

154TH MEETING

OF

THE CHRISTCHURCH CITY COUNCIL

**MINUTES OF A SPECIAL MEETING OF THE CHRISTCHURCH CITY COUNCIL
HELD AT 3.00 PM ON THURSDAY 7 MAY 1998**

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

APOLOGIES: An apology for lateness was received and accepted from Councillor Charles Manning who arrived at 3.45 pm.
Apologies for absence were received and accepted from Councillors David Cox and Ishwar Ganda.

1. SUPPLEMENTARY REPORTS

The Mayor referred to the following supplementary reports, which had been tabled at the meeting:

- Report by the City Manager and Legal Services Manager regarding a meeting held the preceding day with representatives from the Ngai Tahu.
- Public excluded opinion by the Legal Services Manager regarding threatened litigation by the Canterbury Regional Council.

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

It was **resolved** that the two reports be received and considered at the present meeting.

2. DEPUTATIONS BY APPOINTMENT

Christchurch Hospital Nurses Hostel

Submissions regarding this issue were made by:

- Messrs Richard Webb and Jeremy Foate, representing Canterbury Health Limited.
- Sir Tipene O'Regan, representing the Ngai Tahu.

(3.45 pm Councillor Manning arrived)

- Mr Ian Clark, representing the Christchurch Civic Trust.
- Mr Dennis Hampton, representing the Association for the Abolition of the Waitangi Tribunal.

It was **resolved** that the submissions be considered in conjunction with the reports submitted by the officers on this issue.

3. CHRISTCHURCH HOSPITAL NURSES HOSTEL

Consideration was given to the report of the Parks Manager appended to the agenda, the tabled report by the City Manager and Legal Services Manager and the associated submissions made earlier in the meeting.

Councillor Close moved:

- “1. That the City Council make a submission to the Maori Affairs Sub-Committee which reflects the four objectives set out in the joint report by the City Manager and Legal Services Manager and which aims to ensure use of the property only for healthcare purposes and provides Ngai Tahu with the power to gift the hostel and land to the Council in the future.*
- 2. That details of the submission be finalised by the Legislation Sub-Committee.*
- 3. That the Mayor lead the Council team making representations to the Select Committee.”*

The motion was seconded by Councillor Freeman.

Councillor O'Rourke moved by way of amendment:

- “1. That the Council apply to the Court for a declaratory judgment:*
 - (a) That the Crown owns the land in perpetuity as a trustee for the people of Christchurch for the purposes of public open space.*
 - (b) That in the events which have happened, under the Christchurch Hospital Amendment Act, the land has reverted in the Crown as part of Hagley Park.*
- 2. That the Council's submission to the Select Committee reflect the view in 1. above.”*

The amendment was seconded by Councillor Alpers.

(5.15 pm Councillor Buist retired)

(5.30 pm Councillor Dodge retired)

On being put to the meeting the amendment was declared **lost** on division no 1 by 7 votes to 14, the voting being as follows:

Against (14): Councillors Anderton, Close, Condon, Crighton, Fahey, Freeman, James, Keast, Manning, Moore, Murray, Stewart, Wright and the Mayor.

For (7): Councillors Alpers, Berry, Evans, Harrow, Howell, O'Rourke and Sheriff.

Absent: Councillors Buist, Cox, Dodge and Ganda.

The Mayor moved by way of further amendment "*That the words "and provides Ngai Tahu with the power to gift the hostel and land to the Council in the future" be deleted from the motion moved by Councillor Close and seconded by Councillor Freeman*". The amendment was seconded by Councillor Anderton and when put to the meeting was declared **carried**.

Councillor Fahey moved by way of further amendment "*That the Council, led by the Mayor, seek a meeting with the Minister of Treaty Settlements*". The amendment was seconded by Councillor Manning and when put to the meeting was declared **lost**.

The motion moved by Councillor Close and seconded by Councillor Freeman was then put to the meeting and declared **carried**, subject to incorporation of the adopted amendment moved by the Mayor and seconded by Councillor Anderton.

It was further **resolved** on the motion of Councillor Moore seconded by Councillor Close that the Christchurch City Council welcome the successful negotiations between the Ngai Tahu and the Crown and support the spirit of the Ngai Tahu Claims Settlement Bill.

(Note: Councillors Alpers and O'Rourke abstained from voting on the foregoing motion.)

(5.50 pm Councillors Crighton, Freeman, Howell and O'Rourke retired)

4. EXCLUSION OF THE PUBLIC

It was **resolved** that the resolution to exclude the public appended to the tabled opinion by the Legal Services Manager regarding threatened litigation by the Canterbury Regional Council be adopted.

CONFIRMED THIS 27TH DAY OF MAY 1998

MAYOR

7.5.98

- 4 -