

**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 28 February 2022

Time: 10am

Venue: Held by Audio / Video Link

Under the current provisions of the Covid-19 Protection Framework (the Traffic Alert system) meeting attendance is only possible via an Audio/Visual link or by viewing a live stream (<https://www.youtube.com/channel/UC66K8mOlfQT3l4rOLwGbeug>) of the meeting.

Please request access details from katie.matheis@ccc.govt.nz for the Audio/Visual link.

Membership

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

18 February 2022

Penelope Goldstone
Manager Community Governance, Banks Peninsula
941 5689
penelope.goldstone@ccc.govt.nz
www.ccc.govt.nz

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.

To view copies of Agendas and Minutes, visit:

<https://www.ccc.govt.nz/the-council/meetings-agendas-and-minutes/>



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

TABLE OF CONTENTS

Karakia Tīmatanga	4
C 1. Apologies Ngā Whakapāha	4
B 2. Declarations of Interest Ngā Whakapuaki Aronga	4
C 3. Confirmation of Previous Minutes Te Whakaāe o te hui o mua	4
B 4. Public Forum Te Huinga Whānui	4
B 5. Deputations by Appointment Ngā Huinga Whakaritenga.....	4
B 6. Presentation of Petitions Ngā Pākikitanga	4
B 7. Reserve Management Committee Meeting Minutes	15
STAFF REPORTS	
A 8. 164 Pawsons Valley Road, Duvauchelle - Licence to occupy legal road	19
C 9. Te Oka Reserve- Deed of Licence- Grazing.....	27
C 10. Head to Head Walkway Charteris Bay	35
B 11. Elected Members' Information Exchange Te Whakawhiti Whakaaro o Te Kāhui Amorangi.....	41
Karakia Whakamutunga	

Karakia Tīmatanga

1. Apologies Ngā Whakapāha

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

2. 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.

3. 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, 14 February 2022](#) be confirmed (refer page 5).

4. 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.

4.1 Joe Jagusch

Joe Jagusch wishes to speak to the Board about providing freely accessible water activity hires from the White Gates, opposite 7 Park Terrace Lyttelton.

5. 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.

6. Presentation of Petitions Ngā Pākikitanga

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

Te Pātaka o Rākaihautū Banks Peninsula Community Board OPEN MINUTES

Date: Monday 14 February 2022
Time: 10.02am
Venue: Held by Audio / Visual Link

Present

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

Penelope Goldstone
Manager Community Governance, Banks Peninsula
941 5689
penelope.goldstone@ccc.govt.nz
www.ccc.govt.nz

To view copies of Agendas and Minutes, visit:
www.ccc.govt.nz/the-council/meetings-agendas-and-minutes/

Part A Matters Requiring a Council Decision

Part B Reports for Information

Part C Decisions Under Delegation

Karakia Tīmatanga: Reuben Davidson

The agenda was dealt with in the following order.

Obituary

The Chairperson noted the recent death of Peter Ramsden from the Koukourārata Rūnanga, who had worked with the Board on many occasions and was a respected member of the Banks Peninsula community. A moments silence was observed as a mark of respect.

1. Apologies Ngā Whakapāha

Part C

Community Board Decision

No apologies were received.

2. Declarations of Interest Ngā Whakapuaki Aronga

Part B

Andrew Turner declared an interest in Item 9, Section 3.3.1 of the Area Report regarding the Board's draft submission to the 27 Hunters Rd and 42 Whero Ave land options consultation, and sat back from the table during discussion and voting thereon.

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

Part C

Community Board Resolved BKCB/2022/00001

That the minutes of Te Pātaka o Rākaihautū Banks Peninsula Community Board meeting held on Monday, 6 December 2021 be confirmed.

Reuben Davidson/Scott Winter

Carried

4. Public Forum Te Huīnga Whānui

Part B

4.1 Paul Dietsche – Mural Project

Paul Dietsche, Chairperson Te Puna Auaha Trust, spoke to the Board regarding the recently installed mural at 7 Norwich Quay, Lyttelton, noting the high level of community support and engagement for the project, including a grant from the Community Board. The Board Chairperson reported that the mural project was recently highlighted in a presentation to the Council. She thanked Paul and the community for supporting such a wonderful project.

Part B

That Te Pātaka o Rākaihautū Banks Peninsula Community Board:

1. Thanks Paul for his presentation.

4.3 Chris Nee - Steadfast

Chris Nee, representing the New Zealand Sea Cadet Corps, spoke to the Board regarding the Heritage and Conservation Plan for Steadfast. She highlighted the need for improved accommodation for their group, and a proposed extension of the drill hall, which would help to future-proof the site for their use. She questioned whether Board members had visited the site and whether they had seen the Conservation Report or the draft lease proposed for the area.

Chris also noted that the Sea Cadet Corps and Cass Bay Residents Association have worked collaboratively and that the organisations are supportive of each other's efforts for access to improved facilities.

Part B

That Te Pātaka o Rākaihautū Banks Peninsula Community Board:

1. Thanks Chris for her presentation.

4.2 Jenny Healy – Steadfast

Jenny Healy, representing the Cass Bay Residents Association, spoke to the Board regarding the implications of the Heritage and Conservation Plan for Steadfast. She explained the need for a community facility for the growing community of Cass Bay, noting that the Association had been offered the lease of the garage on Steadfast, although that was in a poor state of repair. They were concerned that to prepare plans for the repair and update of a heritage building would cost the Association funding which it probably couldn't raise without having a lease in place, leaving them in a unenviable situation. They had been advised by two building companies it would be more cost effective to erect a new building.

The Association was asking the Board to help it work through the restrictions in the Conservation Report to try to get a community facility for the future.

Part B

That Te Pātaka o Rākaihautū Banks Peninsula Community Board:

1. Notes its interest in visiting the Steadfast site and requests a briefing from staff that incorporates the information outlined in the HMNZS Steadfast Landscape History & Conservation Report.
2. Thanks Jenny for her presentation.

Item - 4.3. Chris Nee - New Zealand Sea Cadets Corps - has been moved to another part of the document.

4.4 Joshua Merriam

Joshua Merriam, representing the Lyttelton Mountain Bike Club, spoke to the Board about progress in trying to get a better relationship with the Lyttelton Reserve Management

Committee (RMC) to work together on tracks in Urumau Reserve. He highlighted some of the frustration the Club was feeling over stalled progress on the maintenance of the tracks due to the inability to have a formal plan approved by the RMC. He believed some of the tracks were now a potential safety hazard and he asked the Board for help to solve the current impasse.

Part B

That Te Pātaka o Rākaihautū Banks Peninsula Community Board:

1. Thanks Joshua for his presentation.
2. Notes that there are ongoing conversations being had with the Lyttelton Reserve Management Committee to try to solve some of the outstanding issues.

4.5 Marie Haley – December Rainfall Event

Marie Haley, resident of Goughs Bay, spoke to the Board about the December storm and the Council response. She read through a chronological account of the event from her experience, which highlighted the extent of damage to her property, the lack of infrastructure and communications available and some of her frustrations with the recovery efforts.

Part B

That Te Pātaka o Rākaihautū Banks Peninsula Community Board:

1. Receives the public forum information from Marie Haley and pass her written submission to staff for information.
2. Notes that a debriefing meeting is being planned for affected residents.
3. Notes that a report is being prepared on the Civil Defence response to the event
4. Thanks Marie for her presentation.

Attachments

A Marie Haley Public Forum Submission

4.6 Richard Matterson – Naval Point Development

Richard Matterson, representing the Naval Point Club Lyttelton as Club Manager, spoke to the Board regarding the Naval Point redevelopment. He noted the Clubs frustration over operational disruptions, and specific concerns regarding the haulout area and the proposed breakwater. Richard reported on a financial loss to the Club from extra costs and lost revenue. He believed that the proposal for a commercial haulout would not work in a “do it yourself” environment. He pointed out that the Club ramp was available to other people, not just members and he noted that the Club provided private facilities (toilets and rubbish bins) which were used by the public visiting Naval Point.

Richard asked for the support of the Community Board for the Naval Point Club to retain the haulout facility.

Part B

That Te Pātaka o Rākaihautū Banks Peninsula Community Board:

1. Receives the public forum information from the Naval Point Club and forward the written submission to staff for comment.
2. Thanks Richard for his presentation.

Attachments

- A Richard Matterson Public Forum Submission

5. Deputations by Appointment Ngā Huinga Whakaritenga

Part B

5.1 Murray Walls – Pigeon Bay Reserve Management Committee

Murray Walls, a member of the Pigeon Bay Reserve Management Committee, spoke to the Board regarding the Committee's Planting Plan. He noted the Committee's desire to enhance the Reserve and increase bird life, and sought endorsement of its Planting Plan.

In reply to a question Murray said that the Committee intended to use plantings native to Banks Peninsula.

Community Board Resolved BKCB/2022/00002

Part B

That Te Pātaka o Rākaihautū Banks Peninsula Community Board:

1. Receives the Deputation from Murray Walls and acknowledges the Planting Plan prepared by the Pigeon Bay Reserve Management Committee.
2. Thanks Murray for his deputation.

Jamie Stewart/Nigel Harrison

Carried

6. Presentation of Petitions Ngā Pākikitanga

Part B

There was no presentation of petitions.

7. Reserve Management Committee Meeting Minutes

Community Board Resolved BKCB/2022/00003

(Original Officer Recommendation Accepted without Change)

Part B

That Te Pātaka o Rākaihautū Banks Peninsula Community Board:

1. Receives the minutes of the following Reserve Management Committees:
 - Duvauchelle Reserve Management Committee – 18 October 2021
 - Duvauchelle Reserve Management Committee – 15 November 2021
 - Diamond Harbour Reserve Management Committee – 22 November 2021
 - Stanley Park Reserve Management Committee – 2 December 2021

- Pigeon Bay Reserve Management Committee - 5 December 2021
- Okains Bay Reserve Management Committee – 14 December 2021

Nigel Harrison/Andrew Turner

Carried

8. Banks Peninsula Discretionary Response Fund - Charteris Bay Yacht Club and Akaroa Golf Club

Community Board Resolved BKCB/2022/00004

(Original Officer Recommendation Accepted without Change)

Part C

That Te Pātaka o Rākaihautū Banks Peninsula Community Board:

1. Approves a grant of \$600 from its 2021-22 Discretionary Response Fund to the Charteris Bay Yacht Club towards the wages for a professional coach.
2. Approves a grant of \$1,200 from its 2021-22 Discretionary Response Fund to the Akaroa Golf Club Incorporated towards the hire of port-a-loos, glasses, tablecloths and a flagpole for their centenary celebrations.

Scott Winter/Reuben Davidson

Carried

9. Te Pātaka o Rākaihautū Banks Peninsula Community Board Area Report - December 2021 and January 2022

Board Discussion

The Board discussed the draft submission to the 27 Hunters Rd and 42 Whero Ave Land Options consultation. The majority of the Board agreed that the draft submission reflected the Board's previous discussion that occurred after it reviewed the community feedback from the consultation. The Board felt that the draft submission accurately reflected the priorities and concerns that the community raised during the consultation process. Howard Needham noted that he did not agree with the position outlined in the draft submission, as he believed the land should not be developed, but retained for the community.

Officer Recommendations Ngā Tūtohu

That Te Pātaka o Rākaihautū Banks Peninsula Community Board:

1. Receives the Te Pātaka o Rākaihautū Banks Peninsula Community Board Area Report for December 2021 and January 2022.

Community Board Resolved BKCB/2022/00005

Part B

That Te Pātaka o Rākaihautū Banks Peninsula Community Board:

1. Receives the Te Pātaka o Rākaihautū Banks Peninsula Community Board Area Report for December 2021 and January 2022.

2. Endorses the appointment of Linda Sunderland to the Akaroa Museum Advisory Committee, to replace David Miller, as one of the two the representatives of the Friends of Akaroa Museum.

Reuben Davidson/Nigel Harrison

Carried

Community Board Resolved BKCB/2022/00006

Part B

That Te Pātaka o Rākaihautū Banks Peninsula Community Board:

1. Approves the draft submission to the Council's 27 Hunters Rd and 42 Whero Ave land options consultation.

Tori Peden/Scott Winter

Carried

Howard Needham requested that his vote against the resolution be recorded.

Andrew Turner declared an interest in Item 9, Section 3.3.1 of the Area Report regarding the Board's draft submission to the 27 Hunters Rd and 42 Whero Ave land options consultation, and sat back from the table during discussion and voting thereon.

10. Elected Members' Information Exchange Te Whakawhiti Whakaaro o Te Kāhui Amorangi

Part B

Elected members exchanged the following information:

- Lyttelton Craft and Treasure Market – application to utilise Albion Square site instead of Collets Corner – requested update to Board.
- Project Lyttelton – working with a new carbon coach.
- Reserve Management Committee – meeting protocols during the Covid-19 Red Traffic Light setting and audio/video options.
- Vacant property in Akaroa at Rue Jolie and Bruce Terrace – old man's beard growing through fencing and onto footpath – advised to contact Environment Canterbury.
- LED lighting roll out in Akaroa – requested update on status of remaining fluorescent light replacement.
- Covid-19 community support – resources available to older and/or more vulnerable community members during periods of isolation – staff to circulate.
- Eastern Bays – ongoing engagement with the community as recovery efforts continue.
- Eastern Bays – community planning efforts to prepare for future adverse weather events.
- Lyttelton Tunnel – landscaping maintenance at access points on both sides and wear on the tunnel tiles – ask Waka Kotahi for an update.

- State Highway 75 speed limits – ask Waka Kotahi for an update.
- Akaroa Museum funding – reinstatement of operational funding to be included in draft Annual Plan.
- Lyttelton Seafarers Committee – meeting in near future.
- HMNZS Steadfast – importance of continued progress.
- Noisy road users and boy racers – ongoing concerns about noise and safety.
- Port Levy Resident – issues with grader spreading shingle on to road verge
- Te Ahu Pātiki Park – Scott Winter appointed as a Trustee. Plans for a new deed and maintenance schedule in association with Rod Donald Trust, Ngāti Wheke and Orton Bradley Park.
- Emergency situations (e.g. December rainfall event) – highlights the need for community preparedness plans.
- Akaroa Wharf – needs to be a living, functional structure, but also has to have character.
- Little River festivals and raves on private property – concerns from community members about noise control, traffic management and safety.
- Coastal Hazards Working Party – Peninsula residents eager to see work moving forward.

10.1 Windy Point Access

The Board discussed whether there was any work underway to improve access to Windy Point from Sumner Road and Reserve Terrace as the current practice of walking along the roadside is unsafe for pedestrians.

Part B

That Te Pātaka o Rākaihautū Banks Peninsula Community Board:

1. Requests staff to provide information to the Board about any plans to improve pedestrian access to Windy Point from Sumner Road and Reserve Terrace.

10.2 Naval Point

The Board discussed access to Naval Point, reported congestion in the area and an apparent dissatisfaction amongst users.

Part B

That Te Pātaka o Rākaihautū Banks Peninsula Community Board:

1. Requests that staff brief the Board about the progress on the Naval Point development including information regarding access by the public.

10.3 Derelict Building in Port Levy

The Board heard of complaints from residents in Port Levy regarding a rundown building on Puari Road in which it was believed people were squatting. Residents who had complained had been informed of plans for the building to be removed by the Council, but it appeared no steps had been taken to address the building or any occupants.

Part B

That Te Pātaka o Rākaihautū Banks Peninsula Community Board:

1. Requests an update from staff on the situation with the derelict building in front of 25 Puari Road, Port Levy and any plans for its removal.

10.4 Breitmeyers Road, Little River

It was reported to the Board that there was confusion over access to properties on Breitmeyers Road in Little River, as there was a northern section of road and a southern section, with an unformed portion in the middle. There was concern that this could result in safety issues if first responders couldn't determine the correct destination in an emergency.

Part B

That Te Pātaka o Rākaihautū Banks Peninsula Community Board:

1. Requests information from staff regarding the process for improving the road signage for Breitmeyers Road's to delineate the south and north sections, or renaming one portion of the road to avoid confusion, especially in emergency situations.

10.5 Birdlings Flat Wastewater Consents

The Board discussed the ongoing concern from Birdlings Flat community members regarding the wastewater consent process and what progress had been made with negotiations between Council, Environment Canterbury and the Wairewa Rūnanga.

Part B

That Te Pātaka o Rākaihautū Banks Peninsula Community Board:

1. Requests an update from staff regarding any proposed extension for expired wastewater consents at Birdlings Flat and whether any additional communication should be provided to the community, possibly via a drop-in session in collaboration with Environment Canterbury.

10.6 Akaroa Wharf Consultation Decision

The Board discussed the decision making process for the Akaroa Wharf consultation and sought clarification from staff on the possible appointment of the Board to act as a Hearings Panel on this matter.

Part B

That Te Pātaka o Rākaihautū Banks Peninsula Community Board:

1. Asks staff to explain the rationale around the decision making process for the Akaroa Wharf consultation, and consider a suggestion that the Board act as a Hearings Panel on this matter.

Karakia Whakamutunga: Reuben Davidson

Meeting concluded at 12.41.

CONFIRMED THIS 28th DAY OF February 2022.

TORI PEDEN
CHAIRPERSON

7. Reserve Management Committee Meeting Minutes

Reference / Te Tohutoro: 22/133775

Report of / Te Pou Liz Carter, Community Board Advisor

Matua: Liz.Carter@ccc.govt.nz

General Manager / Mary Richardson, GM Citizens & Community,

Pouwhakarae: Mary.Richardson@ccc.govt.nz

1. Purpose of Report / Te Pūtake Pūrongo

1.1 Minutes have been received from the following Reserve Management Committees:



Name	Subject
Duvauchelle Reserve Management Committee	13 December 2021 Confirmed

2. Officer Recommendations / Ngā Tūtohu

That the Banks Peninsula Community Board:

1. Receive the minutes of the following Reserve Management Committees:
 - Duvauchelle Reserve Management Committee – 13 December 2021

Attachments

No.	Title	Page
A  	Duvauchelle RMC Confirmed Minutes - 13 December 2021	16

Minutes of the Meeting of the Duvauchelle Reserve Management Committee
Held at the Duvauchelle Community Centre, on Monday 13.12.2021, 5.30 pm

Welcome: Chairperson (Fiona Barnes) welcomed those present.

Present:

Committee members: Geoff Carter, Bruce Watts, Ian Whenmouth
CCC Representative : Colin Jacka
BPCB Representative: Jamie Stewart (apologies for lateness)
Managers: Tracy MacLeod, Dale Hayes
Visitors: Nil

Apologies: Andrew Turner, Jacque McAndrew

Motion: That the apologies be accepted.
Moved: Fiona Seconded: Bruce Carried

Minutes

Motion: The November 2021 Minutes having been circulated, be taken as read and be accepted as a true and correct record.
Moved: Geoff Seconded: Bruce Carried

Matters Arising:

The bark chips required for the playground are still in short supply.

Health & Safety:

Nil of import at the Holiday Park. The Westpac Rescue helicopter did come in for one pick up.

Financial Report:

Motion: That the Financial Statements for November 2021 as presented be accepted and the expenditure approved.
Moved: Fiona Seconded: Ian Carried

Correspondence

Inward: Gary Webster - single night charge for Annual Site Holders
Eric McKenzie - Covid 19 Protection Framework, impact on Annual Site Holders
Phyllis Briggs - removal of caravan from site 43, and request for a full refund

Outward: Gary Webster, Eric McKenzie, Phyllis Briggs – attendance at today’s meeting
Plus their response to the above.

Motion: That the Inward correspondence be accepted and the Outward be approved
Moved: Fiona Seconded: Geoff Carried

Manager’s Report:

Trevor Flanagan would like to transfer his site to his daughter. Tracy will follow up and get him to put this in writing.

Tod Hazeldine from Pro Floor 2000 has repaired and completed the work to the kitchen floor. He was asked to inspect the men’s block floor for repairs to be done, and estimated the cost at around \$1200.00. A portion of the floor needs to be lifted, filled, fibre-glassed (waterproof) then terra-flaked. He has sent through the official quote. This job will most likely be completed next year after the busy festive season.

Both tennis courts and around cabins 1-3 have been moss and lichen treated and will follow-up spray in 6 months’ time, shortly before winter.

Roger Ropoama will complete the pathway outside the kitchen/laundry, possibly in January 2022.

Bruce Watts is making the street name signs for the park. The posts will be planted as soon as their exact locations are determined and the signage is ready.

Robson’s have stated they do not have portaloos with a flap to hide the waste, so unfortunately we will have to use what they have available.

Chorus returned to fill in the cut they made for the fibre cable outside the kitchen.

Darren from Okains Bay is unable to assist with the tidying up of the embankment on the far side of the park. Dale will need to find someone else to do the job for us.

Tod Armstrong will give us a quote to replace the entrance street light with an LED type as the current fixture keeps blowing bulbs.

GSL did not return on Friday 10 December to finish the weed spraying in the camp. Dale has called to confirm another day before Christmas.

CCC Representative:

Congratulations to Tracy, Kylee and Dale for the great job they are doing as the new management team.

A solar laser projector has been sourced to light up the "Xmas Tree".

Security cameras are now available to be purchased.

The extended Wi-Fi is still prey to supply chain problems.

BPCP Representative:

Road speeds will change in Little River before Duvauchelle and Akaroa. The proposed 40kph limit in Akaroa seems acceptable to locals. Rural road speed limits will drop from 100kph to 60kph.

The Covid 19 Protection Plan is putting pressure on the need for vaccination, and is having an effect on trade also.

The Akaroa Main Wharf will be rebuilt in its existing location, with some modifications for water level rise.

The work on Akaroa's sea wall continues.

Last week was the final meeting of the year for the Banks Peninsula Community Board.

Freedom camping monitoring is being undertaken again.

There is a marked lack of affordable rental housing in Akaroa. The BP meat site is one possible development site, although there would be some complications.

The Board has been business as usual, processing grant applications etc.

Good news is that Sail GP is back, on a biannual basis. The first event will be held in 2023.

General Business:

Bruce:

The 150mm x 75mm posts have been painted and we have the concrete. The names to go on the four signs have been finalised.

Some casuals were very unhappy about the need for them to be vaccinated, and one lot were abusive to Tracey.

Geoff:

The Head of The Bays will be meeting with council staff on Thursday to discuss the future of the Duvauchelle Wharf.

There being no other business, the meeting closed at 6.55pm.

Minutes will be confirmed at the next meeting.

Next meeting to be held in the Duvauchelle Community Centre at 5.30 pm Monday 17 January 2022.

8. 164 Pawsons Valley Road, Duvauchelle - Licence to occupy legal road

Reference Te Tohutoro: 21/1622617

Report of Te Pou Matua: Kirsty Mahoney, Team Leader, Asset Planning Transport

General Manager Jane Davis, General Manager Infrastructure, Planning & Regulatory
Pouwhakarae: Service

1. Purpose of the Report Te Pūtake Pūrongo

- 1.1 The purpose of this report is to recommend to the Council to approve the application for a deed of licence to allow the occupation of part of an unformed road at Duvauchelle. This report has been written following an application for a deed of licence in respect of the encroachment onto the unformed road at 164 Pawsons Valley Road, Duvauchelle; see Attachment A for the plan.
- 1.2 The decision in this report is of low significance in relation to the Christchurch City Council's Significance and Engagement Policy. The level of significance was determined by the low level of impact for the wider district and the negligible number of people affected by the recommended decision. There has been no wider community engagement and consultation undertaken as part of this assessment.

2. Officer Recommendations Ngā Tūtohu

That the Te Pātaka o Rākaihautū Banks Peninsula Community Board recommends that the Council:

1. Approve the application to encroach on the legal road at 164 Pawsons Valley Road, Duvauchelle as shown in Attachment A, which consists of the front portion of this existing house.
2. Grant delegated authority to the Property Consultancy Manager to negotiate and enter into the Deed of Licence in accordance with the Council's standard terms and conditions including, but not limited to:
 - a. A term of 35 years less one day;
 - b. A rental of \$169 p.a. plus GST;
 - c. The licensee must hold public indemnity insurance of at least \$2m;
 - d. The public's right of access is not obstructed;
 - e. Reassessment of the licence if the structure is reconstructed; and,
 - f. Council will not be responsible for the repair and/or replacement of the structure in the event of a seismic event or other loss.

3. Reason for Report Recommendations Ngā Take mō te Whakatau

- 3.1 Although this encroachment has been in place for many years, prospective buyers of 164 Pawsons Valley Road have approached the Council concerning its status since March 2021 and seeking what options were available to resolve this matter. The applicant has now acquired this property and is requesting the Council's consent for the deed of licence.

- 3.2 The recommendations will regularise this issue and provide the owners with certainty particularly if they sell the property. A deed of licence will also help if an insurance claim is made for damage or destruction.
- 3.3 The proposed deed of licence will also ensure that the public's right of access to the legal road is upheld.
- 3.4 The options in this report have been considered within the Council's legal powers and the legislative framework.

4. Alternative Options Considered Ētahi atu Kōwhiringa

4.1 Four options have been considered:

- 4.1.1 **Do Nothing** – This would leave the current situation unchanged. There would be no certainty for the public's or the owner's rights. This option could risk the owner's future investment and maintenance of the property, as well as hindering the property's future sale and negatively affect any insurance claims.
- 4.1.2 **Road Stopping** – This would legally convert the road reserve to freehold fee simple, which could then be sold to the property owner. However, although a potentially viable option there are a number of issues which complicate this option and rule it out at this stage. They include:
 - This is an expensive and time consuming process and the Council cannot guarantee an outcome.
 - Due to the complications that a road stopping will pose, the Council will need to use the more involved Local Government Act 1974 process. This would mean a period of public consultation and if any objections were received and they could not be addressed by the Council then the matter would go to the Environment Court for a final decision.
 - The alignment of Pawsons Valley Road's carriageway crosses privately owned land (169 Pawsons Valley Road, refer to Attachment B). The road corridor would need to be acquired by the Council and legalised as road reserve, but it cannot be a straightforward land swap because of dealing with two different landowners.
 - Simply road stopping the area in front of 164 Pawsons Valley Road would not be feasible as it could technically land lock all properties north of this site (refer Attachment B). The Council's Road Stopping Policy 2020 prohibits approving an application that land locks any property.
 - To facilitate a successful and meaningful road stopping to accommodate 164 Pawsons Valley Road the Council would need to negotiate a purchase agreement with the owners of 169 Pawsons Valley Road to acquire a legal road corridor that follows the road's current alignment.
 - It is not feasible or desirable to realign the active road to match the current legal road corridor due to the terrain and the need to demolish or move the current house.
 - Nevertheless, if all parties were agreeable in the future, the realignment of the legal road corridor would be the best ultimate solution.
- 4.1.3 **Remove the encroaching structure** – Past cases (i.e. Angels Rest and the Taylors Mistake Baches) have been controversial and this is not a desirable outcome. It is not in the Council's interest to pursue this option as it is unlikely we will seek to realign the

road. This option is expensive and time consuming, and could negatively impact on the Council's reputation.

- 4.1.4 **Grant a licence (recommended option)** – The Deed of Licence would legitimise the current situation which has existed for many years. This can be achieved by the Council's decision as the road controlling authority and would be documented by a deed of licence with the standard terms and conditions, as outlined in this report.

5. Detail Te Whakamahuki

- 5.1 Roughly half of the building at 164 Pawsons Valley Road encroaches into the legal road reserve (approximately 115 m²) consisting of the front portion of the house (refer Attachment A). The main structure of the house dates back to the 1860s and it was moved to the current location in the early 1980s.
- 5.2 This encroachment has never been considered by the Council and it does not appear to have been approved in any form by Bank Peninsula District Council or its predecessors. This came to our attention when the property was placed on the market in early 2021 and the LIM notice about the occupation of the legal road raised questions with potential vendors.
- 5.3 In late 2021 the new owner applied for a licence to formalise the occupation of the legal road reserve for the encroaching structure. They would like to resolve this matter to avoid future insurance or sale issues.
- 5.4 The Council needs to consider this application purely as the basis of the owner of the land, which is legal road. In doing so the following should be considered:
- 5.4.1 Current and future use of the land – The land is currently more or less in its natural state and reasonably isolated from public use. The location, topography, access issues and nature of the land does not lend itself to any other use.
- 5.4.2 Status of the land and how it is held - The land is unformed legal road. Due to the location, nature and topography it is unlikely to become formed road. Conversion to another status is feasible and is reviewed in section 4.1.2 of this report.
- 5.4.3 Public rights – These are not interfered with, although effectively they are rarely or never exercised.
- 5.4.4 Effects on any utilities or infrastructure – There are no utilities or infrastructure affected by this application.
- 5.4.5 Health and safety – There are no health and safety issues or concerns.
- 5.4.6 Community views and preferences arising from this application – This is set out below in sections 5.5 – 5.7 below.
- 5.4.7 The licence terms and conditions - These would be in accordance with the Council's standard terms and conditions for a private / commercial licence of legal road as developed by the Council's legal services team. It is proposed that this be similar to the licences proposed for the Taylors Mistake Baches e.g. a term of 35 years less one day with five year rent reviews. The market rental has been assessed as follows:
- Rateable Land Value of adjoining land – 164 Pawsons Valley Road = \$119,000
4.047m² = \$29.40/m²
Area Occupied = 115m²
Value of area occupied = \$3,382
Based on 5% return the proposed licence fee would equate to \$169.10 per annum plus GST

- 5.4.8 Obviously this is not a market value assessment, however it does indicate that commissioning a valuation is likely to result in a low value, and therefore that the cost of obtaining an estimate is not warranted. It is proposed to charge a fixed fee of \$169 plus GST to cover the costs of putting in place and managing this licence on an annual basis.
- 5.4.9 While the principle of basing, or in this instance benchmarking the licence fee against, a market rent is consistent with the application of other licence fees, the difference in the licence fees in comparison to the Taylor Mistake Baches is attributed primarily to the location, size and nature of the encroachment.
- 5.4.10 This is a single encroachment of part of a dwelling in rural Bank Peninsula over part of the legal road reserve's width. In contrast the situation at Taylors Mistake provides for a full building platform and uses the entire width of the road corridor. The valuations for Taylors Mistake Baches:
- Adopted a value for a notational section size and determined a base land value.
 - This value was then adjusted for variation in scale of each site.
 - A 4.5% return of the adjusted site value was determined to be the annual licence fee value.
 - While market principles and standard valuation approaches have been applied to both situations the circumstances are quite different and therefore the licence fee is not comparable between the two.

Community Views and Preferences

- 5.5 There has been no community consultation on this matter as the encroachment has been in place since the mid 1980s. Although the site is legal road it is unformed and although technically available for public passage it is practically difficult to access, and because of the topography and vegetation it is rarely, if ever, used.
- 5.6 Staff are not aware of any complaints from the public about this building encroaching onto the unformed legal road.
- 5.7 The decision affects the following wards/Community Board areas:
- 5.7.1 Banks Peninsula Ward
- 5.7.2 Te Pātaka o Rākaihautū Banks Peninsula Community Board.

6. Policy Framework Implications Ngā Hīraunga ā- Kaupapa here

Strategic Alignment Te Rautaki Tīaroaro

- 6.1 This report does not support the Council's strategic principles as it is a minor issue.
- 6.2 This report does not support the [Council's Long Term Plan \(2021 - 2031\)](#).

Policy Consistency Te Whai Kaupapa here

- 6.3 The Council has no policy that relates to this application.
- 6.4 The application and decision cannot be considered under the Structures on Roads Policy 2020 as it only applies to private non-habitable structures (e.g. garages, retaining walls, etc.) encroaching onto the legal road. Habitable structures are specifically excluded in the Policy's scope.

Impact on Mana Whenua Ngā Whai Take Mana Whenua

- 6.5 The decision does not involve a significant decision in relation to ancestral land or a body of water or other elements of intrinsic value, therefore this decision does not specifically impact Mana Whenua, their culture and traditions.
- 6.6 Staff have reviewed the Mahaanui Kurataiao Iwi Management Plan in respect of Akaroa Harbour, and we have found there are no defined aspects or objectives within the Plan's framework in relation to this site. This site is approximately 1.7 km inland from the Harbour.

Climate Change Impact Considerations Ngā Whai Whakaaro mā te Āhuarangi

- 6.7 There are no climate change impacts arising from this decision.

Accessibility Considerations Ngā Whai Whakaaro mā te Hunga Hauā

- 6.8 The decision does not restrict the public's access to the legal road as the encroachment extends 10.5 metres from the property boundary and allows the remainder of the road reserve of 9.5 metres to be retained. However, it is notable that the remaining road reserve is difficult to access on foot due to a steep slope and is impeded by trees and shrubs.
- 6.9 It is doubtful that the public are aware of the true alignment of the legal road reserve (as opposed to the actual road) and there is unlikely to be demand for passage along it. Staff are not aware of any complaints about this matter.

7. Resource Implications Ngā Hīraunga Rauemi

Capex/Opex Ngā Utu Whakahaere

- 7.1 Cost to Implement – There is no cost to the Council. The applicant pays for both the application and the deed of licence processes.
- 7.2 Maintenance/Ongoing costs – There is no costs to Council. The applicant is responsible for maintenance and other ongoing costs.
- 7.3 Funding Source – The applicant pays the Council's costs in relation to the processing of the application and the deed of licence.

8. Legal Implications Ngā Hīraunga ā-Ture

Statutory power to undertake proposals in the report Te Manatū Whakahaere Kaupapa

- 8.1 The Local Government Act 2002 section 12(2) "Status and Powers" general powers for the Council applies. Additionally section 357(1) (a) Local Government Act 1974 empowers the Council to grant the licence.

Other Legal Implications Ētahi atu Hīraunga-ā-Ture





- 8.2 There is no legal context, issue or implication relevant to this decision.

9. Risk Management Implications Ngā Hīraunga Tūraru

- 9.1 There is unlikely to be any significant risks arising from this decision, as the encroachment has been in place for many years and has not led to any complaints. However, the building does obstruct about half the road reserve's width (20 metres) and the area is difficult to access and use safely (refer Attachment A).
- 9.2 Although this application confirms a long-standing partial obstruction of the legal road, it does not obstruct access for neighbouring properties. Additionally staff have checked there is no utility infrastructure affected by the encroachment, and it is not a safety hazard or nuisance to other potential road users, being impractical for use.

- 9.3 There is likely to be little if any legal risk for the Council in approving the deed of licence as the document clearly states the rights and responsibilities of each party.
- 9.4 The Council's standard licence to occupy legal road always includes a clause requiring the licensee to hold a \$2 million public indemnity insurance policy. This will be included in the licence for 164 Pawsons Valley Road. The typical house owner's insurance generally has this coverage in place.
- 9.5 The Council will reassess the licence if the structure is reconstructed for any reason or if the site is subject to significant seismic activity as we will not be responsible for any repair of the structure or the prevention of land surface damage.

Attachments Ngā Tāpirihanga

No.	Title	Page
A  	164 Pawsons Valley Road, Duvauchelle - Occupation of Unformed Road Plan	25
B  	Pawsons Valley Road – Road Diversion Plan	26

Additional background information may be noted in the below table:

Document Name	Location / File Link

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:

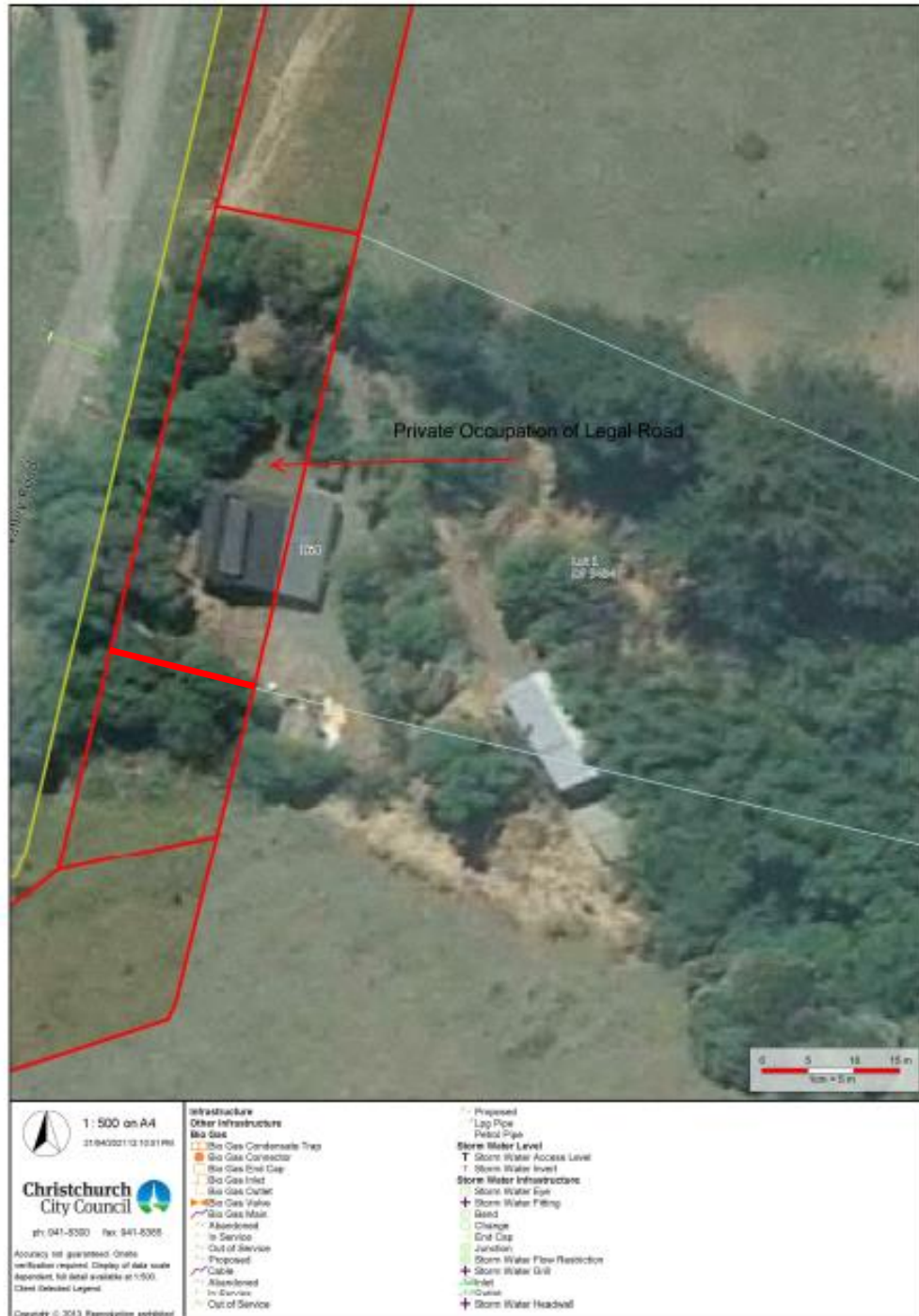
- (i) sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages; and
- (ii) adequate consideration of the views and preferences of affected and interested persons bearing in mind any proposed or previous community engagement.

(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.

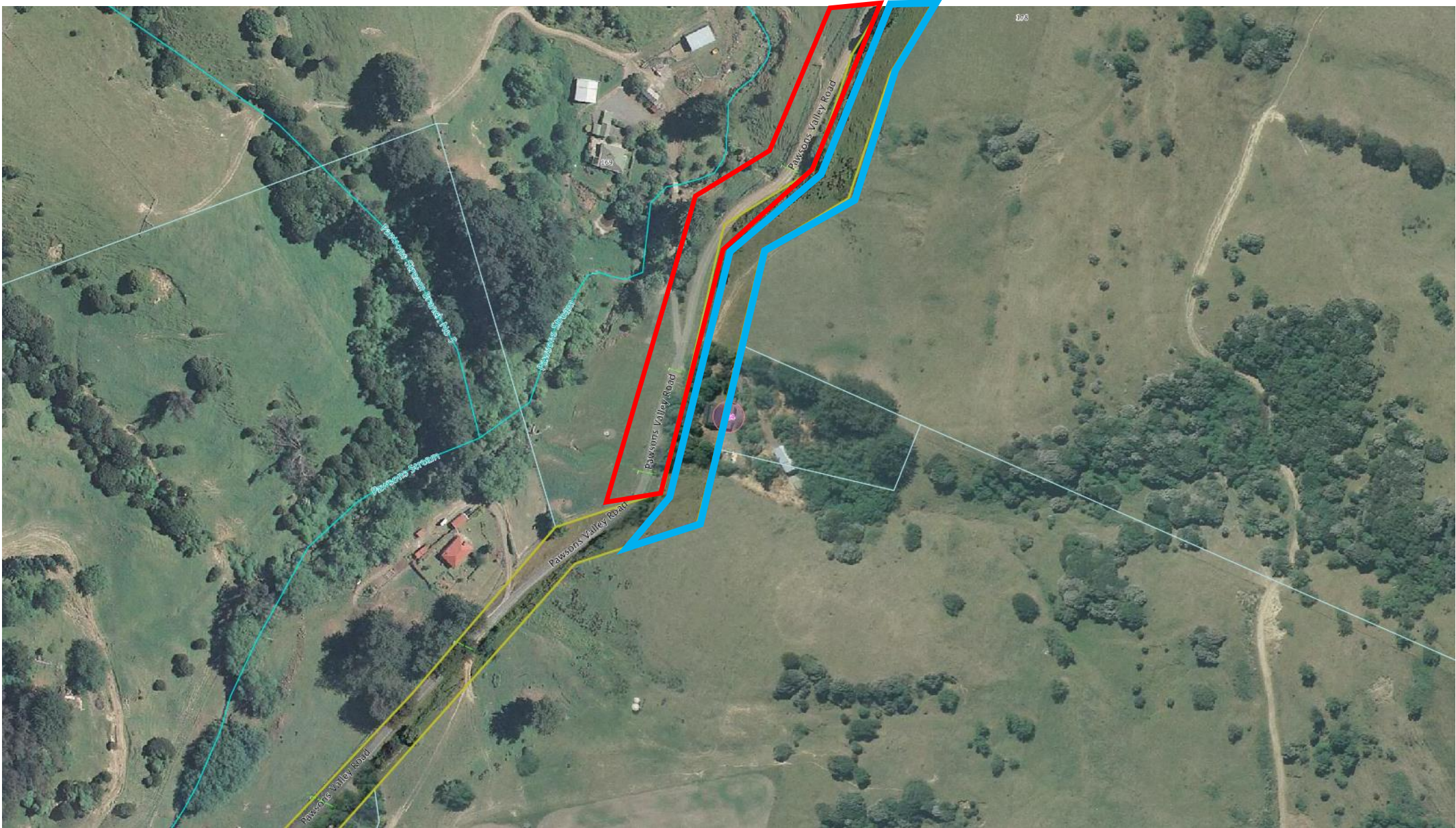
Signatories Ngā Kaiwaitohu

Authors	Philip Basher - Transport Policy Engineer Kirsty Mahoney - Team Leader Asset Planning
Approved By	Ekin Sakin - Manager Planning & Delivery Lynette Ellis - Head of Transport Jane Davis - General Manager Infrastructure, Planning & Regulatory Services

164 Pawsons Valley Road, Duvauchelle



Pawsons Valley Road – Road Diversion



n.b. area in red would need to be purchased by the Council to maintain the road known as Pawsons Valley Rd. The area in blue would need to be road stopped including 164 Pawsons Valley Rd

9. Te Oka Reserve- Deed of Licence- Grazing

Reference Te Tohutoro: 22/20137

Report of Te Pou Matua: Felix Dawson, Leasing Consultant, Felix.R.Dawson@ccc.govt.nz

General Manager Mary Richardson, General Manager, Citizens & Community,

Pouwhakara: Mary.Richardson@ccc.govt.nz

1. Purpose of the Report Te Pūtake Pūrongo

- 1.1 The purpose of this report is to seek the Te Pātaka o Rākaihautū - Banks Peninsula Community Board resolution to grant a grazing licence to Kennethmont Farms Ltd for grazing part of Te Oka Reserve in the catchment behind Te Oka Bay on the south facing side of Banks Peninsula.
- 1.2 Te Oka Reserve is subject to the Te Oka Reserve Management Plan 2019 and managed by the Regional Parks Team in accordance with the plan's vision of protecting the unique environment and providing a semi-remote recreation experience for visitors.
- 1.3 Grazing is a key management tool to achieve the vision and manage the fuel load. The existing grazing licence has expired and is holding over.
- 1.4 A request for proposal process has been undertaken and Kennethmont Farms Ltd has been assessed as the preferred grazier.
- 1.5 The decision in this report is of low significance in relation to the Christchurch City Council's Significance and Engagement Policy. The level of significance was determined by an assessment of the number of people affected, the level of impact on those affected and the cost to Council as a result of entering into the grazing licence.

2. Officer Recommendations Ngā Tūtohu

That the Te Pātaka o Rākaihautū Banks Peninsula Community Board:

1. Accept Kennethmont Farms Ltd's proposal to graze Te Oka Reserve.
2. Grant a licence to graze for a period of three years with one right of renewal pursuant to s73 and s53 of the Reserves Act 1977 and subject to public notification, to Kennethmont Farms Ltd for an area approximately 267ha, being part of sec 19 Kinloch Settlement CB5A/221, sec 20-21 Kinloch Settlement CB13K/769, Pt sec 26 Kinloch Settlement CB39B/832 as shown in the plan described as Attachment A of the agenda for this meeting.
3. Authorise the Manager Property Consultancy to conclude and administer all necessary licence negotiations and documentation.

3. Reason for Report Recommendations Ngā Take mō te Whakatau

- 3.1 The report recommends granting a grazing licence to Kennethmont Farms Ltd because they achieved the best score out of the proposals received.
- 3.2 The advantages of the preferred offer are:
 - Proven experience of farming in a similar location
 - Operational Plan involves grazing in conjunction with neighbouring farm enabling easy movement of stock as required
 - Market rental

- Good management systems for service delivery such as Health and Safety, environmental impact and stock monitoring.

3.3 No disadvantages identified.

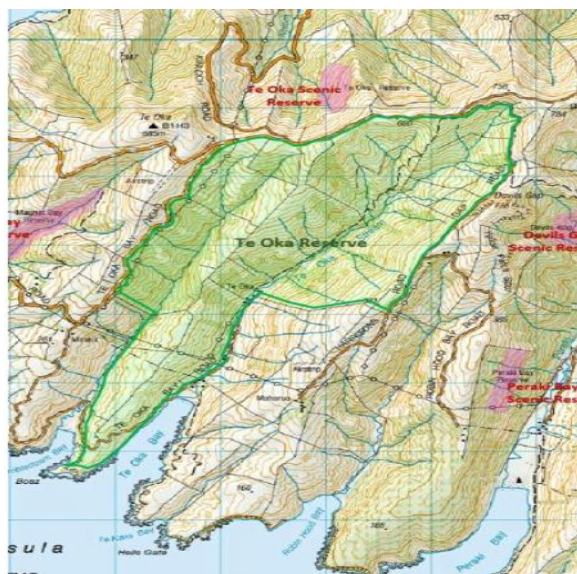
4. Alternative Options Considered Ētahi atu Kōwhiringa

- 4.1 Grant a grazing licence or licenses to alternative respondents. Not favoured as preferred proposal received best assessment score.
- 4.2 The option of running another RFP was considered and discounted on the basis that the potential advantage of producing a better offer is out-weighted by the cost of staff time and relatively low likelihood of a better offer given the quality of those received.

5. Detail Te Whakamahuki

Background

- 5.1 Te Oka Reserve is situated in the Southern Bays of Banks Peninsula/Te Pātaka o Rākaihautū (the Peninsula). Refer map below.



- 5.2 The park is a recreation reserve subject to the Reserves Act 1977 and is managed in accordance with the Te Oka Reserve Management Plan 2019 with aims that include: protecting and fostering the unique environmental, landscape, biodiversity and historic values, and providing an outdoor semi remote recreation experience for visitors.
- 5.3 Stock grazing is a key management tool for parts of the park. Since purchase in 2009, a large portion of the land making up the park has been run as an operational farm with a tenant farmer living in the residence located at the bottom of the Te Oka Valley. Over time parts of the park have been progressively retired from grazing to allow for regeneration.
- 5.4 The current grazing licence has expired and is holding over. A new licence is required.

Request for Proposal

- 5.5 A Request for Proposal (RFP-T24878282) to determine a preferred grazier was undertaken in October 2021 using the government procurement tool 'GETS' with marketing in the Christchurch Press and Akaroa Mail. The RFP invited proposals with grazing as the priority and the option of a separate lease for the residential property.

- 5.6 Four complying proposals were received of similar approach in terms of stock level/rental and grazing in conjunction with other off site farming operations. There were no proposals that included use of the residential property. The current grazier did not submit a proposal.
- 5.7 The proposals were considered by staff using the procurement assessment tool with application of the following criteria: Experience and track record, Farm Operational Plan/Personnel, Financial Resources, Proposed Rental, Service Delivery: Health and Safety/Environmental Sustainability.
- 5.8 Assessment resulted in a clear decision on a preferred proposal.

Preferred Proposal

- 5.9 Kennethmont Farms Ltd have owned the neighbouring farm of 1,100ha since 2004. The owner of the company is Randy Fry an American entrepreneur and philanthropist previously involved with Fry's Electronics. The farm was purchased as part of an investment portfolio but primarily for personal purposes.
- 5.10 The management of the farm is overseen by a farm consultant based in Tai Tapu with the day to day running and management undertaken by farm manager Giles Foley, a local farmer with a proven track record and over thirty years' experience. Since purchase the farm has been developed with improvement of fencing and water assets to the current point where it is a sustainable and viable merino breeding operation. The proposal is to graze the Te Oka Reserve in conjunction with the neighbouring farm blocks with lambing restricted to the private farm land. A market rental has been offered.
- 5.11 The key elements that made this the successful proposal were the Operational Plan, in particular the option of being able to easily move stock off the Council park land and onto the neighbouring private farm blocks as required. The proposal also received good scoring on Service Delivery including accredited management systems for Health and Safety, environmental impact and stock management monitoring.

Proposed licence

- 5.12 Licence Term: Three years with one right of renewal
- Annual Rent: \$25,000.00
- Rent review: Three years
- Parks Input: Regional Parks staff have input into management including regular meetings with the grazier and retaining the right to request removal of stock or, reduction or increase in stock numbers
- Public Access: Year round public access for recreation purposes.

Community views and preferences

- 5.13 The intention to graze parts of Te Oka Reserve is in accordance with the Te Oka Reserve Management Plan 2019. The draft of this plan was widely consulted and community views considered and incorporated as appropriate.
- 5.14 The RFP was run from 12 October to 10 November 2021 on the national procurement site 'GETS' with marketing in the Christchurch Press and Akaroa Mail. The proposal to enter into a licence with Kennethmont Farms Ltd has been advertised in the Press on 2 February 2022 and the Akaroa Mail 11 February 2022 with one month for submissions in accordance with the Reserves Act 1977 requirements. No objections have been received at the time of writing this report. It is considered that the above provides a sufficient opportunity to determine community views and preferences in relation to grazing of the land and the recommended grazier.

5.15 The decision affects the following wards/Community Board areas:

5.15.1 Te Pātaka o Rākaihautū Banks Peninsula Community Board.

6. Policy Framework Implications Ngā Hīraunga ā- Kaupapa here

Strategic Alignment Te Rautaki Tīaroaro

6.1 This report supports the [Council's Long Term Plan \(2021 - 2031\)](#):

6.1.1 Activity: Parks and Foreshore

- Level of Service: 6.8.2.3 Parks are managed and maintained in a clean, tidy, safe, functional and equitable manner (Asset Performance) - At least 90% of parks and associated public recreational assets are available for safe public use during opening hours

Policy Consistency Te Whai Kaupapa here

6.2 The decision is consistent with Council's Plans and Policies.

6.2.2 Leasing Policy -10 December 2015- Para 2.2 b –use of a transparent and public process to attract tenants.

6.2.3 Management Plan Objectives and Policies Section 4:
Section 4.7-Grazing, policy 7.1 and policy 7.2

Impact on Mana Whenua Ngā Whai Take Mana Whenua

6.3 The decision does not involve a significant decision in relation to ancestral land or a body of water or other elements of intrinsic value, but the park is within the takiwā of the Wairewa Rūnanga.

6.4 The proposal to grant a new lease was forwarded to Mahaanui Kurataiao (MKT) Ltd who consulted with the Wairewa Rūnanga and an assessment of the proposal was made by them in relation to the Mahaanui Management Plan. It was noted that the management of the park in general is consistent with the Rūnanga aspirations for regeneration of the Southern Bays. A number of recommendations were made in relation to: clearance of vegetation, risk of erosion from track building, planting of riparian margins, fencing off endangered species, preference for sheep grazing. Council staff have advised the Rūnanga through MKT that all recommendations can be achieved through the proposed grazing regime.

Climate Change Impact Considerations Ngā Whai Whakaaro mā te Āhuarangi

6.5 The RFP contained assessment criteria regarding climate change affects and measures to minimise emissions. In their Operational Plan the preferred respondent outlined measures to keep climate change impact to a minimum. The neighbouring location minimises the carbon footprint by avoiding the need for trucking stock for alternative grazing.

Accessibility Considerations Ngā Whai Whakaaro mā te Hunga Hauā

6.6 No significant accessibility issues arise as a consequence of this proposal

7. Resource Implications Ngā Hīraunga Rauemi

Capex/Opex Ngā Utu Whakahaere

7.1 Cost to Implement – Public advertising- \$750.00, preparation of RFP and lease documentation \$500 approx

7.2 Maintenance/Ongoing costs: A mix of Opex and Capex costs will be incurred annually as part of routine maintenance and also new fencing to slowly improve biodiversity response by

limiting grazing. Approximately \$10,000/year is spent on plant pest control, \$10,000/year on animal pest control (both covered by existing Opex budgets). New fencing requirements are part of already budgeted capital renewal.

- 7.3 Funding Source – Regional Parks Operational budget. Note that rent will cover a portion of the operational costs.

Other He mea anō

- 7.4 There are no other resource Implications

8. Legal Implications Ngā Hīraunga ā-Ture

Statutory power to undertake proposals in the report Te Manatū Whakahaere Kaupapa

Statutory power to undertake proposals in the report Te Manatū Whakahaere Kaupapa

- 8.1 Delegations-Parks (Part D-Sub Part 1- Community Boards). Authority delegated from Council to Community Boards, Section 73-“To grant leases of recreation reserves (for farming, grazing, afforestation and other purposes) in accordance with this section”.
- 8.2 Reserves Act 1977: Enter into licence pursuant to s73 and s53.
- 8.3 Reserves Act 1977: Requirement for Ministers Consent delegated to Council by the Crown, 12 June 2013, sub delegated by Council to the Chief Executive.



Other Legal Implications Ētahi atu Hīraunga-ā-Ture

- 8.4 The legal consideration are:
- 8.4.1 Local Government Act 2002- Decision Making, including consideration of community views.
- 8.4.2 Reserves Act 1977-Public Notification pursuant to s73

9. Risk Management Implications Ngā Hīraunga Tūraru

- 9.1 There is a risk of:
- Rent not paid
 - Grazing levels not achieved
 - Poor operational management including management of staff and equipment
- 9.2 The above consequences would be caused by a failure of the licensee to perform to expectations and could result in a loss of income through unpaid rent together with reputational damage/poor media coverage of bad management of a Council asset.
- 9.3 The risk is assessed as low on the basis that the financial consequences are relatively small and operational issues could be rectified. The likelihood of these consequences occurring is considered low based on experience and track record of the preferred respondent.

Attachments Ngā Tāpirihanga

No.	Title	Page
A  	Attachment A- Te Oka Reserve- Deed of Licence - plan	33

Additional background information may be noted in the below table:

Document Name	Location / File Link
Not applicable	

Confirmation of Statutory Compliance Te Whakatūturutanga ā-Ture

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

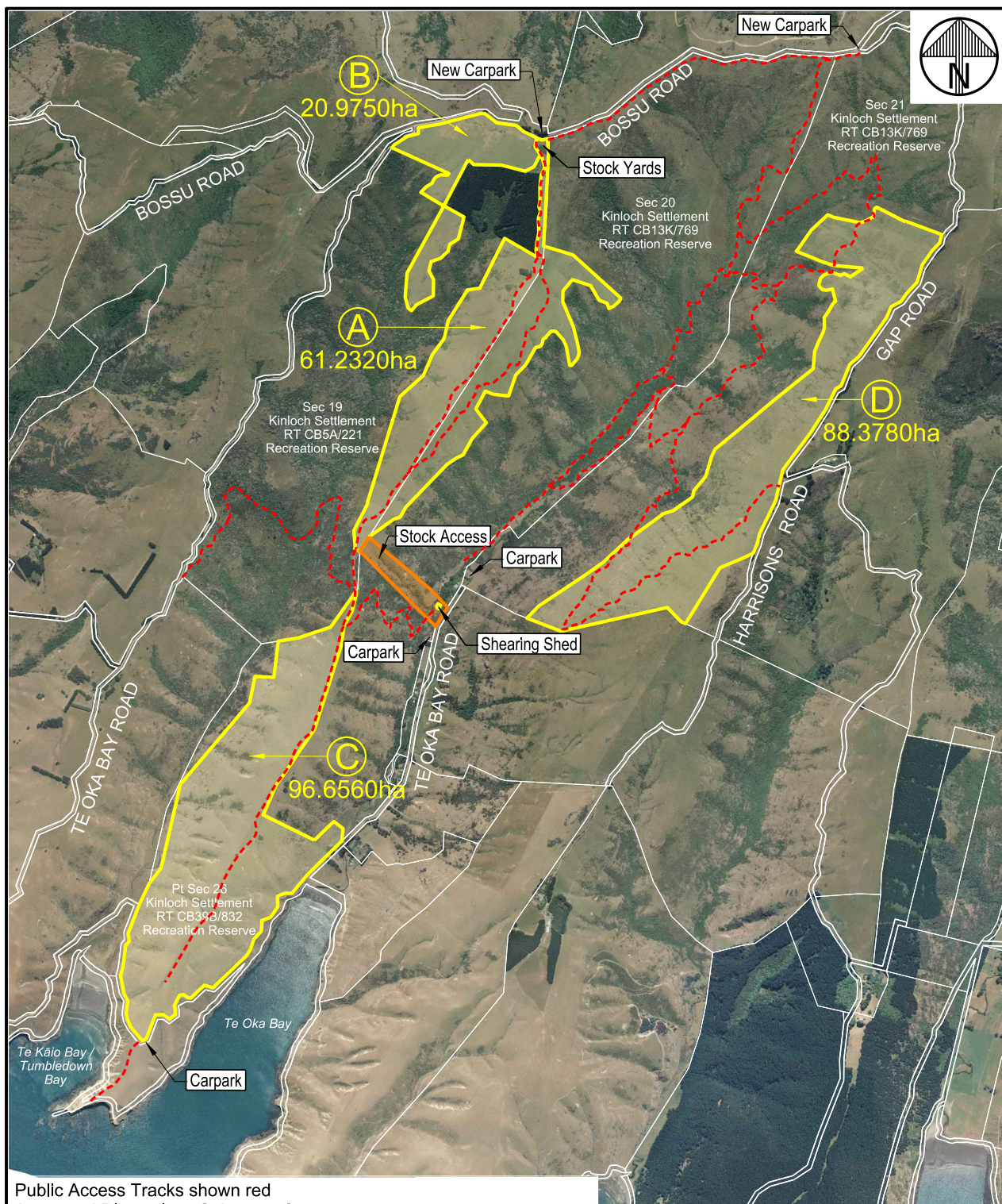
(a) This report contains:

- (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.

Signatories Ngā Kaiwaitohu

Author	Felix Dawson - Leasing Consultant
Approved By	Kathy Jarden - Team Leader Leasing Consultancy Angus Smith - Manager Property Consultancy Kay Holder - Manager Regional Parks Andrew Rutledge - Head of Parks Mary Richardson - General Manager Citizens & Community



A	ISSUE	AMENDMENT	SIGNED	DATE

TE OKA RESERVE GRAZING LICENCE AREAS

Christchurch
City Council



TECHNICAL SERVICES & DESIGN

SURVEYED	
DRAWN	JA
DATE	09/2021

© COPYRIGHT
CHRISTCHURCH CITY COUNCIL
AERIAL PHOTOGRAPHY CREATIVE COMMONS
ATTRIBUTION 3.0 NEW ZEALAND LICENSE

DRAWING NUMBER SM209101
WBS 304/000009

ORIGINAL SHEET SIZE A4

SCALES 1:25000

PROJECT NUMBER
RPS4116

SHEET
1 OF 1

10. Head to Head Walkway Charteris Bay

Reference Te Tohutoro: 21/1222398

Report of Te Pou Matua: Kelly Hansen, Manager Parks Planning and Asset Management

General Manager

Mary Richardson, General Manager Citizens and Community

Pouwhakarae:

1. Brief Summary

- 1.1 The purpose of this report is to provide further information to the Community Board on the Marine Drive route for the Head to Head Walkway between the northern and southern intersections of Andersons Road and Marine Drive. The report has been written in response to the Community Board resolution (12 April 2021):
2. Request that further information be brought back to the Board on the preferred route in Charteris Bay between the northern and southern intersections of Andersons Road/ Marine Drive, including consultation, cultural considerations, funding, climate change adaptation and planning, along with timing and sequencing.
- 1.2 The Marine Drive route option was not included in community consultation on Head to Head route options in Charteris Bay but attracted some community support nevertheless and has subsequently become the preferred route of the Head to Head Working Party.
- 1.3 This section of Marine Drive sits within a coastal environment identified in the District Plan as being of Ngāi Tahu cultural significance. The Mahaanui Iwi Management Plan states that restoration of the cultural health of Whakaraupō is a priority objective for tāngata whenua and that recreational use should not compromise Ngāi Tahu customary values and interests. Tāngata whenua have a particular interest in ensuring that structures in the coastal marine area do not affect mahinga kai resources.
- 1.4 Te Hapū o Ngāti Wheke (Rāpaki) have been contacted for comment. They are not aware of any specific considerations from archival material or of any recorded archaeological sites of Māori origin. If the Marine Drive route is pursued, then a full assessment of visual amenity and mahinga kai would be required.
- 1.5 In 2019, the estimated cost of constructing this section of walkway was approximately \$2.5m. Construction costs have increased since then. The project is not funded and will need to be coordinated with any future roading upgrades (currently unscheduled).

The Coastal Hazards Adaptation Planning Team, which comprises staff from Planning & Strategic Transport, Transport Asset & Network Planning and Traffic Operations teams are currently investigating Banks Peninsula roads that are vulnerable to sea level rise, and will report back to the Community Board and the Council in due course with issues and options. It is proposed that any decisions regarding this section of Marine Drive consider the proposed walkway route.

2. Officer Recommendations Ngā Tūtohu

That the Te Pātaka o Rākaihautū Banks Peninsula Community Board:

1. Receive the information in the Head to Head Walkway Charteris Bay Report
2. Acknowledges that there is no budget identified in the current Long Term Plan and staff will not be progressing this section of the walkway at this stage.

3. Background

- 3.1 On 27 November 2017 a joint seminar was held with the Community Board and the Head to Head Working Party to discuss possible Head to Head Walkway route options between the Charteris Bay Yacht Club and Orton Bradley Park. The Community Board and Working Party's preference was to consult with the community on all route options presented except for the on-road section along Marine Drive from 425 Marine Drive (known colloquially as Traffic Cop corner) to Orton Bradley Park. This section was not considered feasible or desirable for a walkway due to its narrowness, physical constraints, traffic volumes, and types of vehicles using the road. All other options were to be presented for consultation with Andersons Road being the option for this particular section.
- 3.2 Community consultation was undertaken in February 2019 on the agreed route options.
- 3.3 Results of consultation were mixed. Despite Marine Drive not being included as an option, 26 submitters (37%) indicated that this was their preferred route.
- 3.4 The Working Party subsequently determined that Marine Drive was its preferred route and further investigation was undertaken into construction requirements and cost estimates.
- 3.5 The Working Party recommended to the Community Board
 2. Approve the following route for a section of the Head to Head Walkway, noting that there is no existing budget:
 - a. The section along Marine Drive from the Andersons Road south intersection to the Paradise Beach steps (as suggested by the Charteris Bay Residents' Association).
- 3.6 This route has not been consulted on with the community and is not currently funded. Development of this section of walkway is reliant on associated road works being prioritised as a Council project (the costs of the additional road works are not included in the estimate). Some confidence around funding and coordination with roading priorities is recommended before ruling out other route options.
- 3.7 At its meeting on 12 April 2021, the Community Board adopted the staff recommendation to defer a decision on this section of walkway and also requested further information.

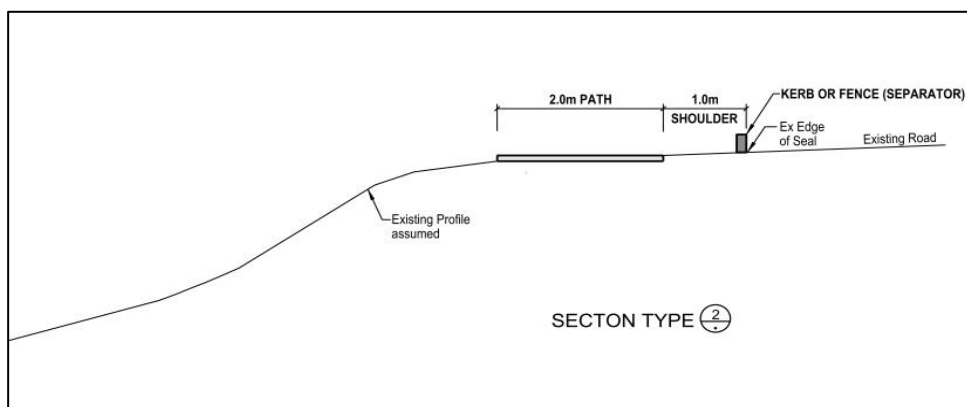
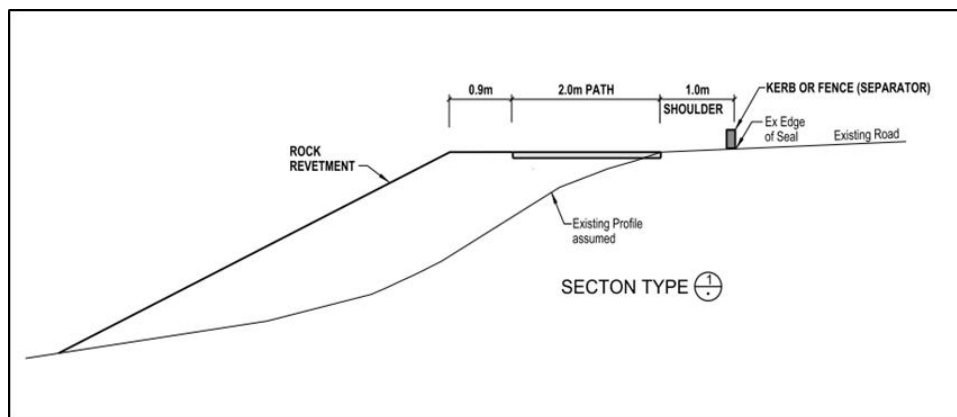
4. Route Detail

- 4.1 There are two sections to the route between the northern and southern intersections of Marine Drive as illustrated on the aerial photos below. The focus of this report is section two.
- 4.2 The route for the first section, from Andersons Road north intersection to Traffic Cop corner, could use the unformed legal road on the coastal side of properties or follow Marine Drive. The coastal route (starting from Paradise Beach) is only suitable if the next section follows Marine Drive from Traffic Cop corner as proposed by the Working Party. If the route in section two eventually goes over Andersons Road instead, then Marine Drive is a better option for the first section from Paradise Beach.
- 4.3 The Working Party's preferred route for the second section follows Marine Drive from Traffic Cop corner to the southern intersection of Andersons Road and is the focus of this report.



Detail of section two (Traffic Cop Corner to Andersons Road south)

- 4.4 Upon the request of the Working Party, staff investigated constructing a footpath along Marine Drive water front utilising available survey information and undertaking a concept design.
- 4.5 The distance from Traffic Cop corner to Andersons Road south intersection is approximately 960metres.
- 4.6 Best practice design parameters were applied for road safety and construction of a shared pathway of minimum width adjacent to a busy road. The design allows the minimum safe separation from traffic and the rock edge and space for manoeuvring and includes;
 - Kerb or separator between road and footpath,
 - 1m shoulder,
 - 2m wide footpath,
 - 50 year design life.
- 4.7 An extension of the 50km/hr speed limit has been approved for this area which will further assist with safety.
- 4.8 The route requires two different types of track construction in different sections.
- 4.9 Type one is a grit pathway with rock revetment and is required for two thirds of the route (660m) as indicated by the yellow line on the aerial photo below.
- 4.10 Type two does not require rock revetment and is suitable for the remaining 300m of the route.



- 4.11 In 2019, we estimated the cost of constructing the walkway at almost \$2.5m. Construction costs have increased since 2019. An estimate of five per cent per year could be applied to the original estimate bringing it up to \$2.76m.

4.12 Cost estimate (2019)

Type	Length (m)	Shoulder cost/m	Path cost/m	Rock cost/m	Total Cost/m	Cost/section
1	660.5	80	150	2,000	\$2,230	\$1,472,902
2	298.7	80	100	0	\$180	\$53,766
			Crossing point at Andersons Road south			\$35,000
			Physical construction sub-total			\$1,561,668
			P&G			\$156,167
			Traffic Management			\$78,083
			Consents, EMP, Ecology, Archaeology			\$124,933
			Design and Observation			\$156,167
			Contingency			\$390,417
			Total			\$2,467,885

4.13 The cost of this section of walkway is beyond the capacity of the Head to Head Walkway budget and is proposed to be considered if and when works are funded to upgrade this section of Marine Drive.

4.14 The Coastal Hazards Adaptation Planning team are currently investigating road resilience throughout Banks Peninsula. They are identifying locations that are vulnerable to sea level rise and will report the issues and options to the Community Board and the Council in due course. There is currently no funding allocated to address the risks. If Marine Drive is prioritised for work, then construction of a walkway may be included.

4.15 Construction Challenges

- Rock or retaining work will be required for approximately two thirds of the route (660m).
- The condition of the existing seawall has not been assessed and the repair/replacement could increase the construction cost of this project.
- Resource consent to work in the coastal marine area will be required. Preliminary advice from the RMA consenting team is that a resource consent for land reclamation to construct a walkway would be required and that the proposal is largely a non-complying activity in a coastal environment of Ngāi Tahu cultural significance.
- Projected sea level rise will need to be considered. The road in this section is vulnerable to sea level rise and the Council is yet to establish policy in response to this.

4.16 This section of the Head to Head Walkway is to be put on hold until road upgrades are addressed.

Attachments Ngā Tāpirihanga

There are no attachments to this report.

Additional background information may be noted in the below table:

Document Name	Location / File Link

Confirmation of Statutory Compliance Te Whakatūturutanga 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.

Signatories Ngā Kaiwaitohu

Author	Kelly Hansen - Manager Parks Planning & Asset Management
Approved By	Andrew Rutledge - Head of Parks Mary Richardson - General Manager Citizens & Community

11. Elected Members' Information Exchange Te Whakawhiti Whakaaro o Te Kāhui Amorangi

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.