

MINUTES

MINUTES OF A MEETING OF THE CHRISTCHURCH CITY COUNCIL HELD AT 2PM ON THURSDAY 26 AUGUST 1999

PRESENT: The Mayor, Garry Moore (Chairperson).
Councillors Carole Anderton, Paddy Austin, Erin Baker, Robin Booth, Sally Buck, David Buist, David Close, Graham Condon, Barry Corbett, Anna Crighton, Carole Evans, Ishwar Ganda, Pat Harrow, Ian Howell, Alistair James, Lesley Keast, Charles Manning, Gail Sheriff, Barbara Stewart, Sally Thompson, Sue Wells and Ron Wright.

**LEAVE OF
ABSENCE:** Councillors Morgan Fahey and Denis O'Rourke.

1. CONFIRMATION OF MINUTES

ORDINARY COUNCIL MEETING OF 22 JULY 1999

Resolved: That the minutes of the ordinary Council meeting held on Thursday 22 July 1999 be confirmed.

ANNUAL COUNCIL MEETING OF 23 JULY 1999

Resolved: That the minutes of the Annual Plan Council meeting held on Friday 23 July 1999 be confirmed.

Arising from the confirmation of the minutes of the Annual Plan meeting, it was **resolved** that the officers report to the Strategy and Resources Committee on progress with the planned external review of the Council's activities and administration.

2. DEPUTATIONS BY APPOINTMENT

Nil.

3. PRESENTATION OF PETITIONS

Nil.

4. CORRESPONDENCE

Nil.

5. SUPPLEMENTARY REPORTS

The Mayor referred to the following supplementary reports which had been separately circulated for consideration at the present meeting:

- Report by Mayor on Jade Stadium
- Report by the Chairman of the Strategy and Resources Committee on review of aspects of external communication
- Report by Chairman of the City Services Committee on submission regarding proposed disposal of land adjoining Charlesworth Street Reserve

The Mayor advised that these reports were not been included in the main agenda for the reason that they were not available at the time the agenda was prepared and circulated, but that in each case it was necessary that the report be dealt with at the present meeting, rather than being deferred to a subsequent meeting.

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

6. REPORT BY THE MAYOR ON JADE STADIUM

Moved: That the Mayor's report be adopted.

(2.30pm Councillor Anderton retired)

Councillor Sheriff moved by way of amendment *"That further CCC funding be limited to the amounts required to develop the building and business plans, until the business plan is approved by the Council"*. The amendment was seconded by Councillor Evans and when put to the meeting was declared **carried** on division no 1 by 19 votes to 3, the voting being as follows:

For (19): Councillors Austin, Baker, Booth, Buck, Buist, Close, Condon, Evans, Ganda, Harrow, Howell, James, Keast, Manning, Sheriff, Stewart, Thompson, Wells and the Mayor.

Against (3): Councillors Corbett, Crighton and Wright.

Councillor Close moved by way of further amendment:

"1. That recommendation 3 in the Mayor's report be amended to provide:

'That all reports come back to the Council for discussion and agreement prior to any decisions being made as to the provision of separate accommodation for cricket and rugby.'

2. That all those involved in the feasibility studies be asked to note the financial restraints imposed by the Council's budget."

The amendment was seconded by Councillor Manning and when put to the meeting was declared **carried**.

Councillor Manning moved by way of further amendment “*That any variation to the existing agreement be based on equitable support for cricket*”. The amendment was seconded by Councillor Wells and when put to the meeting was declared **carried** on division no 2 by 12 votes to 8, the voting being as follows:

For (12): Councillors Buck, Buist, Close, Corbett, Crighton, Evans, Ganda, Keast, Manning, Thompson, Wells and the Mayor.

Against (8): Councillors Austin, Baker, Condon, Harrow, Howell, James, Sheriff and Stewart.

Abstain: Councillor Booth.

Temporarily Absent: Councillor Wright.

The recommendations contained in the report were then adopted, subject to incorporation of the foregoing amendments.

Report adopted as amended.

7. REPORT OF THE STRATEGY AND RESOURCES COMMITTEE OF 16 AUGUST 1999

Moved: That the Committee’s report be adopted.

(1) Dual Membership of Community Boards and Territorial Authorities

Adopted.

It was **resolved**, further that the Christchurch City Council pursue an amendment to the present provisions of the Local Government Act 1974, to allow all ward Councillors to serve on Community Boards.

(4) Appointment of Advisory Trustee to the Recovered Materials Foundation Board

It was **resolved**:

1. That Councillor Sally Buck be authorised to attend meetings of the Recovered Materials Foundation in her capacity as an advisory trustee as a representative of the Council.
2. That the Council recommend to the Recovered Materials Foundation that it consider an amendment to its constitution to provide for the appointment of an additional trustee and that following any such amendment to its constitution that Councillor Buck be appointed.

(6) Mayor's Welfare Fund Charitable Trust - Cheque Signatories

Adopted, subject to the Deputy Mayor being added to the list of persons authorised to sign receipts for donations or gifts.

(7) Separately Rateable Properties

Adopted.

(Note: Councillor Booth recorded his vote against the adoption of this clause.)

(9) Report from Christchurch City Holdings Limited

Adopted.

It was **resolved** further that the Council convey its appreciation to Mr John Gray for his chairmanship of Southpower and Orion.

Report adopted as amended.

8. SUPPLEMENTARY REPORT BY CHAIRMAN OF THE STRATEGY AND RESOURCES COMMITTEE ON REVIEW OF ASPECTS OF EXTERNAL COMMUNICATION

Resolved: That the Chairman's report be adopted.

9. REPORT OF THE ENVIRONMENT COMMITTEE OF 28 JULY 1999

Resolved: That the Committee's report be adopted.

10. REPORT OF THE ENVIRONMENT COMMITTEE OF 12 AUGUST 1999

Moved: That the Committee's report be adopted.

(2) Casino Overbuilding

Councillor Close moved by way of amendment "*That the recommendation of the Environment Committee be noted*". The amendment was seconded by Councillor Manning and when put to the meeting was declared **carried** as the substantive motion.

Report adopted as amended.

11. REPORT OF THE CITY SERVICES COMMITTEE OF 10 AUGUST 1999

Moved: That the Committee's report be adopted.

(3) Waste Disposal: Ashburton District

Councillor Sheriff moved by way of amendment *"That recommendation 2 be amended to provide:*

'That acceptance be conditional upon:

- *The transfer trucks complying with the route restrictions imposed upon our own transfer vehicles.*
- *Vehicles conveying Ashburton District Council waste being prohibited from the Burwood Landfill on Sundays.'*"

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

Councillor Harrow moved by way of further amendment *"That waste be charged at the rate of \$50 (including GST) for 1999/2000"*. The amendment was seconded by Councillor Wright and when put to the meeting was declared **lost**.

The recommendations contained in this clause were then adopted, subject to incorporation of the amendment moved by Councillor Sheriff and seconded by Councillor Evans.

(7) Charlesworth Street Reserve: Deeds Index Land

Adopted.

(Note: Councillor Baker recorded her vote against the adoption of this clause.)

(8) Occupation of Legal Road – City Mall

Councillor Crighton moved by way of amendment *"That the whole of this clause be referred back to the Environment Committee, to allow a standard policy to be devised which can be applied to this and any future similar applications"*. The amendment was seconded by Councillor Harrow and when put to the meeting was declared **lost**.

Councillor Austin moved by way of further amendment:

- "1. That recommendation 1 be adopted, subject to the extension to the existing deed of licence being limited to a period of six months, pending a review of this issue by the Environment Committee.*
- 2. That recommendation 2 be referred to the Environment Committee for further consideration, and report back to the Council".*

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

Report adopted as amended.

12. REPORT BY THE CHAIRMAN OF THE CITY SERVICES COMMITTEE ON CHARLESWORTH STREET RESERVE

Resolved: That the Chairman's report be received.

13. REPORT OF THE COMMUNITY SERVICES COMMITTEE OF 9 AUGUST 1999

Resolved: That the Committee's report be adopted.

14. REPORT OF THE PARKS AND RECREATION COMMITTEE OF 11 AUGUST 1999

Moved: That the Committee's report be adopted.

(3) New Brighton Board Riders Club Lease Application

Councillor James stated that recommendation 10 incorrectly reflected a resolution adopted by the Burwood/Pegasus Community Board at its meeting on 2 August, in that the Board had in fact resolved to recommend that a concessionary rental be negotiated with the club, in recognition of the fundraising activities which it had undertaken for the New Brighton Pier.

It was therefore **resolved** that the recommendation made by the Committee be adopted, subject to the deletion of recommendation 10 (the intention of this decision being that the lease would be granted at a peppercorn rental).

(8) Heathcote Valley Land Purchase

(9) Halswell Domain – Purchase of Extension

These two clauses were held over until later in the meeting.

(15) Ferrier Park - Pine Tree

This clause was held over until later in the meeting.

Report adopted as amended, excluding clauses 8, 9 and 15.

15. REPORT OF THE RESOURCE MANAGEMENT COMMITTEE OF 5 AUGUST 1999

Moved: That the Committee's report be adopted.

(4) Notable Tree Survey

Received.

It was **resolved**, further on the motion of Councillor Harrow, seconded by Councillor Booth that the report include comment on the legal rights of private landowners regarding tree protection and whether the presence of notable trees can be included in the valuation of a property.

Report adopted as amended.

(Note: Councillor Manning retired from clauses 1 and 3 of the report, and took no part in the discussion or voting thereon.)

16. REPORT OF THE JOINT CHRISTCHURCH CITY COUNCIL/CANTERBURY REGIONAL COUNCIL COMMITTEE OF 18 AUGUST 1999

Resolved: That the Committee's report be received.

17. REPORT OF ESTABLISHMENT UNIT REGARDING THE FORMATION OF A LOCAL AUTHORITY TRADING ENTERPRISE

Resolved: That the Establishment Unit's report be adopted.

(Note: Councillor Booth recorded his vote against the adoption of the report.)

18. REPORT OF THE CANTERBURY WASTE SUBCOMMITTEE OF 9 AUGUST 1999

Resolved: That the Subcommittee's report be received.

19. REPORT OF THE BURWOOD/PEGASUS COMMUNITY BOARD OF 2 AUGUST 1999

Moved: That the Board's report be adopted.

(14) New Brighton Boardriders Club Lease Application

Received, subject to clause 3 of the resolution being corrected to read:

"3. That, in assessing the rental, recognition be made of the New Brighton Longboarders Club's contribution towards the fundraising for the New Brighton Pier."

Report adopted as amended.

20. REPORTS OF THE FENDALTON/WAIMAIRI COMMUNITY BOARD

MEETING OF 3 AUGUST 1999

Resolved: That the Board's report be adopted.

MEETING OF 5 AUGUST 1999

Resolved: That the Board's report be received.

**21. REPORT OF THE HAGLEY/FERRYMEAD COMMUNITY BOARD
OF 4 AUGUST 1999**

Resolved: That the Board's report be adopted.

22. REPORTS OF THE RICCARTON/WIGRAM COMMUNITY BOARD

MEETING OF 4 AUGUST 1999

Resolved: That the Board's report be adopted.

MEETING OF 10 AUGUST 1999

Resolved: That the Board's report be received.

**23. REPORT OF THE SHIRLEY/PAPANUI COMMUNITY BOARD
OF 4 AUGUST 1999**

Resolved: That the Board's report be adopted.

**24. REPORT OF THE SPREYDON/HEATHCOTE COMMUNITY BOARD
OF 3 AUGUST 1999**

Moved: That the Board's report be adopted.

(3) Ernlea Reserve Development

It was **resolved** that this clause be referred back to the Board for further consideration.

Report adopted as amended.

25. REPORT OF THE LEGISLATION SUBCOMMITTEE
CLAUSE 3 NOTICES OF MOTION: DOG CONTROL ACT 1996:
RESTRICTED BREEDS)

These two items were taken together.

On being put to the meeting, the motion moved by Councillor Manning and seconded by Councillor Keast was declared **carried** by 12 votes to 11, the voting being as follows:

For (12): Councillors Booth, Buist, Corbett, Ganda, Harrow, Howell, Keast, Manning, Stewart, Wells, Mayor and the Mayor's casting vote.

Against (11): Councillors Austin, Baker, Buck, Close, Condon, Crighton, Evans, James, Sheriff, Thompson and Wright.

It was further **resolved** that the Legal Services Manager be requested to write to the Internal Affairs and Local Government Select Committee seeking a consequential amendment to this Council's submissions on the Local Government Law Reform Bill (No 2).

26. NOTICES OF MOTION

(1) Making and Levying of Rates and Additional Charges for 1999/2000

Adopted.

(2) Commencement of Proceedings to Change Name of Part of Truscotts Road to Ferrymead Park Drive

Adopted.

(3) Dog Control Act 1996: Restricted Breeds

Dealt with earlier in the meeting.

(4) Capital Funding Loan 1999

Adopted.

27. FERRIER PARK: REQUEST FOR REMOVAL OF PINE TREE

Consideration was given to:

- Clause 15 of the Parks and Recreation Committee's report of 11 August 1999.
- Clause 4.1 of the Riccarton/Wigram Community Board's report of 4 August 1999.

Councillor Keast moved by way of amendment “*That the recommendation of the Riccarton/Wigram Community Board be adopted*”. The amendment was seconded by Councillor Condon and when put to the meeting was declared **lost**.

The decision made pursuant to delegated authority by the Parks and Recreation Committee was then received.

28. RESOLUTION TO EXCLUDE THE PUBLIC

It was **resolved** that the resolution to exclude the public set out on pages 359 to 362 inclusive of the agenda be adopted, subject to the inclusion therein of references to the report by the Chairman of the Strategy and Resources Committee regarding the proposed St Martins Library development and a report by the Chairman of the Parks and Recreation Committee regarding the On the Beach Restaurant in Sumner, such reports to be considered with the public excluded pursuant to Sections 7(2)(j) (Prevention of Improper Advantage) and 7(2)(h) (Commercial Activities) of the Local Government Official Information and Meetings Act 1987.

(Note: Following the conclusion of the public excluded items of business, members of the public were readmitted to the meeting for the remaining items shown below.)

29. REPORT OF THE PARKS AND RECREATION COMMITTEE OF 11 AUGUST 1999 (Cont'd)

Resolved: That clauses 8 and 9 of this report be adopted, such clauses having been held over earlier in the meeting.

30. CONCLUSION

The meeting concluded at 7.45pm.

CONFIRMED THIS 23RD DAY OF SEPTEMBER 1999

MAYOR