



**MINUTES OF A MEETING OF THE CHRISTCHURCH CITY COUNCIL
HELD AT 2PM ON THURSDAY 28 AUGUST 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, Carole Evans, Megan Evans, Ishwar Ganda, Pat Harrow, Alistair James, Lesley Keast, Denis O'Rourke, Barbara Stewart, Ingrid Stonhill, Sue Wells, Chrissie Williams, Norm Withers and Ron Wright.

APOLOGIES: Apologies for absence were received and accepted from Councillors Anna Crighton and Gail Sheriff.

1. CONFIRMATION OF MINUTES

ANNUAL PLAN COUNCIL MEETING OF 15 JULY 2003

Resolved: That the minutes of the Annual Plan Council meeting held on Tuesday 15 July 2003 be confirmed, subject to the insertion of the corrected pages tabled at the meeting, providing for the inclusion of Councillor James' statement to the 15 July 2003 meeting (the minutes circulated with the agenda having inadvertently included his previous statement to the March Annual Plan meeting).

ORDINARY COUNCIL MEETING OF 24 JULY 2003

Resolved: That the open and public excluded minutes of the ordinary Council meeting held on Thursday 24 July 2003 be confirmed.

2. DEPUTATIONS BY APPOINTMENT

Proposed Closure of Worcester Street through Latimer Square

The meeting was advised that Ms Irinka Britnell had requested speaking rights regarding the recommendation contained in the report of the extraordinary meeting of the Sustainable Transport and Utilities Committee of 18 March 2003 that the Council initiate the requisite procedure to stop that part of Worcester Street running through Latimer Square.

It was **resolved** that Ms Britnell's request for speaking rights on this issue be declined, on the basis that she would be able to make submissions and be heard in support of those submissions at the time the proposal was publicly advertised under the relevant provisions of the Tenth Schedule of the Local Government Act 1974.

(Note: Councillors Cox and Wells retired from the debate on Ms Britnell's application for speaking rights, and took no part in the discussion or voting thereon.)

3. PRESENTATION OF PETITIONS

Nil.

4. CORRESPONDENCE

Proposed Stopping of Worcester Street through Latimer Square

Letters regarding the proposal to stop that section of Worcester Street running through Latimer Square were received from Michael and Irinka Britnell and the Inner City East Neighbourhood Group.

It was **resolved** that the letters be considered in conjunction with clause 1 of the Sustainable Transport and Utilities Committee's report of 18 August 2003.

5. SUPPLEMENTARY ITEMS

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

- Replacement pages for the minutes of the Annual Plan Council meeting held on 15 July 2003 (the minutes circulated with the agenda having inadvertently include Councillor James' statement to the March budget meeting, rather than the July meeting).
- Letter from Inner City East Neighbourhood Group regarding the proposed stopping of Worcester Street through Latimer Square.
- Supplementary report by the Chair of the Regulatory and Consents Committee regarding attendance at the Resource Management Law Association Conference 2003, and professional development training for RMA decision-makers.
- Supplementary report by the Chairman of the Property and Major Projects Committee regarding installation of internet cameras in Bus Xchange for commercial marketing purposes.
- Report of the meeting of the Strategy and Finance Committee held on Wednesday 27 August 2003.
- Public excluded report by the Chair of the Strategy and Finance Committee regarding settlement of debt owing by Togega Imports Ltd, infrastructure utility network rating and appointment of director of Red Bus Ltd.
- Public Excluded report by the Chair of the Regulatory and Consents Committee regarding a possible appeal to the High Court in respect of a decision of the Environment Court regarding the McVicar's/Christ College land at Cashmere.

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 STRATEGY AND FINANCE COMMITTEE OF 18 AUGUST 2003

Moved: That the Committee's report be adopted.

(4) 2004 Christchurch City Elections: Early Processing and Ordering of Candidates' Names on Voting Documents

The first recommendation in this clause relating to the early processing of the returned voting documents for the 2004 Christchurch City elections was adopted without amendment.

Committee Recommendation:

That the names of the candidates at the 2004 Christchurch City elections be arranged in pseudo-random order.

Councillor Alpers moved by way of amendment "*That the names of the mayoral, council and community board candidates at the 2004 Christchurch City elections be arranged in random order, rather than pseudo random order*". The amendment was seconded by Councillor O'Rourke and when put to the meeting was declared **carried** on division no 1 by 15 votes to 8, the voting being as follows:

For (15): Councillors Alpers, Anderton, Austin, Baker, Buck, Condon, M Evans, Ganda, James, Keast, O'Rourke, Stonhill, Williams, Withers and the Mayor.

Against (8) Councillors Broughton, Corbett, Cox, C Evans, Harrow, Stewart, Wells and Wright.

On being put to the meeting as the substantive motion, the amendment was declared **carried** on division no 2 by 16 votes to 7, the voting being as follows:

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

Against (7) Councillors Broughton, Corbett, Cox, C Evans, Harrow, Stewart and Wright.

(6) Reimbursement of Cell Phone Charges Incurred by Elected Members

Committee Recommendation:

1. *That Councillors and Community Board Chairs be reimbursed up to a maximum of \$30 per month for cell phone rentals.*
2. *That there be no reimbursement for call charges.*

Councillor Stonhill moved by way of amendment:

- "1. That the Council adopt a policy providing for the payment of monthly cell phone allowances for Councillors and Community Board Chairpersons up to a maximum of \$120 per month, such allowances to also cover the cost of Council or Community Board-related calls made to cell phones from landlines.*
- 2. That when submitting claims for reimbursement members be required to submit the monthly account to the Council Secretary with Council and/or Community Board-related calls and personal call charges separately identified (or logged) in each case.*
- 3. That Council officers investigate the possibility of Councillors and Community Board Chairs being able to access the bulk purchasing benefits available to the Council."*

The amendment was seconded by Councillor Austin and when put to the meeting was declared **carried** as the substantive motion on division no 3 by 13 votes to 9, the voting being as follows:

For (13): Councillors Alpers, Anderton, Austin, Baker, Condon, M Evans, Ganda, James, Keast, O'Rourke, Stonhill, Williams and the Mayor.

Against (9): Councillors Buck, Corbett, Cox, C Evans, Harrow, Stewart, Wells, Withers and Wright.

Abstain (1): Councillor Broughton.

Report adopted as amended.

**7. REPORT OF THE STRATEGY AND FINANCE COMMITTEE
OF 27 AUGUST 2003**

Moved: That the Committee's report be adopted.

(1) 2003 Electoral Review

Committee Recommendation:

1. *That the following proposal apply for the Christchurch City Council for the elections to be held on 9 October 2004 and subsequent elections until altered by a subsequent decision:*
 - (a) That the Council comprise 16 members elected from 8 wards, and the Mayor;*
 - (b) That the proposed boundaries of the 8 wards be as shown on the map attached;*
 - (c) That the 8 wards reflected the identified communities of interest attached to this report (Appendix 2).*

- (d) That the names of each of the wards and communities be as follows (using the same numbers for the wards and communities shown on the 8 ward map attached):

1	Pegasus	5	Riccarton
2	Shirley	6	Hillmorton
3	Papanui	7	Port Hills
4	Fendalton	8	Linwood

- (e) The population that each member will represent is as follows:

Ward	Population (2001)	Members	Population per Member
Pegasus	38,076	2	19,038
Shirley	38,178	2	19,089
Papanui	40,575	2	20,288
Fendalton	42,390	2	21,195
Riccarton	42,450	2	21,225
Hillmorton	39,516	2	19,758
Port Hills	36,297	2	18,149
Linwood	38,769	2	19,385

2. (a) That there be communities and community boards in Christchurch City;
- (b) That there be eight communities, one for each ward with the same boundaries and names as those of the 8 wards;
- (c) That each community board comprise four elected members;
- (d) That each community board have two appointed members, being the two councillors for the ward in which that community is situated;
- (e) That the community boards not be subdivided for electoral purposes;
- (f) That the population elected members of each community represent be:

Ward	Population (2001)	Community Board Members	Population per Community Board Member
Pegasus	38,076	4	9,519
Shirley	38,178	4	9,545
Papanui	40,575	4	10,144
Fendalton	42,390	4	10,598
Riccarton	42,450	4	10,613
Hillmorton	39,516	4	9,879
Port Hills	36,297	4	9,074
Linwood	38,769	4	9,662

3. That the explanation as to the reasons for the proposed change represented by this proposal from the current system of 12 wards electing two members, together with six community boards, be:
 - (a) The 1998 and 2001 decisions of the Local Government Commission requiring the Council to carry out a comprehensive review of its basis of election and membership;
 - (b) The emphasis in the Local Government Act 2002 on councillors having a greater focus on governance issues;
 - (c) Representations from members of the public that the Council reduce its number of members.
4. That public notice be given of the proposals contained in this resolution.

5. *That the Strategy and Finance Committee be delegated the power to hear any submissions on the Council's proposals and to make decisions on those submissions.*
6. *That, in the Council's judgment, the process followed by the Council in this electoral review meets the requirements of Sections 76 to 78 of the Local Government Act 2002.*

Councillor James moved by way of amendment *"That the following resolution be adopted in place of recommendations 2(c) and (d):*

- 2(c) *That the community boards each comprise 6 members with 4 members being elected by the electors of the community as a whole and the 2 councillors for the ward in which the community is situated being appointed as members of the board."*

The amendment was seconded by Councillor Keast.

Councillor Stewart moved by way of further amendment:

- "1. *That the references to 8 wards and 8 communities be amended to 6 wards and 6 communities.*
2. *That the Council comprise 12 members and the Mayor.*
3. *That each ward elect 2 Councillors.*
4. *That each community elect 4 community board members.*
5. *That communities not be subdivided for electoral purposes.*
6. *That the 6 wards and communities be named in accordance with the hyphenated names used for the 6 existing communities, as shown under option b in the Committee's report."*

The amendment was seconded by Councillor Harrow and when put to the meeting was declared **lost** on division no 4 by 10 votes to 13, the voting being as follows:

Against (13): Councillors Anderton, Austin, Baker, Buck, Condon, M Evans, Ganda, James, Keast, O'Rourke, Stonhill, Williams and the Mayor.

For (10): Councillors Alpers, Broughton, Corbett, Cox, C Evans, Harrow, Stewart, Wells, Withers and Wright.

(3.45pm Councillor Baker retired)

Clause 1 of the Committee's recommendation was then put to the meeting and declared **carried** on division no 5 by 13 votes to 9, the voting being as follows:

For (13): Councillors Alpers, Anderton, Austin, Buck, Condon, M Evans, Ganda, James, Keast, O'Rourke, Stonhill, Williams and the Mayor.

Against (9): Councillors Broughton, Corbett, Cox, C Evans, Harrow, Stewart, Wells, Withers and Wright.

Councillor Buck moved by way of further amendment *"That the name of the proposed Fendalton Ward and community be changed to the Waimairi Ward and community".* The amendment was seconded by Councillor Ganda and when put to the meeting was declared **carried** on division no 6 by 12 votes to 9, the voting being as follows:

For (12): Councillors Alpers, Anderton, Austin, Buck, Condon, Ganda, James, Keast, O'Rourke, Stonhill, Williams and the Mayor.

Against (9): Councillors Broughton, Corbett, Cox, C Evans, Harrow, Stewart, Wells, Withers and Wright.

Abstain: Councillor Megan Evans.

Councillor Ganda moved by way of further amendment *“That the name of the proposed Riccarton Ward and community be changed to the Wigram Ward and community”*. The amendment was seconded by Councillor Keast and when put to the meeting was declared **carried** on division no 7 by 11 votes to 10, the voting being as follows:

For (11): Councillors Alpers, Anderton, Austin, Buck, Condon, Ganda, Keast, O'Rourke, Stonhill, the Mayor and the Mayor's casting vote.

Against (10): Councillors Broughton, Corbett, C Evans, Harrow, James, Stewart, Wells, Williams, Withers and Wright.

Abstain: Councillors Cox and Megan Evans.

Councillor O'Rourke moved by way of further amendment *“That the name of the proposed Linwood Ward and community be changed to the Avon Ward and community”*. The amendment was seconded by Councillor Austin and when put to the meeting was declared **lost**.

Recommendations 2 to 6 inclusive made by the Committee were then put to the meeting (incorporating the amendment proposed by Councillors James and Keast in respect of 2(c) and (d) and the adopted amendments relating to the Waimairi and Wigram Wards and communities) and declared **carried** as the substantive motion.

(4.10pm Councillor James retired)

Report adopted as amended.

**8. REPORT OF THE ARTS, CULTURE AND HERITAGE COMMITTEE
OF 14 AUGUST 2003**

Resolved: That the Committee's report be adopted.

**9. REPORT OF THE COMMUNITY AND LEISURE COMMITTEE
OF 11 AUGUST 2003**

Resolved: That the Committee's report be adopted, subject to it being noted that a review of the estimated costs associated with the conference attendance proposed in clause 4 indicated a total cost of approximately \$1,000 below the original estimate of \$3,586.

**10. REPORT OF THE PARKS, GARDENS AND WATERWAYS COMMITTEE
OF 13 AUGUST 2003**

Moved: That the Committee's report be adopted.

(1) North New Brighton Sand Dune Values and Management

Adopted.

(Note: Councillor Williams recorded her vote against the adoption of recommendation 1 relating to a proposed reduction in the dune height.)

(3) Styx Mill Conservation Reserve

Committee Recommendation:

1. *That the long-term vision for Styx Mill Conservation Reserve be supported subject to the decision on the future of the dog park being deferred until the Dog Policy consultation has been completed.*
2. *That the cost of the predator-proof fence be partly externally sourced.*
3. *That the development of the reserve be staged according to available funds.*
4. *That a range of funding sources be investigated for the implementation of the forty year vision.*

Councillor Wells moved by way of amendment *“That recommendation 1 be amended to provide that the long-term vision for the Styx Mill Conservation Reserve be supported subject to the decision on the future of the dog park being deferred to allow further consultation with the Animal Control Team ESU, the Shirley/Papanui Community Board and the Dog Control Working Party”*. The amendment was seconded by Councillor Broughton and when put to the meeting was declared **carried**.

Councillor Anderton moved by way of further amendment *“That recommendation 2 be amended to require that a minimum of 50% of the cost of the predator-proof fence be externally sourced”*. The further amendment was seconded by Councillor Broughton and when put to the meeting was declared **carried**.

Recommendations 3 and 4 made by the Committee were then adopted without amendment, with the foregoing amendments being adopted as the substantive motion in place of recommendations 1 and 2.

(4) Dog Bin Trials

The six recommendations made by the Committee were all adopted without amendment.

It was further **resolved** on the motion of Councillor Williams, seconded by Councillor Anderton that staff from the Parks and Waterways Unit, Animal Control Team and the City Water and Waste Unit prepare a plan to increase the number of dog duty stations in parks and walkways throughout the city, for composting purposes.

(9) Seminars

Recommendation 2 was adopted without amendment. At the request of the Chairman, recommendation 1 referring to a combined Council and Hagley/Ferrymead Community Board seminar on the Botanic Gardens was withdrawn, on the basis that this would be rescheduled for another date later in the year.

Report adopted as amended.

**11. REPORT OF THE PROPERTY AND MAJOR PROJECTS COMMITTEE
OF 8 AUGUST 2003**

Resolved: That the Committee's report be adopted.

**12. SUPPLEMENTARY REPORT BY THE CHAIRMAN OF THE PROPERTY AND MAJOR PROJECTS
COMMITTEE ON INTERNET CAMERAS IN BUS XCHANGE FOR COMMERCIAL MARKETING
PURPOSES**

It was **resolved** that, subject to a licence being entered into on terms and conditions approved by the Council's Chief Executive Officer or her nominee, the Council authorise the officers to approve the installation of privately owned internet cameras in the Bus Xchange.

**13. REPORT OF THE REGULATORY AND CONSENTS COMMITTEE
OF 15 AUGUST 2003**

Moved: That the Committee's report be adopted.

(3) Gated Communities

Adopted, subject to the proposed joint seminar being held as a Council seminar.

Report adopted as amended.

(5pm Councillor Megan Evans retired)

14. SUPPLEMENTARY REPORT BY THE CHAIR OF THE REGULATORY AND CONSENTS COMMITTEE

(1) Resource Management Law Association Conference 2003

It was **resolved** to approve the attendance of Councillors Broughton, Cox, Sheriff and Wells at the Resource Management Law Association Conference to be held in Blenheim from 9-11 October 2003.

(2) Professional Development Training for RMA Decision-Makers

It was **resolved**:

1. That an RMA Accreditation Subcommittee be established to meet on 1 September 2003 for the purpose of preparing a response to LGNZ and MfE on the proposed professional development training for RMA decision-makers.
2. That the Subcommittee be authorised to lodge a submission with LGNZ on behalf of the Council by 5 September 2003.
3. That the Subcommittee comprise Councillors Graham Condon, David Cox, Denis O'Rourke, Norm Withers, Sue Wells and Community Board member Mike Mora.
4. That officers report back to the Regulatory and Consents Committee on a draft Council policy document which will include an agreed standard of RMA training required by elected members sitting on resource consent hearing panels and the selection process for their appointment to the hearing panels.

Report adopted as amended.

15. REPORT OF THE SUSTAINABLE TRANSPORT AND UTILITIES COMMITTEE OF 12 AUGUST 2003

Moved: That the Committee's report be adopted.

(6) Strickland Street Cycle Lanes

It was **resolved** that a decision on this matter be deferred for one month, to allow an updated plan for future cycleways proposed for the Spreydon-Heathcote Wards to be provided to the Spreydon/Heathcote Community Board.

(8) Fendalton Road Widening: Legalisation of Road Markings

Adopted, subject to the deletion of recommendation 8(g), on the basis that the proposed installation of a bus stop in this location would be the subject of a further report to the Committee.

Report adopted as amended.

16. REPORT OF EXTRAORDINARY MEETING OF SUSTAINABLE TRANSPORT AND UTILITIES COMMITTEE OF 18 AUGUST 2003

Letters from Michael and Irinka Britnell and the Inner City East Neighbourhood Group were also considered in conjunction with the report.

Moved: That the Committee's report be adopted.

(1) Worcester Street (Through Latimer Square) - Proposed Road Stopping

Committee Recommendation:

1. *That pursuant to Section 342(1)(a) of the Local Government Act 1974, and in the manner provided in the Tenth Schedule of this Act, the Christchurch City Council hereby resolves to publicly notify the proposal to stop the road as shown on the plan (attached) and described in the schedule.*

2. *That pursuant to Section 345(1)(b) of the Local Government Act 1974 the Council affirm its intention to commence the process under the provisions of Section 14 of the Reserves Act 1977 (subject to the road being successfully stopped), to declare the land (Section 1 SO 323707) to be recreation reserve.*

Councillor O'Rourke moved the following motion, by way of addition to the two recommendations made by the Committee:

- "3. (a) *That the road stopping issue be heard by a panel of three Councillors.*
(b) *That the City Plan Variation issue be heard by a Commissioner.*
(c) *That both hearings be conducted concurrently."*

The motion was seconded by Councillor Keast.

On being put to the meeting, the recommendations made by the Committee and the foregoing motion moved by Councillor O'Rourke were declared **carried** on division no 8 by 11 votes to 7, the voting being as follows:

For (11): Councillors Alpers, Austin, Broughton, Buck, Condon, Ganda, Keast, O'Rourke, Stonhill, Williams and the Mayor.

Against (7): Councillors Anderton, Corbett, C Evans, Harrow, Stewart, Withers and Wright.

(Note: Councillors Cox and Wells retired from consideration of this item, and took no part in the discussion or voting thereon.)

Report adopted as amended.

**17. REPORT OF THE BURWOOD/PEGASUS COMMUNITY BOARD
OF 28 JULY 2003**

Resolved: That the Board's report be received.

**18. REPORT OF THE FENDALTON/WAIMAIRI COMMUNITY BOARD
OF 5 AUGUST 2003**

Resolved: That the Board's report be received.

**19. REPORTS OF THE HAGLEY/FERRYMEAD COMMUNITY BOARD
MEETING OF 17 JULY 2003**

Resolved: That the Board's report be received.

MEETING OF 6 AUGUST 2003

Resolved: That the Board's report be received.

**20. REPORT OF THE RICcarton/WIGRAM COMMUNITY BOARD
OF 6 AUGUST 2003**

Resolved: That the Board's report be adopted.

**21. REPORT OF THE SHIRLEY/PAPANUI COMMUNITY BOARD
OF 6 AUGUST 2003**

Resolved: That the Board's report be received.

22. REPORTS OF THE SPREYDON/HEATHCOTE COMMUNITY BOARD

MEETING OF 29 JULY 2003

Resolved: That the Board's report be adopted.

MEETING OF 12 AUGUST 2003

Resolved: That the Board's report be adopted.

(6.15pm Councillors Buck and Keast retired)

23. RESOLUTION TO EXCLUDE THE PUBLIC

It was **resolved** that the draft resolution to exclude the public from the meeting set out on page 257 of the agenda be adopted, subject to the inclusion of the following additional references:

REPORT	GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED	REASON FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER	PARTICULAR INTEREST OR INTERESTS PROTECTED BY SECTION 6 OR SECTION 7 OF THE ACT
Supplementary Report by the Chair of the Strategy and Finance Committee	(a) Blenheim Road Deviation – Togega Imports Limited/Togega Limited	Good Reason to Withhold Exists Under Section 7	Conduct of Negotiations
	(b) Infrastructure Utility Network Rating		Maintain Legal Professional Privilege
	(c) Appointment of Director – Red Bus Limited		Protection of Privacy of Natural Persons
Supplementary Report No 2 by the Chairman of the Regulatory and Consents Committee	High Court Appeal – McVicar's/ Christ College Interim Decision	Good Reason to Withhold Exists Under Section 7	Maintain Legal Professional Privilege

CONFIRMED THIS 25TH DAY OF SEPTEMBER 2003

MAYOR