



SUMMIT ROAD PROTECTION AUTHORITY  
TE MANA TIAKI I TE ARA AKITU

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**Te Mana Tiaki I Te Ara Akitu  
Summit Road Protection Authority  
and its Advisory Committee  
ATTACHMENTS UNDER SEPARATE COVER**

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**Date:** Friday 26 March 2021  
**Time:** 5pm  
**Venue:** Boardroom, Beckenham Service Centre,  
66 Colombo Street, Beckenham

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**Application to the Summit Road Protection Authority  
for proposed lookout project at the Sign of the Bellbird carpark**

**Applicant:**

Summit Road Society Incorporated

**Legal description of the land involved that is covered by the Act:**

The area in question includes the carpark opposite the Sign of the Bellbird which is owned and managed by the Christchurch City Council (Res 4775 Canterbury Dist). The entrance to the carpark is owned by the Selwyn District Council (RES 3735 3922 3923 3956 4069 4773 4774 P T RS 3/35A 3735A 3901 BLKS II VII HALSWELL SD). The lookout will adjoin and merge into Ohinetahi Reserve which is owned by the Summit Road Society, Part Lot 5 DP53086 Certificate of Title 45A/643.

**The nature of the work or activity for which approval is sought:**

The construction of the John Jameson Lookout as shown in the attached landscape drawings.

**Assessment of the effects of the proposal on the scenic amenity and the natural amenities:**

See attached letter.

**Postal address for service**

Summit Road Society, PO Box 37-115, Christchurch 8245

**Signature**

President  
Summit Road Society  
18 March 2021



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18 March 2021

Summit Road Protection Authority  
PO BOX 73016  
CHRISTCHURCH 8154

Dear Authority Members,

We are writing to seek the Authority's approval for the proposed John Jameson Lookout at the carpark opposite the Sign of the Bellbird.

In December 2019, we submitted an application to the Authority providing details on the draft design. Over the last year, we have engaged with a range of key stakeholders, including Te Hapū o Ngāti Wheke, the Christchurch City Council, community boards, the Selwyn District Council and Society members and supporters. We have incorporated feedback received into the final design, as shown in the attached concept drawings.

We draw attention to key changes in this design:

- The lookout deck will now be constructed from stone paving on hard fill. This will ensure that the structure is more resilient to vandalism and the effects of wear and tear.
- We will be working closely with the Christchurch City Council to ensure the carpark surface deters drifting and other anti-social behaviour.
- Surface drainage will be channelled to the planted banks below the car park through a series of drain holes around the base of the stone walls. The construction contract will require the contractor to contain and safely disperse runoff during works.
- The entrance divider has been removed to ensure that buses can enter and turn around.
- Gates have been added to the design to enable the carpark to be locked at night. This has been prompted by concerns about anti-social behaviour and fire risk at night.
- A paved sloping path has been added to the design to ensure the lookout is accessible to all users.

We also note that there may be minor changes to the final design however these changes are not material to the Authority's purposes.



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In terms of section 12 of the Summit Road (Canterbury) Protection Act, we are currently preparing the resource consent applications for the Christchurch City Council and the Selwyn District Council. We expect the works will include moving more than 10 cubic metres of soil. We will work closely with the contractor to ensure that the car park is open to the public to the maximum extent possible during works, allowing for reasonable operational and safety restrictions, and not heap spoil or materials during construction in a manner that obscures significant views.

Further comments relating to Clause 5 (1) of the Summit Road (Canterbury) Protection Act are included below.

Regards,

Bill Woods  
President





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### Further Comments - Clause 5(1) of the Summit Road (Canterbury) Protection Act

*The effect of the application on the maintenance and enhancement of the Summit Road, other roads, walkways, and paths;*

This project will enhance the Summit Road and nearby walkways and paths by providing improved access and a scenic destination point for locals and visitors alike. The lookout will also act as a gateway to Ohinetahi Reserve and the Crater Rim Walkway. As part of this project, we intend to promote and enhance walking routes through interpretation panels and signage.

*The effect of the application on the use of the roads for the public enjoyment of the scenic amenity and the natural amenities, and on the safety of road users.*

This project will enhance public enjoyment of the scenic amenity through the provision of a safe and accessible location for the public to stand or sit while enjoying the iconic view over Lyttelton Harbour and through the addition of interpretation panels providing information on the history, geology and biodiversity of the local area. The natural amenity will be enhanced through the improved surfacing, walls and viewing terrace, and extensive planting of low-growing native shrubs below the lookout. These shrubs will be carefully chosen for low flammability and will not obstruct the view in any way. The surface of the carpark and lockable gates have been designed to reduce antisocial driving behaviour such as drifting.

*The effect of the application (if any) on farming operations;*

The area by the lookout is bordered by Christchurch City Council reserves that do not graze stock. There are no adjacent farming operations. The nearest farm is approximately 700m below the carpark. Nonetheless, we have worked very hard to ensure that any possible negative effects such as fire risk have been mitigated. We have added gates that can be locked at night, incorporated fire resilient plantings and developed a fire plan for Ohinetahi Reserve. Indeed, we believe these measures will help reduce the current antisocial behaviour and associated risks on the Summit Road.

*The relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga.*

We have worked closely with Ngāti Wheke over the course of this project to ensure that the hapū's aspirations have been incorporated into the design. A pou whenua has been placed in a prominent position to the right of the carpark area (see red pou on concept drawings for location). The pou whenua would be designed and crafted by the hapū. The following are



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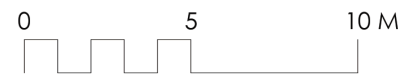
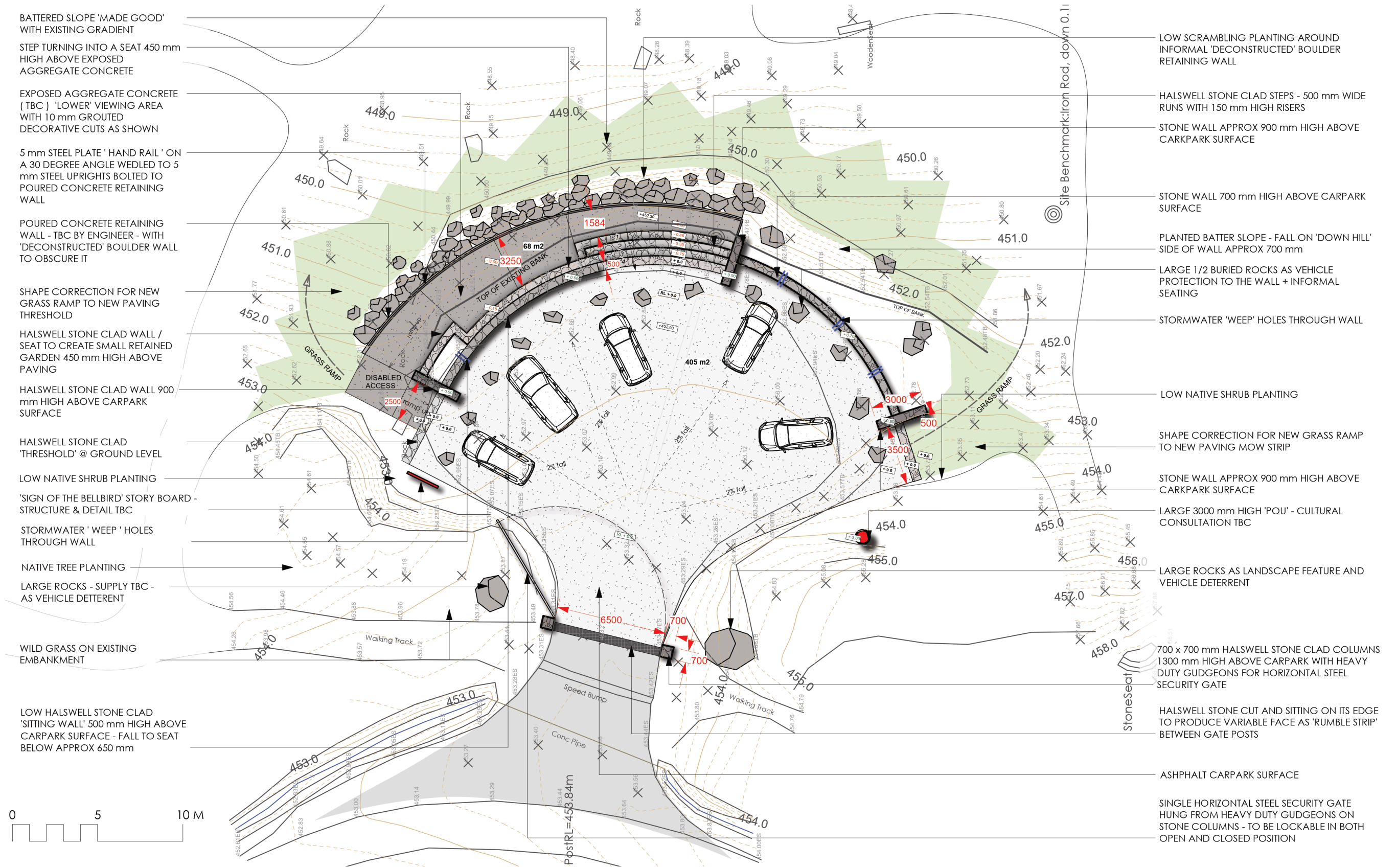
comments from Paul Horgan, Natural Resources Advisor for Te Hapū o Ngāti Wheke from a letter of support for a recent funding application:

*Pou Whenua are regarded by the Hapū as an important way with which to embed ancestral stories and values into the natural landscape. Already, Ngāti Wheke has crafted and placed three Pou Whenua upon the Whakaraupō (Lyttelton Harbour) landscape; one, recently unveiled, at the Lyttelton Timeball Station, one at Otuherekio (Pony Point Reserve), and the third upon Otamahua (Quail Island). A fourth Pou Whenua at the proposed John Jameson Lookout would be an inspiring way for Ngāti Wheke to, once more, embed its rich tapestry of association with the Christchurch Port Hills into the natural landscape.*









NOTE:  
1. THIS PLAN IS 85% ONLY - FURTHER DESIGN DEVELOPMENT REQUIRED



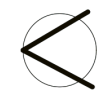
**SIGN OF THE BELLBIRD**  
**LAYOUT PLAN 2.1**

Scale: 1:200@ A3 | Drawn NKay | 95% Design | 26 August 2020 (G)





note: artist impression only\*



**SIGN OF THE BELLBIRD**  
3D IMAGES 4.0

Scale: not to scale | Drawn NKay | 95% Design | 31 August 2020 (G)





note: artist impression only\*



**SIGN OF THE BELLBIRD**  
3D IMAGES 4.1

Scale: not to scale | Drawn NKay | 95% Design | 31 August 2020 (G)





SUMMIT ROAD PROTECTION AUTHORITY  
TE MANA TIAKI I TE ARA AKITU

## SUMMIT ROAD PROTECTION AUTHORITY

**ANNUAL REPORT**  
For the year ending  
**30 June 2019**

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**Executive Secretary**

Mark Saunders  
Telephone: (03) 941 6436  
Email: [mark.saunders@ccc.govt.nz](mailto:mark.saunders@ccc.govt.nz)

**Address for Service:**

Civic Offices  
53 Hereford Street  
PO Box 73016  
Christchurch 8154



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## **1. INTRODUCTION**

This is the 24<sup>th</sup> Annual Report of the Summit Road Protection Authority and relates to the period 1 July 2018 to 30 June 2019.

The Authority is required to prepare a report each year on its activities for the preceding year. Copies of the Annual Report, together with copies of the Annual Plan and Budget for the forthcoming year, are required to be forwarded to the two contributory local bodies, the Christchurch City Council and the Selwyn District Council.

In 1963 Parliament enacted the Summit Road (Canterbury) Protection Act. This Act was originally administered by the Christchurch Regional Planning Authority, then by the Canterbury United Council and, between 1989 and 1992, by the Canterbury Regional Council. In 1992 Parliament amended the 1963 Act to provide for the establishment of the Summit Road Protection Authority as a joint standing committee of the Christchurch City Council, the Banks Peninsula District Council and the Selwyn District Council.

The Summit Road Protection Authority was established on 1 July 1993. In 2001 a revised Summit Road (Canterbury) Protection Act was passed. In 2006 the Banks Peninsula District Council was amalgamated with the Christchurch City Council.

## **2. FUNCTIONS OF THE AUTHORITY**

The function of the Authority is to carry out its responsibilities under the Summit Road (Canterbury) Protection Act 2001 (“the Act”). The purposes of the Act are as follows:

- To provide for the preservation and protection of the scenic amenity associated with the Summit Road and other roads, walkways, paths and public open spaces within the protection area;
- To provide for the preservation and protection of natural amenities of land within the protected area;
- To provide for the improvement of facilities for the public enjoyment of the scenic amenity and the natural amenities.

Scenic amenity includes the extensive views from the Summit Road and other roads, paths and parks within the protected land, to the Port Hills, Christchurch, the Plains and the Harbour. Natural amenities means the natural or physical coherence qualities of an area that contribute to peoples appreciation of its pleasantness, coherence and cultural and recreation attributes.

The area protected by the Act runs along the summit of the Port Hills from Evans Pass to Gebbies Pass and is generally the land between a line running about 30 metres vertically below the Summit Road and the ridgeline, as shown in Appendix 2.

## **3. MEMBERSHIP OF THE AUTHORITY AND ADVISORY COMMITTEE**

Up until March 2006, the Authority consisted of one member appointed by each of three contributory councils but with the amalgamation of the Banks Peninsula District Council and Christchurch City Council, membership now consists of two members appointed by the Christchurch City Council and one member by the Selwyn District Council.

The Authority is deemed to be a joint committee of the Christchurch City Council and the Selwyn District Council by virtue of section 7(2) of the Act though it derives its powers from the Act itself. The Chairperson of the Authority in the 2016-19 triennium was the member by the Selwyn District Council, Councillor Grant Miller.



All expenses and liabilities of the Authority are apportioned between the contributory councils in accordance with the rateable capital value of each of the districts.

The Authority is required to appoint an Advisory Committee. The function of the Advisory Committee is to advise the Authority on matters relating to the preservation and protection of scenic and natural amenities associated with the Summit Road and other land within the protected area, and the improvement of facilities for the public enjoyment of those amenities.

The Advisory Committee comprises two members nominated by the Christchurch City Council (typically identical with the City Council's appointees to the Authority, with one being a City Councillor and the other a Banks Peninsula Community Board Member), one member nominated by the Selwyn District Council (typically identical with the District Council's appointee to the Authority), two members nominated by the owners of land in the area to which the Act applies, one member appointed on the nomination of the Minister of Conservation, one member appointed on the nomination of the Summit Road Society, one member having a knowledge of open space and park management appointed on the nomination of the contributory local bodies, one member appointed on the nomination of either Te Papatipu Runanga o Rapaki or te Runanga o Ngai Tahu, and one member appointed on the nomination of Canterbury Regional Council (Environment Canterbury).

The Chairperson of the Advisory Committee is Mr Paul Loughton (the nominee of the Summit Road Society). Following the local body elections in 2016 Appendix 1 sets out the membership of the Authority and Advisory Committee as of 30 June 2019.

#### 4. SIGNIFICANT ACTIVITIES OF THE AUTHORITY

The business of the Authority is limited to those activities contemplated by the Summit Road (Canterbury) Protection Act 2001.

##### (a) Regulation

Implementation of the regulatory provisions of the Act is the core responsibility of the Authority. The Act requires that applications for specified activities on protected land must be made to the Authority. The Act also provides for applications for the addition or removal of land from the protected area.

The Authority also provides comments and makes submissions on district plan reviews, variations and plan changes where appropriate. The purpose of doing this is to promote greater harmony between the requirements of the Summit Road (Canterbury) Protection Act and provisions in district plans where these affect the control of structures and other activities within the protected area, and to avoid unnecessary duplication of regulatory processes.

In terms of the regulatory function of the Authority during the year, the Authority considered an application from Canterbury Community Communications Ltd and pursuant to section 17 of the Act granted that the applicant's telecommunications facility on unformed legal road at the termination of Broadleaf Lane may continue to occupy its current site in its current condition as having no more than minor effects on the amenities for so long as specified criteria were fulfilled. The criteria reflected the efforts taken to ensure a useful relationship with the licence terms between the applicant and the City Council in relation to the occupation on unformed legal road, and the protection of the amenities and public access.

##### (b) Advice and Promotion

A supplementary function the Authority has adopted is to advise upon and promote the improvement of facilities for the public enjoyment of the scenic and natural amenities of the area. As part of the



exercise of this function, the Authority has carried out a number of studies in the past aimed at identifying the needs of the public and methods by which these can be met in a manner consistent with the other purposes of the Act. While the implementation of this strategy is primarily the responsibility of the constituent local bodies, the Authority can perform a useful function in promoting the adoption of the proposals by these bodies, for example by submissions on long term plans, and the Authority accordingly made submissions to the Long Term Plans of both contributory Councils in 2018.

**Port Hills Management Plan**

On 22 March 2018 Christchurch City Council while resolving to not approve the installation of proposed Prohibited Times on Road Restrictions that were considered as a possible means of curbing anti-social behaviour on Summit Road, did resolve to request that the Port Hills Management Plan be advanced as soon as possible recognising that the outcomes and objectives of that Plan may assist in achieving positive outcomes for the Summit Road and other affected roads in the area covered by that Plan. The Authority continues to await the advancement of that Plan and looks to opportunities to input advice and promotion of the purposes of the Act into the Plan.

**Promoting Public Awareness**

Along the same lines, the Authority has from time to time provided information or participated in programmes led by other organisations aimed at promoting public awareness of issues relating to the Port Hills. The Authority will continue to do this where programmes are consistent with the purposes of the Act.

**(c) General administration**

Two meetings of the Advisory Committee and the Authority were held during the year. The attendance fee for non-elected members is \$120.00.

**5. FINANCIAL REPORT**

Income for the year ending 30 June 2019 was \$14,500.00 being the total levy on the two contributing Councils. Direct expenditure was \$1,125.91. The balance of \$13,374.09 was carried forward.

The Summit Road Protection Authority has accumulated the sum of \$138,496.34 (as at 30 June 2019) to cover its expenses and liabilities.

Details of expenditure and income during the year are set out below:

Activity	Actual Expenditure <sup>1</sup> \$	Actual Income <sup>1</sup> (from annual levy)	2018/19 increase in accumulated funds <sup>1</sup> (transferred to Summit Road Protection Authority accumulated fund)
General administration	1,125.91		
	<b>\$1,125.91</b>	<b>\$14,500.00</b>	<b>\$13,374.09</b>

<sup>1</sup> Excludes GST

Mark Saunders  
Executive Secretary  
Summit Road Protection Authority  
March 2020



APPENDIX 1

MEMBERSHIP

As at 30 June 2019

**Summit Road Protection Authority**

Christchurch City Council	Cr T Scandrett
Christchurch City Council	Mr J O'Donoghue
Selwyn District Council	Cr G Miller (Chair)

**Summit Road Advisory Committee**

Christchurch City Council	Cr T Scandrett Mr J O'Donoghue
Selwyn District Council	Cr G Miller
Landowner nominees	Mr D Aldridge Mr P Graham
Minister of Conservation nominee	Dr C Dann
Summit Road Society Inc. nominee	Mr P Loughton (Chair)
Te Papatipu Runanga o Rapaki/ Te Runanga o Ngai Tahu nominee	Mr D Couch
Environment Canterbury nominee	Vacant (Gill Jenkins to be confirmed)
Contributory councils' nominee having a Knowledge of open space and park management	Mr K McMillan

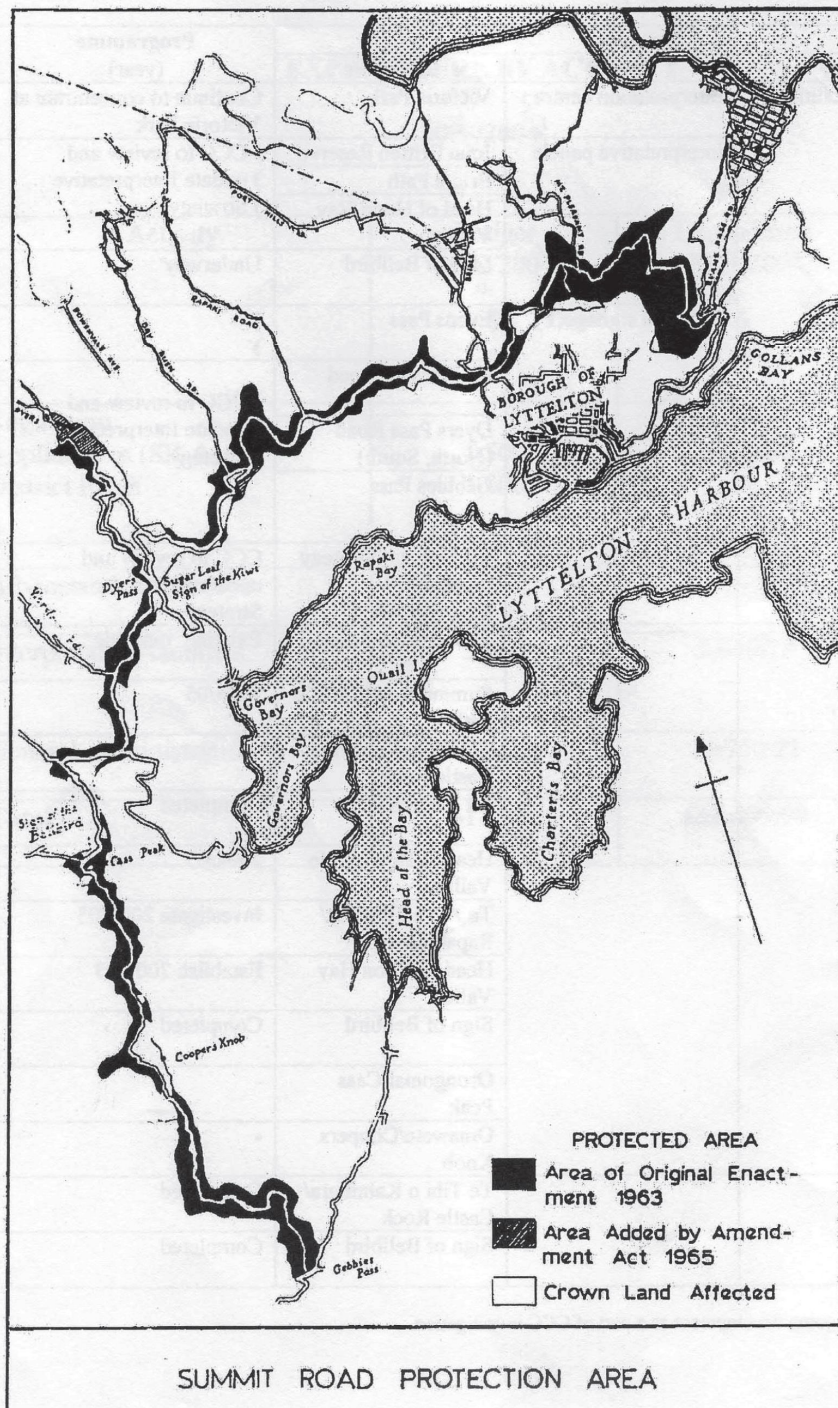
**Executive Secretary**

Mr John Dryden (until January 2016)  
Mr Ivan Thomson (in attendance March meeting  
2016)  
Mr Kelvin McMillan (acting since March 2016)  
Mr Mark Saunders (assisting since March 2017,  
acting from March 2018)





APPENDIX 2





APPENDIX 3

Summit Road Protection Authority  
 Receipts and Payments Account  
 01 July 2018 to 30 June 2019

Opening Balance as at 01 July 2018		\$ 125,122.25	(Credit)
<b>RECEIPTS</b>			
906/105/2 Levies		\$ (14,500.00)	
		<hr/>	
<b>TOTAL RECEIPTS</b>		<b>\$ (14,500.00)</b>	
<b>PAYMENTS</b>			
906/105/1 General Expenses		1,125.91	
		<hr/>	
<b>TOTAL PAYMENTS</b>		<b>\$ 1,125.91</b>	
Closing Balance as at 30 June 2019		<hr/> <b>\$ 138,496.34</b> <hr/>	(Credit)



**SUMMIT ROAD PROTECTION AUTHORITY**  
**TE MANA TIAKI | TE ARA AKITU**

**Item 4**

**Attachment E**

## **SUMMIT ROAD PROTECTION AUTHORITY**

### **Annual Plan and Budget**

**2020 / 2021**

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**Executive Secretary**

Mark Saunders  
Telephone: (03) 941 6436  
Email: mark.saunders@ccc.govt.nz

**Address for Service:**

Civic Offices  
53 Hereford Street  
PO Box 73016  
Christchurch 8154



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1. SUMMIT ROAD PROTECTION AUTHORITY AND ADVISORY COMMITTEE

Summit Road Authority	
Selwyn District Council	Cr Jeff Bland
Christchurch City Council	Cr Tim Scandrett (Chair)
Christchurch City Council	Ms Tori Peden
Summit Road Advisory Committee	
Summit Road Society Inc. nominee	Mr Paul Loughton (Chair)
Christchurch City Council	Cr Tim Scandrett
Christchurch City Council (Banks Peninsula Community Board)	Ms Tori Peden
Selwyn District Council	Cr Tim Scandrett
Landowner nominee	Mr Denis Aldridge
Landowner nominee	Mr Peter Graham
Minister of Conservation nominee	Dr Christine Dann
Te Papatipu Runanga o Rapaki / Te Runanga o Ngai Tahu nominee	To be confirmed
Environment Canterbury nominee	To be confirmed
Contributory Councils' nominee having a knowledge of open space and park management.	Mr Kelvin McMillan
Executive Secretary	Mr Mark Saunders

2. INTRODUCTION

The Summit Road Protection Authority's Annual Plan and Budget for 2020/21 describes work that may be undertaken during the year, shows how much it may cost, and sets out the objectives in each area of significant activity. The Annual Plan relates to the period 1 July 2020 - 30 June 2021, the financial year for the Authority.

In 1963 Parliament enacted the Summit Road (Canterbury) Protection Act. This Act was originally administered by the Christchurch Regional Planning Authority, then by the Canterbury United Council and between 1989 and 1992, by the Canterbury Regional Council. In 1992 Parliament amended the 1963 Act to provide for the establishment of the Summit Road Protection Authority as a joint standing committee of the Christchurch City Council, the Banks Peninsula District Council and the Selwyn District Council.

The Summit Road Protection Authority was established on 1 July 1993.



In 2001 a revised Summit Road (Canterbury) Protection Act was passed. In 2006 the Banks Peninsula District Council was amalgamated with the Christchurch City Council.

### 3. THE FUNCTIONS OF THE AUTHORITY

The function of the Authority is to carry out its responsibilities under the Summit Road (Canterbury) Protection Act 2001. The purposes of this Act are as follows:

- To provide for the preservation and protection of the scenic amenity associated with the Summit Road and other roads, walkways, paths and public open spaces within the protected land;
- To provide for the preservation and protection of natural amenities of land within the protected area.
- To provide for the improvement of facilities for the public enjoyment of the scenic amenity and the natural amenities.

Scenic amenity includes the extensive views from the Summit Road and other roads, paths and parks within the protected land, to the Port Hills, Christchurch, the Plains and the Harbour. Natural amenities means the natural or physical qualities of an area that contribute to people's appreciation of its pleasantness, coherence and cultural and recreation attributes.

The area protected by the Act runs along the summit of the Port Hills from Evans Pass to Gebbies Pass and is generally the land between a line running about 30 metres vertically below the Summit Road and the ridgeline, as shown in **Appendix A**.

In carrying out its functions, the Authority has identified the following areas of significant activity:

- regulation
- advice and promotion
- general administration.

The 2019 Annual Report was approved by the Authority in March 2020.

### 4. MEMBERSHIP

In March 2006, Banks Peninsular District Council joined with the Christchurch City Council. As a result, membership of the Authority changed to include two representatives of the Christchurch City Council and one of Selwyn District Council.

Following the Local Body elections in October 2019 Councillor Jeff Bland (Selwyn District Council), Councillor Tim Scandrett (Christchurch City Council) and Ms Tori Peden (a member of the City Council's Banks Peninsula Community Board) were appointed to the Authority.

The Authority is advised by an Advisory Committee that includes representatives of the land owners, the Department of Conservation, the Summit Road Society Inc, Ngāi Tahu, Environment Canterbury and an open space expert.

### 5. SIGNIFICANT ACTIVITIES OF THE AUTHORITY

The responsibilities of the Authority are framed by the Summit Road (Canterbury) Protection Act 2001.



**(a) Regulation**

Implementation of the regulatory provisions of the Act is the primary responsibility of the Authority. The Act requires that applications for specified activities on the protected land must be made to the Authority. The Act also provides for applications for the amendment or removal of land from the protected area.

The hearing and determination of applications for consent to carry out activities on the protected land (except those determined under Section 17 of the Act) has been delegated to the Advisory Committee. However, applications for the amendment or removal of land from the protected area are determined by the Authority.

The Authority also provides comments and makes submissions on district plan reviews, variations and plan changes, where appropriate. The purpose of doing this is to promote greater harmony between the requirements of the Summit Road (Canterbury) Protection Act and provisions in district plans where these affect the control of structures and other activities within the protected area, and to avoid unnecessary duplication of regulatory processes.

**(b) Advice and promotion**

A second function the Authority has adopted is to promote the improvement of facilities for the public enjoyment of scenic and natural amenities. As part of the exercise of this function, the Authority has carried out a number of studies in the past aimed at identifying the needs of the public and methods by which these can be met in a manner consistent with the other purposes of the Act.

During 2002 the Authority undertook a review of facilities and formulated a strategy to meet the needs of visitors and recreational users of the Summit Road. While the implementation of this strategy is primarily the responsibility of the constituent local bodies, the Authority can perform a useful function in promoting the adoption of the proposals by these bodies, for example by submissions on long term plans.

In addition, the Authority has from time to time provided information or participated in programmes led by other organisations aimed at promoting public awareness of issues relating to the Port Hills. The Authority may continue to do this where programmes are consistent with the purposes of the Act.

**(c) General administration**

General administration is the main item of expenditure for the Authority and includes activities associated with servicing the Authority, including meetings and members allowances; the preparation of agendas; the Annual Plan and Budget and Annual Report; budget, revenue and expenditure reports; and dealing with correspondence, servicing member, media and public enquiries, and maintaining files and information base. The Authority meets as required and at least annually. Administrative services are provided Christchurch City Council that acts as the principal council (responsible for administration and servicing of the Authority).



6. **WORK PROGRAMME 2020/21**

The following projects comprise the Authority's proposed work programme for 2020/21.

(a) **Exercise of regulatory functions**

The likely level of expenditure by the Authority in processing applications cannot be forecast with accuracy because it is dependent on the nature and timing of applications over the next 12 months. Moreover, in certain circumstances, part of the cost may be recoverable from applicants. Nevertheless, the Authority must bear the majority of cost of overall administration of the process including determination of whether or not the approval of the Authority is required, the adequacy of information provided with the application and the nature of investigations required, and assessment and reporting on applications together with monitoring compliance with any conditions imposed by the Authority. To enable this work to be carried out, it is proposed that the Authority make budget provision for an expenditure of \$10,000 against this item.

Selwyn District Council is currently reviewing their District Plan therefore \$10,000 has been allowed in the event that any involvement by the Authority may be required.

Under section 24 of the Summit Road (Canterbury) Protection Act applicants to the Authority are given specified rights of appeal in regard to any decision, condition, or review of any decision, made or imposed by the Authority under the sections of the Act there specified. To enable the Authority to appropriately respond to and participate in any such appeal and be appropriately legally represented and advised \$30,000 is set aside for this eventuality.

Under section 21 of the Summit Road (Canterbury) Protection Act any person having an estate or interest in any land, building or other improvements detrimentally affected by any decision of the Authority given under section 14 of the Act may, subject to the provisions of section 21, make a claim for compensation from the Authority for loss sustained by that person. Any liabilities including compensation awards incurred by the Authority under the Act would be payable by the contributory councils. However, it is considered that the Authority should hold in reserve sufficient funds that it does not unreasonably expose the contributory councils to unforeseen liability, and that it may duly exercise its regulatory functions without undue concern about its ability to pay such compensation awards promptly.

It is also noted that under section 21 a claim for compensation must be made and determined in accordance with the provisions of the Public Works Act, which determination may result in professional fees needing to be incurred. Therefore, \$45,000 is set aside for liabilities and costs that may arise as a consequence of section 21 to ensure the Authority is not unduly restrained in its functions by this risk and appropriately buffers the contributory councils against it.

(b) **Advice and promotion**

The Authority has been active in promoting the use and enjoyment of the Summit Road area and the protection and preservation of its scenic and natural amenities. The Port Hills Parks Plan being developed by the City Council will be a major initiative that the Authority will wish to be consulted in regard to. The Authority may seek opportunity to advise



broadly on the Plan in relation to the purposes of the Summit Road (Canterbury) Protection Act. For this work \$20,000 is set aside.

The Authority will also seek to promote the scenic and natural amenities of the protected land through submitting on the Long Term Plans of the contributory councils. It is likely the expense of this will be covered by the allowance for general administration.

**(d) General administration**

The Authority is currently supported by City Council staff as the current level of administration is falling within what can generally be supported by those staff with some effective donation of their work and personal time. However, the possibility of need to directly engage and pay staff in future to administer the Authority should be provided for and accordingly \$23,000 is set aside for this purpose, even though it is currently just a possible expense.

A summary of the proposed programme of work for the year 2020/21, together with performance measures, follows:

Project	Objective	Performance Measure	Public Consultation	Output	Completion Date
Regulation Applications	Process and determine all applications in a timely and cost effective manner	Decisions made and communicated to the applicant and other affected parties within specified time limit.	Applications publicly notified except where exempt under the Act	Decision on applications with reasons	Ongoing
Regulation District Plans	Ensure harmonisation and avoid duplication between provisions of the Summit Road Act and district plans	Submissions made within the time limits specified in the plan	Consultation with interest groups as appropriate	Preparation of submissions, presentation of evidence in support of submissions	Ongoing in accordance with district plan timetables
Advice and promotion	Public enjoyment of scenic and natural amenities	Submissions made within the time limits specified	As required	Preparation of submissions, presentation of evidence in support of submissions	As required
General Administration	Provide timely advice to the Authority and service to the public.  To ensure that the administration of the Authority conforms to public administration requirements.	Forward meeting agendas two clear working days prior to meetings. Respond to correspondence, and member and public enquiries in a timely manner.	Consultation with Councils and other interest groups as appropriate	Meeting agendas and reports, Annual Report, Annual Plan and Budget, financial reports, correspondence, service member and public enquiries.	Ongoing



**7. PROPOSED BUDGET FOR 2019/20**

The proposed expenditure for the coming year for each of the significant activity areas is as follows:

Project	Expenditure
Regulation <ul style="list-style-type: none"> <li>• Applications / legal advice</li> <li>• District Plan Reviews</li> <li>• Appeals / legal advice</li> <li>• Liability reserve</li> </ul>	\$10,000 \$10,000 \$30,000 \$45,000
Advice and promotion	\$20,000
General administration	\$23,000
<b>Total Proposed Expenditure</b>	<b>\$138,000</b>

The proposed source of funding for the expenditure is as follows:

Source	Funding
Local body levy (2020 /21, \$0) Reserve funds (\$138,496.34)	\$0 \$138,000
<b>Total Proposed Expenditure</b>	<b>\$138,000</b>

Note: Residual Funds in reserve = \$496.34

**8. LOCAL BODY LEVY 2020/21**

It is proposed that the Authority levy for 2020/21 be set at \$0, reduced from \$1,000 last year, and previously \$14,500 (the amount raised in annual budgets over the preceding eight years and continuing a significant reduction on the \$17,500 levy set in earlier years).

Though the funds are potentially virtually fully allocated, the above proposed budget represents an allocation of funds to merely potential professional and administrative fees, liabilities, and opportunities for substantive input into upcoming plans and reviews. It is considered that this represents reasonable and prudent budgeting in the current circumstances, and relating in large





part that it is unknown when and if the proposed expenditure may occur. That being the case such that the expenditure may not be incurred in the coming year, it is considered that the levy can stay substantially reduced as proposed until the expenditure may occur.

The reduction of the Authority levy further to \$0 reflects that City Council staff have supported the Authority, avoiding the need for the moment to pay for that support as it would generally expect to. The members from the contributory councils and Environment Canterbury also do not take a fee and the other members take only a stipend for meeting attendance covering their disbursements. This reflects the dedication of all involved to the work of the Authority, and also reflects that the Authority is keen to demonstrate solidarity for not imposing on the contributory councils unnecessarily at this time the country is uniting against COVID-19.

If the Authority incurred liabilities in excess of those allowed for, it would need to go to the contributory councils outside of its annual levying process to impose an additional levy. It is considered that the Authority should plan to avoid this eventuality if it all possible to shield the contributory councils from unforeseen expenditure, and the budget presented should do all reasonably possible to avoid that eventuality without hindering the Authority from adamantly upholding its purposes. It is also considered that reducing the levy at this time should assist the contributory councils, since the Authority would support funds being directed to the Port Hills Parks Plan by them as an appropriate mechanism for improving the facilities for the enjoyment of the amenities of the Summit Road.

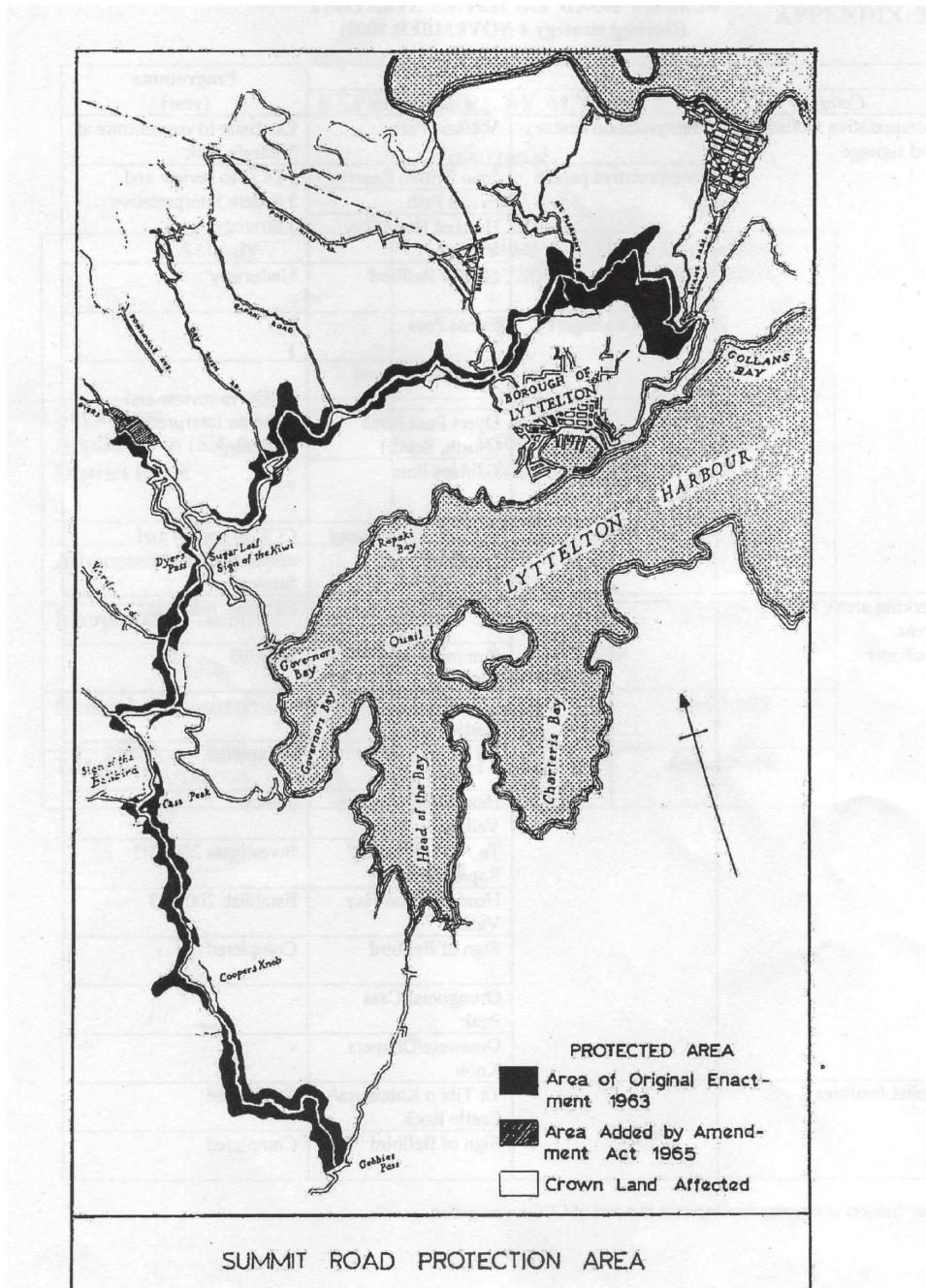
The levy would be made on the two contributory local bodies in accordance with section 25 of the Summit Road (Canterbury) Protection Act 2001, the apportionment being made on rateable capital values, except being a levy of \$0 there is no apportionment to be made in this case.

Mark Saunders  
Executive Secretary  
Summit Road Protection Authority  
March 2020

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APPENDIX A



Attachment E Item 4





SUMMIT ROAD PROTECTION AUTHORITY  
TE MANA TIAKI I TE ARA AKITU

TE MANA TIAKI I TE ARA AKITU  
SUMMIT ROAD PROTECTION AUTHORITY

ANNUAL REPORT  
For the year ending  
30 June 2020

**Executive Secretary**

Mark Saunders  
Telephone: (03) 941 6436  
Email: [mark.saunders@ccc.govt.nz](mailto:mark.saunders@ccc.govt.nz)

**Address for Service:**

Te Hononga / Civic Offices  
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Christchurch 8154



TE MANA TIAKI | TE ARA AKITU ANNUAL REPORT FOR THE YEAR ENDING 30 JUNE 2020

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**TE MANA TIAKI | TE ARA AKITU ANNUAL REPORT FOR THE YEAR ENDING 30 JUNE 2020**

**1. INTRODUCTION**

This is the 25<sup>th</sup> Annual Report of the Summit Road Protection Authority and relates to the period 1 July 2019 to 30 June 2020.

The Authority is required to prepare a report each year on its activities for the preceding year. Copies of the Annual Report, together with copies of the Annual Plan and Budget for the forthcoming year, are required to be forwarded to the two contributory local bodies, the Christchurch City Council and the Selwyn District Council.

In 1963 Parliament enacted the Summit Road (Canterbury) Protection Act. This Act was originally administered by the Christchurch Regional Planning Authority, then by the Canterbury United Council and, between 1989 and 1992, by the Canterbury Regional Council. In 1992 Parliament amended the 1963 Act to provide for the establishment of the Summit Road Protection Authority as a joint standing committee of the Christchurch City Council, the Banks Peninsula District Council and the Selwyn District Council.

The Summit Road Protection Authority was established on 1 July 1993. In 2001 a revised Summit Road (Canterbury) Protection Act was passed. In 2006 the Banks Peninsula District Council was amalgamated with the Christchurch City Council.

**2. FUNCTIONS OF THE AUTHORITY**

The function of the Authority is to carry out its responsibilities under the Summit Road (Canterbury) Protection Act 2001 ("the Act"). The purposes of the Act are as follows:

- To provide for the preservation and protection of the scenic amenity associated with the Summit Road and other roads, walkways, paths and public open spaces within the protection area;
- To provide for the preservation and protection of natural amenities of land within the protected area;
- To provide for the improvement of facilities for the public enjoyment of the scenic amenity and the natural amenities.

Scenic amenity includes the extensive views from the Summit Road and other roads, paths and parks within the protected land, to the Port Hills, Christchurch, the Plains and the Harbour. Natural amenities means the natural or physical coherence qualities of an area that contribute to peoples appreciation of its pleasantness, coherence and cultural and recreation attributes.

The area protected by the Act runs along the summit of the Port Hills from Evans Pass to Gebbies Pass and is generally the land between a line running about 30 metres vertically below the Summit Road and the ridgeline, as shown in Appendix 2.

**3. MEMBERSHIP OF THE AUTHORITY AND ADVISORY COMMITTEE**

Up until March 2006, the Authority consisted of one member appointed by each of three contributory councils but with the amalgamation of the Banks Peninsula District Council and Christchurch City Council, membership now consists of two members appointed by the Christchurch City Council and one member by the Selwyn District Council.



TE MANA TIAKI I TE ARA AKITU ANNUAL REPORT FOR THE YEAR ENDING 30 JUNE 2020

The Authority is deemed to be a joint committee of the Christchurch City Council and the Selwyn District Council by virtue of section 7(2) of the Act though it derives its powers from the Act itself. The Chairperson of the Authority with the turn of the 2019-22 local government electoral triennium has changed to the member again nominated by the Christchurch City Council, Councillor Tim Scandrett. The other Authority members have changed to Community Board Member Tori Peden (appointed by Te Pātaka o Rākaihautū / Banks Peninsula Community Board, under its delegation from the City Council), and Councillor Jeff Bland (appointed by the Selwyn District Council). All expenses and liabilities of the Authority are apportioned between the contributory councils in accordance with the rateable capital value of each of the districts.

The Authority is required to appoint an Advisory Committee. The function of the Advisory Committee is to advise the Authority on matters relating to the preservation and protection of scenic and natural amenities associated with the Summit Road and other land within the protected area, and the improvement of facilities for the public enjoyment of those amenities.

The Advisory Committee comprises two members nominated by the Christchurch City Council (typically, and currently, identical with the City Council's appointees to the Authority, with one being a City Councillor and the other a Te Pātaka o Rākaihautū / Banks Peninsula Community Board Member), one member nominated by the Selwyn District Council (typically, and currently, identical with the District Council's appointee to the Authority), two members nominated by the owners of land in the area to which the Act applies (currently Mr Peter Graham and Mr Denis Aldridge), one member appointed on the nomination of the Minister of Conservation (currently Dr Christine Dann, one member appointed on the nomination of the Summit Road Society (currently Mr Paul Loughton), one member having a knowledge of open space and park management appointed on the nomination of the contributory local bodies (currently Mr Kelvin McMillan), one member appointed on the nomination of either Te Papatipu Runanga o Rapaki or te Runanga o Ngai Tahu (vacant since the passing of Mr Doug Couch), and one member appointed on the nomination of Canterbury Regional Council (Environment Canterbury).

The Chairperson of the Advisory Committee is Mr Paul Loughton (the nominee of the Summit Road Society). Following the local body elections in 2019 Appendix 1 sets out the membership of the Authority and Advisory Committee as of 30 June 2020.

With the passing on 27 January 2020 of Advisory Committee Member, Mr Douglas Falcon Herewini (Doug) Couch, the Authority acknowledges his highly valued service.

#### 4. SIGNIFICANT ACTIVITIES OF THE AUTHORITY

The business of the Authority is limited to those activities contemplated by the Summit Road (Canterbury) Protection Act 2001.

##### (a) Regulation

Implementation of the regulatory provisions of the Act is the core responsibility of the Authority. The Act requires that applications for specified activities on protected land must be made to the Authority. The Act also provides for applications for the addition or removal of land from the protected area.



TE MANA TIAKI I TE ARA AKITU ANNUAL REPORT FOR THE YEAR ENDING 30 JUNE 2020

The Authority also provides comments and makes submissions on district plan reviews, variations and plan changes where appropriate. The purpose of doing this is to promote greater harmony between the requirements of the Summit Road (Canterbury) Protection Act and provisions in district plans where these affect the control of structures and other activities within the protected area, and to avoid unnecessary duplication of regulatory processes.

In terms of the regulatory function of the Authority during the year, the Authority considered applications from the Summit Road Society related to the John Jameson Lookout oppose the Sign of the Bellbird, and from the City Council related to Dyers Pass Road Safety Improvements. Pursuant to section 17 of the Act, the Authority granted approval for the Dyers Pass Road Safety Improvements as having no more than minor effects on the amenities. The John Jameson Lookout remains subject to final approval once the design is finalised, though the Authority signalled that the draft design was assessed as having no more than minor effects on the amenities, subject to considering further information to be provided on the matters set out in section 5(1)(a)-(d) of the Act.

**(b) Advice and Promotion**

A supplementary function the Authority has adopted is to advise upon and promote the improvement of facilities for the public enjoyment of the scenic and natural amenities of the area. As part of the exercise of this function, the Authority has carried out a number of studies in the past aimed at identifying the needs of the public and methods by which these can be met in a manner consistent with the other purposes of the Act. While the implementation of this strategy is primarily the responsibility of the constituent local bodies, the Authority can perform a useful function in promoting the adoption of the proposals by these bodies, for example by submissions on long term plans, and the Authority accordingly made submissions to the Long Term Plans of both contributory Councils in 2018 and the Annual Plan of the City Council in 2019.

***Port Hills Management Plan***

On 22 March 2018 Christchurch City Council while resolving to not approve the installation of proposed Prohibited Times on Road Restrictions that were considered as a possible means of curbing anti-social behaviour on Summit Road, did resolve to request that the Port Hills Management Plan be advanced as soon as possible recognising that the outcomes and objectives of that Plan may assist in achieving positive outcomes for the Summit Road and other affected roads in the area covered by that Plan. The Authority continues to await the advancement of that Plan and looks to opportunities to input advice and promotion of the purposes of the Act into the Plan.

***Promoting Public Awareness***

Along the same lines, the Authority has from time to time provided information or participated in programmes led by other organisations aimed at promoting public awareness of issues relating to the Port Hills. The Authority will continue to do this where programmes are consistent with the purposes of the Act.



TE MANA TIAKI | TE ARA AKITU ANNUAL REPORT FOR THE YEAR ENDING 30 JUNE 2020

(c) **General administration**

One meeting of the Advisory Committee and the Authority was held during the year. The attendance fee for non-elected members is \$120. A further meeting was scheduled for 31 March 2020 but unavoidably cancelled due to the Covid-19 Lockdown, so the Authority agreed its last Annual Report and Annual Plan & Budget by email on or about 31 March 2020 for ratification at its next meeting. The Authority sent its reporting to the contributory councils as agreed at the time for transparency.

**5. FINANCIAL REPORT**

Income for the year ending 30 June 2020 was \$1,000.00 being the total levy on the two contributing Councils. Direct expenditure was \$240.00. The balance of \$760.00 was carried forward.

The Summit Road Protection Authority has accumulated the sum of \$139,256.34 (as at 30 June 2020) to cover its expenses and liabilities.

Details of expenditure and income during the year are set out below:

Activity	Actual Expenditure <sup>1</sup> \$	Actual Income <sup>1</sup> (from annual levy)	2019/20 increase in accumulated funds <sup>1</sup> (transferred to Summit Road Protection Authority accumulated fund)
General administration	\$240.00		
	<b>\$240.00</b>	<b>\$1,000.00</b>	<b>\$760.00</b>

<sup>1</sup> Excludes GST

Mark Saunders  
Executive Secretary  
Summit Road Protection Authority  
March 2021





TE MANA TIAKI I TE ARA AKITU ANNUAL REPORT FOR THE YEAR ENDING 30 JUNE 2020

APPENDIX 1

MEMBERSHIP

As at 30 June 2020

**Summit Road Protection Authority**

Christchurch City Council	Cr T Scandrett (Chair)
Christchurch City Council	Ms T Peden
Selwyn District Council	Cr J Bland

**Summit Road Advisory Committee**

Christchurch City Council	Cr T Scandrett Ms T Peden
Selwyn District Council	Cr J Bland
Landowner nominees	Mr D Aldridge Mr P Graham
Minister of Conservation nominee	Dr C Dann
Summit Road Society Inc. nominee	Mr P Loughton (Chair)
Te Papatipu Runanga o Rapaki/ Te Runanga o Ngai Tahu nominee	Vacant
Environment Canterbury nominee	Vacant (Ms G Jenkins on behalf)
Contributory councils' nominee having a Knowledge of open space and park management	Mr K McMillan

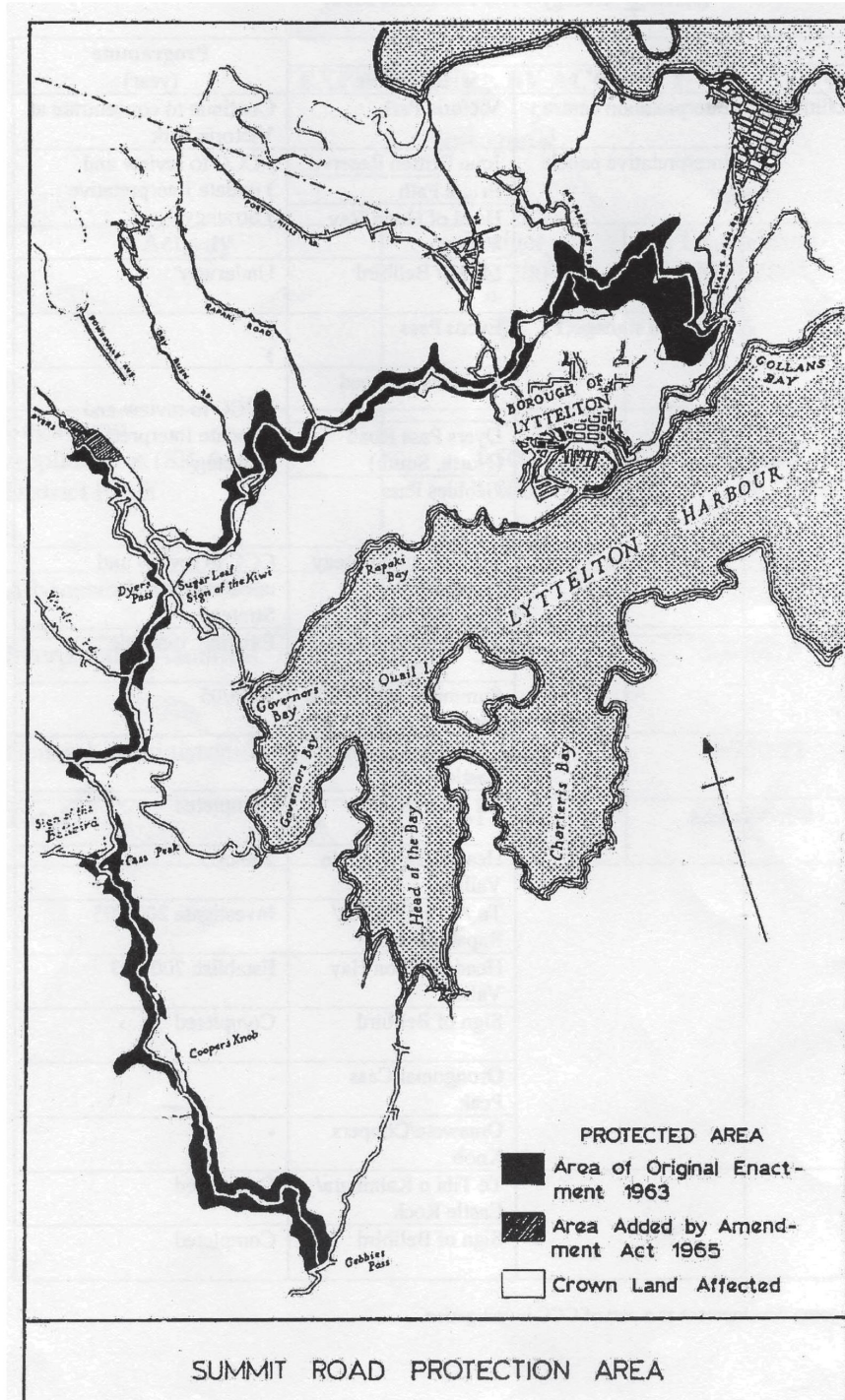
**Executive Secretary**

Mr John Dryden (until January 2016)  
Mr Ivan Thomson (in attendance March 2016)  
Mr Kelvin McMillan (acting since March 2016)  
Mr Mark Saunders (assisting since March 2017, acting  
from March 2018)



TE MANA TIAKI | TE ARA AKITU ANNUAL REPORT FOR THE YEAR ENDING 30 JUNE 2020

APPENDIX 2







TE MANA TIAKI | TE ARA AKITU ANNUAL REPORT FOR THE YEAR ENDING 30 JUNE 2020

APPENDIX 3

Summit Road Protection Authority  
Receipts and Payments Account  
01 July 2019 to 30 June 2020

Opening Balance as at 01 July 2019		\$ 138,496.34	(Credit)
<b>RECEIPTS</b>			
906/105/2 Levies	\$ (1,000.00)		
<b>TOTAL RECEIPTS</b>		\$ (1,000.00)	
<b>PAYMENTS</b>			
906/105/1 General Expenses	240.00		
<b>TOTAL PAYMENTS</b>		\$ 240.00	
Closing Balance as at 30 June 2020		\$ 139,256.34	(Credit)



SUMMIT ROAD PROTECTION AUTHORITY  
TE MANA TIAKI I TE ARA AKITU

**TE MANA TIAKI I TE ARA AKITU**  
**SUMMIT ROAD PROTECTION AUTHORITY**

**Annual Plan and Budget**

**2021 / 2022**

**Executive Secretary**

Mark Saunders  
Telephone: (03) 941 6436  
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**Address for Service:**

Te Hononga / Civic Offices  
53 Hereford Street  
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TE MANA TIAKI | TE ARA AKITU ANNUAL PLAN & BUDGET 2021-22

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**1. SUMMIT ROAD PROTECTION AUTHORITY AND ADVISORY COMMITTEE**

<b>Summit Road Authority</b>	
Selwyn District Council	Cr Jeff Bland
Christchurch City Council	Cr Tim Scandrett (Chair)
Christchurch City Council	Ms Tori Peden
<b>Summit Road Advisory Committee</b>	
Summit Road Society Inc. nominee	Mr Paul Loughton (Chair)
Christchurch City Council	Cr Tim Scandrett
Christchurch City Council (Banks Peninsula Community Board)	Ms Tori Peden
Selwyn District Council	Cr Tim Scandrett
Landowner nominee	Mr Denis Aldridge
Landowner nominee	Mr Peter Graham
Minister of Conservation nominee	To be confirmed
Te Papatipu Runanga o Rapaki / Te Runanga o Ngai Tahu nominee	To be confirmed
Environment Canterbury nominee	To be confirmed
Contributory Councils' nominee having a knowledge of open space and park management.	Mr Kelvin McMillan
<b>Executive Secretary</b>	Mr Mark Saunders

**2. INTRODUCTION**

The Summit Road Protection Authority's Annual Plan and Budget for 2021/22 describes work that may be undertaken during the year, shows how much it may cost, and sets out the objectives in each area of significant activity. The Annual Plan relates to the period 1 July 2021 - 30 June 2022, the financial year for the Authority.

In 1963 Parliament enacted the Summit Road (Canterbury) Protection Act. This Act was originally administered by the Christchurch Regional Planning Authority, then by the Canterbury United Council and between 1989 and 1992, by the Canterbury Regional Council. In 1992 Parliament amended the 1963 Act to provide for the establishment of the Summit



## TE MANA TIAKI | TE ARA AKITU ANNUAL PLAN & BUDGET 2021-22

Road Protection Authority as a joint standing committee of the Christchurch City Council, the Banks Peninsula District Council and the Selwyn District Council.

The Summit Road Protection Authority was established on 1 July 1993.

In 2001 a revised Summit Road (Canterbury) Protection Act was passed. In 2006 the Banks Peninsula District Council was amalgamated with the Christchurch City Council.

### 3. THE FUNCTIONS OF THE AUTHORITY

The function of the Authority is to carry out its responsibilities under the Summit Road (Canterbury) Protection Act 2001. The purposes of this Act are as follows:

- To provide for the preservation and protection of the scenic amenity associated with the Summit Road and other roads, walkways, paths and public open spaces within the protected land;
- To provide for the preservation and protection of natural amenities of land within the protected area.
- To provide for the improvement of facilities for the public enjoyment of the scenic amenity and the natural amenities.

Scenic amenity includes the extensive views from the Summit Road and other roads, paths and parks within the protected land, to the Port Hills, Christchurch, the Plains and the Harbour. Natural amenities means the natural or physical qualities of an area that contribute to people's appreciation of its pleasantness, coherence and cultural and recreation attributes.

The area protected by the Act runs along the summit of the Port Hills from Evans Pass to Gebbies Pass and is generally the land between a line running about 30 metres vertically below the Summit Road and the ridgeline, as shown in **Appendix A**.

In carrying out its functions, the Authority has identified the following areas of significant activity:

- regulation
- advice and promotion
- general administration
- enforcement

The 2020 Annual Report was approved by the Authority in March 2021.

### 4. MEMBERSHIP

In March 2006, Banks Peninsular District Council joined with the Christchurch City Council. As a result, membership of the Authority changed to include two representatives of the Christchurch City Council and one of Selwyn District Council.

Following the Local Body elections in October 2019 Councillor Jeff Bland (Selwyn District Council), Councillor Tim Scandrett (Christchurch City Council) and Ms Tori Peden (a member of the City Council's Banks Peninsula Community Board / Te Pātaka o Rākaihautū) were appointed to the Authority.



TE MANA TIAKI | TE ARA AKITU ANNUAL PLAN & BUDGET 2021-22

The Authority is advised by an Advisory Committee that includes representatives of the land owners, the Department of Conservation, the Summit Road Society Inc, Ngāi Tahu, Environment Canterbury and an open space expert.

5. **SIGNIFICANT ACTIVITIES OF THE AUTHORITY**

The responsibilities of the Authority are framed by the Summit Road (Canterbury) Protection Act 2001.

(a) **Regulation**

Implementation of the regulatory provisions of the Act is the primary responsibility of the Authority. The Act requires that applications for specified activities on the protected land must be made to the Authority. The Act also provides for applications for the amendment or removal of land from the protected area.

The hearing and determination of applications for consent to carry out activities on the protected land (except those determined under Section 17 of the Act) has been delegated to the Advisory Committee. However, applications for the amendment or removal of land from the protected area are determined by the Authority.

The Authority also provides comments and makes submissions on district plan reviews, variations and plan changes, where appropriate. The purpose of doing this is to promote greater harmony between the requirements of the Summit Road (Canterbury) Protection Act and provisions in district plans where these affect the control of structures and other activities within the protected area, and to avoid unnecessary duplication of regulatory processes.

(b) **Advice and promotion**

A secondary function the Authority has adopted is to promote the improvement of facilities for the public enjoyment of scenic and natural amenities. As part of the exercise of this function, the Authority has carried out a number of studies in the past aimed at identifying the needs of the public and methods by which these can be met in a manner consistent with the other purposes of the Act.

During 2002 the Authority undertook a review of facilities and formulated a strategy to meet the needs of visitors and recreational users of the Summit Road. While the implementation of this strategy is primarily the responsibility of the constituent local bodies, the Authority can perform a useful function in promoting the adoption of the proposals by these bodies, for example by submissions on long term plans.

In addition, the Authority has from time to time provided information or participated in programmes led by other organisations aimed at promoting public awareness of issues relating to the Port Hills. The Authority may continue to do this where programmes are consistent with the purposes of the Act.

(c) **General administration**

General administration is the main item of expenditure for the Authority and includes activities associated with servicing the Authority, including meetings and members'





TE MANA TIAKI | TE ARA AKITU ANNUAL PLAN & BUDGET 2021-22

allowances; the preparation of agendas; the Annual Plan and Budget and Annual Report; budget, revenue and expenditure reports; and dealing with correspondence, servicing member, media and public enquiries, and maintaining files and information base. The Authority meets as required and at least annually.

The Executive Secretary currently provides their services pro bono (acknowledging they are a City Council employee). However, the Authority should budget for remunerating an Executive Secretary as potentially its most significant regular expense. Other administrative services, such as accounting and secretarial services, are provided by the City Council currently without charge, though could equally be charged in future.

**(d) Enforcement**

The Authority may need to undertake enforcement activities in the event that any unconsented regulated activities occur on the protected land.

**6. WORK PROGRAMME 2021/22**

The following projects comprise the Authority's proposed work programme for 2021/22.

**(a) Exercise of regulatory functions**

The likely level of expenditure by the Authority in processing applications cannot be forecast with accuracy because it is dependent on the nature and timing of applications over the next 12 months. Moreover, in certain circumstances, part of the cost may be recoverable from applicants. Nevertheless, the Authority must bear the majority of cost of overall administration of the process including determination of whether or not the approval of the Authority is required, the adequacy of information provided with the application and the nature of investigations required, and assessment and reporting on applications together with monitoring compliance with any conditions imposed by the Authority.

To enable this work to be carried out, it is proposed that the Authority make budget provision for an expenditure of \$10,000 against this item, which may also be used for professional assistance and advise in the consideration and hearing of applications.

Under section 8 of the Summit Road (Canterbury) Protection Act, the Authority may make submissions in respect of any proposal to prepare, change, or review any policy statement or plan referred to in the RMA that affects or may affect the protected land, therefore \$10,000 has been allowed in the event that any involvement by the Authority in this respect may be warranted.

Under section 24 of the Summit Road (Canterbury) Protection Act applicants to the Authority are given specified rights of appeal in regard to any decision, condition, or review of any decision, made or imposed by the Authority under the sections of the Act there specified. To enable the Authority to appropriately respond to and participate in any such appeal and be appropriately legally represented and advised \$10,000 is set aside as an initial sum for this eventuality, noting that it would be likely further would then need to be levied from the contributory councils.



TE MANA TIAKI | TE ARA AKITU ANNUAL PLAN & BUDGET 2021-22

Under section 21 of the Summit Road (Canterbury) Protection Act any person having an estate or interest in any land, building or other improvements detrimentally affected by any decision of the Authority given under section 14 of the Act may, subject to the provisions of section 21, make a claim for compensation from the Authority for loss sustained by that person. Any liabilities including compensation awards incurred by the Authority under the Act would be payable by the contributory councils. However, it is considered that the Authority should hold in reserve some funds buffering the contributory councils from such unforeseen liability, so that it may duly exercise its regulatory functions without undue concern about its ability to pay such compensation awards promptly.

It is also noted that under section 21 a claim for compensation must be made and determined in accordance with the provisions of the Public Works Act, which determination may result in professional fees needing to be incurred. Therefore, \$15,000 is set aside for liabilities/contingencies and costs that may arise as a consequence of section 21 to ensure the Authority is not unduly restrained in its functions by this risk and appropriately buffers the contributory councils against it.

**(b) Port Hills Management Plan**

The Port Hills Parks Plan being developed by the City Council will be a major initiative that the Authority will wish to at least be consulted in regard to, so \$10,000 is set aside for expenses associated with making submissions, including obtaining professional advice or advocacy, or undertaking research.

Advice may also be sought on prospect that the Authority may contribute to development of the Plan in order to advance it as a priority and to enable it to become a tool relevant to the Authority's functions, justifying expenditure on its development. \$50,000 is set aside as potentially available to offer to the City Council if necessary to enable the advancement of the Plan, provided such expenditure proves permissible and the project's Terms of Reference then appropriately reference the advancement or assistance of the Authority's purposes and functions, or otherwise bring about a vision for the Summit Road and Port Hills should the Authority share it, that supersedes and encompasses the Authority's role.

**(c) Advice and Promotion**

The Authority will also seek to promote the scenic and natural amenities of the protected land through submitting on such consultations the Long Term Plans of the contributory councils. It is likely the expense of this will be covered by the allowance for general administration.

**(d) General administration**

The Authority is currently supported by City Council staff as the current level of administration is falling within what can generally be supported by those staff with some donation of their work and personal time. However, the possibility of need to directly engage and pay staff in future to administer the Authority should be provided for and accordingly \$24,000 is set aside for this purpose, even though it is currently just a possible expense.



TE MANA TIAKI | TE ARA AKITU ANNUAL PLAN & BUDGET 2021-22

(e) Enforcement / Auditing Activities on the Protected Land

\$10,000 is set aside for enforcement action / auditing activities on the protected land, particularly if legal fees may need to be incurred. Enforcement is presently intended to principally be reactive given that structures in breach of the Act will likely also be in breach of the RMA or Building Act, and given that the members are associated to varying degrees with the protected land and may refer matters for investigation.

If an audit of activities on the protected land were part of the development of the Port Hills Parks Plan, that may also justify use the budget dedicated for the development of the Plan, or use of part of this enforcement budget if it were considered adequate reserve for legal fees remained, or legal action if necessary may be deferred to levy the contributory councils the cost.

A summary of the proposed programme of work for the year 2021/22, together with performance measures, follows:

Project	Objective	Performance Measure	Public Consultation	Output	Completion Date
Regulation Applications	Process and determine all applications in a timely and cost effective manner	Decisions made and communicated to the applicant and other affected parties within specified time limit.	Applications publicly notified except where exempt under the Act	Decision on applications with reasons	Ongoing
Regulation District Plans	Ensure harmonisation and avoid duplication between provisions of the Summit Road Act and district plans	Submissions made within the time limits specified in the plan	Consultation with interest groups as appropriate	Preparation of submissions, presentation of evidence in support of submissions	Ongoing in accordance with district plan timetables
Advice and promotion	Public enjoyment of scenic and natural amenities	Submissions made within the time limits specified	As required	Preparation of submissions, presentation of evidence in support of submissions	As required
General Administration	Provide timely advice to the Authority and service to the public.  To ensure that the administration of the Authority conforms to public administration requirements.	Forward meeting agendas two clear working days prior to meetings. Respond to correspondence, and member and public enquiries in a timely manner.	Consultation with Councils and other interest groups as appropriate	Meeting agendas and reports, Annual Report, Annual Plan and Budget, financial reports, correspondence, service member and public enquiries.	Ongoing



TE MANA TIAKI | TE ARA AKITU ANNUAL PLAN & BUDGET 2021-22

7. PROPOSED BUDGET FOR 2021/22

The proposed budget for the coming year for each of the significant activity areas is as follows:

Project	Budgeted Expenditure
Regulation <ul style="list-style-type: none"> <li>• Applications / legal advice</li> <li>• District Plan / Policy Statement Reviews</li> <li>• Appeals / legal advice</li> <li>• Contingencies reserve</li> </ul>	\$10,000 \$10,000 \$10,000 \$15,000
Port Hills Management Plan <ul style="list-style-type: none"> <li>• Submitting</li> <li>• Development</li> </ul>	\$10,000 \$50,000
General administration	\$24,000
Enforcement	\$10,000
<b>Total Prospective Expenditure</b>	<b>\$139,000</b>

The proposed source of funding for the expenditure is as follows:

Source	Funding
Local body levy (2021 /22, \$0)	\$0
Reserve funds (\$139,256.34)	\$139,000
<b>Total Prospective Expenditure</b>	<b>\$139,000</b>

Note: Residual Funds in reserve = \$256.34





**TE MANA TIAKI | TE ARA AKITU ANNUAL PLAN & BUDGET 2021-22**

**8. LOCAL BODY LEVY 2021/22**

It is proposed that the Authority levy for 2021/22 be set at \$0, as it was last year, though the year before it was \$1,000 and previously \$14,500 (the amount raised in annual budgets over the preceding eight years and continuing a significant reduction on the \$17,500 levy set in earlier years).

Though the funds are potentially virtually fully allocated, the above proposed budget represents an allocation of funds to merely potential professional and administrative fees, contingencies, and opportunities for substantive input into upcoming plans and reviews. Because of the substantive prospective provision for the development of the Port Hills Parks Plan, the reserves for legal fees and contingencies are modest and may require the Authority to levy the contributory councils in short order should these come to bear.

However, this may be considered to represent reasonable budgeting in the current circumstances, relating in large part that it is unknown when and if the proposed expenditure may occur, there should be ability to levy substantially more in short order if necessary, and it is possible to show that the Authority holds no more than potentially necessary in reserve at this time. It being the case that the expenditure may not be incurred in the coming year, it is considered that the levy can stay substantially reduced as proposed until the expenditure may occur.

The reduction of the Authority levy to \$0 reflects that City Council staff have supported the Authority, avoiding the need for the moment to pay for that support as it would generally expect to. The members from the contributory councils and Environment Canterbury also do not take a fee and the other members take only a stipend for meeting attendance covering their disbursements. This reflects the dedication of all involved to the work of the Authority, and also reflects that the Authority is keen to demonstrate solidarity for not imposing on the contributory councils unnecessarily at this time the country is uniting in recovering from Covid-19 Lockdowns.

If the Authority incurred fees or contingencies in excess of those allowed for, it would need to go to the contributory councils outside of its annual levying process to impose an additional levy. It is considered that the Authority should plan to avoid this eventuality if possible to shield the contributory councils from unforeseen expenditure. However, it appears that there is risk that the Port Hills Parks Plan could continue to be de-prioritised if the Authority is so cautious as to not prospectively re-direct substantial reserves to its development as budgeted.

The lack of an integrated management plan has long been identified by the Authority as a risk point for achieving the purposes of the Summit Road (Canterbury) Protection Act, while Parliament duly enacted that the Authority could levy the contributory councils for this ends up to a limit that appears at no risk of being exceeded. So it is considered the Authority has struck a justified balance levying \$0 at present with the possibility (likely small) that substantially more may need to be levied in the near future. It might also be hoped that the contributory councils direct the immediate savings on the annual levy to the advancement of the Port Hills Parks Plan or to the cause of the Summit Road in some similar manner, as investment in such may reduce the possible costs arising from leaving the Authority unassisted.



TE MANA TIAKI | TE ARA AKITU ANNUAL PLAN & BUDGET 2021-22

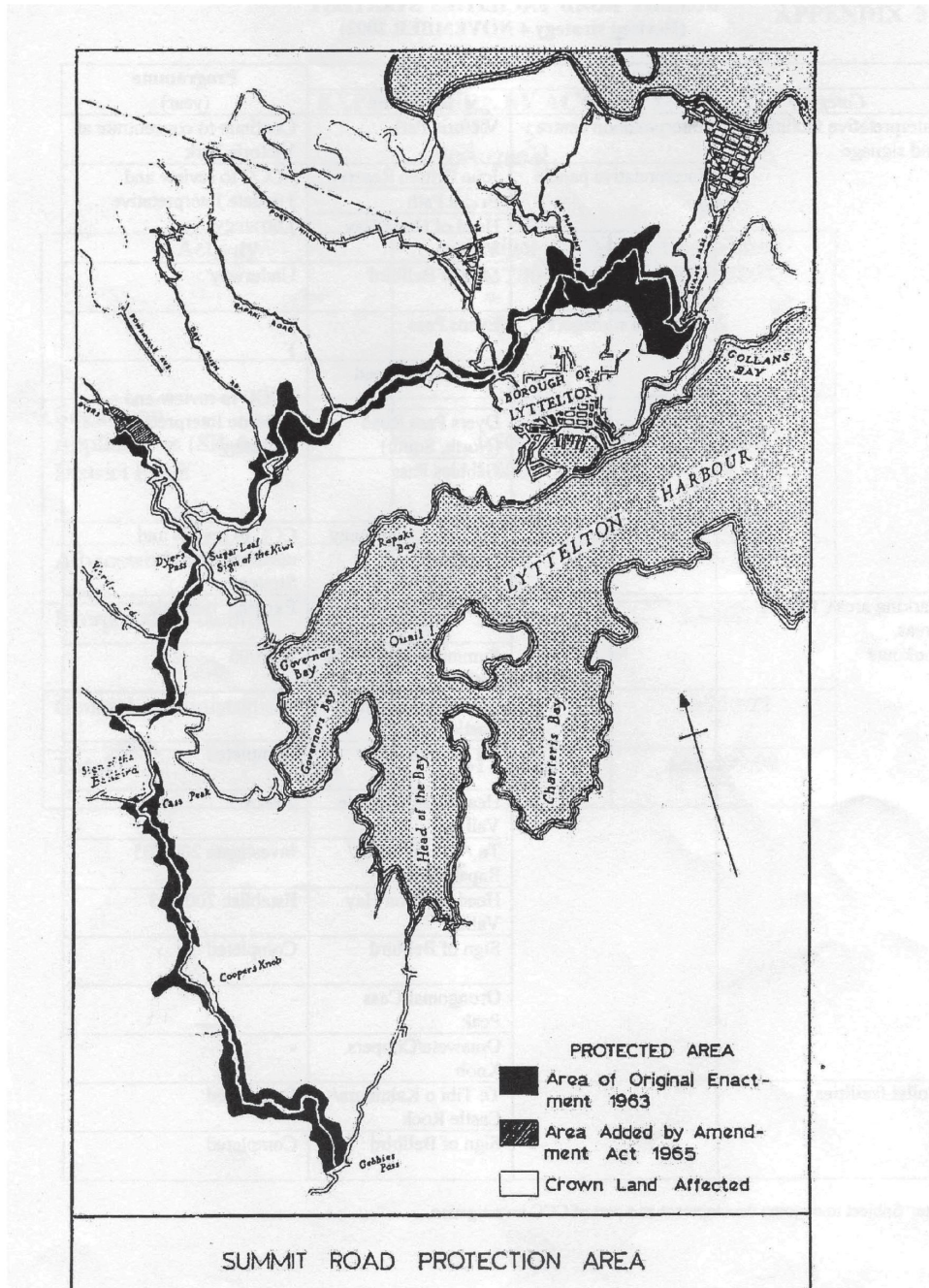
The levy would be made on the two contributory local bodies in accordance with section 25 of the Summit Road (Canterbury) Protection Act 2001, the apportionment being made on rateable capital values, except being a levy of \$0 there is no apportionment to be made in this case.

Mark Saunders  
Executive Secretary  
Summit Road Protection Authority  
March 2021

DRAFT



APPENDIX A





APPENDIX B

TE MANA TIAKI I TE ARA AKITU / SUMMIT ROAD PROTECTION AUTHORITY  
DRAFT DELEGATIONS REGISTER

These delegations shall apply unless contrary express delegation is given in a resolution of the Authority.

Summit Road Protection Authority	PA
PA Chairperson	PAC
PA Advisory Committee	AC
Executive Secretary – principal administrative officer	ES
Open Space Expert – s9(1)(f) appointed	OSE
Christchurch City Council Legal Services Unit	LSU

LEGISLATIVE DELEGATIONS – Summit Road (Canterbury) Protection Act 2001

Section	Delegation	Delegated to:
Various	Where delegation to 'PA or AC' to determine which decides in each instance	PAC
8(2)	To make submissions in respect of any proposal to prepare, change, or review any policy statement or plan referred to in that Act that affects or may affect the protected land.	PA or ES or OSE
10(1)	The Authority may give public notice of its intention to declare any land described in the notice to be protected land.	PA (undelegated)
10(4)	Serving a copy of the public notice	ES
10(4)(c)	Deciding who has a greater interest in the proposal than the public generally.	PA (undelegated)
10(6)	Deciding whether, after hearing all submissions, to add all or part of the land described in the notice given under subsection (1) to the protected land.	PA or AC
10(6)	Subsequent to decision, giving public notice after the time for lodging appeals has expired or all appeals have been disposed of, to declare all or part of that land to be protected land.	ES
11(2)	Requiring the applicant to supply such detail or plans as, in the Authority's opinion, are necessary for a reasonable understanding of the application by any person who may wish to make a submission.	ES or OSE or PA
11(3)	Publicly notify all applications for removal of land from the protected land and must serve copies of the application on the following parties.	ES
11(3)	Deciding who has a greater interest in the proposal than the public generally.	ES or OSE or PA
11(5)&(6)	Being satisfied in respect of s11(5); considering submissions under s11(6); and deciding under s11(6) to remove the land described in the application under subsection (1) from the protected land.	PA or AC
11(6)&(7)	Subsequent to decision, giving public notice under s11(6); and deposited copy of public notice under s11(7).	ES or their nominee from LSU
12(2)(b)(ii)	Approval of the Authority	PA (undelegated)
12(4)	Providing feedback on being consulted under s12(4).	PA (undelegated)
12(5)&(6)	Assessing effects of structure, tree, hedge or shelter belt on amenities do/will not differ substantially.	PAC or their nominee
13(3)	The Authority may require the applicant to supply such further details or plans as, in the Authority's opinion, are necessary for a reasonable understanding of the application.	ES and OSE and PAC and PA or AC





13(4)	If the Authority is satisfied that it has received adequate information, the likely effects of the application are more than minor, and the application has not been publicly notified separately by a territorial authority, it must give public notice of the application.	PA (undelegated) – may be determined on the papers
13(4)	Giving and serving public notice.	ES
14(1)	Assessing acceptability of submissions.	ES
14(3)	The Authority may require the applicant to pay to the Authority a sum not exceeding the actual cost of public notification and may require payment of a deposit against the cost of the hearing before dealing with the application.	ES
14(4)&(7)	The Authority must consider all submissions received and, if a submitter has given notice that he or she wishes to be heard,— (a) must convene hearings, whether public or otherwise; and (b) must establish a procedure that is fair and appropriate in the circumstances; and (c) may summons witnesses and hear evidence on oath.  After considering the proposal or application and any submissions received, the Authority— (a) must either— (i) allow the proposal or application, with or without conditions; or (ii) disallow the proposal or application in whole or in part; and (b) must, within 15 working days of the hearing, notify its decision and the reasons for its decision to every proposer or applicant, the landowners, all those persons who made written submissions and who supplied an address for service, and every territorial authority in whose district the property is situated.	PA or AC
14(5)	The Authority is satisfied that it is impracticable to commence the hearing within that period.	ES
15	Whether to hold hearing jointly.	PAC
16(1)	Sending copy of public notice.	ES or their nominee from LSU
17(1)	If the effects of an application under section 13 on the amenities are minor, the Authority may decide that the application does not require notification or approval by the Authority.	PA (undelegated)
18	Making and serving originating application for the Environment Court to declare that any actual or proposed action does or does not require consent under section 13.	PAC or ES or their nominee
19(1)	If the Authority considers that any private land or any interest in or over private land or any interest in a Crown lease should be acquired for the purposes of this Act, the Authority may recommend that such interest in the land be acquired by the contributory local bodies.	PA or AC
20(2)	Giving written approval for land or interest referred to in subsection (1) to be sold or disposed of.	PA or AC
21(3)	Determining any claim for compensation under this section.	PA (undelegated)
22(1)	The Authority may, at any time within 1 month after the date of an award of compensation under this Act, give notice to the claimant of its intention to withdraw or modify all or any of the provisions of the decision or conditions that gave rise to the claim for compensation.	PA (undelegated)
23(1)	The Authority may lodge with the Registrar-General a compensation certificate.	ES or their nominee from LSU
28(1)	The Authority may serve on any person who has carried out, or is carrying out, any action contrary to section 12, or on the owner or occupier of the land, a notice requiring the person served, within such reasonable time as is specified in the notice, to restore the land or the structure affected by the action as nearly as may be to its previous condition.	PAC
29	Taking any enforcement or restorative action allowed under s29.	PAC, OSE or ES or their nominee from LSU



34(1)(b)	Appointing a person under s34(1)(b). A charging document for an offence against this Act may be filed in the name of ES or person appointed under this delegation.	PAC
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**FINANCIAL DELEGATIONS**

<b>Delegation</b>	<b>Terms/Limitations</b>	<b>Delegated to:</b>
To expend the part of the regulatory budget relating to the consideration of applications.	Including, without being limited to, obtaining legal or other professional advice and attendances.	ES or OSE
To expend the part of the regulatory budget relating to the consideration of District Plans or Policy Statements under the RMA.		ES or OSE
To expend the part of the regulatory budget relating to the handling of appeals.	Including, without being limited to, obtaining legal advice and representation.	ES or their nominee from LSU
To expend the part of the regulatory budget relating to the payment of contingencies/compensation for which the Authority is liable under its Act.		ES or OSE
To expend any advice and promotion budget	Discretionary activity	ES or OSE
To expend the part of the Port Hills Management Plan budget relating to making submissions.	Discretionary activity. Including, without being limited to, obtaining legal or other professional advice and attendances.	ES or OSE
To expend the part of the Port Hills Management Plan budget relating to plan development.	Discretionary activity. Including, without being limited to, reversing levies/reserves to one or both contributory council for the purpose, and entering into a cost sharing agreement.	PAC or at their nomination the ES or OSE
To expend the general administration budget on administrative, meeting, hearing and site visit expenses, and on legal, accounting or financial services relevant to administering the PA and AC, and on any other operational expenses.	Includes, without being limited to, catering meetings, venue expenses, paying members meeting attendance fees approved by the Authority, and reimbursing members reasonable expenses supported by receipts.	ES
To expend the enforcement budget on matters of enforcement.	Discretion may be exercised in enforcement matters.	ES or their nominee from LSU
To expend the enforcement budget on auditing or restoring protected land.	Discretionary activity	ES or OSE or nominee of either
To expend the general administration budget on the services of ES, OSE, or other officer/expert.	Officers, experts, advisors and contractors may also be engaged under the other budgets under relevant delegation.	PAC
To expend budgets not otherwise delegated, expend unallocated reserve funds or redistribute funds between budgets between annual meetings.	Limited to ensuring projects the PA or AC have resolved to undertake are funded, or where this is reasonably necessary to fulfil the Authority's statutory obligations, or to pay liabilities (incl. compensation) when due.	PAC
To levy the contributory councils between annual meetings.	Limited to where this is reasonably necessary to fulfil the Authority's statutory obligations or to pay liabilities (incl. compensation) when due.	PAC