



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: Tuesday 28 March 2023
Time: 3.30pm
Venue: Boardroom, Beckenham Service Centre,
66 Colombo Street, Beckenham

Authority Membership		Advisory Committee Membership	
Members	Cathy Lum-Webb (Te Pātaka o Rākaihautū Banks Peninsula Community Board)	Chair	Paul Loughton - Summit Road Society Inc nominee
	Keir Leslie (Waihoru Spreydon-Cashmere- Heathcote Community Board)	Members	Christchurch City Council nominees (pending)
	Councillor Grant Miller (Selwyn District Council)		Selwyn District Council nominee (pending)
			Hana Walton - Rūnanga nominee
			Minister of Conservation nominee (pending)
			Peter Graham - Landowner nominee
			Denis Aldridge - Landowner nominee
			Nominee with knowledge of open space & park management (pending)
			Gillian Jenkins - Environment Canterbury nominee

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.	Apologies for the Authority	3
2.	Declarations of Interest for the Authority	3
3.	Election of a Chairperson and Deputy Chairperson	3
4.	Arrangements following the 2022 Local Government Elections	3
5.	Te Huinga Tūmatanui / Public Participation.....	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.	Summit Road Safety Update	5
9.	Legislative Reform	5
10.	Annual Plan Submission	5
11.	Section 17 Waiver Recommendation – Sauna	6
12.	Annual Report for the Year Ending 30 June 2022	9
13.	Draft Annual Plan and Budget for 2023-24	9
14.	Members' Information Exchange	10

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

15.	Authority Consideration of Item 11: Annual Plan Submission	10
16.	Authority Consideration of Item 12: Section 17 Waiver Recommendation	11
17.	Authority Consideration of Item 13: Annual Report	11
18.	Authority Consideration of Item 14: Annual Plan and Budget for 2023-24	11

ATTACHMENTS

A.	Explanation of Systems for Electing a Chairperson and Deputy Chairperson	12
B.	Draft Annual Plan Submission (with appended vision document)	13
C.	Draft Annual Report for the Year Ending 30 June 2022	23
D.	Draft Annual Plan and Budget for 2023-24	32



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. Election of a Chairperson and Deputy Chairperson

Explanation of the alternative systems for electing a Chairperson and Deputy Chairperson in accordance with clause 25 of Schedule 7 to the Local Government Act 2002 is outlined in **Attachment A**. The Authority first determines by resolution which system of deciding its Chairperson and Deputy Chairperson to adopt, then proceeds to implement that system.

Officer Recommendations

That the Authority:

1. Adopts, by resolution, whether it will use System A or System B to elect a Chairperson and Deputy Chairperson.
2. Proceeds to elect a Chairperson, and Deputy Chairperson to fulfil the role and delegations of the Chairperson whenever the Chairperson may be unavailable.

4. Arrangements following the 2022 Local Government Elections

4.1 Following the 2022 local government elections:

- Selwyn District Council has appointed Councillor Grant Miller to the Authority.
- The appointment that previously sat with Banks Peninsula District Council, prior to its amalgamation with Christchurch City Council (CCC), was delegated by CCC to the Te Pātaka o Rākahautū Banks Peninsula Community Board, who have appointed Cathy Lum-Webb to the Authority.
- CCC has delegated its other appointment to the Waihoru Spreydon-Cashmere-Heathcote Community Board, who have appointed Keir Leslie to the Authority.

4.2 The Authority appoints an Advisory Committee comprising two members nominated by CCC, one by Selwyn District Council (together being the 'contributory councils'), one by the Minister of Conservation, one by Summit Road Society Inc., one by te Papatipu Rūnanga o Rapaki (or te Rūnanga o Ngāi Tahu), one by Environment Canterbury, one by the contributory councils as having knowledge of open space and parks management, and two by the owners of the protected land not otherwise represented on the Committee.

4.3 The Authority appoints the representatives of the contributory councils to the Advisory Committee on their nomination, which for efficiency have been the same elected members appointed to the Authority.

4.4 Kelvin McMillan, the last expert in open space and parks management from the City Council, has retired. The City Council has delegated to its Head of Strategic Policy and Resilience to nominate a new expert to the membership. Head Ranger Port Hills & Banks Peninsula, Paul



Delvin, has been nominated to fulfil this role. Mr Devlin has previously attended meetings to present on his work as Head Ranger and what is happening more generally on the Port Hills, providing knowledgeable insight into the management of the parks and open space surrounding the Summit Road.

- 4.5 The City Council's Head of Strategic Policy and Resilience, David Griffiths, is also coordinating arrangements in this new term for supporting the role of the Authority.
- 4.6 Andy Thompson, the Operations Manager Mahaanui District from the Department of Conservation may attend meetings pending him assisting to identify a nominee of the Minister of Conservation to replace Dr Christine Dann as the last appointment to this role prior to her retirement.

Officer Recommendations

That the Authority:

1. Appoints Grant Miller, Cathy Lum-Webb and Keir Leslie as members of the Advisory Committee under section 9(1)(a) of the Summit Road (Canterbury) Protection Act 2001 to represent the contributory councils.
2. Appoints Paul Devlin as the member of the Advisory Committee under section 9(1)(f) of the Summit Road (Canterbury) Protection Act 2001 as the open space and parks management expert.
3. Confirms no change to the other appointments to the Advisory Committee as carrying over to this term.
4. Approves the Christchurch City Council's Head of Strategic Policy and Resilience to make arrangements as appropriate for supporting the role of the Authority.
5. Adopts the Christchurch City Council's current Standing Orders for the term.

5. Te Huinga Tūmatanui / Public Participation

5.1 Te Huinga Whānui / Public Forum

There were no public forum presentations signalled at the time the agenda was prepared.

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. Summit Road Safety Update

Briefing update from City Council Traffic Engineer.

9. Legislative Reform

- 1.2 Discussion item on the prospect for legislative reform affecting the Port Hills.
- 1.3 Discussions with Ministry for the Environment staff endeavouring to explore options within the Government's reform of the resource management (RM) system revealed they lacked any mandate that could allow for real reform of the Summit Road (Canterbury) Protection Act 2001; their work having limited effect to essentially merely updating references to the Resource Management Act (RMA) with references to the replacement legislation, leaving the issues with the SRP Act unexplored.
- 1.4 It has previously been discussed that seeking reform of the SRP Act would be timely in light of its limitations, duplication with the broader RM system, unnecessary costs, the evolving ownership and management of the protected land, and the need for a scheme that better supports biodiversity restoration, development of better planning tools for the management of the Port Hills, and water access and storage along Summit Road as part of a new scheme that explicitly deals with fire management and community resilience.
- 1.5 Discussions with Ministry for the Environment staff and City Council staff indicate that the way forward in this respect will be an approach to the local MP about embarking on the process of developing a local bill to reform the SRP Act, which should consider the prospect of repeal with a view to the broader RM system and some form of Port Hills Management Plan or Master Plan being better tools for removing the issues of the SRP Act and employing an Act of Parliament more generally to address local issues that could be better, and more adaptively addressed by the local authorities in consultation with the community, than they could be by central government.
- 1.6 This discussion may support the Authority members and staff in further exploring options for reform.

10. Annual Plan Submission

- 1.7 Consultation on the Christchurch City Council's Annual Plan 2023-24 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.
- 1.8 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.
- 1.9 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, acknowledged that is considering



its last Annual Plan the City Council did note that a Port Hills Management Plan will be considered during its 2024/34 Long Term Plan process.

- 1.10 The Chair of the Authority at the time was heard on the issue by the City Council in 2019 in relation to their Annual Plan at that time and the recording can be found here: <https://councillive.ccc.govt.nz/meeting/item-1-apologies-138/item-3-grant-miller-for-summit-road-protection-authority/>. The Authority was also heard last year as recorded here: <https://councillive.ccc.govt.nz/meeting/item-3-waimaero-fendalton-waimairi-harewood-community-board-board-chair-bridget-williams-2/item-3-summit-road-protection-authority-tori-peden/>.
- 1.11 Given the City Council did include the noting provision last year to consider a Port Hills Management Plan during its 2024/34 Long Term Plan process, the Authority can consider whether it wishes to be heard this occasion as a reminder of that or it may prefer to await the Long Term Plan process to review that opportunity to be heard.
- 1.12 The advancement of a Port Hills Management Plan, together with legislative reform 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 functions of the Authority being carried out by council staff.

Officer Recommendations

That the Advisory Committee recommends that the Authority:

1. *Makes the attached submission on the Christchurch City Council's Annual Plan 2023-24 (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.*

11. Section 17 Waiver Recommendation – Sauna

- 11.1 An application for approval of a sauna placed next to the dwellinghouse at 575 Summit Road, Redcliffs, has been received. The application to the Authority relies on the information contained in the application for resource consent and subsequent report/decision on the same that granted the sauna resource consent.



- 11.2 Under section 17 of the SRP Act, the Authority may waive subjecting an application to additional SRP Act notification and hearings procedures if its effects on the amenities are minor. This is a preliminary process, and is informed in this case by a resource consent application and report/decision, which granted



that consent, assessing that any effects of the application are less than minor and that there will be no affected persons (including assessment that the Authority is not deemed affected, the effects on it being less than minor as the scenic amenity and open spaces will not be adversely affected). Extracts of that report/decision follow.

Landscape

The building is only visible for a short time from Summit Road immediately below it, or from across the valley to the east, but with very low visibility being tucked in behind some large trees, as well as being a small structure in recessive colours with a roof line that is very close to the line of the hill behind it.



Figure 3 View of the building from 150m to the southeast along Summit Road

The building is screened from view from the northwest by the main dwelling:



Figure 4 View of the main dwelling from 200m to the northwest along Summit Road

I consider with the very low visibility of the building and the proximity of the building to the main dwelling, the effect on the landscape would be less than minor.

Land to the south is owned by Chorus, DOC and CCC, rather than being a rural residential site with owner/occupiers residing on the site. I consider the view from anywhere beyond these sites (533 Summit Road, 52 Broadleaf Lane, 52A Broadleaf Lane) would have very low visibility of the building, and effects on any persons would be less than minor.

Rural character and amenity

The building has the appearance of a rustic accessory building which does not look out of place in this rural setting. Low visibility as discussed above with regard to the landscape and the height above the road level combine to reduce the effect of the road setback intrusion. It is also consistent with the main dwelling's setback from the road (10.5m-12.5m setback). Plants and the hillside behind the dwelling also reduce the visual impact. I consider the effect on the wider environment and any persons would be less than minor.



Regarding the Summit Road Protection Society, given the assessment of effects being less than minor, and that the building will not affect the road itself, I consider effects on the Society will also be less than minor, as scenic amenity and open spaces will not be adversely affected.

Under Section 95E(1) a person is not deemed affected by an activity if the adverse effects on them are less than minor.

Ms Jennifer Dray has considered the proposal and has reviewed the above assessment. She agrees with this assessment and has no further comment on the effects of the proposal.

Conclusion

Overall, I consider that any adverse effects on the wider environment will be less than minor and that there will be no affected persons.

Waiver Assessment

- 11.3 The description of the site and existing environment in the resource consent documentation is accepted, and it is noted that the context to this assessment is the purpose of the SRP Act as set out in section 3 and relevant definitions as set out in section 4.
- 11.4 In regard to assessing the effects of the application on the amenities under the SRP Act, there are considered to be no real effects on the scenic amenity as it is defined in the Act: obstruction of views out to the plains and sea would appear only a possible effect in close proximity to the sauna on the wrong side of it on the applicant's property; and the limited views of the sauna at a distance on the Summit Road do not effect views of what may be reasonably be considered prominent land forms of the Port Hills.
- 11.5 There may be some effect on the natural amenities narrowly focusing on the definition of 'natural' as seemingly excluding the build environment. However, interpretation in light of the purpose and scheme of the Act appear to allow consideration that the character of the sauna, its proximity to the house, and unobtrusive blending into the slope, cause it to have some aesthetic coherence in the landscape, subject to its materiality and unadorned finished being maintained, and to make some cultural sense in its rural environs, which altogether support a less than minor effect in terms of the SRP Act's definition of 'natural amenities'.
- 11.6 This is particularly the case when considering the limited views that can be gained of the sauna building from relatively insignificant public viewpoints, and where the skyline is not broken by its form.
- 11.7 Overall it is assessed that reasonably there are no effects on the scenic amenity, and there is no real, or merely a negligible, effect on the natural amenities in light of the factors referenced above and the placement of the sauna near behind the dwellinghouse where there is already that, and other rural, interferences to the natural amenity.
- 11.8 The Council's Planner's assessment is also agreed with that there are no affected persons; this logically supports that it is appropriate to waive, under 17 of the SRP Act, notification and approval/hearing processes in this instance. There is furthermore no strategic value to be gained in relation to the site of the sauna justifying creating cost in this context.
- 11.9 This assessment has taken into consideration representation that unconsented structures on the other side of Summit Road at the address have/will be removed from the site. The cumulative effect of such a clutter of structures spread across both sides of the road would be relevant to the definition of 'natural', so this appropriately contextual assessment is premised on the represented removal of those cumulative elements.

Officer Recommendations

[That the Advisory Committee recommends that the Authority:](#)



1. Pursuant to section 17 of the SRP Act, does not require (i.e. waives) notification or approval of the application in respect the sauna building at 575 Summit Road, Redcliffs, as any effects on the amenities are no more than minor.
2. Subjects the waiver at 1 above to the conditions that:
 - a. the unadorned, non-reflective materiality and colouring of the sauna building as pictured in the application is reasonably maintained; and
 - b. if the structures at the address on the other side of Summit Road represented as being (or to be) removed, are still anywhere at the address within the protected land, they must be removed within a time delegated to be set by any officer within the Christchurch City Council's Regulatory Compliance Unit (any such officer is further authorised in the event of non-compliance to exercise all relevant powers available to the Authority to have the sauna and any other non-compliant structures removed).

12. Annual Report for the Year Ending 30 June 2022

The Authority's Annual Report for the year ending 30 June 2022 is at **Attachment C** for endorsement. Upon adoption by the Authority the Annual Report will be forwarded to the contributory councils.

Officer Recommendations

That the Advisory Committee recommends that the Authority:

1. Adopts the attached Annual Report for the year ending 30 June 2022 as its report on its activities for the year to send to the contributory councils.

13. Draft Annual Plan and Budget for 2023-24

- 1.13 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 2023 - 30 June 2024, 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.
- 1.14 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.
- 1.15 Levying the contributory councils nil is reliant, if it is to be sustainable, on the councils recognising and supporting the functions of the Authority being carried by council staff and integrated into council systems. This results in efficiencies and savings being achieved for the ratepayer.
- 1.16 The recommendation to levy the contributory councils nil is also based on the assumption that the officer recommendation to waive under section 17 of the SRP Act a notification and hearing process in respect of the sauna at 575 Summit Road will be accepted. This of course is not to pre-empt the decision, but it is simply necessary to make recommendation based on the advice given, though not granting the waiver under section 17 for that application does raise the real prospect that it will be necessary to make a special levy of the councils to cover that the Authority may not hold sufficient funds to cover the contingencies of subject the application to notification and hearing and what may result from that.



- 1.17 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 in relevant circumstances property owners sustaining a loss for the sake of the protection of the amenities.
- 1.18 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. The District Plans require for the grant of a resource consent an assessment of an activity on the protected land substantially similar to that under the SRP Act. Given that the Authority sends its reporting and estimates of expenditure to the councils, the recommendation is to align these with an approach that avoids the cost of duplication of efforts across the RM system and undue burden to ratepayers.

Officer Recommendations

That the Advisory Committee recommends that the Authority:

1. Adopts the attached draft Annual Plan and Budget for 1 July 2023 – 30 June 2024 as its estimate of expenditure for the period to send to the contributory councils, and declines to levy them at this time.

14. 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

15. Authority Consideration of Item 10: Annual Plan Submission

Officer Recommendations

That the Authority:

1. Makes the attached submission on the Christchurch City Council's Annual Plan 2023-24 (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.*



16. Authority Consideration of Item 11: Section 17 Waiver Recommendation

Officer Recommendations

That the Authority:

1. Pursuant to section 17 of the SRP Act, does not require (i.e. waives) notification or approval of the application in respect the sauna building at 575 Summit Road, Redcliffs, as any effects on the amenities are no more than minor.
2. Subjects the waiver at 1 above to the conditions that:
 - a. the unadorned, non-reflective materiality and colouring of the sauna building as pictured in the application is reasonably maintained; and
 - b. if the structures at the address on the other side of Summit Road represented as being (or to be) removed, are still anywhere at the address within the protected land, they must be removed within a time delegated to be set by any officer within the Christchurch City Council's Regulatory Compliance Unit (any such officer is further authorised in the event of non-compliance to exercise all relevant powers available to the Authority to have the sauna and any other non-compliant structures removed).

17. Authority Consideration of Item 12: Annual Report

Officer Recommendations

That the Authority:

1. Adopts the attached Annual Report for the year ending 30 June 2022 as its report on its activities for the year to send to the contributory councils.

18. Authority Consideration of Item 13: Annual Plan and Budget for 2023-24

Officer Recommendations

That the Authority:

1. Adopts the attached Annual Plan and Budget for 1 July 2023 – 30 June 2024 as its estimate of expenditure for the period to send to the contributory councils, and declines to levy them at this time.

Mark Saunders
Hautū | Executive Secretary

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



Explanation of Systems for Electing a Chairperson and Deputy Chairperson

System A

Requires that a person is elected or appointed if he or she receives the votes of a majority of the members of the Community Board present and voting; and

Has the following characteristics:

- There is a first round of voting for all candidates; and
- If no candidate is successful in that round there is a second round of voting from which the candidate with the fewest votes in the first round is excluded; and
- If no candidate is successful in the second round there is a third, and if necessary subsequent, round of voting from which, each time, the candidate with the fewest votes in the previous round is excluded; and
- In any round of voting, if two or more candidates tie for the lowest number of votes, the person excluded from the next round is resolved by lot.

System B

Requires that a person is elected or appointed if he or she receives more votes than any other candidate; and

Has the following characteristics:

- There is only one round of voting; and
- If two or more candidates tie for the most votes, the tie is resolved by lot.

Practical application of clause 25

The Authority must first determine, by resolution, which system of voting it will use, that is System A or System B.

Nominations for the position of Chairperson and Deputy Chairperson are called for.

If there is only one candidate then the Authority may resolve that that person be elected.

If there is more than one candidate the Authority must then put the matter to a vote according to the system it has adopted. The Authority members are then asked to vote on each candidate.

The following examples may be useful to illustrate the two systems:

System A

Example 1: Two nominations are received and upon the votes being counted the result is: A (5) B (2) C (1). In this case A is elected to the relevant position.

Example 2: Three nominations are received and upon the votes being counted the result is: A (3) B (3) C (2). In this case no candidate is successful so a second round of voting is held for candidates A and B. The lowest polling candidate, C, is excluded.

System B

Example 1: Three nominations are received and upon the votes being counted the result is: A (5) B (2) C (1). In this case A is elected to the relevant position.

Example 2: Three nominations are received and upon the votes being counted the result is: A (4) B (4) C (0). In this case a lot is held to determine who between A and B will be elected to the relevant position.



TE MANA TIAKI I TE ARA AKITU

SUMMIT ROAD PROTECTION AUTHORITY

28 March 2023

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 2023-24**

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 service of elected members on the Authority and Advisory Committee, particularly those whose terms concluded last year: Tim Scandrett, Tori Peden and Jeff Bland;
- acknowledge the service of the late Jeremy Agar; and
- thank the City Council for the support provided by its staff and systems as essential to fulfilling the statutory role of the Authority, noting the need for further support to cover the full range of its statutory responsibilities as a joint committee of the councils.

The advancement of a Port Hills Management Plan, legislative reform, and the 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 the land's amenities. In the interim, the Authority requests that the City Council make more provision for 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 (delegated to Te Pātaka o Rākaihautū Banks Peninsula Community Board, and Waihoru Spreydon-Cashmere-Heathcote 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 Grant Miller, Keir Leslie, Cathy Lum-Webb, 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 Roads 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 include 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 2022**

Hautū | Executive Secretary

Mark Saunders

Telephone: (03) 941 6436

Email: mark.saunders@ccc.govt.nz

Address for Service:

Papanui Service Centre

35 Langdons Road

PO Box 73024

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 27th Annual Report of the Summit Road Protection Authority and relates to the period 1 July 2021 to 30 June 2022.

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 was Councillor Tim Scandrett (appointed to the Authority by the Christchurch City Council). The other Authority members were 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 appoints an Advisory Committee to assist it with relevant advice. The Advisory Committee comprises:

- two members nominated by the Christchurch City Council (typically identical with the appointees of the Christchurch City Council to the Authority, and accordingly being Tim Scandrett and Tori Peden over the period of this report);
- one member nominated by the Selwyn District Council (again, typically identical with the appointee of the Selwyn District Council to the Authority, and accordingly being Jeff Bland over the period of this report);
- two members nominated by the owners of land in the area to which the Act applies (being Mr Peter Graham and Mr Denis Aldridge over the period of this report);
- one member appointed on the nomination of the Minister of Conservation (currently vacant following the resignation of Dr Christine Dann, though Department of Conservation staff have been invited to meetings over this period);
- one member appointed on the nomination of the Summit Road Society (being Mr Paul Loughton over this period, who is currently the chairperson of the Advisory Committee);
- one member having a knowledge of open space and park management appointed on the nomination of the contributory local bodies (being Mr Kelvin McMillan for part of this period prior to his retirement, leaving a current vacancy);
- one member appointed on the nomination of either Te Papatipu Runanga o Rapaki or te Rununga o Ngai Tahu (being Ms Hana Walton over the period of this report); and
- one member appointed on the nomination of Canterbury Regional Council (Environment Canterbury) (being Ms Gill Jenkins over the period of this report).

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 the 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.

(b) Submissions

The Authority may make submissions on any proposal to prepare, change, or review any policy statement or plan referred to in the Resource Management Act 1991 that affects or may affect the protected land.

The Authority has also ventured to make submissions to the councils on occasion considered relevant to signalling and advocating opportunities for the better management of the protected land, particularly in respect of advancing some form of Port Hills Management Plan.

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.

A Plan is yet to be advanced by the City Council, but the Authority's advocacy for it in the last submission to the City Council's Annual Plan did see a noting provision added to the Council's resolution that a Port Hills Management Plan will be considered during the next Long Term Plan process.

Resource Management Reform

Staff engaged with the Authority in respect of the Government's signalled reform of the resource management system, though staff interactions with Ministry for the Environment revealed an absence of mandate to MfE from the Government to reform the Summit Road (Canterbury) Protection Act 2001, only observing the superficial amendments that would be necessary such as replacing reference to the Resource Management Act 1991 with reference to the replacement legislation.

Discussions revealed the case for timely reform of the Summit Road (Canterbury) Protection Act, though also that reform of the resource management system would not be the vehicle, which would need to be through the process for introducing a local bill.

(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 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 2022 was \$0, being the total levy on the two contributing councils. Direct expenditure was \$274.75.

The Summit Road Protection Authority has accumulated the sum of \$138,445.07 (as at 30 June 2022) to cover its expenses and liabilities.

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

Activity	Actual Expenditure ¹ \$	Actual Income ¹ (from annual levy)	2021/22 decrease in accumulated funds ¹ (transferred from Summit Road Protection Authority accumulated fund)
General administration	\$274.75		
	\$274.75	\$0.00	\$274.75

¹Excludes GST

Mark Saunders
Hautū | Executive Secretary

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



APPENDIX 1

MEMBERSHIP

As at 30 June 2022

Summit Road Protection Authority

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

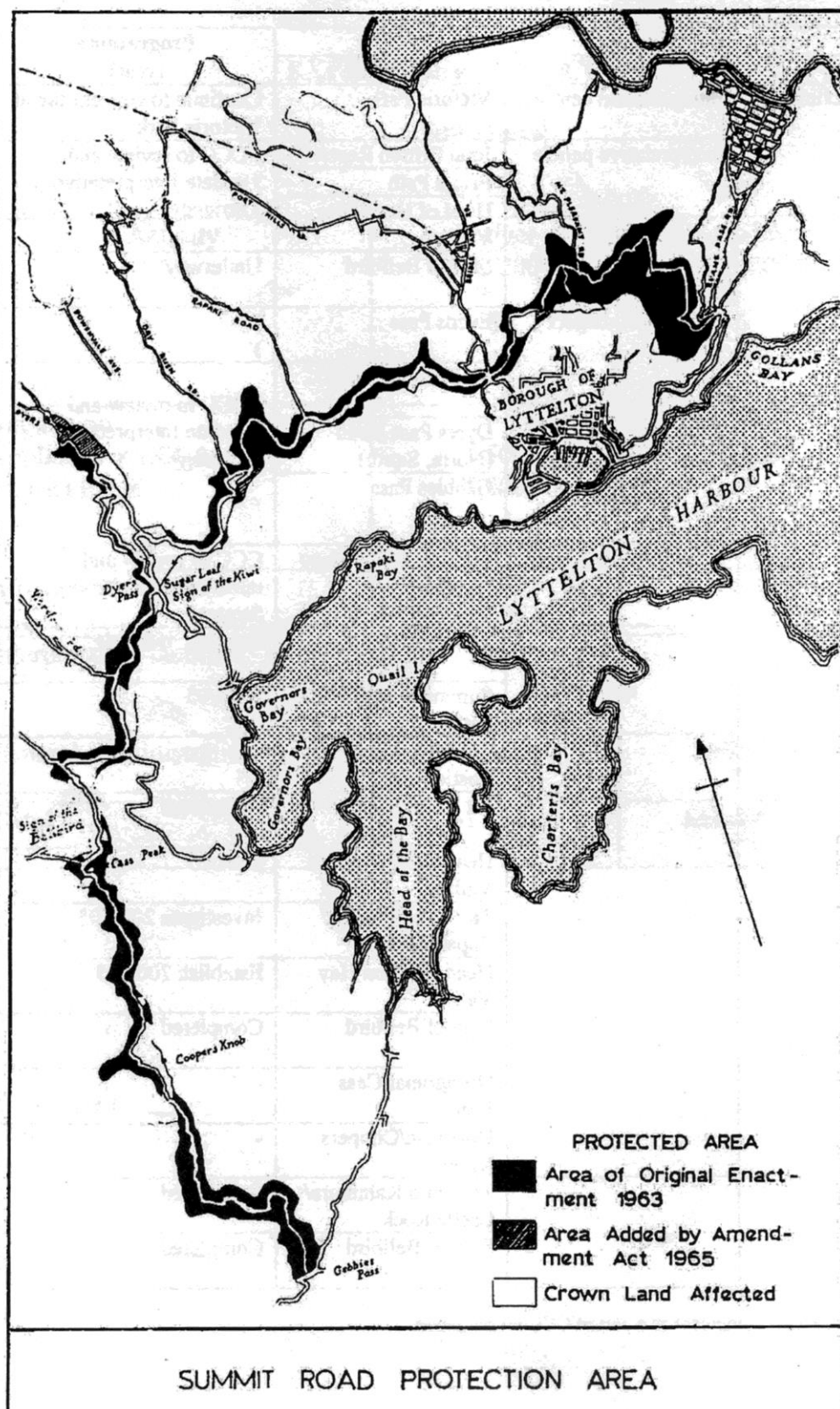
Summit Road Advisory Committee

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	Vacant

Executive Secretary

Mr John Dryden (until January 2016)
Mr Ivan Thomson (in attendance March 2016)
Mr Kelvin McMillan (acting March 2016-17)
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 2021 to 30 June 2022**

Opening Balance as at 01 July 2021 **\$ 138,719.82** (Credit)

RECEIPTS

906/105/2 Levies \$ (0.00)

TOTAL RECEIPTS **\$ (0.00)**

PAYMENTS

906/105/1 General Expenses 274.75

TOTAL PAYMENTS **\$ 274.75**

Closing Balance as at 30 June 2022 **\$ 138,445.07** (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
2023 / 2024**

Hautū | Executive Secretary

Mark Saunders

Telephone: (03) 941 6436

Email: mark.saunders@ccc.govt.nz

Address for Service:

Papanui Service Centre

35 Langdons Road

PO Box 73024

Christchurch 8154

CONTENTS

	Page
1. The Authority and Advisory Committee	2
2. Introduction	3
3. Functions of the Authority	3
4. Membership	4
5. Significant Activities of the Authority	4
6. Work programme 2023-2024	5
7. Proposed Budget for 2023-2024	9
8. Local Body Levy 2023/24	10

Appendices

A. Protected Area Map	11
B. Delegations Register	12

1. SUMMIT ROAD PROTECTION AUTHORITY AND ADVISORY COMMITTEE

Summit Road Protection Authority	
Selwyn District Council	Cr Grant Miller
Christchurch City Council	Mr Keir Leslie
Christchurch City Council	Ms Cathy Lum-Webb
Advisory Committee	
Summit Road Society Inc. nominee	Mr Paul Loughton (Chair)
Christchurch City Council (Spreydon Cashmere Heathcote)	Mr Keir Leslie
Christchurch City Council (Banks Peninsula)	Ms Cathy Lum-Webb
Selwyn District Council	Cr Grant Miller
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 2023/24 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 2023 - 30 June 2024, 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 following areas of activity are generated by the SRP Act:

- regulation
- submissions
- general administration
- enforcement

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 2022 Councillor Grant Miller (a Selwyn District Councillor), Mr Keir Leslie (a member of the City Council's Waihoru Spreydon-Cashmere-Heathcote Community Board) and Ms Tori Peden (a member of the City Council's Te Pātaka o Rākaihautū Banks Peninsula Community Board) were appointed to the Authority.

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

5. SIGNIFICANT ACTIVITIES OF THE AUTHORITY

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

(a) Regulation

Implementation of the regulatory provisions of the 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**.

(b) Submissions

The Authority may make submissions on any proposal to prepare, change, or review any policy statement or plan referred to in the Resource Management Act 1991 that affects or may affect the protected land.

(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; budget, revenue and expenditure reports; and dealing with correspondence and enquiries. The Authority meets as required.

Administrative services are provided by Christchurch City Council staff currently without reimbursement, though any charges would need to be paid by levying the contributory councils.

(d) Enforcement

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

6. WORK PROGRAMME 2023/24

The following projects comprise the Authority's proposed work programme for 2023/24.

(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 year.

The Authority makes allowance for 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. The contributory councils may however directly service the process for efficiency, given they are the source of the funding.

To enable this work to be carried out, provision is made 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 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 unless they directly serviced the matter.

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

Anticipating that the City Council will develop a Port Hills Management Plan in some form, this will be a major initiative that the Authority will wish to be consulted in regard to, so \$10,000 is set aside for the possibility of 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 \$30,000 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) Submissions

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.

The Authority may 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 a Port Hills Management 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) Legislative Reform

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, prompt the logic of advancing a 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 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.

In the event it may assist the advancement of legislative reform, \$20,000 is allocated for legal and other services and expenses that may arise from exploring and advancing the development of a local bill or other device relevant to a timely review of the SRP Act.

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 a Port Hills Management 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 limits.	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
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 2023/24

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 Appeals / legal advice Contingencies reserve 	\$10,000 \$10,000 \$15,000
Port Hills Management Plan <ul style="list-style-type: none"> Submitting 	\$10,000
Submissions <ul style="list-style-type: none"> District Plan / Policy Statement Reviews 	\$10,000
General administration	\$24,000
Enforcement	\$10,000
Legislative Reform	\$20,000
Total Prospective Expenditure	\$109,000

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

Source	Funding
Local body levy (2023/24, \$0) Reserve funds (138,445.07)	\$0 \$109,000
Total Prospective Expenditure	\$109,000

Note: Residual Funds in reserve = \$29,445.07

Page 10

8. LOCAL BODY LEVY 2023/24

It is proposed that the Authority levy for 2023/24 be set at \$0, as it was last year; it had been \$14,500 or \$17,500 in annual budgets before the executive secretary role came to be filled by City Council staff volunteering time outside their regular roles for the efficient functioning of the Authority. This arrangement might be made more sustainable if the contributory councils can advance further integration of Authority processes into existing council processes.

It is hoped at the present time to not impose more than necessary on the contributory councils while they and ratepayer deal with inflationary pressures, though the sustainability of apply relief to the levy relies on council staff supporting the Authority, and the council's supporting the further integration of processes. Ultimately efficiency is requiring legislative reform.

The above proposed budget represents an allocation of funds for potential professional and administrative fees, contingencies, and opportunities for input into plans and reviews. 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 this annual levying consideration 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 City Council staff essentially pro bono. 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 councils and ratepayers face a cost of living crisis.

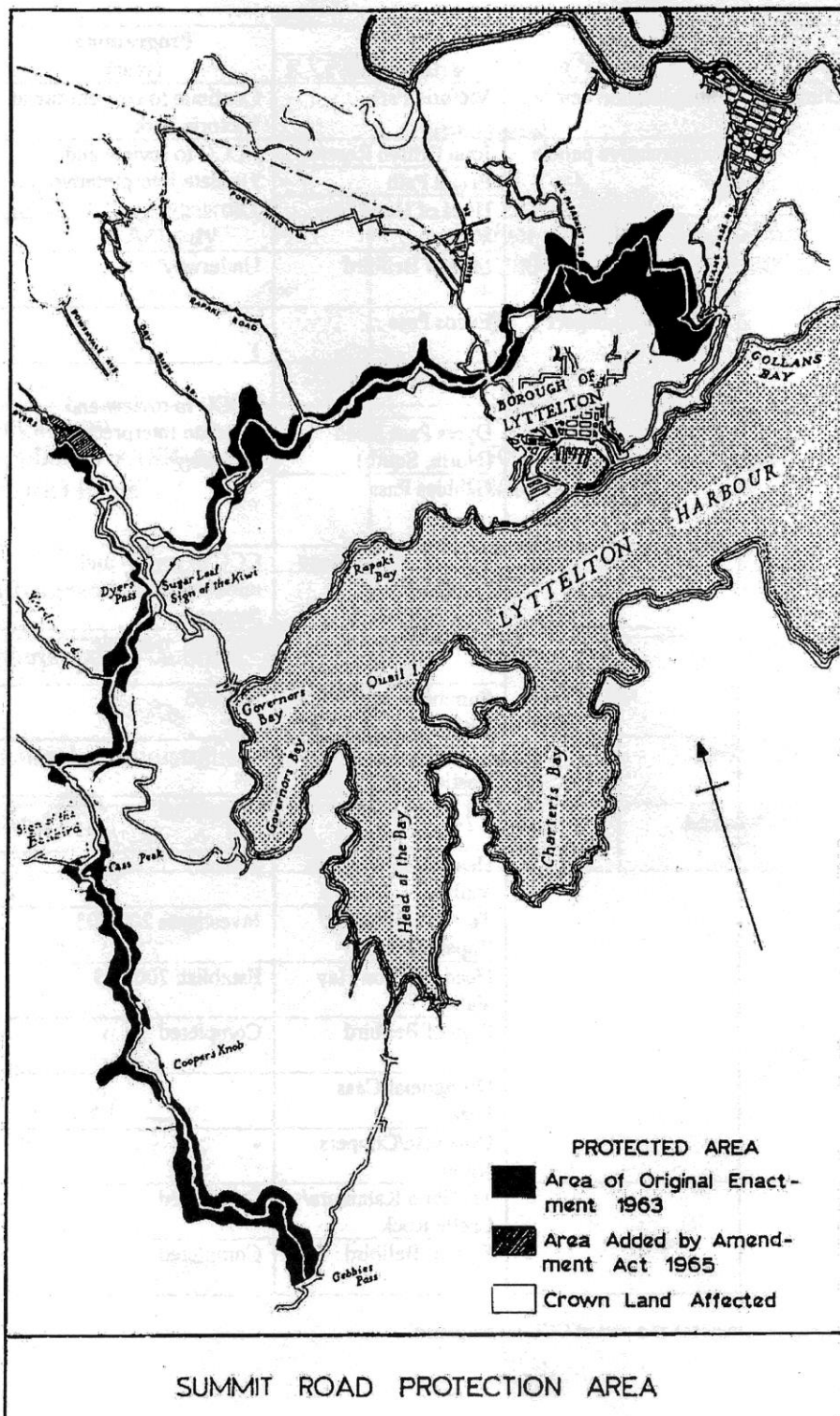
It would be hoped that the contributory councils direct the immediate savings on the annual levy to the advancement of a Port Hills Management Plan, legislative reform, and ensuring their planning and compliance departments are available and resourced to service and integrate the Authority's functions,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