

**MINUTES OF A MEETING OF THE CHRISTCHURCH CITY COUNCIL
HELD AT 2PM ON THURSDAY 28 FEBRUARY 2002**

PRESENT: The Mayor, Garry Moore (Chairperson).
Councillors Oscar Alpers, Carole Anderton, Paddy Austin, Erin Baker, Helen Broughton, Sally Buck, Graham Condon, Barry Corbett, David Cox, Anna Crighton, Carole Evans, Megan Evans, Ishwar Ganda, Pat Harrow, Alister James, Lesley Keast, Denis O'Rourke, Gail Sheriff, Barbara Stewart, Ingrid Stonhill, Sue Wells, Chrissie Williams, Norm Withers and Ron Wright.

APOLOGIES: Nil.

1. CONFIRMATION OF MINUTES

ORDINARY COUNCIL MEETING OF 12 DECEMBER 2001

Resolved: That the minutes of the ordinary Council meeting held on Thursday 12 December 2001 be confirmed.

SPECIAL COUNCIL MEETING OF 12 FEBRUARY 2002

Resolved: That the minutes of the special Council meeting held on Tuesday 12 February 2002 be confirmed.

2. SUPPLEMENTARY ITEMS

The Mayor referred to the following late items which had been separately circulated or tabled for consideration at the present meeting:

- Letters from the following parties regarding the proposal to discontinue the one hour free parking trial:
 - Central City Retail Association
 - High Street Business and Community Association
 - Mr Vincent Chew on behalf of the South Island Branch of the Property Council of NZ
- Letters regarding the Central Plains Irrigation Project from:
 - Mr Murray Rodgers and 28 other persons
 - Professor Richard Rowe
- Report by Mayor proposing greater co-operation between the Christchurch City Council and the Banks Peninsula District Council.
- Supplementary report by the Chair of the Strategy and Finance Committee regarding Central Plains Water Enhancement project.
- Supplementary Report by Chairman of the Heritage Subcommittee regarding McKellar and Fleming Houses, Park Terrace.
- Report of the Regulatory and Consents Committee of 15 February 2002.
- Report of the Sustainable Transport and Utilities Committee of 26 February 2002.
- Supplementary public excluded report by the Chairman of the Parks, Gardens and Waterways Committee dealing with the purchase of two properties for the city outfall drain.

The Mayor advised that it had not been possible to include these items in the main agenda for the reason that in each case the required information was not available at the time the agenda had been circulated, but that it was essential that the items concerned be dealt with at the present meeting, rather than being deferred to a subsequent meeting.

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

3. REPORT OF THE HERITAGE SUBCOMMITTEE OF 20 FEBRUARY 2002 AND SUPPLEMENTARY REPORT BY THE CHAIRMAN OF THE HERITAGE SUBCOMMITTEE

These two reports were taken together.

It was **resolved**:

1. That the Council draw to the attention of all bidders the Council's willingness to work with the purchaser towards the appropriate conservation of the heritage features of the properties.
2. That any Council financial commitment to assist a prospective purchaser be subject to the successful negotiation of an appropriate heritage covenant over the heritage features of the properties, preventing their demolition.
3. That the sources of funding as outlined by the Director of Finance in the Chairman's supplementary report be approved, as may be required, up to a maximum contribution by the Council of \$200,000.

4. DEPUTATIONS BY APPOINTMENT

(1) Central Plains Water Enhancement Steering Committee: Approval and Funding for Project Continuation

Submissions regarding the recommendations contained in clause 1 of the Strategy and Finance Committee's report were made by:

- Professor Richard Rowe
- Mr John Walley, the Chief Executive Officer of the Canterbury Manufacturers' Association
- Mr Peter Townsend, Chief Executive Officer of the Canterbury Employers' Chamber of Commerce

It was **resolved** that the submissions be considered in conjunction with clause 1 of the report of the Strategy and Finance Committee.

**5. CENTRAL PLAINS WATER ENHANCEMENT STEERING COMMITTEE - APPROVAL AND FUNDING FOR PROJECT CONTINUATION
SUPPLEMENTARY REPORT BY THE CHAIR OF THE STRATEGY AND FINANCE COMMITTEE REGARDING CENTRAL PLAINS WATER ENHANCEMENT STEERING COMMITTEE- APPROVAL AND FUNDING FOR PROJECT CONTINUATION**

Clause 1 of the report of the Strategy and Finance Committee and the Chair's supplementary report were taken together.

Moved: That the recommendation contained in clause 1 of the Strategy and Finance Committee's report be adopted.

Councillor Austin moved by way of amendment:

"1. That the Council refer the application for funding the next phase of the Central Plains Water Enhancement project to the economic development component of the Capital Endowment fund. This application should deal with the question of the comparative value of pursuing this high impact option as compared with the pursuit of dry-land cultivation, which is the subject of research currently being undertaken at Lincoln University or other, lower-impact options.

Nobody who has had prior involvement with the feasibility study to date will be part of this decision-making process.

2. That, in the event that the project is recommended for economic development funding, the steering committee be expanded to include:

- (a) Two members nominated by the Parliamentary Commissioner for the Environment*
- (b) One member representing Te Runanga O Ngai Tahu.*

3. *That, in the event that further concept development is funded, the concept report cover comprehensively the extent to which the scheme can be managed sustainably. Such a report to cover those matters detailed in clause 4 of this resolution.*
4. *For a scheme to be acceptable to the governing authorities, it must report on the extent to which the scheme:*
 - (a) *Meets the purposes and principles of the RMA.*
 - (b) *Provides for ensuring the life-supporting capacity of the affected waterways is maintained to at least existing levels (including avoiding any measures that will result in the death of fish).*
 - (c) *Provides for enhancing existing habitats, particularly indigenous habitats and those of trout and salmon, through an integrated management philosophy that might include such measurable strategies as:*
 - *Identifying and assigning a value to these habitats*
 - *Augmenting flows for instream values*
 - *Riparian planting and fencing*
 - *Improved weed and pest control*
 - *Restoration of wetlands*
 - *Improvements to habitat capable of supporting increased numbers of breeding pairs of indigenous birds.*
 - (d) *Maintains environmentally sustainable flow of the braided rivers.*
 - (e) *Provides effective screening of water takes, including correct screen and mesh sizing, positioning, approach velocity, and incorporating suitable escape routes for fish.*
 - (f) *Works within the National Water Conservation Order on the Rakaia River and the Regional River Plan of the Waimakariri.*
 - (g) *Avoids damage to the receiving environment that may be caused by cumulative and secondary impacts of the scheme.*
 - (h) *Provides the communities of Glentunnel, Coalgate and Whitecliffs with assurance against the risk of dam burst.*
 - (i) *Quantifies the threat posed to these communities by this risk.*
 - (j) *Maintains the recreational values of the Selwyn River against the threat of increased river flows.*
 - (k) *Guarantees compensation where legal liability arises for the value of lives, homes, property and livestock lost in the event of a dam burst.*
 - (l) *Guarantees compensation where legal liability arises for loss of property to the Glentunnel Reserves.*
 - (m) *Details monitoring and management plans to address the risk of leaching of nitrates into groundwater.*
 - (n) *Addresses the loss of road access from Glentunnel to Glenroy through the Wairiri Valley.*
 - (o) *Addresses the carrying capacity of soils (given the rise in groundwater levels) across all the communities, not just the host community.*
5. *That the submissions received at the meeting, together with the specific concerns raised, be referred to the Central Plans Water Enhancement Steering Committee for report back to the Council prior to the Council considering its draft plan in March."*

The amendment was seconded by Councillor Alpers and when put to the meeting was declared **carried** on division no 1 by 15 votes to 10, the voting being as follows:

For (15): Councillors Alpers, Anderton, Austin, Broughton, Condon, M Evans, Ganda, Harrow, James, Keast, O'Rourke, Stewart, Stonhill, Wells and the Mayor.

Against (10): Councillors Baker, Buck, Corbett, Cox, Crighton, C Evans, Sheriff, Williams, Withers and Wright.

The amendment was then put to the meeting and declared **carried** as the substantive motion on division no 2 by 13 votes to 12, the voting being as follows:

For (13): Councillors Alpers, Anderton, Austin, Condon, Ganda, Harrow, James, Keast, O'Rourke, Stewart, Stonhill, Wells and the Mayor.

Against (12): Councillors Baker, Broughton, Buck, Corbett, Cox, Crighton, C Evans, M Evans, Sheriff, Williams, Withers and Wright.

6. MAYOR'S REPORT

The Mayor tabled a report proposing greater co-operation between the Christchurch City Council and the Banks Peninsula District Council.

It was moved "*That the City Manager work with the Banks Peninsula District Council to investigate ways of improving efficiency of administration and service delivery through closer collaboration and/or combined administration and service delivery arrangements, and report back to the Council's Strategy and Finance Committee*".

On being put to the meeting the motion was declared **carried** on division no 3 by 20 votes to 4, the voting being as follows:

For (20): Councillors Alpers, Anderton, Baker, Broughton, Buck, Condon, Corbett, Crighton, Evans C, Evans M, Ganda, Harrow, James, Keast, Stewart, Stonhill, Wells, Williams, Withers and the Mayor.

Against (4): Councillors Cox, O'Rourke, Sheriff and Wright.

7. DEPUTATIONS BY APPOINTMENT (Cont'd)

(2) Proposed Discontinuation of One Hour Free Parking Trial

Submissions regarding the recommendation contained in clause 2 of the Sustainable Transport and Utilities Committee's report were made by:

- Mr Antony Gough representing the Central City Retailers' Association, the Strategy and Business Subcommittee of the Central City Mayoral Forum and the NZ Property Council
- Mr Steve Collins, representing the Canterbury Employers' Chamber of Commerce, the Christchurch Heritage Trust and the Strategy and Business Subcommittee of the Central City Mayoral Forum

It was **resolved** that the submissions be considered in conjunction with clause 2 of the report of the Sustainable Transport and Utilities Committee.

8. ONE HOUR FREE PARKING TRIAL

Consideration was given to clause 2 of the Sustainable Transport and Utilities Committee's report of 12 February 2002.

Moved: That the Committee's recommendation be adopted.

The Mayor moved by way of amendment "*That the Chairman of the Sustainable Transport and Utilities Committee, the Mayor and the Director of Finance in consultation with the Mayoral Forum Executive consider funding options for a possible extension of the free one hour parking trial, and report back to the March meeting of the Strategy and Finance Committee*". The amendment was seconded by Councillor Alpers and when put to the meeting was declared **carried** as the substantive motion.

(Note: Councillors Cox and Ganda withdrew from consideration of this clause and the preceding submissions made by Mr Antony Gough and Mr Steve Collins, and took no part in the discussion or voting thereon.)

(7.20pm Councillors Keast and Wells temporarily retired from the meeting)

9. REPORT OF THE COUNCIL SECRETARY REGARDING MAYOR'S MEMBERSHIP OF STANDING COMMITTEES AND SPECIAL COMMITTEES

Resolved: That the report be adopted.

**10. REPORT OF THE STRATEGY AND FINANCE COMMITTEE
OF 18 FEBRUARY 2002**

Moved: That the Committee's report be adopted.

(1) Central Plains Water Enhancement Steering Committee - Approval and Funding for Project Continuation

Dealt with earlier in the meeting.

(3) Six Monthly Review of Financial Plan and Programme Implementation

Adopted, subject to the deletion of recommendation 3 regarding additional funding for the Central Plains Water Scheme Project.

(7) Contaminated Soil Subcommittee

The three recommendations contained in this clause were not adopted.

To avoid the establishment of a further Subcommittee it was **resolved**, instead that this issue be dealt with by the Housing Subcommittee (with the relevant ward Councillors to be invited to attend meetings of the Subcommittee where it is considering sites within their ward/s) and that the Housing Subcommittee report to the various Council Standing Committees as appropriate.

(7.40pm Councillors Keast and Wells returned)

Local Government New Zealand: Attendance at Zone 5 Meeting

It was **resolved** that, in addition to the Council's previously appointed representatives on Zone 5 of Local Government New Zealand, Councillors David Cox, Carole Evans, Gail Sheriff and Ingrid Stonhill also be authorised to attend a Zone 5 meeting to be held in Christchurch on Friday 1 March 2002.

Report adopted as amended.

**11. REPORT OF THE ARTS, CULTURE AND HERITAGE COMMITTEE
OF 14 FEBRUARY 2002**

It was **resolved** that clause 15 of the Committee's report dealing with core funded and in-house festivals and events funding be transferred from the public excluded section for consideration with the public present.

Moved: That the Committee's report be adopted.

(3) Artworks in Public Places Policy

Adopted, subject to the Subcommittee referred to in recommendation 8 also comprising a representative of Maori, nominated by the Maori Liaison Subcommittee.

**(6) Core-Funded and In-House Festivals and Events Funding 2002/03
(15) Core-Funded and In-House Festivals and Events Funding 2002/03**

These two clauses were taken together, clause 15 having been transferred from the public excluded to the open section of the meeting.

Councillor Austin advised that owing to a clash with the first day of the Floral Festival, the Garden City Trust had been unable to accept an earlier invitation for representatives of the Trust to discuss this report with members of the Committee. However, it was hoped to meet with the Trust shortly to discuss the revised funding proposals set out in the report.

The recommendations contained in both clauses 6 and 15 were then adopted without alteration.

It was further **resolved** that arrangements be made for the Buskers Festival to appear in the suburbs on a rostered basis.

Report adopted as amended.

**12. REPORT OF THE COMMUNITY AND LEISURE COMMITTEE
OF 11 FEBRUARY 2002**

Moved: That the Committee's report be adopted.

(12) Recommendations for Additional Social Initiatives Programme Funds

The reference in this clause to "*additional social initiatives programme funds*" was corrected to "*metropolitan discretionary funds*".

Ministry of Pacific Island Affairs: Appointment of Council Representative to Attend Capacity Building Process Meetings

Councillor Anderton requested that owing to her other commitments the Council appoint another member as its representative to attend meetings of senior officials of the Ministry of Pacific Island Affairs to progress the capacity building process in the Christchurch region.

It was **resolved** that Councillor Ingrid Stonhill be appointed to represent the Council at meetings of this group.

Report adopted as amended.

**13. REPORT OF THE PARKS, GARDENS AND WATERWAYS COMMITTEE
OF 13 FEBRUARY 2002**

Resolved: That the Committee's report be received.

**14. REPORT OF THE PROPERTY AND MAJOR PROJECTS COMMITTEE
OF 8 FEBRUARY 2002**

Moved: That the Committee's report be adopted.

(3) Bus Xchange Operational Review

Adopted, subject to Councillor Megan Evans also being appointed as an additional member of the Subcommittee.

Arising from an associated discussion regarding the need for the appointment of a subcommittee, the Council was advised that it should only be necessary for this subcommittee to meet once.

Report adopted as amended.

**15. REPORT OF THE SUSTAINABLE TRANSPORT AND UTILITIES COMMITTEE
OF 12 FEBRUARY 2002**

Moved: That the Committee's report be adopted.

(2) One-Hour Free Parking Trial

This clause was dealt with earlier in the meeting.

(3) Bedford Row Development: Private Use of Road Space

Recommendation 1 was adopted without alteration. Recommendation 2 was also adopted, subject to:

- The views of residents and property owners in Bedford Row being sought.
- An updated concept plan of the proposed Bedford Row redevelopment being prepared.

(Note: Councillors Sally Buck, David Cox, Megan Evans, Alister James, Lesley Keast, Gail Sheriff and Sue Wells all retired from consideration of this clause, and took no part in the discussion or voting thereon.)

Report adopted as amended.

16. REPORT OF SPECIAL MEETING OF SUSTAINABLE TRANSPORT AND UTILITIES COMMITTEE OF 26 FEBRUARY 2002

Resolved: That the Committee's report be adopted, subject to the amendment of recommendation 1 to record that the additional peripheral bus terminal would be located in Gloucester Street outside the Orion and car parking buildings, and subject also to it being recorded that Councillor Megan Evans had retired from the meeting at 1.25pm, rather than 12.55pm.

(Note: Councillor Ganda retired from consideration of this report, and took no part in the discussion or voting thereon.)

17. REPORT OF THE REGULATORY AND CONSENTS COMMITTEE OF 15 FEBRUARY 2002

Moved: That the Committee's report be adopted.

(7) Proposed Dog Registration Fees 2002/2003

Adopted, subject to the amnesty for unregistered dogs referred to in recommendation 1 being reduced from two months to one month.

Report adopted as amended.

18. REPORT OF THE BUDGET SCRUTINY AND AUDIT SPECIAL COMMITTEE OF 28 JANUARY 2002

Resolved: That the Committee's report be received.

19. REPORT OF THE COMMUNITY PLANS SPECIAL COMMITTEE OF 29 JANUARY 2002

Resolved: That the Committee's report be received.

(Note: Councillor Erin Baker retired from consideration of clause 2 of the report, and took no part in the discussion or voting thereon.)

20. REPORT BY THE CHAIRMAN OF THE COMMUNITY PLANS SPECIAL COMMITTEE REGARDING CANTERBURY DISTRICT HEALTH BOARD STRATEGIC PLAN

Resolved: That the Chairman's report be adopted, subject to the submission being amended to include an additional submission requesting the Canterbury District Health Board to work in partnership with social housing providers to ensure that sufficient support services are made available to allow tenants to live full and independent lives.

(Note: Councillor Erin Baker retired from consideration of this report, and took no part in the discussion or voting thereon.)

21. REPORT OF THE URBAN PLANNING AND GROWTH SPECIAL COMMITTEE OF 30 JANUARY 2002

Resolved: That the Committee's report be received.

**22. REPORT OF THE CANTERBURY WASTE SUBCOMMITTEE
OF 4 FEBRUARY 2002**

Resolved: That the Subcommittee's report be received.

**23. REPORT OF THE CELL SITES ON COUNCIL LAND SUBCOMMITTEE
OF 18 DECEMBER 2001**

Resolved: That the Subcommittee's report be received.

**24. REPORT OF THE HERITAGE SUBCOMMITTEE OF 20 FEBRUARY 2002
SUPPLEMENTARY REPORT BY THE CHAIRMAN OF THE HERITAGE SUBCOMMITTEE**

These two reports were dealt with earlier in the meeting.

**25. REPORTS OF THE BURWOOD/PEGASUS COMMUNITY BOARD
MEETING OF 28 JANUARY 2002**

Resolved: That the Board's report be adopted.

SPECIAL MEETING OF 5 FEBRUARY 2002

Resolved: That the Board's report be received.

**26. REPORT OF THE FENDALTON/WAIMAIRI COMMUNITY BOARD
OF 29 JANUARY 2002**

Resolved: That the Board's report be adopted.

**27. REPORTS OF THE HAGLEY/FERRYMEAD COMMUNITY BOARD
SPECIAL MEETING OF 19 DECEMBER 2001**

Resolved: That the Board's report be received.

MEETING OF 30 JANUARY 2002

Resolved: That the Board's report be adopted.

**28. REPORT OF THE RICcarton/WIGRAM COMMUNITY BOARD
OF 30 JANUARY 2002**

Resolved: That the Board's report be adopted.

**29. REPORTS OF THE SHIRLEY/PAPANUI COMMUNITY BOARD
SPECIAL MEETING OF 13 DECEMBER 2001**

Resolved: That the Board's report be received.

MEETING OF 30 JANUARY 2002

Moved: That the Board's report be adopted.

(13) Slater Street – Dudley Creek Enhancement

It was noted that this clause should have been included in Part A of the Board's report, rather than Part C. It was therefore **resolved** to confirm the acquisition by the Council of Section 1 on plan 23597/2 containing approximately 368 m² at 161 Slater Street for the purpose of Local Purpose (waterway) Reserve, on the terms described within the public excluded section of the Board's report.

Report adopted as amended.

30. REPORTS OF THE SPREYDON/HEATHCOTE COMMUNITY BOARD

MEETING OF 17 DECEMBER 2001

Resolved: That the Board's report be received.

MEETING OF 29 JANUARY 2002

Resolved: That the Board's report be received.

31. NOTICES OF MOTION

(1) Proposed Variation to City Plan Regarding Periodic Detention Centres

It was **resolved** that the Council urgently initiate a variation to the City Plan to make it clear that periodic detention centres (including community work centres as defined in the Sentencing and Parole Reform Bill) are not permitted activities in Business 1 zones.

And that in particular:

- (a) A new definition of the term 'Community Facilities' be inserted in the Plan including periodic detention centres.
- (b) A 'critical standard' rule be inserted in Volume 3, Part 3, Clause 3.6 of the Plan, to the effect that:

'Periodic detention centres shall be a non-complying activity in any Business 1 zone.'
- (c) An explanation and reasons be written into the Plan citing issues of nature and scale of periodic detention centres being inappropriate in smaller local business centres.

And that an assessment in terms of Section 32 of the Resource Management Act setting out the need for the new rule and what alternatives have been considered in order to achieve the purpose of the Act be prepared referring to earlier Environment Court and High Court decisions and obiter on on this issue.

32. RESOLUTION TO EXCLUDE THE PUBLIC

It was **resolved** that the draft resolution to exclude the public set out on page 269 of the agenda be adopted, subject to the inclusion therein of a further reference to a tabled report by the Chairman of the Parks, Gardens and Waterways Committee dealing with the proposed purchase of two properties for the city outfall drain, such report to be considered with the public excluded pursuant to section 7(2)(i) of the Local Government Official Information and Meetings Act 1987, relating to the conduct of negotiations.

CONFIRMED THIS 28TH DAY OF MARCH 2002

MAYOR