

MINUTES OF A SPECIAL MEETING OF THE CHRISTCHURCH CITY COUNCIL  
HELD AT 2PM ON WEDNESDAY 29 NOVEMBER 2000

**PRESENT:** The Deputy Mayor, Lesley Keast (Chairperson),  
Councillors Paddy Austin, Erin Baker, Robin Booth, David Buist, David Close, Graham Condon,  
Barry Corbett, Carole Evans, Ishwar Ganda, Pat Harrow, Ian Howell, Alister James,  
Charles Manning, Denis O'Rourke, Gail Sheriff, Barbara Stewart, Ingrid Stonhill,  
Sally Thompson, Sue Wells and Ron Wright.

**APOLOGIES:** Apologies for absence were received and accepted from the Mayor, Garry Moore, and Councillors  
Carole Anderton, Sally Buck and Anna Crighton.

**1. REPORT BY DIRECTOR OF OPERATIONS ON APPLICATION FOR THE COUNCIL'S CONSENT  
AS LANDOWNER: PROPOSED EXPANSION OF SHIRLEY MALL**

The Director of Operations advised that he wished to withdraw his report on this topic, as it had since been ascertained that a nearby affected owner had refused to give consent. On the basis that it was inappropriate for the Council to give its consent he would therefore exercise his delegated power to refuse to give written consent on behalf of the Council as the owner of the land adjoining the site of the application.

It was therefore **resolved** that the report be withdrawn.

**2. SUPPLEMENTARY REPORT**

The Deputy Mayor referred to a supplementary report by the Chairman of the Land Transport Subcommittee which had been tabled, giving details of further negotiations which had been conducted with the Ngai Tahu and the McLean Institute.

The Deputy Mayor advised that it had not been possible to include this report in the agenda for the reason that the negotiations with these two parties were still proceeding at the time the agenda had been circulated, but that it was necessary that the report be considered and dealt with at the present meeting, rather than being deferred to a subsequent meeting.

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

**3. RESOLUTION TO EXCLUDE THE PUBLIC**

Councillor O'Rourke moved "*That the resolution to exclude the public incorporated in the agenda be adopted*". The motion was seconded by Councillor Wells and when put to the meeting was declared **lost** on division no 1 by 9 votes to 12, the voting being as follows:

**Against (12):** Councillors Austin, Baker, Booth, Close, Condon, Corbett, Evans, Harrow, Sheriff, Stewart, Thompson and Wright.

**For (9):** Councillors Buist, Ganda, Howell, James, Manning, O'Rourke, Stonhill, Wells and the Deputy Mayor.

**4. REPORT OF THE LAND TRANSPORT SUBCOMMITTEE ON BLENHEIM ROAD DEVIATION**

**Moved:** That the Subcommittee's report be received.

Councillor O'Rourke moved:

*"That the Council:*

- 1. Make an offer to Ngai Tahu Properties for the purchase of its land required for the road deviation and the sell-back of surplus land and settlement of all other claims as set out in the report, with a net cost to the Council of an amount to be considered with the public excluded, such amount to be not negotiable.*

2. *Make an offer to the McLean Institute for the purchase of its land required for the road deviation and settlement of all other claims as set out in the report for an amount to be considered by the Council with the public excluded, such amount to be not negotiable.*
3. *Require both offers to be accepted, if at all, by 2pm on 14 December 2000.*
4. *Make both offers conditional upon:*
  - (a) *Satisfactory LIM reports being provided by 2pm on 14 December 2000.*
  - (b) *The consent of Tranzrail to the new bridge location.*
  - (c) *All necessary resource consents being obtained.*
  - (d) *Formal contracts being prepared by the Council's solicitors and executed by the parties.*
  - (e) *Acceptance of the other offer.*
  - (f) *The owner of the BP site entering into a written agreement with the Council to sell the part of that site required for the deviation for \$1.00.*
  - (g) *The Council entering into an agreement to acquire the existing leasehold interest in the southern McLean Institute building.*
5. *Carry out further public consultation to augment the consultation already undertaken for the current year's annual plan, giving full details of the now fully developed proposal and increased capital expenditure, by 15 January 2001.*
6. *Adopt and implement the road alignment and design recommended in the report, subject to the successful outcome of the requirements of clauses 1 to 5 above, and subject to the variation of the alignment of the southern portion to avoid or minimise the effect on the McLean Institute land.*
7. *Fund the project:*
  - (a) *By way of the amount to be considered with the public excluded in the first year from the Capital Development Reserve.*
  - (b) *As to the balance in the subsequent year(s) from the Debt Repayment Reserve.*
  - (c) *By way of the maximum Transfund funding (in reduction of (a) and/or (b)).*
  - (d) *By way of any contribution available from the current owner of the old saleyards site to be confirmed before 2pm on 14 December 2000 (in reduction of (a) and/or (b)).*
  - (e) *Sale of all surplus land (including stopped road reserve) additional to that to be sold back to under clause 1.*
8. *Consider the development of the relevant part of Deans Avenue for car parking for Hagley Park as a separate project at a later time."*

The motion was seconded by Councillor Austin.

(2.45pm Councillor James retired)

A number of Councillors then spoke for and against the motion in the ensuing debate, Councillor Wells requesting that her support of the motion be noted in the minutes.

(3.52pm Councillor James returned)

## 5. RESOLUTION TO EXCLUDE THE PUBLIC

It was **resolved** that the resolution to exclude the public incorporated in the agenda be adopted, and that Mr Denis Sheard of Buddle Findlay and Mr Errol Saunders of Ford Baker be permitted to remain at the meeting following the exclusion of the public, to allow them to provide advice to the Council in their capacities as the Council's legal adviser and valuer, respectively.

(3.55pm Councillors Close and Wells retired)

**CONFIRMED THIS 14TH DAY OF DECEMBER 2000**

**MAYOR**