund to Governors Bay Community Association (Inc.) towards equipment and children's activities at the Governors Bay Community Fete.

Community Board Resolved BKCB/2020/00018

Part C

That the Te Pātaka o Rākaihautū/Banks Peninsula Community Board:

1. Approves a grant of \$6,000 from its 2019-20 Discretionary Response Fund to the Lyttelton Information and Resource Centre Trust towards development and printing costs of promotional brochures for the area.

Tori Peden/Tyrone Fields

Carried

Community Board Resolved BKCB/2020/00019

Part C

That the Te Pātaka o Rākaihautū/Banks Peninsula Community Board:

2. That the Te Pātaka o Rākaihautū/Banks Peninsula Community Board approves a grant of \$1,600 from its 2019-20 Discretionary Response Fund to Governors Bay Community Association (Inc.) towards equipment and children's activities at the Governors Bay Community Fete.

Andrew Turner/Tyrone Fields

Carried

Andrew Turner declared an interest in Item 1 relating to the Lyttelton Information and Resource Centre Trust and took no part in the Board's discussion or voting on this item.

15. Banks Peninsula Youth Development Fund - Elanor Manning
Community Board Resolved BKCB/2020/00020

Original staff recommendations accepted without change.

Part C

That the Te Pātaka o Rākaihautū/Banks Peninsula Community Board resolve to:

1. Approve a grant of \$300 from its 2019/20 Youth Development Fund to Elanor Manning towards Space Camp in Alabama.

Reuben Davidson/Andrew Turner

Carried

Tyrone Fields abstained from voting on Item 15 – Banks Peninsula Youth Development Fund.

16. Elected Members' Information Exchange

Part B

The following information was exchanged at the meeting:

- Lyttelton Rowing Club Building – possible demolition
- Destination Management – noted as increasingly more important
- Graffiti - increase in Lyttelton especially on murals
- Donald St Stables – Board will be updated on 20 April
- Godley Gifts - church service
- LED street lighting in Lyttelton – questions to Briefing on 2 March
- Snap Send Solve – Board has requested statistics
- Freedom camping – effectiveness of Armourguard enforcement
- Parking, Akaroa - Boat trailers are parking in Rue Balguerie as no room at slipway carpark
- Akaroa Recreation Grounds Toilets - unhygienic as no proper handwashing facilities
- Limestone chip path, Beach Road, Akaroa - creating dust and making footprints in shops
- Governors Bay Roading – thanks to staff for answer to Board Request
- Banks Peninsula toilet facilities upgrade – schedule a briefing
- Community Preparedness planning – Board needs to look at this

16.1 Mitre Hotel

Part B

That the Te Pātaka o Rākaihautū/Banks Peninsula Community Board:

1. Request an update from staff on the enforcement that has occurred to date on the encroachment of the Mitre Hotel on public space.

16.2 Dog Exercise Space – Lyttelton

Issues have been raised by Lyttelton dog owners about unfriendly methods of enforcement for dogs being exercised off leads. It was also noted that there is currently nowhere in Lyttelton where dogs can be exercised off the lead.

Part B

That the Te Pātaka o Rākaihautū/Banks Peninsula Community Board:

1. Consider including options for a dog exercise area in the Naval Point Development Plan.

Karakia Whakamutunga: Tyrone Fields

Meeting concluded at 12:33pm.

CONFIRMED THIS 2nd DAY OF MARCH, 2020

**TORI PEDEN
CHAIRPERSON**

8. Report of the Electoral Officer - Mt Herbert Community Subdivision By-election 18 February 2020

Reference / Te Tohutoro: 20/146753

Report of: Jo Daly, Electoral Officer, jo.daly@ccc.govt.nz

General Manager: Mary Richardson, General Manager, Citizens and Community, mary.richardson@ccc.govt.nz

1. Brief Summary

- 1.1 The purpose of this report is to report to the Banks Peninsula Community Board the outcome of the 18 February 2020 by-election for the Mt Herbert Community Subdivision of the Banks Peninsula Community Board.
- 1.2 The final result for the by-election issued on 18 February 2020 is included as attachment A to this report.

2. Officer Recommendations

That the Te Pātaka o Rākaihautū/Banks Peninsula Community Board:

1. Receive the information in the report.

3. Key points

- 3.1 A by-election was held on 18 February 2020 to fill the extraordinary vacancy for one member to represent the Mt Herbert Community Subdivision on the Banks Peninsula Community Board.
- 3.2 The extraordinary vacancy arose due to only one of the two positions representing the Mt Herbert Community Subdivision being filled at the October 2019 Christchurch City Council triennial elections.
- 3.3 Scott Winter was declared elected at the by-election to represent the Mt Herbert Community Subdivision to the Banks Peninsula Community Board.
- 3.4 There were two candidates for the by-election, votes received as :
 - Scott Winter 518
 - Dawn Sutton 206
- 3.5 The voter return was 30.93%, being 732 votes, including eight blank votes. The Electoral Officer's declaration was published on Friday 21 February 2020.

Attachments / Ngā Tāpirihanga

No.	Title	Page
A ↓	2020 Mt Herbert Community Subdivision By-election - Final Results	17

In addition to the attached documents, the following background information is available:

Document Name	Location / File Link
Mt Herbert Community Subdivision By-election webpage	https://www.ccc.govt.nz/the-council/how-the-council-works/council-elections/2020-mt-herbert-by-election/

Confirmation of Statutory Compliance / Te Whakatūtutanga ā-Ture

Compliance with Statutory Decision-making Requirements (ss 76 - 81 Local Government Act 2002).

(a) This report contains:

- (i) sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages; and
- (ii) adequate consideration of the views and preferences of affected and interested persons bearing in mind any proposed or previous community engagement.

(b) The information reflects the level of significance of the matters covered by the report, as determined in accordance with the Council's significance and engagement policy.



2020 Mt Herbert Community Subdivision By-election

DECLARATION OF RESULT

The final result for the by-election that closed on Tuesday 18 February 2020 is:

Mt Herbert Subdivision of the Banks Peninsula Community Board (1 vacancy)		Votes Received
WINTER, Scott	Independent	518
SUTTON, Dawn	Independent	206
INFORMAL		0
BLANK VOTING PAPERS		8

Scott WINTER is declared elected.

The voter return was 30.93%, being 732 votes.

Jo Daly
Electoral Officer
jo.daly@ccc.govt.nz
(03) 941 8581

18 February 2020

9. Te Pātaka o Rākaihautū/Banks Peninsula Community Board Area Report - March 2020

Reference / Te Tohutoro: 20/110292

Joan Blatchford - Community Governance Manager, LMH,
joan.blatchford@ccc.govt.nz

Report of:

Penelope Goldstone - Community Governance Manager, AKW,
penelope.goldstone@ccc.govt.nz

General Manager:

Mary Richardson, General Manager Customer and Community,
mary.richardson@ccc.govt.nz

1. Purpose of Report / Te Pūtake Pūrongo

This report provides information on initiatives and issues current within the Community Board area, to provide the Board with a strategic overview and inform sound decision-making.

2. Officer Recommendations / Ngā Tūtohu

That the Te Pātaka o Rākaihautū/Banks Peninsula Community Board:

1. Receive the Te Pātaka o Rākaihautū/Banks Peninsula Community Board Area Report for March 2020.
2. Approve feedback on the Council's Home Share Accommodation District Plan Review.

3. Community Board Activities and Forward Planning

3.1 Memos/Information/Advice to the Board

3.1.1 Hector's Dolphins in Whakaraupō / Lyttelton Harbour

The Board received a presentation at the Public Forum of its meeting on 2 December 2019 from Genevieve Robinson. Ms Robinson was concerned about the impact of the Lyttelton Port Company's (LPC) pile driving operation on Hector's dolphins in Whakaraupō / Lyttelton Harbour, and sought the Board's assistance in addressing this issue with other agencies. (The two documents Ms Robinson presented are **attached**.)

The Board agreed to write a letter to the Minister of Conservation seeking assurance that the pile driving operation was not negatively impacting on Hector's dolphins in the inner Lyttelton Harbour. The Board also agreed to forward the information presented by Ms Robinson to LPC for comment (response **attached**).

At the time of writing this report, the Board was awaiting a reply from the Minister of Conservation.

3.2 Board area Consultations/Engagement/Submission Opportunities

3.2.1 Home-Share Accommodation District Plan Review

The Council is seeking feedback on potential changes to the Christchurch District Plan around managing home-share accommodation (for example, Airbnb and Bookabach). The options are:

- Keep the current District Plan rules

- Enable whole homes to be listed for a certain number of days
- Enable whole homes to be listed in certain areas and restrict in others
- Enable whole homes to be listed, subject to criteria
- Allow whole homes to be listed in residential or rural zones.

Feedback is open from 16 January to 2 March 2020. For more details, please click [here](#).

The Board received a briefing on this matter and developed draft feedback on 17 February 2020. At this meeting the Board is asked to approve its feedback.

3.3 Annual Plan and Long Term Plan Matters

3.3.1 The Board made a submission to the Council's Draft Annual Plan 2019/20 (attached to the Board's 6 May 2019 agenda).

3.3.2 The Council approved the final Annual Plan in June 2019, which can be viewed [here](#)

3.3.3 At the time of writing this report the Council had not yet approved the Draft Annual Plan 2020/21 for consultation. Once approved, consultation will start on Monday 2 March 2020.

3.4 Board Reporting

3.4.1 Board members are asked to highlight topics for inclusion in Newsline, the Board Newsletter and/or the Report to Council.

4. Community Board Plan – Update against Outcomes

4.1 The Board is currently developing its Community Board Plan for the 2019-21 term. Once complete, progress updates will be reported here.

5. Significant Council Projects in the Board Area

5.1 Strengthening Community Fund Projects

5.1.1 Nil to report.

5.2 Other Partnerships with the Community and Organisations

5.2.1 Nil to report.

5.3 Community Facilities

5.3.1 Banks Peninsula Community Sports Complex group met on 21 January 2020 and have officially decided to become an Incorporated Society so they can submit an expression of interest in leasing the old netball courts/building with an intention to develop the courts. They will be seeking support from community funding sources and Council to raise this money as well as fundraising themselves. The group are currently seeking feedback from the community and local clubs on three options for development of the sports complex and plan to present to the Community Board in March 2020.

5.4 Infrastructure Projects

5.4.1 Nil to report.

6. Significant Community Issues, Events and Projects in the Board Area

6.1 Governors Bay Fire Station

The Council made a grant to the Governors Bay Volunteer Fire Brigade for \$20,000 from the 2013/14 Capital Endowment Fund towards a new two bay equipment shed at the back of the

Fire Station. The Fire Brigade is happy to advise that this project has been completed, and would like to express its thanks for the funding (refer to **attached** letter).

6.2 **Akaroa Community Hui**

The second Akaroa Community Hui has been scheduled for Thursday 27 February. Two workshops are being held prior to this to process data collected from Hui #1. This will be fed back at Hui #2. Prominent local stakeholders are being invited to speak to the opportunities/concerns raised at the first Hui, as well as share what is happening in their respective areas. There is a desire to continue the conversation on how to increase communication flow across the community.

6.3 **Events Report Back**

6.3.1 Nil to report.

7. Updates from Other Units

7.1 **Parks Update**

7.1.1 The next bi-monthly Parks update will be included in the 6 April 2020 Area Report.

8. Community Board Funding Update

8.1 **Strengthening Communities Fund**

At its 5 August 2019 meeting the Board granted \$172,670 to 22 community groups and organisations from its 2019/20 Strengthening Communities Fund (SCF) to strengthen community wellbeing on Banks Peninsula. The timeframe for this funding was for projects starting from 1 September 2019.

Applications will open for the 2020/21 SCF funding round on Monday, 9 March 2020 and close Wednesday 15 April 2020 for projects starting from 1 September 2020. This is the Board's only annual funding round and it is open to community-focused organisations for all levels of funding.

8.2 **Discretionary Response Fund**

The Board has its 2019/20 Discretionary Response Fund (DRF) which assists community groups where their project funding request falls outside other Council funding criteria and/or closing dates. The current funding year for this fund closes when funds are expended or by 30 June 2020.

Youth Development applications are submitted on a fund specific form and allocations are made directly from the Board's DRF in this ward.

8.3 A summary of allocations to date from the Board's 2019/20 Discretionary Response Fund is **attached**.

Attachments

No.	Title	Page
A ↓	Hector's Dolphins - Presentation by Genevieve Robinson (1 of 2)	23
B ↓	Hector's Dolphins - Presentation by Genevieve Robinson - Dolphin Sightings (2 of 2)	30
C ↓	Hector's Dolphins - Lyttelton Port Company's Response	31
D ↓	Letter from Governors Bay Volunteer Fire Brigade	38
E ↓	Banks Peninsula Discretionary Response Fund FY 2019-2020	39

Item 9

Marine Mammal Observation Zone



Important areas which should have
been included in this zone, and why.

- Banks Peninsula is home to around 10% of the total Hector's dolphin population.
- 100 live within Lyttelton harbour, with approx 20 individuals here at one time.
- 20% of dolphins are visible above the water surface.



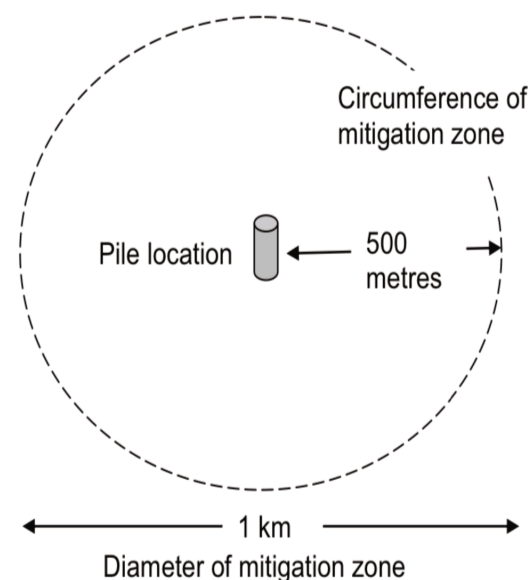
Why do we need to protect Hector's in Lyttelton?

- There are fewer than 5 industrial harbours in the world to host daily dolphin visits
- Lyttelton harbour is the only industrial harbour in the world, to host Hector's dolphins - daily
- Increased numbers, often means an increased risk. (physical injury, behavioral changes)



Concerns.....

- 1) There is only 1 fully trained, full-time observer on-site during active piling
- 2) The observation zone (MMOZ) is not considered “best practice”. A minimum of 500m from piling source is expected worldwide. (LPC’s zone, is 450m).
- 3) The MMOZ does not include known “hot spots” for dolphins.
- 4) Inside port not included in “shut down” protocol during pile driving



Exclusions

- This area is not included in the “shut down” process.
- Active dolphin sightings are logged, but piling continues.
- Concerned public has sighted dolphins during piling.
- Dolphins spotted close to LPC offices during piling.

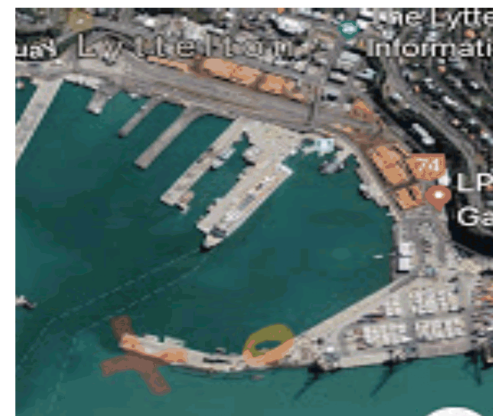


A number of dolphin sightings in this area.

Yellow circle indicates at least 2 sightings, with each sighting approx 2-3 individuals above water level.

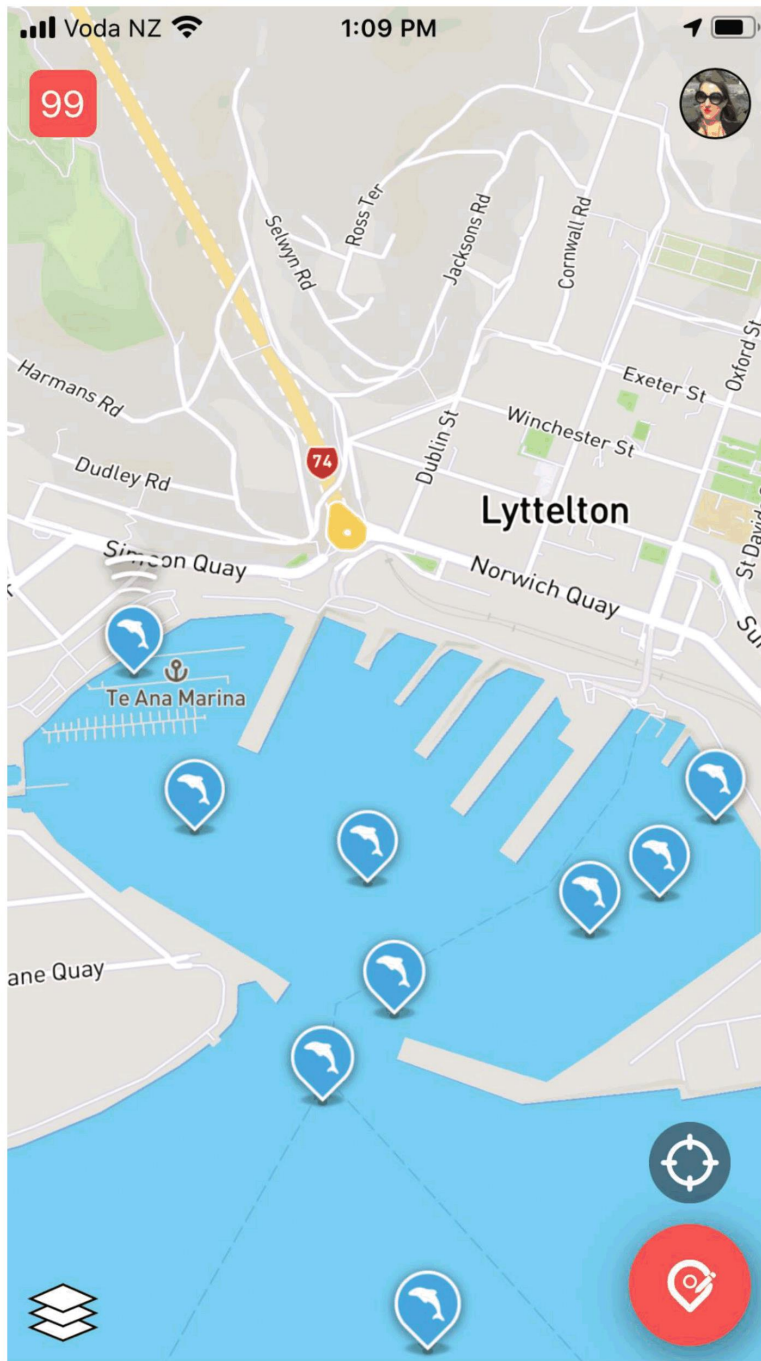
Subjected to piling noise for up to 30 mins if trapped in this area.

Re-exposure to piling noise if exiting through port entrance.



What do want to see?

- We strongly recommend that LPC extends its “shut down” zone to include inside the port entrance - ferry terminal, marina, until the end of piling. (est. Dec).
- We request a list of dolphin sightings (including during active piling) within this area - from December 2018, to December 2019).
- We request the validation of the modelling and predicted TTS zone for marine piles to ascertain underwater noise measurements of the main wharf piling.
The purpose of this, is to determine whether the TTS zone of 450m was acceptable for the louder marine piling (as per letter dated April 29, 2019 from LPC to BPCB).





3 February 2020

Amy Hart
Banks Peninsula Support Officer
Banks Peninsula Community Governance Team

By email: amy.hart@ccc.govt.nz

Dear Amy,

RE: Cruise Berth Construction – Hectors Dolphin

Thank you for the opportunity to respond to the material provided to the Community Board by Genevieve Robinson regarding the Cruise Berth project and the Marine Mammal Observation Zone. We feel it is useful for the Community Board to have some background and factual information on the cruise berth project and how we manage potential impacts on Hectors Dolphin.

This will assist the Board in understanding how the project and associated marine mammal management evolved, resulting in implementation of industry leading marine mammal management and monitoring.

LPC has strong commitments to valuing nature, and our recently approved sustainability strategy sets us on a course of positive contribution to protecting and restoring biodiversity of Lyttelton Harbour/Whakaraupō. We're proud to work with leading marine science experts to devise systems for ensuring port operations and development support and protect native biodiversity, especially species of conservation significance such as Hectors Dolphins.

The cruise berth

Post-earthquakes, the larger cruise vessels could no longer berth at Lyttelton and have been using Akaroa instead. In order to support regional tourist growth and the economic wellbeing of Christchurch and Canterbury, LPC (with direction from the CCC) embarked upon the design and construction of a purpose built cruise berth in Lyttelton.

A design was developed and a consent application submitted to ECan to authorize the construction and operation of the berth. Concurrently LPC was progressing through the consent hearing for the Te Awaparahi Bay Reclamation construction, which included a 700m long piled wharf. There was extensive consideration and discussions on underwater noise and effects on marine mammals during the hearing and this motivated LPC to redesign the cruise berth with the protection of marine mammals in mind. The consent processing for the original design was halted and the application withdrawn.

Many months were spent redesigning the wharf, the resulted in a much smaller structure, crucially with smaller and less piles. This new design reduced the underwater noise levels during construction by over 90%. We consider this is a great example of designing for nature and this is the wharf design that is under construction now.

Protecting Marine Mammals

Even though the noise levels had been significantly reduced with the redesign, LPC sought to further minimise the effects on Marine Mammals through understanding the presence and behavior of the Dolphins and best practice management of the construction activities.

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Christchurch, New Zealand
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Web: www.lpc.co.nz

To facilitate this, LPC engaged leading marine mammal scientists from the Cawthron Institute and underwater acousticians from AECOM and Styles Group. These specialists worked with our Environmental Management specialist (Enviriser), to develop:

- The most comprehensive and longest continuously running acoustic monitoring network ever operated in a New Zealand Port environment. This has created one of the most significant data sets of this type in the world. The data provides information on the levels of sound, the relative abundance of dolphins and insights into their behavior prior to, during, and after piling. Having this information allows LPC to better understand how the dolphins react to the piling, what the effects may be and allow us to alter our methods if need be. So far over 150,000 hours of monitoring data has been collected.
- Preparation of an industry leading Marine Mammal Management Plan with measures far in excess of that required by regulations, or have been applied in a New Zealand construction project before. Key aspects of the plan include:
 - Establishment of a marine mammal observation zone (MMOZ). If dolphins are observed within this zone, all piling activities must cease immediately, or not start up, until the mammals have vacated the zone.
 - ◆ The size and location of the MMOZ was defined based on detailed underwater sound modelling which analysed the propagation of piling noise in the marine environment. The MMOZ is set at a point where, if a dolphin remained for a period of 12 hours, their 'hearing' may be temporarily effected, often compared to the ringing ears humans get after attending a loud event, like a music concert.
 - ◆ For the size piles, piling method and frequency of piling the zone is 450 metres from the piling source. As noise does not transmit well through land, the MMOZ does not extend into the Inner Harbour. The levels of noise in the Inner Harbour are not high enough to cause the temporary hearing effects the MMOZ is design to protect against.
 - In order to detect a dolphin within the zone, LPC has employed highly trained professional marine mammal observers from Blue Planet Marine. These Observers have passed a DOC approved marine mammal observer course which complies with the Code (Department of Conservation 2013) requirements and are the most highly skilled group providing this service in New Zealand. They also work internationally. The cruise berth project sets a new standard in port developments because it is the first marine construction project in New Zealand to use such highly trained professional observers.
 - An LPC Environmental Advisor (a PhD marine mammal specialist), the Project Environmental Adviser and three of the Contractor's staff also attended and passed this training. This ensured the key project staff understood the observer requirements and could integrate these into the project planning and methodology.
 - Construction of a dedicated and elevated marine mammal observer post to provide the Observer with a clear elevated view of the MMOZ
 - Collection of very detailed records on the observations undertaken, marine mammals sighted, piling activity and mitigation measures taken.
 - In addition to the MMOZ and the observer, piling must start with a ramp up of energy, known as a soft-start. This allows any undetected mammals within the zone to vacate the area before the full energy and higher noise levels commence. Prior to the soft start commencing, the Observer keeps a watch on the MMOZ to ensure no mammals are present. If they are, the soft-start must be delayed.

Response to queries by Ms Robinson

We have seen the powerpoint slides that Ms Robinson spoke to, but did not hear her presentation. Consequently we have only provided responses to the queries set out in the slides.

1. Use of visual means as a basis of mitigation

Visual identification of Hector's is one of, if not, the primary method of studying Hector's Dolphins and is the basis for almost all population estimates. Whilst we agree it is an imperfect method as dolphins cannot be spotted whilst underwater, due to the size of the MMOZ, the surfacing rate of a Hector's and time the mammal must be in the zone before effects occur, it is incredibly unlikely a dolphin would remain undetected in the zone for long enough for physical effects to occur, especially when the

observations are undertaken by professional Marine Mammal Observers as they are skilled in understanding dolphin behavior.

2. Only one fully trained observer on site

One observer is on duty on an elevated purpose built platform with excellent visibility of the entire observation zone, and for the vast majority of time there would be a second observer on the site. This is aligned with the DOC Code, which requires one observer to be on watch during active surveying on more complex seismic survey vessels where the MMOZ is many times larger (up to 1,500m) and in much more challenging observation conditions (open ocean swells, moving vessel, 360 degree zone around the vessel).

3. The MMOZ is not best practice, it should be 500m is expected worldwide.

The MMOZ was established based on comprehensive underwater noise modelling taking into account the bathymetry of the harbour, the seabed conditions, the nature of the piling method and the size and length of piles. Making a blanket assertion that a zone needs to be 500m is incorrect as the zone size is driven by different variables in each situation. A pile of 400mm diameter, driven to 10m would require a zone different to a 700mm pile driven to 70m, for example. The generation and transmission of underwater sound has many variables and the level of noise and the resultant MMOZ would be different for each situation. The process LPC has used is site, project and species relevant and uses the best available techniques (underwater noise propagation modelling and noise monitoring for verification).

4. The MMOZ does not include known hotspots.

As previously stated, the MMOZ is based on the level of noise and the point of exposure at which a dolphin may experience temporary hearing effects (if it was to stay in the zone for 12 hours). The Lyttelton MMOZ protects marine mammals irrespective of if it's a 'hotspot' or a low use area – it still provides the same highest level of protection for one or multiple animals.

5. Inside port not included in shutdown protocol

The MMOZ does not extend into the Inner Harbour as the sound does not propagate into that area at sufficient levels due to the fact a landmass - the Z Berth Breakwater - intervenes between the pile driving noise source and marine mammals that might be in the inner harbour waters. However, the Observer does keep a watch on that area, particularly if dolphins are present and records the activity. If the dolphins are heading out of the inner harbour toward the main harbour, the Observer will shut down the piling before the dolphin(s) enter the MMOZ.

6. Dolphins spotted in the Inner Harbour during piling

Dolphins are regularly seen in the Inner Harbour, often after a ship has been berthed as they seem to hunt for prey in the area where the ship or tug disturbs the seabed. As previously mentioned, the piling need not cease whilst they are in the Inner Harbour as the noise levels from piling are low due to the presence of the landmass of the breakwater.

7. Provision of sighting data

The detailed sighting data is the subject of research papers currently being prepared by LPC's scientific partners, and as such the data is not publically available at this time. Blue Planet Marine produced a summary of the observation data (up to November 2019) and this is attached for your information. LPC understands there is great value in the information gained in this project and we expect it will grow the knowledge base that can contribute to ensuring marine mammals are protected in development projects. It is our intention to see this information widely shared at the appropriate time, some of which will be via publication of peer-reviewed scientific papers.

8. Validation of the model and the MMOZ

Acoustic measurements and testing of the piling noise has been undertaken and analysed (by Styles Group) and this revealed the MMOZ need only be 223m from the piling source, not 450m. To retain a level of conservancy and protection of the dolphins, LPC chose to retain the 450m MMOZ even though it was larger than needed. We are very happy to have a level of protection built in to the system and not be operating on the limit of what might have been acceptable because we understand the importance of protection for species of conservation significance and are committed to a positive contribution to biodiversity.

We trust this provides some factual information for the Community Board on this issue and we look forward to the cruise industry returning to Lyttelton with the opening of the Cruise Berth later this year.

Yours sincerely



KIM KELLEHER
Environment and Planning Manager

Marine Mammal Sighting Information Summary

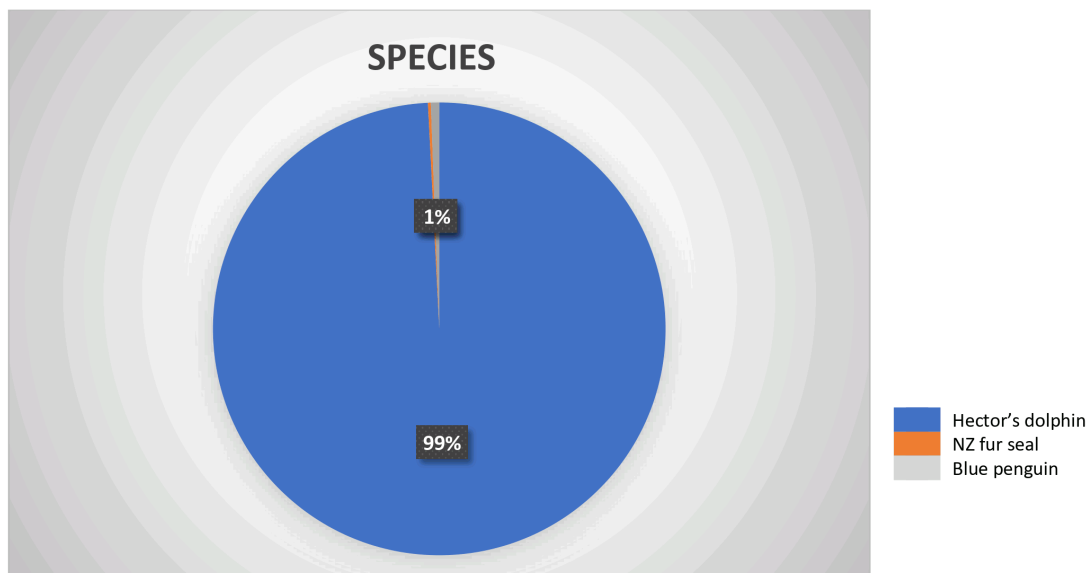
Z berth/HEB worksite

(7 December 2018-17 November 2019)

OVERVIEW OF SPECIES

There was a total of 385 sightings with 1,491 individual marine mammals and 9 blue penguins sighted during the period of 7 December 2018-17 November 2019 from Z berth on the HEB worksite.

Species	Number
Hector's dolphin	1,488
NZ fur seal	3
Blue penguin	9
	1,500



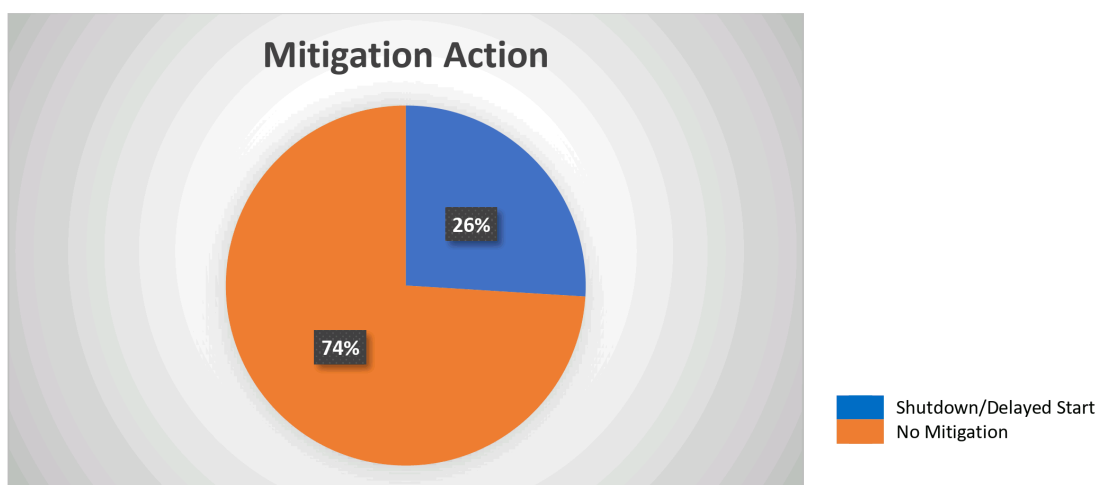
Marine Mammal Sighting Information Summary

Z berth/HEB worksite

(7 December 2018-17 November 2019)

OVERVIEW OF MITIGATION ACTIONS

Of the 385 sightings, 285 (74%) did not require mitigation (30 of these sightings occurred during post piling observation), 86 (22%) resulted in a delay to the start of piling, and 14 (4%) sightings resulted in the shutdown of piling.



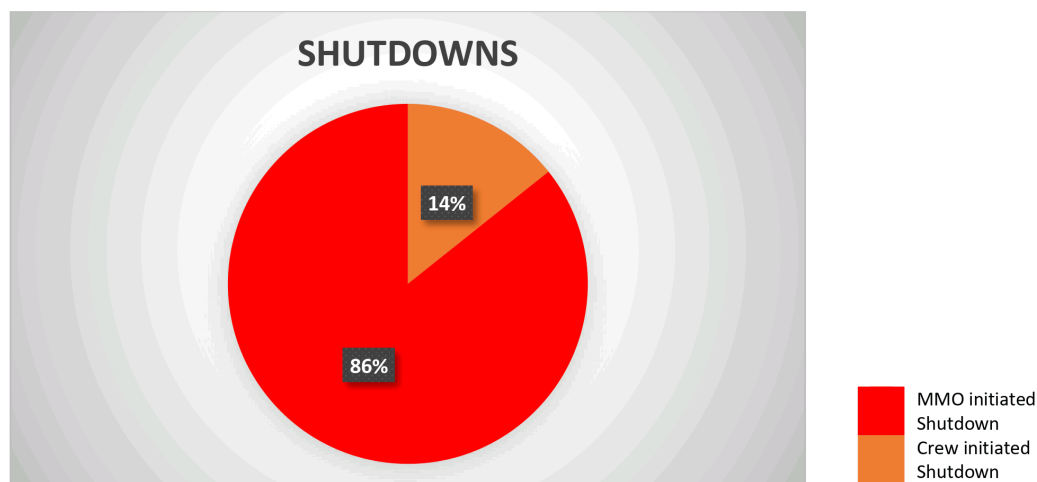
Marine Mammal Sighting Information Summary

Z berth/HEB worksite

(7 December 2018-17 November 2019)

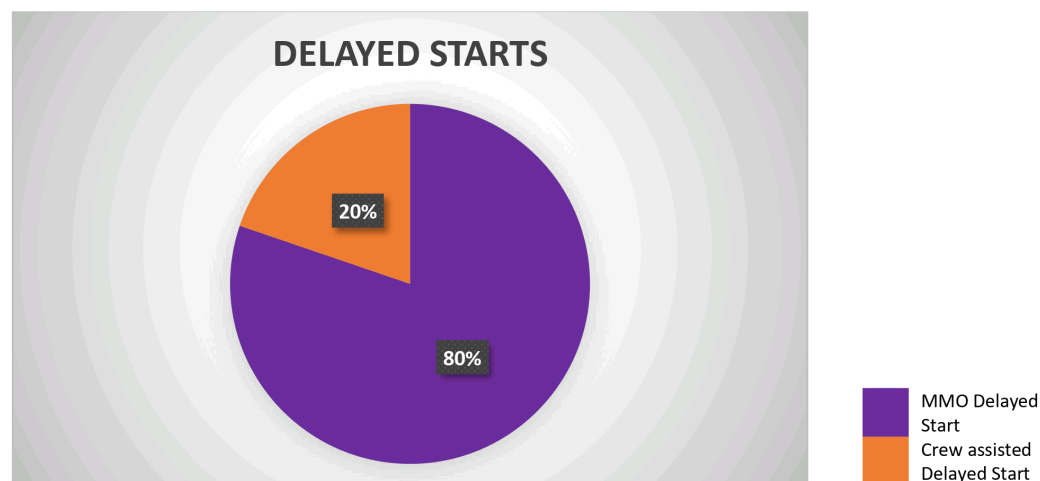
OVERVIEW OF SHUTDOWNS

There was a total of 14 Shutdowns, which included 2 x Shutdowns voluntarily called by the HEB crew.



OVERVIEW OF DELAYED STARTS

There was a total of 86 Delayed Starts. This included 2 x Delayed Starts voluntarily called by the HEB crew and 15 x Delayed Starts that were assisted by the HEB crew (i.e. the HEB crew were first to make the sighting and then alerted the MMO).



Dear Team,

We are delighted to advise that our new 2 bay equipment shed at the back of the Governors Bay Fire Station has now been completed. We want to take this opportunity to write and express our thanks for the funds, grants and materials that so many organisations have generously arranged for us to make this project possible.

Our fundraising started back in 2013, and we had secured the bulk of the funds by 2016. The consent was submitted and the build got underway. The building code requires a very high standard for any new emergency services buildings which include any sheds. Unfortunately, this did increase significantly the length of time taken and costs to finish the project.

Finally, here we are at the start of 2020 and we are all complete. We also have our internal fit-out finished and the brigade is delighted with the result. It is a real asset for the community, and makes life that much easier for the brigade volunteers by having all their gear, equipment and support vehicles well organised, quick to access, secure and under cover.

Below are a couple of photos of the finished project;



So once again, thank you for your support. If you are passing through Governors Bay anytime and would like to see the completed project, please contact us. We would be delighted to show you around.

Yours faithfully,

Andrew Norris
CFO Governors Bay Fire District



Banks Peninsula Discretionary Response Fund 2019/20		Board Approval
Previous BUDGET	\$22,951.00	
Transfer of remaining unallocated funds (to be determined) from the 2019/20 Strengthening Communities Fund to the 2019/20 Discretionary Response Fund	\$18,735.00	
Total BUDGET	\$41,686.00	
Youth Development Fund		
<i>Allocations made</i>		
Ruby Baynes	\$300.00	9/07/2019
Benjamin Baynes	\$300.00	9/07/2019
Ellie Stephenson	\$100.00	9/08/2019
Anne-Marie Beach	\$100.00	9/08/2019
Ruby Gilligan	\$200.00	8/10/2019
Youth Development Fund Allocated	\$1,000.00	
In Assessment		
Living Streams Community Nursery Trust - Landscaping	\$557	
Lyttelton Information and Resource Centre Trust - Harbour Brochure	\$6,000	
Governors Bay Community Association - Governors Bay Community Fete	\$1,600	
In Assessment Balance	\$ 8,157.00	
Declined		
Pending Board Approval		
Pending Board Approval Balance	\$ -	
Shape Your Place Toolkit	\$ 7,000.00	
<i>Allocations Made</i>		
Project Lyttelton - Multi-Functional Room Design Plan - Lyttelton Recreation Centre Activation Project	\$ 5,780.00	18/11/2019
Shape Your Place Toolkit Allocated	\$ 5,780.00	
Discretionary Response Fund		
<i>Allocations made</i>		
Board Project: Summer with your Neighbours	\$3,000.00	5/08/2019
Board Project: ANZAC Day Services	\$2,000.00	5/08/2019
The Akaroa Gallery Inc - The Kelliher Art Trust Touring Exhibition	\$1,000.00	19/08/2019
Royal New Zealand Plunket Trust - Lyttel Tumblers Programme	\$640.00	18/11/2019
Diamond Harbour Bridge Club - Dealer 4 Card Shuffler Machine	\$2,000.00	18/11/2019
Diamond Harbour School - Swimming Pool Holiday Hours	\$1,550.00	2/12/2019
Christchurch City Council - Norman Kirk Memorial Pool Lifeguards	\$4,200.00	16/12/2019
Discretionary Response Fund Allocated	\$14,390.00	
TOTAL: Discretionary Response Fund Unallocated	\$20,516.00	

10. Elected Members' Information Exchange

This item provides an opportunity for Board Members to update each other on recent events and/or issues of relevance and interest to the Board.