



**MINUTES OF A MEETING OF THE CHRISTCHURCH CITY COUNCIL
HELD AT 2PM ON THURSDAY 20 NOVEMBER 2003**

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: Apologies for lateness were received and accepted from Councillors Oscar Alpers, Erin Baker and Carole Evans, who arrived at 2.10pm, 5.22pm and 3.20pm respectively.

1. CONFIRMATION OF MINUTES

ORDINARY COUNCIL MEETING OF 23 OCTOBER 2003

Resolved: That the open and public excluded minutes of the ordinary Council meeting held on Thursday 23 October 2003 be confirmed, subject to inclusion of an amended page 5 of the minutes as separately circulated.

2. DEPUTATIONS BY APPOINTMENT

Nil.

3. PRESENTATION OF PETITIONS

Nil.

4. CORRESPONDENCE

Nil.

5. SUPPLEMENTARY ITEMS

The Mayor referred to the following late items which had been separately circulated after the agenda had been distributed:

- Supplementary report by the Chair of the Strategy and Finance Committee on:
 - Submissions on Proposed National Environmental Standards
 - Additional Information Regarding Local Governance Statement
- Supplementary report by the Chairman of the Community and Leisure Committee regarding Rainbow Early Learning Centre.
- Public excluded supplementary report by the Chairperson of the Burwood/Pegasus Community Board recommending the granting of one additional Civic Award.
- Supplementary reports Nos 2 and 3 by the Mayor.
- Supplementary report by the Chairman of the Regulatory and Consents Committee - Gambling Act Policy.

The Mayor advised that it had not been possible to circulate these items with the agenda as the required information was not available at that time, 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.

6. REPORT OF THE MAYOR

Resolved: That the report be adopted.

7. SUPPLEMENTARY REPORTS OF THE MAYOR NOS 2 AND 3

It was **resolved:**

(2) Submission on Electoral Review

That the Council ask the new General Manager Regulation and Democracy to report to the Local Government Commission on the Council's review process and ask the Commission to comment on it in its final report to the Council in April 2004, on the basis that this would be a completely independent audit of the Council's processes and a good guide for future Councils as they go about the same exercise in compliance with the Local Electoral Act.

(3) Submission on Strategic Planning Process

That the Council seek further comments from interested parties, both from staff and organisations and individuals outside the Council (nominated by Councillors) prior to submitting this to the public of Christchurch for comment as this Council's Long Term Council Community Plan.

(4) Asia Pacific Cities Summit

That the information be received.

(5) Submission on the Issue of Constituency Arrangements for District Health Boards Under STV

That the Minister of Health be advised that the Christchurch City Council strongly supports the submissions made by Zone 5, seeking the retention of constituencies for the 2004 District Health Board elections.

(6) Chief Executive Officer

That the CEO Appointments Committee prepare a recommendation for this Council to approve at the December Council meeting on key objectives for Dr McTurk for the year ending 30 June 2004.

8. REPORT OF THE STRATEGY AND FINANCE COMMITTEE OF 5 NOVEMBER 2003

Councillor Corbett stated that he had also been present during the hearing of submissions 24-32 (both inclusive) and submissions 35 and 37.

Resolved: That the Committee's report be adopted, subject to Councillor Corbett being recorded as present during the hearing of the foregoing submissions.

9. REPORT OF THE STRATEGY AND FINANCE COMMITTEE OF 10 NOVEMBER 2003

Moved: That the Committee's report be adopted.

(1) Regional Investment Opportunity in Venture Capital Funds

On being put to the meeting the recommendation contained in this clause was declared **carried** on division no 1 by 16 votes to 7, the voting being as follows:

For (16): Councillors Alpers, Anderton, Austin, Buck, Condon, Corbett, Crighton, M Evans, Ganda, James, Keast, O'Rourke, Stewart, Stonhill, Williams and the Mayor.

Against (7): Councillors Broughton, Cox, Harrow, Sheriff, Wells, Withers and Wright.

(2) Communication Policy

Members extended their congratulations and appreciation to all the staff involved in the preparation of this policy.

(3) Sumner Lifeboat Institute

Committee Recommendation

1. *That the Council make a community loan of \$200,000 to the Sumner Lifeboat Institute Incorporated, as an investment of the Council's special funds.*
2. *That the loan be for a maximum term of 10 years.*
3. *That the interest rate on the loan be 6.5% per annum and be met by the Sumner Lifeboat Institute.*
4. *That the principal be repaid from Grants to Community Organisations output over the 10 year term of the loan.*
5. *That the Council make provision in the 2004/05 Long Term Council Community Plan for the principal repayments to be met from the Grants to Community Organisations output over the 10 year term of the loan.*
6. *That the Director of Finance be authorised to finalise the details of the loan agreement.*

Councillor Wells moved by way of amendment "That the interest rate on the loan be 6.5% per annum, to be met by the Sumner Lifeboat Institute and to be reviewed at two yearly periods and adjusted as considered appropriate by the Director Strategic Investment". The amendment was seconded by Councillor Corbett and when put to the meeting was declared **carried**.

The recommendations made by the Committee were then adopted, subject to insertion of the foregoing amendment in place of clause 3 of the Committee's recommendation.

(4) City of Christchurch Environmental Awards - Proposed Changes

Committee Recommendation

1. *That the City of Christchurch Environmental Awards be restructured along the lines proposed in the above report.*
2. *That, in future, the awards be held biennially, with the next competition being held in 2004.*
3. *That it be recommended to the Annual Plan Subcommittee that funding of \$30,000 be provided biennially from the 2004/05 financial year.*
4. *That authority be delegated to the Judging Panel to run the awards, judge the entries and select the winners in each category.*
5. *That the judging panel hold discussions with other organisations which run similar awards regarding the possible co-ordination of awards.*

Councillor James then moved by way of amendment "That clauses 2 and 3 of the recommendation be amended as follows:

2. *That, in future, the awards be held biennially, with the next competition being held in 2005.*
3. *That it be recommended to the Annual Plan Subcommittee that funding of \$30,000 be provided biennially from the 2005/06 financial year."*

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

The recommendations made by the Committee were then adopted, subject to insertion of the foregoing amendments in place of clauses 2 and 3 of the Committee's recommendation.

(5) Report from Christchurch City Holdings Ltd

Committee Recommendation

1. *That the 2003 annual reports of Christchurch City Holdings Ltd, Orion New Zealand Ltd, Christchurch International Airport Ltd, Lyttelton Port Company Ltd, Red Bus Ltd, City Care Ltd, Selwyn Plantation Board Ltd, Jade Stadium Ltd and Christchurch City Facilities Ltd be received.*
2. *That the Council's seal be attached to a minute book entry of Travis Finance Ltd and Christchurch City Facilities Ltd, in lieu of the holding of Annual General Meetings for these companies.*
3. *That the Council send a letter of appreciation to Mr Peter Taylor.*

Councillor O'Rourke moved by way of addition "4. *That all of the companies be congratulated on the results they have achieved*". The amendment was seconded by Councillor Wright and when put to the meeting was declared **carried**.

The recommendations made by the Committee were then adopted, subject to the inclusion of the foregoing resolution.

(6) Local Governance Statement

Committee Recommendation

That the Council adopt the attached document as its local governance statement.

The recommendation contained in this clause was considered in association with the supplementary report by the Chair of the Strategy and Finance Committee clause 2 "Additional Information Regarding Local Governance Statement".

It was **resolved** that the Local Governance Statement be adopted, including the additional changes contained in the supplementary report by the Chair of the Strategy and Finance Committee as follows:

- (a) Page 69: the addition to the terms of reference of the Regulatory and Consents Committee of "prostitution and gambling issues";
- (b) Page 62: add to paragraph 17(a) as a new paragraph:
"The Christchurch City Transitional District Plan is the current operative planning document and it is the Council's intention to ask the Environment Court to declare the Proposed City Plan the operative planning document by mid-2004";
- (c) Page 70: add to the list of joint committees the following:

"CANTERBURY CIVIL DEFENCE EMERGENCY MANAGEMENT GROUP

This joint standing committee is appointed under the Civil Defence Emergency Management Act 2002 to establish a civil defence emergency management system responsible for the provision of personnel and resources and information and to respond to and manage the adverse effects of civil defence emergencies in the Canterbury area."

Report adopted as amended.

10. SUPPLEMENTARY REPORT BY THE CHAIR OF THE STRATEGY AND FINANCE COMMITTEE

(1) Submissions on Proposed National Environmental Standards

It was **resolved**:

1. That submissions on the proposed National Environmental Standards on air quality be forwarded to the Ministry for the Environment by 5 December 2003.
2. That authority be delegated to the Mayor and the Chair of the Strategy and Finance Committee and Councillors Sally Buck, Sue Wells and Chrissie Williams to approve the submission on behalf of the Council.

(2) Additional Information Regarding Local Governance Statement

The changes proposed in this report were considered in association with clause 6 of the report of the Strategy and Finance Committee and it was **resolved** that the changes be included in the Local Governance Statement.

11. REPORT OF THE JOINT MEETING OF THE ARTS, CULTURE AND HERITAGE COMMITTEE AND PROPERTY AND MAJOR PROJECTS COMMITTEE OF 6 NOVEMBER 2003

Resolved: That the report be received.

12. REPORT OF THE COMMUNITY AND LEISURE COMMITTEE OF 3 NOVEMBER 2003

Moved: That the Committee's report be adopted.

(1) Recreation and Sports Facility Strategy

Councillor Austin moved by way of amendment *"That Table One: Facility Strategy Priorities be amended as follows:*

"High Band" should contain "Boating facilities in Lyttelton Harbour for public access".

"Medium Band" should contain "Marina facilities in Lyttelton Harbour for public access".

"High Band Flat Water Sports" be amended to read "New facility proposal for Christchurch. Overuse and safety issues at Kerrs Reach".

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

The recommendations of the Committee were then adopted, subject to the incorporation of the foregoing amendment.

(2) Future Aquatic/Leisure Facilities

Councillor O'Rourke moved by way of amendment *"That the factors contained on page 89 of the report be amended as follows:*

Factor No 3: The distance to other aquatic facilities (4 km radius) and level of service by public transport and by cycle routes, and for motor vehicle access.

Factor No 4: The capital budget impacts for the Council including land acquisition impacts and availability of land already owned by the Council."

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

The recommendations made by the Committee were then adopted, subject to the incorporation of the foregoing amendment.

(3) Deputations by Appointment - ARTCO

Councillor Anderton moved by way of amendment *"That the request for funding assistance be favourably viewed by the Council and that the matter be referred back to the Community and Leisure Committee to negotiate the degree of support and required outcomes and that the Committee be given delegated power to act in this matter".* The amendment was seconded by Councillor Keast and when put to the meeting was declared **carried** as the substantive motion on division no 2 by 12 votes to 10, the voting being as follows:

- For (12):** Councillors Anderton, Austin, Condon, Corbett, Crighton, Ganda, James, Keast, O'Rourke, Stonhill, Williams and the Mayor.
- Against (10):** Councillors Alpers, Baker, Cox, C Evans, Harrow, Sheriff, Stewart, Wells, Withers and Wright.
- Abstain:** Councillor M Evans.

Report adopted as amended.

13. SUPPLEMENTARY REPORT BY THE CHAIRMAN OF THE COMMUNITY AND LEISURE COMMITTEE - RAINBOW EARLY LEARNING CENTRE - LEASE TO KIDSFIRST

It was **resolved**:

1. That the Council accept the surrender of the lease dated 11 November 2002 with the Aranui Wainoni Community Childcare Centres Inc of the premises at 284 Breezes Road as from 21 November 2003.
2. That the Council grant a lease to the Canterbury Westland Free Kindergarten Association Inc of the premises at 284 Breezes Road commencing on 24 November 2003 for the operation of a early childhood education facility on the same rental as the lease dated 11 November 2002, and generally on the same terms as the 2002 lease.
3. That the Council make an operational grant to the Canterbury Westland Free Kindergarten Association Inc of \$26,400 per year until 30 June 2006.

14. REPORT BY THE CHAIRMAN OF THE PARKS, GARDENS AND WATERWAYS COMMITTEE

It was **resolved** that the report be adopted.

15. REPORT OF THE PROPERTY AND MAJOR PROJECTS COMMITTEE OF 31 OCTOBER 2003

Moved: That the Committee's report be adopted.

(5) Redcliffs/Sumner Community Crèche Relocation

Committee Recommendation

That, subject to written confirmation from Scouting Canterbury that it is willing to relinquish its licence and whether it has any plans for the building:

1. *The Council approve in principle the use of the Scout Hall site on Barnett Park for the purpose of locating the Sumner/Redcliffs Community Crèche.*
2. *Officers be requested to develop the design for a crèche on the Scout Hall site and involve the community through the design process.*

Councillor Crighton moved by way of addition "3. *That the site be investigated for any contamination*". The amendment was seconded by Councillor O'Rourke and when put to the meeting was declared **carried**.

The recommendations made by the Committee were then adopted subject to the insertion of the foregoing amendment.

(6) Application to Relocate a Dwelling at Porritt Park for Purposes of an Administrative Building

At the request of the Chairman this report was withdrawn as a consequence of receiving written advice from the Canterbury Hockey Association that it no longer wished to proceed with this option.

Report adopted as amended.

**16. REPORT OF THE REGULATORY AND CONSENTS COMMITTEE
OF 7 NOVEMBER 2003**

Moved: That the Committee's report be adopted.

(Councillors C Evans, Keast and Cox retired at 3.55pm)

(1) Gambling Act 2003 - Gaming Venue Policy

The Committee recommendations nos 1-4 contained within the report were adopted without amendment and this clause was considered in association with the supplementary report on this topic by the Chair of the Regulatory and Consents Committee.

(Note: Councillor Corbett declared an interest in this clause and retired from the voting and discussion thereon. Councillor Ron Wright advised the meeting that he had received an opinion from the Office of the Auditor-General that he could participate in the voting and discussion on this item.)

(Councillors C Evans, Keast and Cox returned at 4.02pm.)

Report adopted as amended.

**17. SUPPLEMENTARY REPORT OF THE CHAIR REGULATORY AND CONSENTS COMMITTEE -
GAMBLING ACT 2003**

It was **resolved:**

1. That the Council adopt the Statement of Proposal and Summary of Information attached to the report.
2. That the Council hold a special meeting on 15 March 2004 and include the Statement of Proposal on the agenda for that meeting.
3. That the Statement of Proposal be made available for public inspection at all Council Service Centres, Council Libraries and on the Council website.
4. That public notice of the proposal be given in "The Press" and the "Christchurch Star" newspapers and on the Council's website on Wednesday 26 November 2003.
5. That the Summary of Information be distributed by way of publication (together with public notice of the proposal) in "The Press" and the "Christchurch Star" newspapers and on the Council's website on Wednesday 26 November 2003.
6. That the period within which the submissions on the proposal may be made to the Council be between Wednesday 26 November 2003 and 5 February 2004.
7. That submissions on the proposal be heard by the Regulatory and Consents Standing Committee which shall report to the Council at its meeting on 15 March 2004.

**18. REPORT OF THE SUSTAINABLE TRANSPORT AND UTILITIES COMMITTEE
OF 14 OCTOBER 2003**

Resolved: That the Committee's report be received.

**19. REPORT OF THE SUSTAINABLE TRANSPORT AND UTILITIES COMMITTEE
OF 17 OCTOBER 2003**

Resolved: That the Committee's report be received.

20. REPORT OF THE SUSTAINABLE TRANSPORT AND UTILITIES COMMITTEE OF 7 NOVEMBER 2003

Resolved: That the Committee's report be adopted.

(Note: In respect to clause 5 "Contract No 2001/02-202 Amenity Cleaning", Councillor Wright declared an interest and retired from voting and discussion thereon.)

21. REPORT OF THE URBAN PLANNING AND GROWTH SPECIAL COMMITTEE OF 29 OCTOBER 2003

Resolved: That the Committee's report be adopted.

(Note: In respect of clause 1 "South West Christchurch Area Plans (SWAP)" it was noted that the time for the Council seminar on 28 November 2003 would now be amended from 12 noon to 2pm.)

22. REPORT OF THE CANTERBURY WASTE SUBCOMMITTEE OF 3 NOVEMBER 2003

Resolved: That the Subcommittee's report be received.

23. REPORT OF THE CLEANFILL BYLAW LICENSING SUBCOMMITTEE OF 9 OCTOBER 2003

Moved: That the Subcommittee's report be adopted.

(4.50pm Councillor Condon retired and returned at 5pm)
(4.53pm Councillor Stonhill retired and returned at 5.12pm)
(4.55pm Councillor Alpers retired and returned at 5.10pm)

Subcommittee Recommendation

- 1 *That the Council resolves that it has now determined, as required by section 155(2) of the Local Government Act 2002, that the bylaw attached as Attachment B:*
 - (a) *Is the most appropriate form of bylaw to address the issues of resource recovery from cleanfill sites and the levying of waste minimisation contributions on material disposed of at cleanfill sites, and*
 - (b) *Does not give rise to any implications under the New Zealand Bill of Rights Act 1990.*
2. *That the Council resolves that the bylaw attached as Attachment B, being the Christchurch City Council Cleanfill Licensing Bylaw 2003, now be made and that the seal of the Council be affixed to the bylaw as appropriate.*
3. *That those Units with responsibility for infrastructural asset management incorporate waste minimisation objectives into their triple bottom line reporting and that City Streets Unit in particular sets targets for waste minimisation and the resource recovery for materials utilised in road construction and maintenance.*
4. *That the Environment Services Unit be requested to report on the City Plan requirements on quarry rehabilitation including reviewing the site rehabilitation requirements.*
5. *That the City Water and Waste Unit be requested to report on proposals for the operation of the Waste Minimisation Fund.*

Councillor Austin moved by way of addition "That the general costs associated with the bylaw on the businesses involved be monitored, reviewed and reported back after 12 months of operation". The amendment was seconded by Councillor Corbett and when put to the meeting was declared **carried**.

Report adopted as amended.

(5.13pm Councillor Megan Evans retired)

20. 11. 2003

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**24. REPORT OF THE BURWOOD/PEGASUS COMMUNITY BOARD
OF 13 OCTOBER 2003**

Resolved: That the Board's report be received.

**25. REPORT OF THE HAGLEY/FERRYMEAD COMMUNITY BOARD
OF 29 OCTOBER 2003**

Resolved: That the Board's report be received.

**26. REPORT OF THE RICcarton/WIGRAM COMMUNITY BOARD
OF 29 OCTOBER 2003**

Resolved: That the Board's report be received.

**27. REPORT OF THE SHIRLEY/PAPANUI COMMUNITY BOARD
OF 29 OCTOBER 2003**

Resolved: That the Board's report be received.

**28. REPORT OF THE SHIRLEY/PAPANUI COMMUNITY BOARD
OF 10 NOVEMBER 2003**

Resolved: That the Board's report be received.

**29. REPORT OF THE SPREYDON/HEATHCOTE COMMUNITY BOARD
OF 28 OCTOBER 2003**

Resolved: That the Board's report be received.

30. RESOLUTION TO EXCLUDE THE PUBLIC

It was **resolved** that the resolution to exclude the public set out on pages 261 and 262 of the agenda be adopted, subject to the inclusion of an additional reference to the public excluded report of the Chairperson of the Burwood/Pegasus Community Board, such additional report to be considered with the public excluded pursuant to section 7(2)(a) (Protection of Privacy of Natural Persons) of the Local Government Official Information and Meetings Act 1987.

CONFIRMED THIS 11TH DAY OF DECEMBER 2003

MAYOR