



TE MANA TIAKI I TE ARA AKITU

SUMMIT ROAD PROTECTION AUTHORITY

Te Mana Tiaki I Te Ara Akitu Summit Road Protection Authority and its Advisory Committee AGENDA

Notice of Meeting:

A meeting of Te Mana Tiaki I Te Ara Akitu / the Summit Road Protection Authority and its Advisory Committee will be held on:

Date: Wednesday 30 March 2022

Time: 5pm

Venue: Held by Audio/Visual 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. Please request access details from Mark.Saunders@ccc.govt.nz.

Authority Membership		Advisory Committee Membership	
Chair	Councillor Tim Scandrett (Christchurch City Council)	Chair	Paul Loughton - Summit Road Society Inc nominee
Members	Councillor Jeff Bland (Selwyn District Council)	Members	Christchurch City Councillor Tim Scandrett Selwyn District Councillor Jeff Bland Banks Peninsula Community Board Member Tori Peden Hana Walton - Rūnanga nominee Minister of Conservation nominee Peter Graham - Landowner nominee Denis Aldridge - Landowner nominee Open space expert (pending nomination) Gillian Jenkins - Environment Canterbury nominee
	Community Board Member Tori Peden (Te Pātaka o Rākaihautū / Banks Peninsula Community Board)		

Hautū | Executive Secretary

Mark Saunders

941 6436

mark.saunders@ccc.govt.nz

The Summit Road (Canterbury) Protection Act 2001 is the statutory basis of the Summit Road Protection Authority and its Advisory Committee, and states that the Summit Road Protection Authority is a Joint Committee of:

Christchurch
City Council



Selwyn
DISTRICT COUNCIL



TABLE OF CONTENTS

TE MANA TIAKI I TE ARA AKITU / THE AUTHORITY OPENS THE MEETING

1.	Ngā Whakapāha / Apologies for the Authority	3
2.	Ngā Whakapuaki Aronga / Declarations of Interest for the Authority.....	3
3.	Te Whakaāe o te hui o mua / Confirmation of Authority’s Previous Minutes	3
4.	Advisory Committee Membership Changes	3
5.	Public Participation / Te Huinga Tūmatanui	4
5.1	Te Huinga Whānui / Public Forum.....	4
5.2	Ngā Huinga Whakaritenga / Deputations by Appointment.....	4
5.3	Ngā Pākikitanga / Presentation of Petitions.....	4

THE AUTHORITY ADJOURNS TO HEAR THE CONSIDERATION OF THE ADVISORY COMMITTEE

6.	Apologies for the Advisory Committee	4
7.	Declarations of Interest for the Advisory Committee	4
8.	Confirmation of Advisory Committee’s Previous Minutes.....	4
9.	Summit Road Safety (Discussion Item).....	4
10.	Head Ranger’s Update (Discussion Item)	4
11.	Reform of the Resource Management System (Discussion Item)	5
12.	Annual Plan Submission	5
13.	Annual Report for the Year Ending 30 June 2021	6
14.	Draft Annual Plan and Budget for 2022-23	6
15.	Members’ Information Exchange	8

TE MANA TIAKI I TE ARA AKITU / THE AUTHORITY RECONVENES TO DELIBERATE

17.	Authority Consideration of Item 12: Annual Plan Submission	8
18.	Authority Consideration of Item 13: Annual Report for the Year Ending 30 June 2021 ..	8
19.	Authority Consideration of Item 14: Draft Annual Plan and Budget for 2022-23	8

ATTACHMENTS

A.	Previous Minutes of the Authority and Advisory Committee	10
B.	Draft Annual Plan Submission (with appended vision document)	18
C.	Draft Annual Report for the Year Ending 30 June 2021	29
D.	Draft Annual Plan and Budget for 2022-23	38



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

1. Apologies for the Authority

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

2. Declarations of Interest for the Authority

Members are reminded of the need to be vigilant and to stand aside from decision making when a conflict arises between their role as a member 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 Summit Road Protection Authority meeting held on [Friday, 26 March 2021](#) be confirmed (refer page 10).

4. Advisory Committee Membership Changes

- 4.1 The Authority must, for the better administration of the provisions of the Summit Road (Canterbury) Protection Act 2001 (SRP Act), appoint an Advisory Committee consisting of persons nominated by the stakeholders specified in section 9(1) of the SRP Act.
- 4.2 Kelvin McMillan, the open space expert nominee of the contributory councils, has retired from the City Council, which signals his retirement from the Advisory Committee. Kelvin made a significant contribution over a long term as member of the Advisory Committee and generously supported the Authority in various ways that were essential to its continuity of operation.
- 4.3 Andy Thompson, Operations Manager Mahaanui District, Department of Conservation, may attend meetings pending a nominee of the Minister of Conservation being identified and confirmed.
- 4.4 The Advisory Committee may operate with 5 or more members if those members include at least 1 representative of 4 of the persons, groups of persons, or bodies entitled to nominate members under section 9(1) of the SRP Act. The contributory councils particularly should ensure they attend to resolving nominations to their representative roles on the Authority and Advisory Committee, and their joint nomination to the open space expert role, immediately following the upcoming local government elections (if not before in the case of the open space expert).
- 4.5 In accordance with section 9(1)(f) of the SRP Act, the open space expert should have a knowledge of open space management and park management.

Staff Recommendations

That the Authority:

1. Records its thanks for the service of Kelvin McMillan on the Advisory Committee and in support of the Authority.
2. Requests the contributory councils jointly nominate a new open space expert to the Advisory Committee for the Authority's consideration under section 9(1)(f) of the SRP Act, and note that their appointed nominees to the Advisory Committee under section 9(1)(a), who are presently identical to their appointees to the Authority, will endure post-elections until new nominations or retirements may be severally notified to the Authority.



3. [Requests the Minister of Conservation nominates a member to the Advisory Committee for the Authority's consideration under section 9\(1\)\(c\) of the SRP Act.](#)

5. Public Participation / Te Huinga Tūmatanui

5.1 [Te Huinga Whānui / Public Forum](#)

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

The SRP Act sets out the purpose, functions and powers of the Authority and its Advisory Committee.

5.2 [Ngā Huinga Whakaritenga / Deputations by Appointment](#)

There were no deputations by appointment at the time the agenda was prepared.

5.3 [Ngā Pākikitanga / Presentation of Petitions](#)

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

AUTHORITY ADJOURNS TO HEAR THE CONSIDERATION OF THE ADVISORY COMMITTEE

6. Apologies for the Advisory Committee

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

7. Declarations of Interest for the Advisory Committee

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

8. Confirmation of Authority's Previous Minutes

For the confirmation of the Advisory Committee:

That the minutes of the Advisory Committee meeting held on [Friday, 26 March 2021](#) be confirmed (refer page 10).

9. Summit Road Safety

Discussion with Andrew Hensley, City Council Traffic Engineer. No decision required.

10. Head Ranger's Update

Discussion with Paul Devlin, City Council Head Ranger. No decision required.



11. Reform of the Resource Management System

- 11.1 Discussion with Mark Stevenson, City Council Planning Manager, to explore the reform of the resource management (RM) system and possible relevance to the SRP Act. No decision required.
- 11.2 Key aspects indicated to be covered in this discussion item:
- Set the scene of what is proposed in reforms of the RM system.
 - Relationship between the Resource Management Act (RMA), District Plan and Summit Road (Canterbury) Protection Act, including overlap.
 - How this may change with the proposed legislation to replace the RMA.
 - Options for the Authority and next steps.
- 11.3 The Executive Secretary has initiated this discussion noting that:
- Activities require the Authority's consent where located within the area subject to the Act, additional to resource consent requirements under the District Plan, and Authority hearings may be held jointly with RMA hearings.
 - There is overlap between the SRP Act's regulatory scheme for the preservation of the amenities of the protected land and the District Plan.
 - The land protected under the Summit Road (Canterbury) Protection Act when that Act was enacted originally in 1963 was divided into the territories of six local bodies, with 13 local bodies across North and Mid-Canterbury sharing the cost of compensating protected land owners for preserving the amenities of the land.
 - The protected land now only stretches across the territories of two local bodies, with the City Council substantially managing the length of the road.
 - Only Christchurch City and Selwyn District Councils can now be levied for the costs of having a dedicated Authority and to share the liability to compensate property owners in some circumstances for preserving the amenities of the protected land.
 - Nearly 60 years have passed since the enactment of the 1963 SRP Act, in effect allowing that time to bed in with affected land owners the protection of the land with some provision for compensation for the cost of preserving its amenities.
 - The scheme of compensating protected land owners for preserving the amenities of the Summit Road as an asset of esteemed value to the Greater Christchurch area may necessitate review, having regard to the evolved ownership of the land under the management of public authorities and beneficent landowners, such as the Summit Road Society.

12. Annual Plan Submission

- 1.2 Consultation on the Christchurch City Council's Annual Plan 2022-23 is open for public submissions. It is not among the Authority's explicit statutory functions to submit on these plans, though it may wish to consider their impacts on the Authority's purposes and functions.
- 1.3 It is suggested that the Authority may use the opportunity to remind the City Council of its resolution to advance a Port Hills Management Plan, which has long been considered by members as key to achieving the vision for the Summit Road and Port Hills that members have



developed in the past, which is **appended** to the proposed submission on the City Council's Draft Annual Plan (**Attachment B**) to remind the City Council of this vision document.

- 1.4 It is reasonable that the City Council might again be reminded of its 2018 resolution to advance a Port Hills Management Plan as soon as possible. The Chair of the Authority at the time was heard by the City Council in 2019 in relation to their Annual Plan and given an undertaking they would seek an update from their staff on their 2018 resolution (<https://councillive.ccc.govt.nz/video/8434>).
- 1.5 The advancement of a Port Hills Management Plan, together with the reform of the RM system and continuing evolution of the ownership and management of the protected land since the enactment of the SRP Act may support the Authority's vision for the Summit Road and Port Hills and supersede the SRP Act as what was an important transformative tool. In the interim, it is considered that commentary to the submission be added to ensure efficient compliance with the SRP Act through the Council recognising and supporting the executive and secretarial functions of the Authority being carried out by council staff.

Staff Recommendations

That the Advisory Committee:

1. Recommends that the Authority makes the attached submission on the Christchurch City Council's Annual Plan 2022-23 (with the vision document appended); particularly to: *Request that the City Council gives appropriate prioritisation to the advancement of a Port Hills Management Plan in line with its resolution of 22 March 2018 to request that the 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.*

13. Annual Report for the Year Ending 30 June 2021

The Authority's Annual Report for the year ending 30 June 2021 is at **Attachment C** for endorsement. Upon adoption by the Authority the Annual Report will be forwarded to the contributory Councils.

Staff Recommendations

That the Advisory Committee recommends that the Authority:

1. Adopts the attached Annual Report for the year ending 30 June 2021.

14. Draft Annual Plan and Budget for 2022-23

- 1.6 The Summit Road (Canterbury) Protection Act 2001 requires the Authority to prepare an estimate of expenditure for the year ahead, in this case for the period 1 July 2022 - 30 June 2023, and submit it to the two contributory Councils. In furtherance of this requirement, a draft Annual Plan and Budget for the relevant period at **Attachment D** for endorsement.
- 1.7 It is recommended to levy the two contributory Councils nil for the upcoming year. It is assessed that the Authority holds sufficient reserves to meet its core obligations for the upcoming year relative to reasonable anticipation of possible eventualities. The Authority should retain its statutory ability to levy further in the year, if necessary, in the unlikely event expenses or liability arise that would exhaust the Authority's reserves.



- 1.8 Some amendments have been made to the Delegations Register appended to the Annual Plan and Budget to be accepted for the better functioning of the Authority. Principally in the case of staff delegations these have been made more flexible pending the contributing Councils finding appropriate means of staffing and supporting the Authority's functions, with reference in the Register to Council Managers to include Unit Heads as well as General and Team Managers.
- 1.9 Levying the contributory Councils nil is reliant, if it is to be sustainable, on the Councils recognising and supporting the executive and secretarial functions of the Authority being carried by council staff. This results in efficiencies and savings being achieved for the ratepayer.
- 1.10 Pursuant to section 21 of the SRP Act, the Authority is required to consider any claim made for compensation that relates to any loss sustained by any person having any estate or interest in any land, building, or other improvements detrimentally affected through the exercise of the Authority's regulatory functions. This suggests, and carries on from the 1963 SRP Act, a scheme for protecting the amenities of the Summit Road, with provision for compensating to some extent, or in some circumstances, property owners sustaining a loss for the sake of the protection of the amenities.
- 1.11 To ensure compensation claims only arise where necessary, the Councils should consider whether an activity on the protected land may be granted resource, building, or any other required consents before the Authority considers the activity, or hear them jointly under the circumstances provided for in section 15 of the SRP Act. Prior Council consideration is no longer an express requirement under the 2001 SRP Act, but the Plan and Budget are based on an approach of avoiding compensation claims for activities that may not be permitted by advocating that Authority consent should not be made a prerequisite to other consents, and consenting processing should be integrated with Council processes where possible.

Staff Recommendations

That the Advisory Committee recommends that the Authority:

1. Adopts the attached draft Annual Plan and Budget for 1 July 2022 – 30 June 2023.
2. Approve for immediate effect the amended Delegations Register appended to the draft Annual Plan and Budget for 1 July 2022 – 30 June 2023, and approves that the Executive Secretary's functions may be divided across council staff or contracted out as indicated in the Register by arrangement of the contributory Councils – recognising that relevant Council Unit Heads/Managers or Advisors may execute and integrate the delegated functions as necessary.
3. Requests that the contributory Councils recognise and support the executive and secretarial functions of the Authority being carried by council staff by making more provision for them, including provision for compliance, and consent and compensation processing.
4. Requests that the territorial authorities responsible for the protected land adjoining the Summit Road enable applicants for activities on that land to advance applications for such other consents, approvals, leases, licences, or any other permissions as the territorial authority may administer, without requiring the Authority's consent first (even though it may be required as a condition of such other permission).



15. Members' Information Exchange

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

AUTHORITY RECONVENES TO DELIBERATE

16. Authority Consideration of Item 12: Annual Plan Submission

Staff Recommendations

That the Authority:

1. Makes a submission on the Christchurch City Council's Annual Plan 2022-23 to: *Request that the City Council gives appropriate prioritisation to the advancement of a Port Hills Management Plan in line with its resolution of 22 March 2018 to request that the 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.*

17. Authority Consideration of Item 13: Annual Report for the Year Ending 30 June 2021

Staff Recommendations

That the Authority:

1. Adopts the attached Annual Report for the year ending 30 June 2021.

18. Authority Consideration of Item 14: Draft Annual Plan and Budget for 2022-23

Staff Recommendations

That the Authority:

1. Adopts the attached circulated Annual Plan and Budget for 1 July 2022 – 30 June 2023 and approves the intention to levy \$0 from the contributory Councils for the year.
2. Approves for immediate effect the amended Delegations Register appended to the draft Annual Plan and Budget for 1 July 2022 – 30 June 2023, and approves that the Executive Secretary's functions may be divided across council staff or contracted out as indicated in the Register by arrangement of the contributory Councils – recognising that relevant Council Unit Heads/Managers or Advisors may execute and integrate the delegated functions as necessary.



3. Requests that the contributory Councils recognise and support the executive and secretarial functions of the Authority being carried by council staff by making more provision for them, including provision for compliance, and consent and compensation processing.
4. Requests that the territorial authorities responsible for the protected land adjoining the Summit Road enable applicants for activities on that land to advance applications for such other consents, approvals, leases, licences, or any other permissions as the territorial authority may administer, without requiring the Authority's consent first (even though it may be required as a condition of such other permission).

Mark Saunders
Hautū | Executive Secretary

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





SUMMIT ROAD PROTECTION AUTHORITY
TE MANA TIAKI I TE ARA AKITU

Te Mana Tiaki I Te Ara Akitu Summit Road Protection Authority and its Advisory Committee MINUTES

Confirmation of Previous Minutes 26/3/2021

Date: Friday 26 March 2021
Time: 5.02pm
Venue: Boardroom, Beckenham Service Centre,
66 Colombo Street, Beckenham

Present

Authority Membership		Advisory Committee Membership	
Chair	Christchurch City Councillor Tim Scandrett	Chair	Paul Loughton - Summit Road Society Inc nominee
Members	Te Pātaka o Rākaihautū / Banks Peninsula Community Board Member Tori Peden	Members	Christchurch City Councillor Tim Scandrett Banks Peninsula Community Board Member Tori Peden Hana Walton - nominee of Te Hapū o Ngāti Wheke Dr Christine Dann - nominee of the Minister of Conservation Peter Graham - Landowner nominee Denis Aldridge - Landowner nominee Kelvin McMillan - Senior Policy Planner (open space expert)

26 March 2021

Executive Secretary

Mark Saunders

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The Summit Road (Canterbury) Protection Act 2001 is the statutory basis of the Summit Road Protection Authority and its Advisory Committee, and states that the Summit Road Protection Authority is a Joint Committee of:



The agenda was dealt with in the following order.

Te Mana Tiaki | Te Ara Akitu / Summit Road Protection Authority convened at 5.02pm.

1. Apologies for the Authority

Authority Resolved SRPC/2021/00001

That an apology for absence be received for Councillor Jeff Bland.

Authority Chair Scandrett/Member Peden

Carried

2. Declarations of Interest for the Authority

No declarations of interest were recorded.

3. Confirmation of Authority's Previous Minutes

Authority Resolved SRPC/2021/00002

That the Summit Road Protection Authority:

1. Confirms the minutes of the Summit Road Protection Authority meeting held on Friday, 6 December 2019.

Member Peden/Authority Chair Scandrett

Carried

4. Ratification of Authority's Decisions in Lockdown

Authority Resolved SRPC/2021/00003

That the Summit Road Protection Authority:

1. Ratifies the Authority's agreement by email exchange during the Covid-19 Lockdown on or about 31 March 2021 to adopt the Annual Report for the year ending 30 June 2019, and the Annual Plan and Budget for 1 July 2020 – 30 June 2021, and to approve levying \$0 from the contributory Councils for the year to 30 June 2021.

Authority Chair Scandrett/Member Peden

Carried

5. Membership Changes to the Advisory Committee

Authority Resolved SRPC/2021/00004

That the Summit Road Protection Authority:

1. Acknowledges the service of Dr Christine Dann to the Advisory Committee as the Minister of Conservation's nominee, noting her resignation to take effect subsequent to the meeting, and expressing its thanks and gratitude to Dr Dann for her time and expertise.
2. Affirms the appointment of Hana Walton to the Advisory Committee under section 9(1)(e) of the Summit Road (Canterbury) Protection Act 2001.

3. Affirms the appointment of Gill Jenkins to the Advisory Committee under section 9(1)(g) of the Summit Road (Canterbury) Protection Act 2001.

Authority Chair Scandrett/Member Peden

Carried

6. Public Participation / Te Huinga Tūmatanui

Te Huinga Whānui / Public Forum

No public forum presentations were received.

Ngā Huinga Whakaritenga / Deputations by Appointment

No deputations by appointment were received.

Ngā Pākikitanga / Presentation of Petitions

No petitions were received.

The Authority at 5.06pm adjourned to hear the consideration of its Advisory Committee which then convened with the Authority to reconvene at the conclusion of its Advisory Committee's meeting.

7. Apologies for the Advisory Committee

Committee Resolved SRPC/2021/00005

That the apologies for absence received from Ms Gill Jenkins and Councillor Jeff Bland be accepted.

Committee Chair Loughton/Member Dann

Carried

8. Declarations of Interest for the Advisory Committee

Paul Loughton declared an interest in Item 12, John Jameson Lookout.

9. Confirmation of Authority's Previous Minutes

Committee Resolved SRPC/2021/00006

That the Advisory Committee:

1. Confirms the minutes of the Advisory Committee meeting held on Friday, 6 December 2019.

Committee Chair Loughton/Member Dann

Carried

10. Christchurch City Council's Long Term Plan

The Advisory Committee accepted the recommended submission point on the City Council's Long Term Plan, to be delivered to the City Council through the **attached** letter tabled at the meeting.

Member Peden volunteered to speak to the submission with Authority Chair Scandrett in support.

Committee Resolved SRPC/2021/00007

That the Advisory Committee:

1. Recommends that the Authority makes a submission on the Christchurch City Council's Long Term Plan 2021-31 to: Request that the City Council gives appropriate prioritisation to the advancement of a Port Hills Management Plan in line with its resolution of 22 March 2018 to request that the 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.

Committee Chair Loughton/Member Aldridge

Carried

Attachments

A Submission to Christchurch City Council Long Term Plan 2021-31

11. Summit Road Safety (Discussion Item)

City Council Traffic Engineer, Andrew Hensley, updated the Advisory Committee on matters relating to the roads and road safety within the protected land, and the discussion canvassed:

- Roadworks on Dyers Pass Road
- Crash data
- Impact of speed limit changes
- Impracticality of extensive barriers/guardrails, signs, speed bumps etc.
- Work with Police on anti-social road behaviours
- Possibility of targeted community patrols
- Future of Worsleys Road

12. John Jameson Lookout

Marie Gray and Graham Densem on behalf of the Summit Road Society presented the **attached** PowerPoint presentation of the updated John Jameson Lookout design and referred to the Society's letter in the separately circulated attachments as addressing the Authority's previous request for comment on the matters set out therein.

They also discussed including pillars more substantial than shown in the artist's impression to secure gates to, noting that it was planned that the car park would be closed most nights with Council's security adding this closure to their current security rounds in the area.

The Head Ranger advised against using gates to secure the car park at night in light of the risk of vandalism, suggesting alternative options such as bollards or a chain. The Society was encouraged to follow the advice, though left to discuss with the Head Ranger outside this process.

The Head Ranger then discussed adding beside the car park a 25,000 litre water tank for firefighting, which he indicated would be well hidden with some screening, having a single hose link out to the car park. The Head Ranger indicated the water tank would not require a building or resource consent, though the Advisory Committee included the proposal in their resolution to make clear they deem it would not require their further consideration or approval.

With his addition to their resolution, the Advisory Committee accepted that it could recommend the Authority now confirm that the Summit Road Society had satisfactorily fulfilled the conditions of the Authority's resolution of 6 December 2019 that the lookout could be signed off under section

17 of the Act as having effects on the amenities that are no more than minor. The Summit Road Society needing to also independently obtain resource consent and remaining funding.

Councillor Scandrett requested that the Summit Road Society keep him, in his capacity as Chair of the City Council's Regulatory Performance Committee, informed in respect of the progress of the resource consent for the lookout.

Committee Resolved SRPC/2021/00008

That the Advisory Committee:

1. Recommends the Authority resolves under section 17 of the Act that the application by the Summit Road Society to improve the car park opposite the Sign of the Bellbird as described in their application, and the Head Ranger's proposal to incorporate a 25,000 litre water tank for firefighting beside it, does not require public notification (which would invite a hearing process), having effects on the amenities that are no more than minor.

Member Dann/Member Aldridge

Carried

Paul Loughton declared an interest in this item and took no part in the voting.

Attachments

A Presentation from Summit Road Society for John Jameson Lookout

13. Head Ranger's Update (Discussion Item)

City Council Head Ranger, Paul Devlin, updated the Advisory Committee on fire matters on behalf of Wayne Hamilton of FENZ, having noted his apology for absence. He discussed engagement occurring encouraging the public to think about their role in fire resilience, including how the selection of plant species can be relevant to fire resilience. He also discussed the relevance of their increased role in grazing regimes, stocking levels and roadside mowing.

Mr Devlin also updated the Advisory Committee on parks related matters in his own capacity as Head Ranger, noting upgrades to walking tracks and car parks, and noting opportunity to iconize the head of Rapaki Track with a landscaping plan, which he will keep the Authority informed of.

Mr Devlin also discussed the colouring of the strong points or bunkers on the protected land as not being vandalism, but as relevant to their heritage values.

Receiving feedback from the Committee Chair about broom overgrowing at Mt Ada, Mr Devlin indicated that broom control in this instance would not warrant the resource necessary at this time, though hearing further that the broom may be smothering plantings there, Mr Devlin indicated he would visit the site to assess.

Finally Mr Devlin noted need to keep raising the matter of developing a collective Port Hills Parks Plan, indicating it needs clarification what it needs to achieve and would warrant a workshop with the three relevant Community Boards.

14. Annual Report for the Year Ending 30 June 2020

The Advisory Committee accepted the Annual Report for the year ending 30 June 2020 as prepared for recommending to the Authority for adoption.

Committee Resolved SRPC/2021/00009

That the Advisory Committee:

1. Approves the Annual Report for the year ending 30 June 2020 and recommends it to the Authority for adoption.

Committee Chair Loughton/Member Dann

Carried

15. Draft Annual Plan and Budget for 2021-22

The **attached** revised draft Annual Plan and Budget for 2021-22 was tabled at the meeting having been earlier circulated (subsequent to original draft separately circulated) with highlighted revisions reallocating prospective provision for contributing to the development of a Port Hills Management Plan (aka Port Hills Parks Plan) to the Authority's reserve funds given this may require the agreement of the contributory councils, pending possible analysis as to how the management plan would relate to the Authority's functions and powers.

The funds remain prospectively available for the purpose through the reserve, though it was suggested that in the first instance the funding be pursued through the LTP submission to the City Council as it had previously resolved to develop a management plan as soon as possible.

It was considered that the reserve funds also insure the contributory councils against the expenses and liabilities of the Authority, which though prudently budgeted for can be uncertain, so it was considered cautious to not allocate to management plan development as 'expenditure' pending further exploration, though noting the importance of advancing a management plan to the purposes of the Authority and the vision for the Summit Road the Port Hills.

The Advisory Committee were also approving and appreciative of the management of the Authority's funds and resources allowing a nil levy on the contributory councils at this time.

The Advisory Committee thus accepted the revised draft Annual Plan and Budget 2021-22 tabled at the meeting for recommendation to the Authority for adoption, noting possible reason for holding its potential contribution to management plan development in its reserves pending exploration.

Committee Resolved SRPC/2021/00010

That the Advisory Committee:

1. Notes that expending on development of a management plan may require the agreement of the contributory councils and allocation for this is moved to the reserve funds in the revised draft Annual Plan and Budget tabled at the meeting to reflect this.
2. Approves the revised draft Annual Plan and Budget for 1 July 2021 – 30 June 2022 tabled at the meeting, and recommends it to the Authority for adoption.
3. Recommends that the Authority revoke pre-existing delegations, and approve for immediate effect (replacement) delegations as set out in the proposed delegations register appended to the revised draft Annual Plan and Budget for 1 July 2021 – 30 June 2022 tabled at the meeting.

Committee Chair Loughton/Member Aldridge

Carried

Attachments

- A Revised Draft Annual Plan and Budget 2021-22

16. Members' Information Exchange

The members briefly discussed what prospective structures on the protected land may require the Authority's consent in light of the potential impact of recent changes to the Building Act as affecting the size and nature of structures requiring building consent. It was noted in regard to structures that clarity from council officers around whether a building or resource consent is needed is relevant to when the Authority's consent is required.

The Advisory Committee concluded its meeting at 6.40pm, at which time the Authority reconvened to deliberate.

17. Authority Consideration of Item 10: Christchurch City Council's Long Term Plan

Authority Resolved SRPC/2021/00011 (Advisory Committee Recommendations Accepted Without Change)

That the Summit Road Protection Authority:

1. Makes a submission on the Christchurch City Council's Long Term Plan 2021-31 to: Request that the City Council gives appropriate prioritisation to the advancement of a Port Hills Management Plan in line with its resolution of 22 March 2018 to request that the 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.

Member Peden/Authority Chair Scandrett

Carried

18. Authority Consideration of Item 12: John Jameson Lookout

Authority Resolved SRPC/2021/00012 (Advisory Committee Recommendations Accepted Without Change)

That the Summit Road Protection Authority:

1. Resolves under section 17 of the Act that the application by the Summit Road Society to improve the car park opposite the Sign of the Bellbird as described in their application, and the Head Ranger's proposal to incorporate a 25,000 litre water tank for firefighting beside it, does not require public notification (which would invite a hearing process), having effects on the amenities that are no more than minor.

Authority Chair Scandrett/Member Peden

Carried unanimously

19. Authority Consideration of Item 14: Annual Report for the Year Ending 30 June 2020

Authority Resolved SRPC/2021/00013 (Advisory Committee Recommendations Accepted Without Change)

That the Summit Road Protection Authority:

1. Adopts the separately circulated Annual Report for the year ending 30 June 2020.

Member Peden/Authority Chair Scandrett

Carried

20. Authority Consideration of Item 15: Draft Annual Plan and Budget for 2021-22

Authority Resolved SRPC/2021/00014 (Advisory Committee Recommendations Accepted Without Change)

That the Summit Road Protection Authority:

1. Notes that expending on development of a management plan may require the agreement of the contributory councils and allocation for this is moved to the reserve funds in the revised draft Annual Plan and Budget tabled at the meeting to reflect this.
2. Adopts the revised draft Annual Plan and Budget for 1 July 2021 – 30 June 2022 tabled at the meeting, and approves levying \$0 from the contributory councils for the year.
3. Revokes pre-existing delegations, and approves for immediate effect (replacement) delegations as set out in the proposed delegations register appended to the revised draft Annual Plan and Budget for 1 July 2021 – 30 June 2022 tabled at the meeting.

Member Peden/Authority Chair Scandrett

Carried

Meeting concluded at 6.44pm.

UNCONFIRMED

**COUNCILLOR TIM SCANDRETT
AUTHORITY CHAIRPERSON**

**MR PAUL LOUGHTON
ADVISORY COMMITTEE CHAIRPERSON**

Confirmation of Previous Minutes 26/3/2021

ATTACHMENT B: DRAFT ANNUAL PLAN SUBMISSION



TE MANA TIAKI I TE ARA AKITU

SUMMIT ROAD PROTECTION AUTHORITY

30 March 2022

Annual Plan Submissions
Christchurch City Council
PO Box 73017
CHRISTCHURCH 8154

TE MANA TIAKI I TE ARA AKITU / SUMMIT ROAD PROTECTION AUTHORITY SUBMISSION ON THE CHRISTCHURCH CITY COUNCIL'S DRAFT ANNUAL PLAN 2022-23

The Summit Road Protection Authority is constituted under the Summit Road (Canterbury) Protection Act 2001 and deemed by that Act of Parliament to be a joint committee of Christchurch City Council and Selwyn District Council. The Authority, however, has independent statutory powers and purposes; the purposes of its constituting Act are:

- (a) 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;
- (b) to provide for the preservation and protection of natural amenities associated with land within the protected area;
- (c) to provide for the improvement of facilities for the public enjoyment of the scenic amenity and the natural amenities.

The Authority notes that the City Council on 22 March 2018 resolved to not approve the installation of proposed Prohibited Times on Road Restrictions for the Summit Road following a significant response to the public consultation indicating the high significance of the Summit Road to the greater Christchurch region.

The City Council also resolved at that meeting in March 2018 to request: “that the Port Hills Management Plan be advanced **as soon as possible** [emphasis added] 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 requests that the City Council in considering its draft Annual Plan makes provision to fulfil this resolution, and is mindful of the city-wide significance of the Summit Road.



The Authority has long seen the need for a management plan for the Port Hills to protect and enhance the area's amenities and facilities for the public enjoyment of its recreational, cultural, aesthetic, ecological and geological attributes. Its **attached** vision for the Summit Road and Port Hills, recommending the development of a management plan, was authored prior to the commencement of the Canterbury Earthquake Sequence, which clearly caused some interruption to its advancement, though the City Council has since resolved to advance a management plan as soon as possible.

The Authority and its Advisory Committee wish to make the following joint the submission: ***Request that the City Council gives appropriate prioritisation to the advancement of a Port Hills Management Plan in line with its resolution of 22 March 2018 to request that the 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 and its Advisory Committee:

- wish to thank the City Council for receiving this submission;
- acknowledge the long service of retired Council Senior Policy Planner, Kelvin McMillan, as the open space expert on the Advisory Committee until his recent retirement;
- thank the City Council for the support provided by Council staff and its systems they provide the Authority (noting the continued need for the fulfilment of its statutory role);
- wish to recognise that Council staff have often supported the Authority on top of their ordinary work and pro bono.

The advancement of a Port Hills Management Plan, together with the reform of the RMA and evolution of the ownership and management of the protected land since the enactment of the Summit Road (Canterbury) Act (originally in 1963) may support a vision for the Summit Road and Port Hills that supersedes the transformative role the Act had in fairly bedding in protection of Summit Road's amenities. In the interim, the Authority requests that the City Council make more provision for the executive functions of the Authority to be carried by council staff, including integrating compliance and consent and compensation processing as needed into Council systems and teams.

The Authority and Advisory Committee are composed of appointees/nominees as listed below of: Christchurch City Council (one delegated to Te Pātaka o Rākaihautū / Banks Peninsula Community Board), Selwyn District Council, Summit Road Society Inc., the Minister of Conservation, Environment Canterbury, Te Hapū o Ngāti Wheke Inc. (Rāpaki), and the other owners of the protected land.

Summit Road Protection Authority and its Advisory Committee

Cr Tim Scandrett, Cr Jeff Bland, Tori Peden, Paul Loughton, Hana Walton, Peter Graham, Denis Aldridge, Gill Jenkins





A New Vision For The Summit Road And Port Hills

“A Heritage Road Through A Park”

Executive Summary

A new vision for the maintenance and heritage development of the Summit Road is urgently needed. It is now over a century since the Road was first conceived and the first section of it was built. During that time there have been huge changes in the ways in which New Zealanders live and play. These have had a major impact on how the Road is used, and they also indicate how it could better be used.

The most important differences between then and now which affect the use of the Road are:

- Changes in private motor vehicle ownership and use patterns;
- Changes in outdoor recreation activities;
- Changes in attitudes and activities related to natural and human heritage conservation and interpretation, and;
- Changes in land use on the Port Hills and the increasing areas of land adjoining the road that are now in public and trust ownership.

All these changes mean that it is time to re-visit the original vision for the Road, and see how it can be reinterpreted to take into account a century of changes. While circumstances may have changed, the intentions of Harry Ell and others who brought the Road into being remain as valid as ever.

This paper;

- Examines what changed circumstances mean for the Summit Road today, in the light of the original vision of its founder, Harry Ell; and
- Outlines a vision for the Road which is appropriate to twenty-first century circumstances while still remaining true to the original vision of its creators.

This paper is intended as an orientation guide and resource for Community Boards, and for Council staff who have responsibility for parks, reserves and open spaces, outdoor recreation, roading and traffic management, tourism, natural and built heritage conservation and protection.

The Summit Road encompasses all these areas of interest and value. The Summit Road Protection Authority believes it is now time for Council to take an integrated approach to planning for the use of the Summit Road and surrounding areas which takes into account its multiple and overlapping values and uses.

Our vision of *A Heritage Road Through A Park* is intended to make it easier to understand how all these uses and values connect to each other, and to facilitate planning and development which will enhance all these aspects of the Road for those who come to enjoy the ‘summit experience’ which it offers.





1. The Summit Road then and now

The importance of the Summit Road and the sky line of the Port Hills as the landscape backdrop of the City of Christchurch, has been recognised by a special Act of Parliament for over 40 years now. For over 60 years the Summit Road Protection Society has provided strong community leadership and support in these matters. A number of landowners in the area have also made important contributions.

The Summit Road today has uses which were never envisaged by its creators. So does the surrounding land. Some of these users and uses enhance the recreational amenity and heritage values of the road, and some detract from it. The Summit Road Protection Authority has the following principal areas of concern with regard to the changes in the way the road is used today, which need to be addressed if the Road is to stay true to the purposes for which it was created – to give its users better access to natural beauty and recreation along the summit of the Port Hills.

a) Changes in private motor vehicle ownership and use patterns

When Sir Charles Bowen broke the first sod on the Summit Road in 1908, motor vehicles were a very recent invention and very few individuals or families owned a private motor vehicle. The Summit Road was not originally intended for use by motor cars, but rather by walkers, coaches and horse riders, and perhaps by some rugged cyclists. The rest houses on the road were intended for the benefit of tired, hungry and thirsty walkers and riders, not for motorists able to cart their own refreshments (or toss food and drink containers out of car windows on to the Road).

The Road was later sealed making it much more convenient for motorists, although its narrow and winding nature means it is still a challenging drive, albeit a very pleasant one if taken slowly. Since being sealed it has become a wonderful cycle route. Walkers are now perhaps better served by the Crater Rim Walkway, which loops around and across the Road, yet the Road itself may still offer the best views and photo opportunities, as well as access to historic sites.

Unfortunately, by the end of the twentieth century some motorists had begun making destructive use of the Road, and this destructive usage has become worse over the past ten years. The so-called 'boy racers' use the Road at night in ways which endanger other road users, damage the carriage way, and pose a threat to the surrounding land and vegetation from off-road car use, fire and leaking car wrecks. Also there has been many incidents of vandalism to signs, toilets and fences, the theft of stock and dumping of rubbish. The relative isolation of the Road means that policing such behaviour is difficult, and problems keep recurring. There is also a need for better fire-fighting facilities, possibly with helicopter access.

The Authority has spent many meetings deliberating on the best way to deal with this threat to the Road, and has come to the conclusion that the best way forward is to enhance the Road experience for bona fide users by upgrading the amenity status of the Road to *A Heritage Road Through A Park*. This would at the same time provide for stronger measures for traffic control





and restriction (such as those currently applied in Victoria Park) and hence better options for protecting the Road from misuse.

b) Changes in outdoor recreational activities

When the Road was built bicycles were the standard form of every-day personal transport, and were also used for carrying light loads. Bicycles have changed in the course of a century from heavy, gear-less machines, used by a majority for getting to school and work, to light, multi-geared machines used by a minority for mainly recreational purposes, such as road-touring, road racing and off-road ('mountain') biking.

The Summit Road is an increasingly popular destination and route for recreational cyclists of all kinds. This is totally within the spirit of the original vision for the Road, but raises safety issues when cycles share a narrow and winding road with modern motor vehicles. There are also issues around off-road biking on tracks and roadsides which are either intended primarily for walkers, or have vegetation that needs protection. Cyclists cannot damage the Road itself in the way in which motorists can, but they are quite capable of creating nuisances, from littering to traffic hazards. The Authority is of the view that cyclists as well as motorists need to be aware that the Road is not just any old race track. Tourist traffic along the Summit Road is increasing with greater use by campervans.

We consider that their safety, as well as their amenity, along with that of other road-users, would be enhanced by developing the Summit Road as *A Heritage Road Through A Park*.

c) Changes in attitudes and activities related to natural and human heritage conservation and interpretation, and changes in land use

When the Summit Road was conceived, most of the native forest on the Port Hills had been destroyed, the tui and several other native bird species had gone or become very rare, and there was only one bush reserve of any size which ran from the valley floor to the summit (Kennedy's Bush).

The purchase and preservation of Kennedy's Bush was Harry Ell's first big achievement with regard to conserving nature and providing public access to it. In his mind the Summit Road was primarily a route for improving public access to the unique natural heritage – geological, biological, ecological – of the Port Hills. It was also meant to give access to the glorious aesthetic values of the hill landscape itself, and the magnificent views of harbour, plains and mountains from the Hills. Ell was a friend of New Zealand's leading botanist (and premier ecologist) of the time, Dr Leonard Cockayne, and accompanied him on many botanical explorations. Their work built on the work of earlier notable Canterbury naturalists, such as Thomas Potts of Ohinetahi, and has contributed to that of their notable successors, such as Hugh Wilson.

Harry Ell was a leading exemplar of and advocate for the changing mindset towards native species and ecosystems which began to occur at the beginning of the twentieth century in New Zealand. Although Ell's dream of large roadside bush reserves every few miles across the Canterbury Plains never came to pass, once he focussed his energies on a particular place, his





beloved Port Hills, he was able to inspire others to take more care of their natural heritage, to conserve and enhance it.

By the end of the twentieth century Kennedy's Bush and the few other much smaller nature reserves adjacent to the Summit Road had been joined by a good number of other, much larger, reserves. Today almost three-quarters of the Road passes through or beside reserved land. (*See Appendix I – Map of the Summit Road and adjacent reserves*). Some reserves are being developed and maintained mainly for recreational purposes (mostly off-road biking and /or walking) while in others nature and biodiversity protection and restoration is the primary focus. Both types of reserve also provide landscape amenity, whether at close range or when viewed from the city.

The natural values and public use and amenity values of the land adjacent to the Summit Road are therefore much higher than they were when it was first built, and they have the potential to be further enhanced with careful planning and development work. In addition, the Road now has its own intrinsic heritage value, and its stories are part of Canterbury's history. It has the historic rest and refreshment houses which Ell envisaged, although today only the Sign of the Kiwi is fully functional in this regard. It has old milestones, horse troughs, gateposts, and stone seats.

Over this time pastoral farming activity on the Port Hills has been reducing as market conditions have changed and more land has been acquired for reserves.

The Authority believe that the time has come to better recognise, protect and celebrate the heritage of the Road itself, as well as to integrate its management with the now extensive areas of public and trust land adjoining.

d) Changes in administrative arrangements

Over recent years the number of local Councils having jurisdiction over the Port Hills has reduced from five to just two, the Christchurch City Council and the Selwyn District Council. Since the original Summit Road Protection Act of 1963, the Resource Management Act was passed in 1991 providing the potential for District Plans to better achieve many of the outcomes sort by the 1963 Act.

2. A Vision for the Future

A century of change has brought good things for much of the land beside the Road, with more conservation and restoration of nature and more opportunities for outdoor recreation. At the same time it has created problems for the Road itself, and for recreational users of the Road. Further, it has created problems with regard to the proper recognition, protection and enjoyment of the now historic sides and artefacts along the Road.

The role of the Authority is to safeguard the Road from inappropriate development, and to protect and promote (as far as its budget allows) the heritage and landscape values of the Road and adjoining land. (*See Appendix II – The Role of the Summit Road Protection Authority*). The





Authority does not own the Road nor have the powers to regulate its daily use. It can only advise those with these powers on how to best manage the Road, so that the purposes for which it was built are protected, and where possible enhanced.

The Authority is the statutory guardian for the Road and its purposes, and it is from this position of knowledge of and responsibility for the Road that we have developed a twenty-first century vision for the Summit Road – a vision of *A Heritage Road through A Park*. This concept included measures aimed at enhancing the Road's status, protecting its heritage, promoting its values, and streamlining and improving its management. Specific actions which we would like to see taken to these ends are given in the Recommendation. The important elements of the vision are sketched out below.

a) Improved status for the Road

While the Summit Road is arguably the highest status road in the whole country, by virtue of having its own unique Act of Parliament, this fact is hard to reconcile with the reality of the Road itself today. Travelling along the Road and seeing the extent of vandalism on the roadway and its adjacent features, and also seeing that there is almost nothing by way of signage or interpretation that indicates that this is a special road, and tells the traveller what its special nature consists of, one would be forgiven for thinking that the Road is just a sealed track, of no special value or merit. Only the solidly-built Sign of the Kiwi gives any hint that this road was meant to be something special.

The Christchurch City Council web page for visitors informs them that “travelling by foot or wheel, the Summit Road winds tantalisingly around the rims of two extinct volcanoes and offers the traveller enough scenic views to fill a lifetime”. Correct grammar and geology are not the only things lacking in this sentence. It does not tell visitors how to get to the Road, let alone all the other things that are special about it. Nor are there links to a page with a map of the Road, a history of the Road, information on natural features to be seen from the Road, or anything else that would really encourage a visitor to experience what the Road has to offer. (By contrast, there are links to visitor attractions of much lesser historic, natural and recreational value, such as the restaurant tram).

In the Authority's view this is a great opportunity missed. We would like to work with the Council in improving the status of the Road so that it is both a draw card for visitors (encouraging them to stay longer in Christchurch, when they find out that they can have a great encounter with nature and some recreational thrills right here, and don't need to go further south), and for citizens who can come to this natural playground regularly.

The best way to do this is to manage and promote the Road in a way which is consistent with what it has to offer – hence the concept of *A Heritage Road Through A Park*. The Road needs its own integrated management plan which recognises that:

- Most of the Road now passes through or runs beside reserve lands with public access ie it is a road through a de facto park, and
- The Road is of significant historical value in itself ie it is a heritage road.

An integrated management plan for the Road would use these two concepts as its guiding principles.





It would also make explicit provision for remedying the major problems which are currently stand in the way of realising the *Heritage Road Through A Park* vision. These are outlined in (b) and (c) below:

b) Better indication and interpretation of the Road

The Summit Road needs proper signage at appropriate points eg Evans Pass, Dyers Pass, Gebbies Pass which indicate that the Road begins, ends or continues at these points. These signs can be simple (ideally of stone and wood) and need only indicate the name of the Road. They should also be all of the same design.

Signage for reserves and tracks beside and leading from the road also needs to be improved to a more uniform and consistent standard. Interpretation panels are needed at or close to key features on the Road, and/or at the points of entry to the Road. The Authority currently has some money in its budget allocated for signage, including interpretative panels, and would like to work in with the Council to make its contribution to better signage and interpretation for the whole road.

c) Better protection for the Road and its users

The Road itself, and roadside structures, including car parks, are being regularly damaged by motorised vandals. Dangerous driving also puts other road-users at risk. It is not possible to police such behaviour adequately, and therefore other preventive measures must be considered.

These could include reducing the speed limit on the Road, and closing all or part of the Road to motor vehicles (except for the passes, and with provision made for residents who live beside the road) between dusk and dawn.

The Road is not an essential route to anywhere, and while closing the road to cars would be somewhat inconvenient to residents along the Road, as well as to those few citizens who find it a pleasant place for peaceful night-time driving, it would be easy to ascertain if the majority of residents prefer this inconvenience to destructive drivers on the road at night, while bona fide night-time drivers would surely appreciate the public good reasons for a night-time closure.

All recreational drivers and other users of the Road would also be reconciled to any speed restrictions and closures by knowing that as a result the Road would be safer and more pleasant to use.

3. Further Work

Further work needs to be undertaken to investigate how the integration of the management of public reserves and private trust lands with the Summit Road itself, can better promote the objectives of the Summit Road Protection Act and further the concept of a “Scenic Drive” or “A Heritage Road Through A Park”, and ensure that in the ongoing management and planning of the Port Hills, the original vision of Harry Ell to develop a scenic roadway along the summit is not lost.





In particularly this work would establish:

- An overview of the present patterns of reserves/trust lands along the Summit Road between Evans Pass and Gebbies Pass.
- An overview of existing management plans and goals/objectives for existing reserves and trust lands and previous studies into these matters.
- An understanding of the purpose, function and classification of the Summit Road from Evans Pass to Gebbies Pass.
- Establish the views of existing management personnel of reserves/trust/roads and identify issues, problems and opportunity and possible forms of future management.
- Identify statutory restraints that may limit opportunities for developing the vision.
- Possible scope of concept in terms of adjoining reserves such as Godley Head, how far down the hill it should extend, retention of access to private land, and links with the Gondola, 'Sign of the Kiwi', Bridle Path and Rapaki Track, and the development of wider cycleways across Banks Peninsula.
- Examples with illustrations of similar 'scenic drives' in New Zealand and overseas.
- Identify and illustrate opportunities and ways ahead that would help achieve of the vision.

4. Recommendation

That the Christchurch City Council investigate the ways in which improving the status of the Summit Road to *A Heritage Road Through A Park*, including developing an integrated management plan for the Road and adjacent reserve land would meet the objectives of both the Council and the Summit Road Protection Authority, (within its jurisdiction) with regard to enhancing the heritage and natural values of the road and adjacent reserves, making it a safer and more enjoyable place for all users.

Appendix I – Map of the Summit Road and adjacent reserves

Appendix II – Background to the Summit Road Protection Authority





Appendix I

Map Of The Summit Road And Adjacent Reserves





Appendix II

Background to the Summit Road Protection 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, the Canterbury Regional Council. In 1993 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.

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 above a line running about 30 metres below the Summit Road.

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

- Regulation
- Advice and advocacy
- Provision of interpretative facilities
- General administration

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

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





TE MANA TIAKI I TE ARA AKITU

SUMMIT ROAD PROTECTION AUTHORITY

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

**ANNUAL REPORT
For the year ending
30 June 2021**

Hautū | Executive Secretary

Mark Saunders

Telephone: (03) 941 6436

Email: mark.saunders@ccc.govt.nz

Address for Service:

Te Hononga / Civic Offices

53 Hereford Street

PO Box 73016

Christchurch 8154

CONTENTS

	Page
1. Introduction	1
2. Functions of the Authority	1
3. Membership of the Authority and Advisory Committee	1
4. Significant Activities of the Authority	2
5. Financial Report	4

Appendices

1. Membership	5
2. Map of Protected Area	6
3. Receipts and Payments Account	7



1. INTRODUCTION

This is the 26th Annual Report of the Summit Road Protection Authority and relates to the period 1 July 2020 to 30 June 2021.

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 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 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 within the term of the 2019-22 local government electoral triennium continues to be Councillor Tim Scandrett (appointed to the Authority by the Christchurch City Council). The other Authority members continue to be Community Board Member Tori Peden (appointed by Te Pātaka o Rākaihautū / Banks Peninsula Community Board, under its delegation from the Christchurch 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 above-named appointees of the Christchurch City Council to the Authority);
- one member nominated by the Selwyn District Council (again, typically, and currently, identical with the above-named appointee of the Selwyn District Council 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 vacant following the resignation of Dr Christine Dann following the last meeting);
- 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 (which was Mr Kelvin McMillan for this reporting year, though he has since retired);
- one member appointed on the nomination of either Te Papatipu Runanga o Rapaki or te Runanga o Ngai Tahu (currently Ms Hana Walton); and
- one member appointed on the nomination of Canterbury Regional Council (Environment Canterbury) (currently Ms Gill Jenkins).

The Chairperson of the Advisory Committee is currently Mr Paul Loughton (the nominee of the Summit Road Society).

With the resignation of Advisory Committee Members, Dr Christine Dann and Mr Kelvin McMillan, their highly valued and long service to the Advisory Committee is acknowledged.

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 the Summit Road Society related to the John Jameson Lookout opposite the Sign of the Bellbird. Pursuant to section 17 of the Act, the Authority granted approval for the Lookout (and the Head Ranger's proposal to incorporate a 25,000 litre water tank for firefighting beside it) as having no more than minor effects on the amenities.

(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 a further submission to the Long Term Plans of the Christchurch City Council in 2021.

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 may continue to do this where programmes are consistent with the purposes of the Act.

(c) General administration

One meeting of the Advisory Committee and the Authority was held during the year. The attendance fee for members is \$120 (except members elected to, or employed by, a council do not take a fee). The Authority lacks formal arrangements for its administration and has relied on the generosity of Christchurch City Council staff and systems to support it following the retirement of John Dryden as Executive Secretary. The resulting cost savings have assisted in the Authority reducing its annual levy of the contributory councils to nil for the present.

5. FINANCIAL REPORT

Income for the year ending 30 June 2021 was \$0 being the total levy on the two contributing councils. Direct expenditure was \$536.52.

The Summit Road Protection Authority has accumulated the sum of \$138,719.82 (as at 30 June 2021) to cover its expenses and liabilities.

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

Activity	Actual Expenditure¹ \$	Actual Income¹ (from annual levy)	2020/21 decrease in accumulated funds¹ (transferred from Summit Road Protection Authority accumulated fund)
General administration	\$536.52		
	\$536.52	\$0.00	\$536.52

¹ Excludes GST

Mark Saunders
Hautū | Executive Secretary

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



APPENDIX 1

MEMBERSHIP

As at 30 June 2021

Summit Road Protection Authority

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

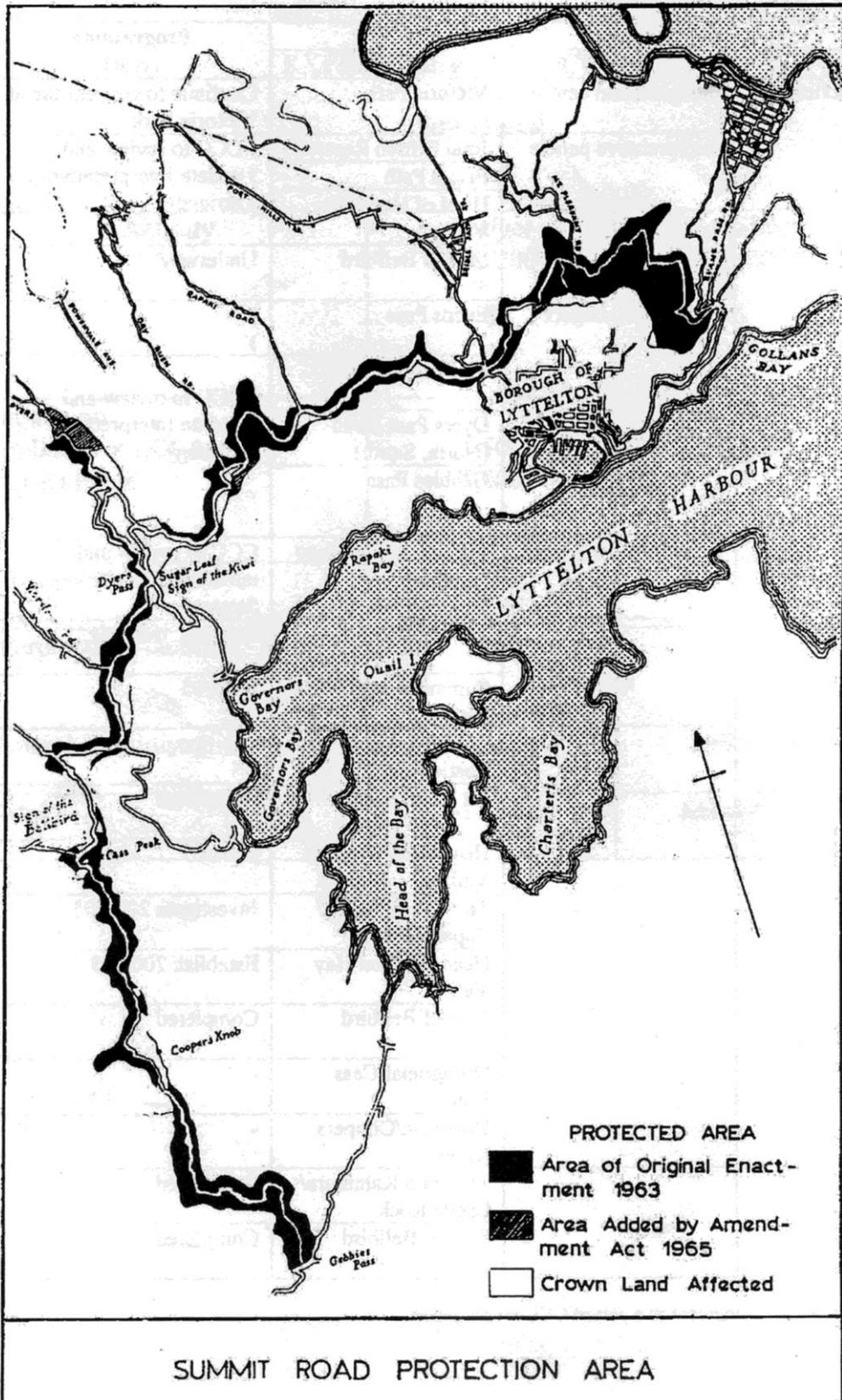
Summit Road Advisory Committee

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	Vacant
Summit Road Society Inc. nominee	Mr P Loughton (Chair)
Te Papatipu Runanga o Rapaki/ Te Runanga o Ngai Tahu nominee	Ms Hana Walton
Environment Canterbury nominee	Ms G Jenkins
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)

APPENDIX 2



APPENDIX 3

**Summit Road Protection Authority
Receipts and Payments Account
01 July 2020 to 30 June 2021**

Opening Balance as at 01 July 2020		\$ 139,256.34	(Credit)
RECEIPTS			
906/105/2 Levies	<u>\$ (0.00)</u>		
TOTAL RECEIPTS		\$ (0.00)	
PAYMENTS			
906/105/1 General Expenses	<u>536.52</u>		
TOTAL PAYMENTS		\$ 536.52	
Closing Balance as at 30 June 2021		<u><u>\$ 138,719.82</u></u>	(Credit)



TE MANA TIAKI I TE ARA AKITU

SUMMIT ROAD PROTECTION AUTHORITY

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

**Annual Plan and Budget
2022 / 2023**

Hautū | Executive Secretary
Mark Saunders
Telephone: (03) 941 6436
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Address for Service:
Te Hononga / Civic Offices
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Christchurch 8154

CONTENTS

	Page
1. The Authority and Advisory Committee	2
2. Introduction	2
3. Functions of the Authority	3
4. Membership	3
5. Significant Activities of the Authority	4
6. Work programme 2022-2023	5
7. Proposed Budget for 2022-2023	8
8. Local Body Levy 2022/23	9
 Appendices	
A. Protected Area Map	10
B. Delegations Register	11

1. SUMMIT ROAD PROTECTION AUTHORITY AND ADVISORY COMMITTEE

Summit Road Protection Authority	
Selwyn District Council	Cr Jeff Bland
Christchurch City Council	Cr Tim Scandrett (Chair)
Christchurch City Council	Ms Tori Peden
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 Jeff Bland
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	Ms Hana Walton
Environment Canterbury nominee	Ms Gill Jenkins
Contributory Councils' nominee having a knowledge of open space and park management.	To be confirmed

2. INTRODUCTION

The Summit Road Protection Authority's Annual Plan and Budget for 2022/23 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 2022 - 30 June 2023, 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 (SRP Act). 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 SRP 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 2021 Annual Report was approved by the Authority in March 2022.

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.

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 SRP Act is the primary responsibility of the Authority. The SRP 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, and applications for the amendment or removal of land from the protected area, are determined in accordance with the provisions of the SRP Act and the Delegations Register at **Appendix B**.

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 SRP 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 SRP 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 SRP 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.

The Authority budgets for remunerating an Executive Secretary as potentially its most significant regular expense. Administrative services are provided by Christchurch City Council staff currently without charge, acknowledging that any charges would need to be paid by levying the contributory Councils.

(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 2022/23

The following projects comprise the Authority's proposed work programme for 2022/23.

(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 the 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 advice in the consideration and hearing of applications.

Under section 8 of the SRP 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 SRP 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 SRP 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.

Under section 21 of the SRP 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 SRP 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 SRP 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 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 and appropriately buffers the contributory Councils.

(b) Port Hills Management Plan

The Port Hills Parks Plan (the '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. Use of reserve funds for this purpose may require the approval of the contributory councils, and nearly \$50,000 is held in reserve either as insurance against levying the councils for uncertain expenses/liabilities that may exceed their allocation herein, or as available (if approved, should approval be necessary) to offer to the City Council to enable the advancement of the Plan.

(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 in need of making arrangements for its administration and accordingly \$24,000 is set aside for this purpose. However, this budget would usefully be redirected to the contingency/reserve buffering the contributory councils from being levied in relevant event, should it be possible to advance work proposed to advance integration of the administration and servicing the functions of the Authority into the existing planning and compliance departments of the councils for their better and more efficient functioning.

(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 SRP 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. Legal action if necessary may be deferred to levy the contributory councils the cost.

(f) Review of the SRP Act as part of the Reform of the Resource Management System

Part of the impetus for the Authority supporting the advancement of a Port Hills Management Plan is its anticipated furtherance of the Authority's vision for the future of the protected land, recognising that its ownership and management has evolved since the SRP Act was enacted. This evolution, the recognition in the District Plan that the protected land is an outstanding natural landscape, and the impending reform of the Resource Management (RM) system, prompt the logic of inviting a review of the SRP Act in this period as part of the reform.

Accordingly, Council staff may talk with the Authority about including in Council feedback on the reform of the RM system recommendations affecting, or suggesting review of, the SRP Act.

The Authority has advocated for the advancement of a Port Hills Management Plan as part of its vision for the future of the Summit Road. The Authority's vision document recognised the evolution of the protected land's management and the regulatory environment pointing toward when it would be recognised that the advancement of the SRP Act's purposes would outstrip its mechanisms, which have become dated. The potential cost on the ratepayer of protecting the amenities of the Summit Road and relevant strip of adjoining land that the SRP Act imposes should no longer be necessary, it may be considered, to that protection 60 years on from the first enactment of the SRP Act bedding in restrictions with land owners, and availing compensation.

It may be considered that the SRP Act has fulfilled its scheme of bedding in with land owners protection of the amenities and reform is now needed to confirm the Authority's

expectation of amenity protection without undue burden on the ratepayer, and to better advance the SRP Act’s purposes in the present circumstances, which have changed and evolved since the SRP Act’s original enactment.

Anticipating that reform of the RM system could lead to repeal of the SRP Act, it would be intended to engage with Council staff on including feedback on the reform advocating the protection (possibly better protection than the SRP Act enabled) of the Summit Road’s amenities, and alongside this advocating for the advancement of the Port Hills Management Plan. It would be intended to suggest that the Authority’s accumulated fund could, with the agreement of the contributory Councils, be paid for the development or implementation of the Port Hills Parks Plan if the SRP Act were repealed further to the reform.

Work needs to be continued in the interim on ensuring arrangements for the Councils to staff the processing of applications and the Authority’s functions more generally unless and until this need is dissipated through reform.

A summary of the proposed programme of work for the year 2022/23 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 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 2022/23

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"> • Applications / legal advice • District Plan / Policy Statement Reviews • Appeals / legal advice • Contingencies reserve 	\$10,000 \$10,000 \$10,000 \$15,000
Port Hills Management Plan <ul style="list-style-type: none"> • Submitting 	\$10,000
General administration	\$24,000
Enforcement	\$10,000
Total Prospective Expenditure	\$89,000

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

Source	Funding
Local body levy (2022 /23, \$0)	\$0
Reserve funds (\$138,719.82)	\$89,000
Total Prospective Expenditure	\$89,000

Note: Residual Funds in reserve = \$49,719.82

8. LOCAL BODY LEVY 2022/23

It is proposed that the Authority levy for 2022/23 be set at \$0, as it was last year; it had been \$14,500 or \$17,500 in annual budgets before the Authority came to be supported by council

staff prepared to step up and act as Executive Secretary largely pro bono. This arrangement might be made more sustainable if the contributory Councils arrange to recognise and make allowance for the servicing of the Authority to receive adequate provision of staff time and be integrated where possible within existing council processes.

It was hoped at the present time to not impose more than necessary on the contributory Councils while they deal with the extra costs of the COVID-19 pandemic, and that the advancement of a Port Hills Parks Management Plan as the Christchurch City Council has committed to would mitigate and assist what the Authority could need to be funded for.

The above proposed budget represents an allocation of funds for potential professional and administrative fees, contingencies, and opportunities for substantive input into upcoming plans and reviews. The funds held in reserve contemplate that there could be a case to contribute to the development of the Port Hills Parks Plan. The reserves for legal fees and contingencies are modest, though they have not been drawn on in recent years.

It is unknown when and if the proposed expenditure may occur, and it may be necessary to levy substantially more in short order outside the annual levying process if the Authority incurs fees or liabilities in excess of those allocated for. It is assessed, however, that the Authority holds reasonable reserves at this time in the current circumstances. 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.

There remain funds to pay for administration and advice; the nil levy reflects the work has recently been done by Christchurch City Council staff without charge. 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. This reflects the dedication of all involved to the work of the Authority, and also reflects that the Authority is keen to demonstrate solidarity in not imposing on the contributory Councils unnecessarily at this time the country is uniting in recovering from COVID-19 Lockdowns.

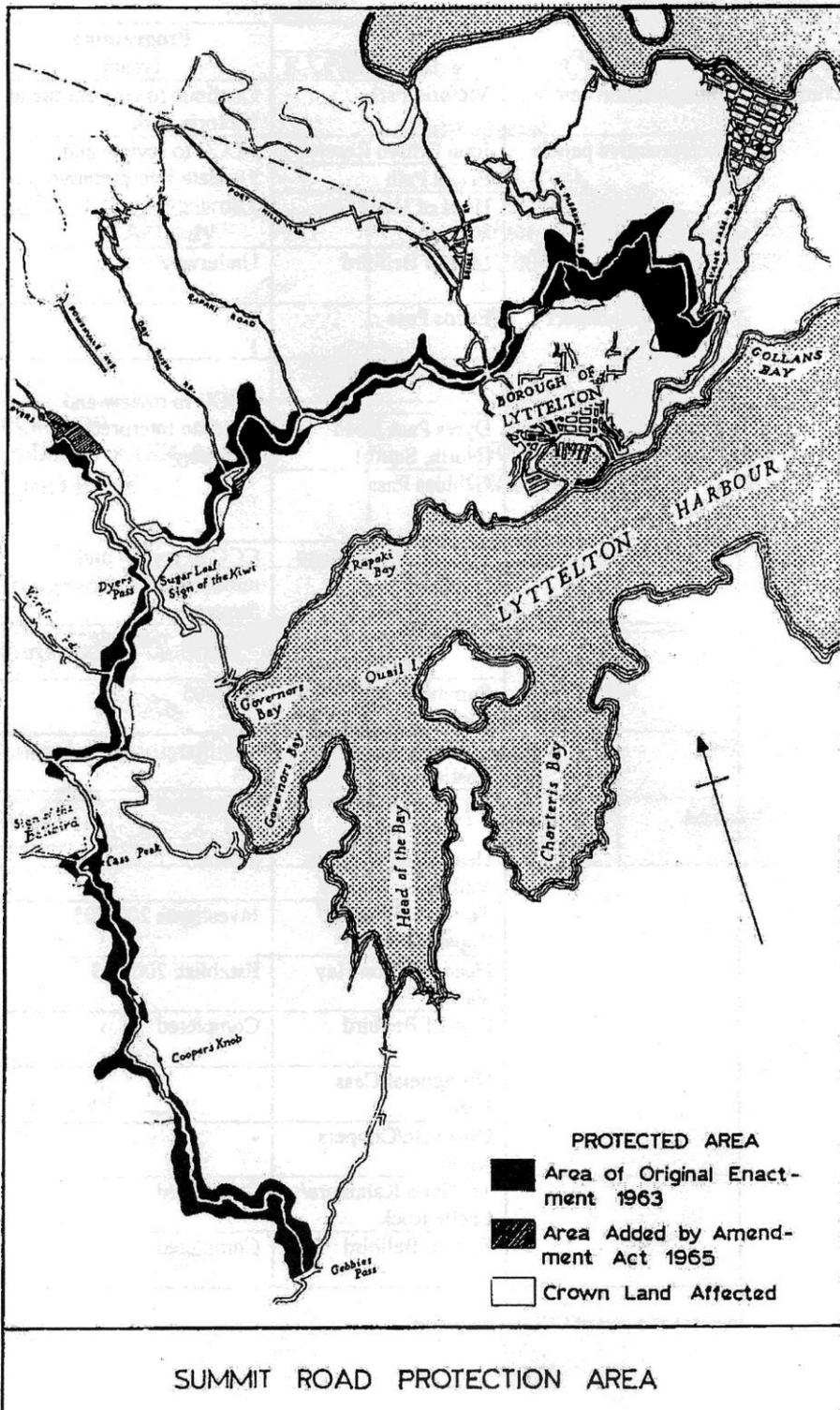
It would be hoped that the contributory Councils direct the immediate savings on the annual levy to the advancement of the Port Hills Parks Plan and ensuring their planning and compliance departments are available and resourced to service and integrate the Authority's functions, since such investment would be assessed to reduce the possible costs arising from leaving the Authority unassisted, and the risk to the Councils, since the Authority's costs and liabilities ultimately must be levied from the contributory Councils.

Section 25 of the Summit Road (Canterbury) Protection Act 2001 sets out the apportionment by which Christchurch City Council and Selwyn District Council must fund the Authority, including compensatory awards incurred for the preservation of the amenities of the protected land.

Mark Saunders
Hautū | Executive Secretary

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





**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 (or any Christchurch City Council or Selwyn District Council staff member being a manager* or committee/hearings/community board advisor known to the PAC as being acting ES)	ES
Open Space Expert – s9(1)(f) appointed (or pending nominee of the contributory councils)	OSE
Christchurch City Council Legal and Democratic Services (any manager*, in-house counsel, or committee/hearings advisor within the unit)	LSU

* Council managers may also nominate council or contracted planners, compliance officers, lawyers, process servers or other relevant technical/service specialists to complete a delegated task (by way of sub-delegation)

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 or LSU
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 or LSU
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 LSU 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 or LSU
11(3)	Deciding who has a greater interest in the proposal than the public generally.	ES or LSU 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 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 or LSU or OSE or PAC or 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 or LSU
14(1)	Assessing acceptability of submissions.	ES or LSU
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 or LSU
14(4)&(7)	<p>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.</p> <p>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.</p>	PA or AC
14(5)	The Authority is satisfied that it is impracticable to commence the hearing within that period.	ES or LSU
15	Whether to hold hearing jointly.	PAC or ES or LSU
16(1)	Sending copy of public notice.	ES or 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) (as per s17(2)(a) requires unanimity)
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 LSU 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 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 (or ES or LSU or their nominee after consulting with PAC)
29	Taking any enforcement or restorative action allowed under s29.	PAC or OSE or ES or LSU or their nominee
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 or ES
Various	Anything not otherwise specified above	PAC or ES or LSU

FINANCIAL DELEGATIONS

Delegation	Terms/Limitations	Delegated to:
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 LSU
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 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 LSU
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 use/contribute/reverse reserve funds with the agreement of the contributory councils for the development of a Port Hills Management Plan or for otherwise advancing a vision for the Summit Road and Port Hills.	Discretionary activity	PA (undelegated)

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 or LSU
To expend the enforcement budget on matters of enforcement.	Discretion may be exercised in enforcement matters.	ES or LSU
To expend the enforcement budget on auditing or restoring protected land.	Discretionary activity	ES or LSU or OSE
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 or LSU
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