

**161ST MEETING
OF
THE CHRISTCHURCH CITY COUNCIL**

**MINUTES OF A MEETING OF THE CHRISTCHURCH CITY COUNCIL
HELD AT 2.00 PM ON WEDNESDAY 22 JULY 1998**

PRESENT: The Mayor, Ms Vicki Buck (Chairperson).
Councillors Oscar Alpers, Carole Anderton, Graham Berry, David Buist, David Close, Graham Condon, David Cox, Anna Crighton, Newton Dodge, Carole Evans, Morgan Fahey, Gordon Freeman, Ishwar Ganda, Pat Harrow, Ian Howell, Lesley Keast, Charles Manning, Garry Moore, Margaret Murray, Denis O'Rourke, Barbara Stewart and Ron Wright.

APOLOGIES: Apologies for absence were received and accepted from Councillors Alister James and Gail Sheriff.

1. CONFIRMATION OF MINUTES

ORDINARY COUNCIL MEETING OF 24 JUNE 1998

Resolved: That the minutes of the ordinary Council meeting held on Wednesday 24 June 1998 be confirmed.

ORDINARY COUNCIL MEETING OF 29 JUNE 1998

Resolved: That the minutes of the ordinary Council meeting held on Monday 29 June 1998 be confirmed, subject to amendment to page 2, to record the motion moved by Councillor Close as seconded by Councillor Wright and to clarification that the reference on page 6 of the minutes, in relation to the recording of votes against recommendations 3 and 5 refers to the recommendations on page 17 of the report of the Strategy and Resources Annual Plan Working Party considered at the meeting.

2. SUPPLEMENTARY ITEMS

The Mayor referred to the following supplementary items which had been tabled or separately circulated after the main agenda had been sent out:

- Report of the Legal Services Manager – Resource Management Act delegations.
- Report of the Strategy and Resources Committee meeting of 26 June 1998.

- Report by the Chairman of the Environmental Committee – Dangerous Dogs Working Party.
- Report of the Waste Manager – Recycling old telephone books.
- Report of the Chairman of the Community Services Committee – CTC Strategic Plan Working Party.
- Report by the Chairman of the Parks and Recreation Committee – Merivale Open Space.
- Resolution to Exclude the Public in respect to:
 - (a) Opinion of the Legal Services Manager – Merivale Retirement Village.
 - (b) Report of the Director of Finance – Christchurch City Holdings Limited – Appointment of Directors.

The Mayor advised that it had not been possible to include these items within the agenda, because they were not available at that time, but that it was essential they be dealt with at the present meeting, rather than being deferred to a subsequent meeting.

It was **resolved** that the supplementary items be received and considered at the present meeting.

3. DEPUTATIONS BY APPOINTMENT

(1) Mr Frank Marquette – Simtech Limited

Mr Marquette made submissions regarding the mini golf course proposed for North Hagley Park.

It was agreed the matter be considered in conjunction with clause 6 of the Parks and Recreation Committee report of 8 July 1998.

(2) Inner City East Housing Coalition

Ms Jenny Smith, Inner City East Housing Coalition, and Mr Brendon Ryan (tenant 250 Gloucester Street) spoke regarding the inner city housing development proposed for 250-254 Gloucester Street.

They expressed concern at the fact that this development would result in the loss of two existing buildings, displacement of existing residential tenants and the loss of an artists' quarter and replacement with a complex which they considered was not in keeping with the character of the area.

It was **resolved** that a working party consisting of Councillors Crighton, Wright and Moore meet with the tenants to find constructive ways of seeking a solution to the concerns expressed by them and that the matter be reported to the next Council meeting, or to the Strategy and Resources Committee, or a special Council meeting if required before then.

(2.35 pm Councillor Manning retired)

4. PRESENTATION OF PETITIONS

Nil.

5. CORRESPONDENCE

Nil.

**6. REPORT OF THE STRATEGY AND RESOURCES COMMITTEE
OF 13 JULY 1998**

Resolved: That the Committee's report be adopted.

**7. REPORT OF A SPECIAL MEETING OF THE STRATEGY AND RESOURCES
COMMITTEE OF 26 JUNE 1998 (SUPPLEMENTARY)**

Resolved: That the Committee's report be adopted.

**8. REPORT OF THE PROJECTS AND PROPERTY COMMITTEE
OF 10 JULY 1998**

Resolved: That the Committee's report be adopted.

**9. REPORT OF THE ENVIRONMENTAL COMMITTEE
OF 9 JULY 1998**

(4.10 pm Councillor Manning returned)

Moved: That the Committee's report be adopted.

(10) Dangerous Dog Breeds (Supplementary)

It was agreed recommendation 1 be amended to provide: "That the Council seek a declaratory judgment from the High Court in order to determine whether or not it has the power to regulate or to prohibit by way of bylaw, the keeping or possession of dogs of any specified type or breed or cross-breed within its district."

The motion was moved by Councillor Evans, seconded by Councillor Close, and when put to the meeting was declared **carried** on division no 7 by 12 votes to 11, the voting being as follows:

For (12): Councillors Anderton, Berry, Close, Condon, Crighton, Evans, Freeman, Harrow, Howell, Keast, O'Rourke and the Mayor.

Against (11): Councillors Alpers, Buist, Cox, Dodge, Fahey, Ganda, Manning, Moore, Murray, Stewart and Wright.

Absent: Councillors James and Sheriff.

Councillor Close then moved by way of amendment:

“3. That draft regulations for the prohibition or regulation of certain types or breeds of dogs in the Christchurch area be forwarded to the Minister of Internal Affairs with the request that he promulgate these as soon as possible.”

The motion was seconded by Councillor O'Rourke and when put to the meeting was declared **carried**.

Councillor Dodge further moved by way of amendment:

“4. That representations also be made to the Chairman of the Internal Affairs and Local Government Select Committee to try and persuade the Government to act with urgency on the introduction of regulations regarding dangerous dogs.”

The motion was seconded by Councillor Anderton and when put to the meeting was declared **carried**.

Councillor Evans moved *“That recommendation 2(a) of the report be adopted and that recommendation 2(b) be withdrawn”*. The motion was seconded by Councillor Close and when put to the meeting was declared **carried** on division no 8 by 13 votes to 9, the voting being as follows:

For (13): Councillors Anderton, Berry, Close, Condon, Crighton, Evans, Fahey, Freeman, Harrow, Howell, O'Rourke, Stewart and the Mayor.

Against(9): Councillors Alpers, Cox, Dodge, Ganda, Keast, Manning, Moore, Murray and Wright.

Absent: Councillors James and Sheriff.

In relation to recommendation 1 it was agreed a sub-committee consisting of Councillors O'Rourke, Berry, Evans and the Mayor be given power to act on the form of the Council's action to the High Court.

Report adopted as amended.

**10. REPORT OF THE CITY SERVICES COMMITTEE
OF 7 JULY 1998**

Moved: That the Committee's report be adopted.

**(1) Report of the Waste Manager –
Recycling Old Telephone Books (Supplementary)**

Councillor O'Rourke moved by way of amendment "*That recommendation 1 of the report be deleted and:*

1. *That discussions be pursued with Telecom and the other telephone companies to set up a customer billing system to cover the cost of recycling old telephone books together with making them more recyclable friendly in the future.*
2. *That if these discussions are successful, the Council adopt an incentive charge (which will probably be around \$0.60 per customer) under the Local Government Amendment Act No.4."*

The motion was seconded by Councillor Evans and when put to the meeting was declared **carried** as the substantive motion.

Report adopted as amended.

**11. REPORT OF THE CENTRAL CITY COMMITTEE
OF 2 JULY 1998**

Resolved: That the Committee's report be adopted.

**12. REPORT OF THE SPECIAL MEETING OF THE CENTRAL CITY
COMMITTEE OF 2 JULY 1998**

Resolved: That the Committee's report be adopted.

**13. REPORT OF THE PARKS AND RECREATION COMMITTEE
OF 8 JULY 1998**

Moved: That the Committee's report be adopted.

(1) Operation of Cowles Stadium

Councillor Condon moved by way of amendment that an additional clause 4 be added "*That appropriate performance indicators for community use be developed*". The amendment was seconded by Councillor Anderton and when put to the meeting was declared **carried**.

Recommendations 1 and 2 of the clause were then put to the meeting and declared **carried** and recommendation 3 was declared **lost** on division no 1 by 13 votes to 8, the voting being as follows:

Against (13): Councillors Alpers, Anderton, Berry, Close, Condon, Crighton, Evans, Freeman, Ganda, Keast, Moore, O'Rourke and the Mayor.

For (8): Councillors Buist, Cox, Fahey, Harrow, Howell, Murray, Stewart and Wright.

Absent: Councillors James and Sheriff.

(4) Groynes Reserve Grazing Licence

It was **resolved** that an additional condition no 8 be added "*that this be subject to the protection of public access*".

(5) Canterbury Car Club - Hire Charges

It was **resolved** that the proposed hire charges submitted by the Canterbury Car Club for the hire of Ruapuna Park Raceway for the period 1 July 1998 to 30 June 1999 be approved with the exception of that for the PA system which should be referred back to the Parks and Recreation Committee for further consideration.

(6) Miniature Golf Course - Proposal for North Hagley Park

Councillor O'Rourke moved by way of amendment "*That no mini golf course be established in North Hagley Park*". The amendment was seconded by Councillor Wright and when put to the meeting was declared **lost** on division no 2 by 17 votes to 3, the voting being as follows:

Against (17): Councillors Alpers, Anderton, Berry, Buist, Close, Condon, Cox, Dodge, Evans, Freeman, Ganda, Harrow, Howell, Keast, Murray, Stewart and the Mayor.

For (3): Councillors Crighton, O'Rourke and Wright.

Abstain: Councillor Fahey.

Absent: Councillors James, Manning, Moore and Sheriff.

Councillor Alpers moved by way of further amendment "*That the matter be referred back to the Parks and Recreation Committee to consider if a mini golf course in Hagley Park was an appropriate use for this area*". The motion was seconded by Councillor O'Rourke and when put to the meeting was declared **lost**.

The Mayor moved by way of amendment “*That public notification be given of a request for proposals for provision of a mini golf course at North Hagley Park*”. The amendment was seconded by Councillor Anderton and when put to the meeting was declared **carried** on division no 3 by 14 votes to 7, the voting being as follows:

For (14): Councillors Alpers, Anderton, Close, Condon, Crighton, Fahey, Ganda, Harrow, Howell, Keast, Moore, Stewart, Wright and the Mayor.

Against (7): Councillors Berry, Buist, Cox, Dodge, Evans, Freeman and Murray.

Abstain: Councillor O’Rourke.

Absent: Councillors James and Sheriff.

(Note: The representations from Mr Frank Marquette were considered in conjunction with this clause.)

(10) Play Equipment - Elsie Locke Park, Centennial Pool

Councillor Crighton moved by way of amendment “*That the \$20,000 donation by Brierley Investments Limited go towards an interactive play structure at the entrance to the new Centennial Pool complex*”. The amendment was seconded by Councillor O’Rourke and when put to the meeting was declared **carried**.

(Note: Councillor Carole Anderton requested that her vote against the above resolution be recorded.)

Curator’s House Botanic Gardens

It was agreed that a report be presented to the August meeting of the Parks and Recreation Committee on this topic following receipt of legal advice.

(Note: In respect to clause 8, International Stoke Mandeville Wheelchair Sports Federation Games Christchurch, New Zealand 1999, Councillor Graham Condon declared an interest and withdrew from discussion and voting thereon.)

Report adopted as amended.

14. REPORT OF THE JOINT CHRISTCHURCH CITY COUNCIL/CANTERBURY REGIONAL COUNCIL MEETING OF 10 JULY 1998

Moved: That the Committee’s report be adopted.

(9) Waterways and Wetlands Management Strategy

Councillor Harrow moved by way of amendment “*That the values shown in the report include ‘safety’ in addition to those already listed*”. The amendment was seconded by Councillor Dodge and when put to the meeting was declared **carried**.

(10) Savannah Grasslands

Councillor Harrow moved by way of amendment “*That the area involved in the Savannah grasslands proposal be limited to 200 hectares*”. The amendment was seconded by Councillor Wright and when put to the meeting was declared **lost**.

Councillor Murray moved by way of amendment “*That the report to be brought forward to the Committee include recommendations on the optimum amount of land required for this reserve*”. The motion was seconded by Councillor Manning and when put to the meeting was declared **carried**.

Report adopted as amended.

15. REPORT OF THE CHAIRMAN OF THE COMMUNITY SERVICES COMMITTEE (SUPPLEMENTARY)

Moved: That the report be adopted.

(Councillor Alpers retired temporarily from 4.30 pm to 5.00 pm)

(1) Report of the CTC Strategic Plan Working Party

(Note: This report was considered in conjunction with the report tabled on the special board meeting of the CDC held on Tuesday 21 July 1998.)

The Mayor moved by way of amendment:

- “1. *That the CTC Board Strategic Plan be approved subject to the amendments as detailed in this report.*
2. *That a new trust be formed with responsibility for appointing the board of the new organisation and the Council have power to appoint the trustees who should appoint a new board within one month.*
3. *That the new Board be requested to appoint a new CEO with a contract until 1 July 1999 by which time the strategic direction and any appropriate change management processes would be finished.*

4. *That the existing Canterbury Tourism Board be requested to remain as a transitional board until the board of the new organisation is in existence.*
5. *That the Council indicate to the CTC Board its willingness to provide an acting CEO if appropriate until the new CEO is appointed.*
6. *That as envisaged in the CTC Strategic Plan, the events marketing bidding be integrated with the new organisation as soon as practicable, and that this issue be reported back to the Council.*
7. *That an appropriate person be appointed jointly by the CCC, CTC and CDC but funded from CCC (\$50,000 from the contingency fund) to examine all aspects of visitor related industry. This person to:*
 - *Consult widely with all stakeholders to develop agreed strategic goals for the sector and action plans to achieve same against agreed timeframes.*
 - *Recommend an appropriate organisation structure for the visitor attraction industry that delivers on the above goals in an efficient and cost effective manner that includes any realignment of responsibilities or tasks currently carried out by CCC, CDC, CTC and other parties.*
 - *Complete the above strategic plan and resulting organisation structure to a fully developed stage able to be signed off by all stakeholders and ready for implementation by 1 July 1999.*
 - *Report to a joint working party set up by the three organisations.”*

The amendment was seconded by Councillor Moore and when put to the meeting was dealt with as follows:

Amendment 1 was declared **carried** on division no 4 by 18 votes to 4, the voting being as follows:

For (18): Councillors Alpers, Anderton, Buist, Close, Condon, Cox, Crighton, Fahey, Ganda, Harrow, Howell, Keast, Manning, Moore, Murray, Stewart, Wright and the Mayor.

Against (4) Councillors Berry, Evans, Freeman and O'Rourke.

Absent: Councillors Dodge, James and Sheriff.

Amendment 2 was declared **carried** as the substantive motion.

Amendment 3 was declared **lost** on division no 5 by 12 votes to 10, the voting being as follows:

Against (12): Councillors Berry, Buist, Close, Cox, Crighton, Evans, Fahey, Freeman, Howell, Murray, O'Rourke and Wright.

For (10) Councillors Alpers, Anderton, Condon, Ganda, Harrow, Keast, Manning, Moore, Stewart and the Mayor.

Absent: Councillors Dodge, James and Sheriff.

Clause 3 of the original recommendations was then put to the meeting and declared **carried**.

Amendments 4, 5 and 6 were declared **carried** as the substantive motions.

Amendment 7 was declared **carried** on division no 6 by 12 votes to 11, the voting being as follows:

For (12): Councillors Alpers, Anderton, Condon, Dodge, Fahey, Ganda, Harrow, Keast, Manning, Moore, Stewart, and the Mayor.

Against (11) Councillors Berry, Buist, Close, Cox, Crighton, Evans, Freeman, Howell, Murray, O'Rourke and Wright.

Absent: Councillors James and Sheriff.

In relation to recommendation 2 it was **resolved** that Councillors Moore and Wright be the Council nominees to the new trust.

Report adopted as amended.

16. REPORT OF THE RECOVERED MATERIALS SPECIAL COMMITTEE OF 8 JULY 1998

Resolved: That the Committee's report be received.

(7.45 pm Councillor Freeman retired)

17. REPORT OF THE LANCASTER PARK SUB-COMMITTEE OF 10 JULY 1998

Moved: That the Sub-Committee's report be adopted.

(1) Marketing Agreement: Red and Black Stadium Trust

Councillor Close moved by way of amendment “*That recommendation 1(ii) of the report be amended to read ‘Resolution of conflict with existing advertising contracts of the Victory Park Board and any other contracts’*”. The motion was seconded by Councillor Wright and when put to the meeting was declared **carried** as the substantive motion.

Report adopted as amended.

18. REPORT OF THE LEGAL SERVICES MANAGER

Moved: That the report be adopted.

(1) Resource Management Act Delegations (Supplementary)

It was **resolved** further on the motion of Councillor O’Rourke seconded by Councillor Crighton “That an additional recommendation 3 be added ‘*That the matter of full Council involvement in resource consent notification decisions be reported to the Environmental Committee*’”.

**19. REPORT OF THE BURWOOD/PEGASUS COMMUNITY BOARD
OF 6 JULY 1998**

Resolved: That the Board’s report be received.

**20. REPORT OF THE FENDALTON/WAIMAIRI COMMUNITY BOARD
OF 22 JUNE 1998**

Resolved: That the Board’s report be received.

**21. REPORT OF THE HAGLEY/FERRYMEAD COMMUNITY BOARD
OF 13 JULY 1998**

Resolved: That the Board’s report be adopted.

**22. REPORT OF THE RICcarton/WIGRAM COMMUNITY BOARD
OF 1 JULY 1998**

Resolved: That the Board’s report be adopted.

**23. REPORT OF THE SHIRLEY/PAPANUI COMMUNITY BOARD
OF 1 JULY 1998**

Resolved: That the Board’s report be adopted.

**24. REPORT OF THE SPREYDON/HEATHCOTE COMMUNITY BOARD
OF 30 JUNE 1998**

Moved: That the Board's report be adopted.

(1) Proposed Road Stopping: Disposal of Redundant Corner Rounding Holliss Avenue

Adopted as per amended report tabled.

(7) Harman Reserve – Proposed Name Change

It was **resolved** on the motion of Councillor Alpers seconded by Councillor Fahey *“That the reserve located in Harman Street be formally recognised as Cornelius O'Connor Reserve”*. When put to the meeting was declared **carried**.

(19) OSCAR Play Library Funding Request

Received, subject to correction of the word *“find”* to *“fund”*.

Report adopted as amended.

**25. REPORT OF THE SPREYDON/HEATHCOTE COMMUNITY BOARD
OF 13 JULY 1998**

Resolved: That the Board's report be received.

26. NOTICES OF MOTION

(1) Southpower Ltd – AGM – Vote of No Confidence

The motion was seconded by Councillor Carole Evans and when put to the meeting was declared **lost** on division no 10 by 21 votes to 1, the voting being as follows:

Against (21): Councillors Alpers, Anderton, Buist, Close, Condon, Cox, Crighton, Dodge, Evans, Fahey, Ganda, Harrow, Howell, Keast, Manning, Moore, Murray, O'Rourke, Stewart, Wright and the Mayor.

For (1): Councillor Berry.

Absent: Councillors Freeman, James and Sheriff.

**(2) Commencement of Proceedings to make the
Christchurch City Traffic and Parking Alteration (No 3) Bylaw 1998**

Adopted.

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**(3) Commencement of Proceedings to make the
Waimairi District Bylaw No 1 1983 Alteration Bylaw 1998**

Adopted.

(4) Differential Rating Resolution 1998/99

Amended resolution as tabled adopted.

27. RESOLUTION TO EXCLUDE THE PUBLIC

It was **resolved** that the resolution to exclude the public set out on page 299 of the agenda and as tabled and circulated with the supplementary reports be adopted.

CONFIRMED THIS 26TH DAY OF AUGUST 1998

MAYOR

161ST MEETING
OF
THE CHRISTCHURCH CITY COUNCIL

MINUTES OF A MEETING OF THE CHRISTCHURCH CITY COUNCIL
HELD AT 2.00 PM ON WEDNESDAY 22 JULY 1998

PRESENT: The Mayor, Ms Vicki Buck (Chairperson).
Councillors Oscar Alpers, Carole Anderton, Graham Berry, David Buist,
David Close, Graham Condon, David Cox, Anna Crighton,
Newton Dodge, Carole Evans, Morgan Fahey, Ishwar Ganda,
Pat Harrow, Ian Howell, Lesley Keast, Charles Manning, Garry Moore,
Margaret Murray, Denis O'Rourke, Barbara Stewart and Ron Wright.

APOLOGIES: Apologies for absence were received and accepted from Councillors
Alister James and Gail Sheriff.

**28. REPORT OF THE STRATEGY AND RESOURCES COMMITTEE
OF 13 JULY 1998**

Moved: That the Committee's report be adopted.

**(12) Report from Christchurch City Holdings Limited –
Appointment of Directors**

(8.55 pm Councillor Berry retired)

The recommendations in this report were considered in conjunction with the supplementary report from the Director of Finance.

Councillor Cox moved by way of amendment "*That Mr Bob Todd be reappointed to the Lyttelton Port Company for a further term*". The motion was seconded by Councillor Condon and when put to the meeting was declared **carried**.

In addition it was **resolved** that Christchurch City Holdings Limited be authorised to appoint Mr Peter Ray to the vacancy on the Southpower Board.

(9.00 pm Councillor Crighton retired)

(13) Aurora Centre – Appointment of Trustees

(9.15 pm Councillor Fahey retired)

The recommendation contained in this clause when put to the meeting was declared **lost** on division no 11 by 12 votes to 7, the voting being as follows:

Against (12): Councillors Alpers, Anderton, Buist, Close, Dodge, Evans, Harrow, Howell, Keast, Murray, Stewart and Wright.

For (7): Councillors Condon, Cox, Ganda, Manning, Moore, O'Rourke and the Mayor.

Absent: Councillors Berry, Crighton, Fahey, Freeman, James and Sheriff.

The recommendation of the Fendalton/Waimairi Community Board meeting of 22 June 1998 *"That Councillor Margaret Murray, Messrs Brian Law and George Bellew be approached to act as community trustees for the Aurora Centre Trust."* was then put to the meeting, with the amendment that Councillor Murray's attendance at the Trust be on a non-paid basis, and was declared **carried**.

Report adopted as amended.

**29. REPORT OF THE PROJECTS AND PROPERTY COMMITTEE
OF 10 JULY 1998**

Resolved: That the Committee's report be adopted.

**30. REPORT OF THE PARKS AND RECREATION COMMITTEE
OF 8 JULY 1998**

Moved: That the Committee's report be adopted.

(14) Merivale Open Space

The recommendations contained in this clause were adopted without amendment and the information contained in the supplementary report of the Chairman of the Parks and Recreation Committee was received.

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**31. OPINION OF THE LEGAL SERVICES MANAGER
MERIVALE RETIREMENT VILLAGE (SUPPLEMENTARY)**

It was **resolved** on the motion of Councillor Close, seconded by Councillor Evans
*“That the Christchurch City Council not appeal the decision of the High Court dated
3 July 1998 regarding the Merivale Retirement Village”.*

**32. REPORT OF THE BURWOOD/PEGASUS COMMUNITY BOARD
OF 6 JULY 1998**

Resolved: That the Board’s report be received.

**33. REPORT OF THE FENDALTON/WAIMAIRI COMMUNITY BOARD
OF 22 JUNE 1998**

Resolved: That the Board’s report be received with the amendment that in respect to
the Aurora Centre – Appointment of Trustees – Councillor Margaret Murray be
appointed as an unpaid trustee.

**34. REPORT OF THE FENDALTON/WAIMAIRI COMMUNITY BOARD
OF 1 JULY 1998**

Resolved: That the Board’s report be adopted.

**35. REPORT OF THE HAGLEY/FERRYMEAD COMMUNITY BOARD
OF 13 JULY 1998**

Resolved: That the Board’s report be adopted.

36. CONCLUSION

The meeting concluded at 9.30 pm.

CONFIRMED THIS 26TH DAY OF AUGUST 1998

MAYOR