

Te Pātaka o Rākaihautū
Banks Peninsula Community Board
OPEN MINUTES

Date: Monday 28 February 2022
Time: 10.04am
Venue: Held by Audio / Video Link

Present

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

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- Part A** Matters Requiring a Council Decision
Part B Reports for Information
Part C Decisions Under Delegation
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Karakia Tīmatanga: Tyrone Fields

The agenda was dealt with in the following order.

1. Apologies Ngā Whakapāha

Part C
Community Board Decision

No apologies were received.

2. Declarations of Interest Ngā Whakapuaki Aronga

Part B
There were no declarations of interest recorded.

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

Part C
Community Board Resolved BKCB/2022/00007

That the minutes of Te Pātaka o Rākaihautū Banks Peninsula Community Board meeting held on Monday, 14 February 2022 be confirmed.

Reuben Davidson/Andrew Turner

Carried

4. Public Forum Te Huinga Whānui

Part B
4.1 Joe Jagusch

Joe Jagusch was scheduled to speak to the Board about providing freely accessible water activity hires from the White Gates, opposite 7 Park Terrace Lyttelton, but was not in attendance.

5. Deputations by Appointment Ngā Huinga Whakaritenga

Part B
There were no deputations by appointment.

6. Presentation of Petitions Ngā Pākikitanga

Part B
There was no presentation of petitions.

7. Reserve Management Committee Meeting Minutes

Community Board Resolved BKCB/2022/00008

(Original Officer Recommendation Accepted without Change)

Part B

That Te Pātaka o Rākaihautū Banks Peninsula Community Board:

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

Jamie Stewart/Nigel Harrison

Carried

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

Board Discussion

The Board commented on the number of instances in which it has addressed the issue of buildings on unformed legal roads (paper roads) around the Banks Peninsula Ward, and noted that it has been Council policy to address these issues on a case by case basis, generally when a property comes up for sale or transfer. The Board questioned whether there was a register of these requests and their resolutions, or whether information such as a Frequently Asked Questions document was available to individuals (e.g., prospective buyers) looking for information about the process for requesting a deed of license to allow for occupation of part of an unformed road.

The Board further discussed the timeframe from a request to resolution, and whether there was information available that outlined how long a licence request or road stopping process might take. Staff noted that the road stopping process could take at least six months, and additional time would be needed through the sale and purchase process, so one year would not be unreasonable.

The Board sought to amend the resolution to include the steps needed to formalise the formed section of Pawsons Valley road, as legal road reserve, where it currently crossed private land, and carry out the road stopping of the legal road crossing 164 Pawsons Valley Road.

Buildings on Legal Road - Staff undertook to provide information to the Board on what material the Council had publicly available for people seeking information about buildings on legal road.

Officer Recommendations Ngā Tūtohu

That 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.

Community Board Decided BKCB/2022/00009

Part A

That 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. Request staff to carry out the necessary steps to formalise as legal road reserve, the section of Pawsons Valley Road where the carriageway is currently formed over private land at 169 Pawsons Valley Road, and also to carry out the road stopping of the unformed legal road that currently crosses 164 Pawsons Valley Road.

Tori Peden/Reuben Davidson

Carried

Item - 9. Te Oka Reserve – Deed of License - Grazing - has been moved to another part of the document.

10. Head to Head Walkway Charteris Bay

Board Discussion

The Board discussed the support from the Head to Head Walkway Working Party and the community, for the walkway to go around Marine Drive in Charteris Bay, even though this particular route had not been a part of the Council consultation. Staff noted that potential future development of this preferred route would be complicated by the necessary roading improvements that would be required, as well as coastal hazard adaption planning. Because of these challenges, and a lack of any funding for this in the Long Term Plan, staff recommended that other sections of the Walkway be prioritised to ensure continued progress.

The Board shared concerns about the safety of the pedestrians using the roadway from Traffic Cop corner to the southern intersection of Andersons Road, and discussed options about how pedestrian safety might be improved in the short-term, for example placing rocks between pedestrians and the roadway. Staff noted that the speed limit in this area had recently been reduced, and remarked that any safety measures put in place would need to accommodate all community members, the vulnerable, families, the elderly, disabled, etc. Staff shared that they would be making a site visit in the coming week to assess the roadway and safety issues and would provide a memo to the Board outlining their findings and next steps.

The Board amended the Officer Recommendation to acknowledge the challenges facing the Charteris Bay section of the track and how this might be progressed in the future. It also added points three and four, noting its concerns about pedestrian safety and seeking a short-term solution, as well as requesting a meeting of the Working Party to address how the Walkway could be progressed beyond this section.

Officer Recommendations Ngā Tūtohu

That 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.

Community Board Resolved BKCB/2022/00010

Part C

That Te Pātaka o Rākaihautū Banks Peninsula Community Board:

1. Receives the information in the Head to Head Walkway Charteris Bay Report.
2. Agrees that the roadway on Marine Drive in Charteris Bay has financial and coastal hazard implications, and that this potential section of the Walkway will be progressed as part of future road planning, while other sections of the Head to Head Walkway are prioritised.
3. Notes its concerns about pedestrian safety on this section of Marine Drive between Traffic Cop corner to the southern intersection of Andersons Road, which is currently well-used by pedestrians, and requests that staff investigate and carry out some short-term safety improvements.
4. Requests that a meeting of the Head to Head Walkway Working Party be convened to explore ways to promote and progress the Walkway, in partnership with staff and the community.

Howard Needham/Tyrone Fields

Carried

Board member Scott Winter left the meeting at 11am during the consideration of Item 10.

9. Te Oka Reserve- Deed of Licence- Grazing

Board Discussion

Staff provided a brief overview of the request to grant a grazing license to Kennethmont Farms Ltd for grazing part of Te Oka Reserve on the south facing side of Banks Peninsula. The Board did not raise any further questions of staff and accepted the staff recommendation without change, noting that the recommendation was in accordance with the reserve management plan.

Community Board Resolved BKCB/2022/00011

(Original Officer Recommendation Accepted without Change)

Part C

That 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.

Tori Peden/Reuben Davidson

Carried

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

Part B

Elected members exchanged the following information:

- Le Bons Bay recovery after the December storms and flow of water issues – importance of Council and Environment Canterbury communication regarding responsibilities.
- Akaroa Wastewater Community Reference Group – great outcomes and improvements seen to date as a result of the Group meetings, which developed good engagement with the community.
- Reserve Management Committee meeting minutes – accessibility to the public online or through some other means.
- John Jameson Lookout – Summit Road Society project is progressing well.
- Lyttelton Port Seafarers Committee inaugural meeting – Board Member Tyrone Fields elected as vice chairperson.
- Te Ahu Pātiki Park Board of Trustees - deed to be signed soon and can begin fundraising.
- Water Zone Committee visit to Purau – wonderful restoration of waterways including native plantings.

Board Member Scott Winter returned to the meeting at 11.51am during Item 11.

11.1 Gutter / Weed Maintenance on Rue Lavaud, Akaroa

The Board heard that there were weeds and other plants growing in the gutter on Rue Lavaud in Akaroa, including a tomato plant bearing unripened fruit. A Snap/Send/Solve had been submitted, but had resulted in no action. Board members questioned who was responsible for the maintenance of the gutters, and what the level of service was for weed removal.

Part B

That Te Pātaka o Rākaihautū Banks Peninsula Community Board:

1. Requests that staff provide information, by way of a memorandum to the Board, about who is responsible for maintaining the gutters on Akaroa's main street, why the gutters have not been cleared of weeds for some time, and when remedial action can be expected.

11.2 Akaroa Fire Bell

It was reported that the historic Akaroa fire bell had apparently gone missing. It was questioned whether staff have moved the bell to a different location, or whether it may have been stolen.

Part B

That Te Pātaka o Rākaihautū Banks Peninsula Community Board:

1. Request information from staff on whether they know the whereabouts of the Akaroa Fire Bell.

11.3 Stormwater Works - Oxford Street and Ripon Street, Lyttelton

Part B

That Te Pātaka o Rākaihautū Banks Peninsula Community Board:

1. Request information from staff as to what work was being carried out on the road and the historic brick barrels in Oxford Street and Ripon Street, Lyttelton, and whether residents had received prior notice of the works.

11.4 Evans Pass Roadworks Plans

Part B

That Te Pātaka o Rākaihautū Banks Peninsula Community Board:

1. Requests staff to provide information to the Board about any proposed road closures or upgrades to Evans Pass this year, when any planned roadworks are set to begin, and how long the roadworks are estimated to take.

11.5 Lyttelton Craft and Fair Market

Part B

That Te Pātaka o Rākaihautū Banks Peninsula Community Board:

1. Request information from staff on progress with the application from the Lyttelton Craft and Treasure Market to utilise Albion Square, Lyttelton as the site for the market, now that the market can no longer be held at Collets Corner.

11.6 Birdlings Flat Wastewater Consents

The Board heard that residents of Birdlings Flat were still concerned about the renewal of their consents to discharge for their septic tank systems. Council staff had established that it is Environment Canterbury which is the authority in charge of the consents.

Part B

That Te Pātaka o Rākaihautū Banks Peninsula Community Board:

1. Requests that staff write to Environment Canterbury staff asking them to communicate an update on the issue of septic tank resource consents to the residents at Birdlings Flat.

Karakia Whakamutunga: Tyrone Fields

Meeting concluded at 12:03pm.

CONFIRMED THIS 14th DAY OF March 2022

TORI PEDEN
CHAIRPERSON