



## Christchurch City Council

# HAGLEY/FERRYMEAD COMMUNITY BOARD AGENDA

26 APRIL 2006

3.30 PM

IN THE BOARDROOM, LINWOOD SERVICE CENTRE  
180 SMITH STREET

**Community Board:** Bob Todd (Chairperson), David Cox, Anna Crighton, John Freeman, Yani Johanson, Brenda Lowe-Johnson and Brendan Smith

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**1. APOLOGIES**

Brendan Smith

**2. CONFIRMATION OF REPORT**

The report of the ordinary meeting held on Wednesday 12 April 2006 has been circulated to Board members.

**CHAIRPERSON'S RECOMMENDATION**

That the report of the ordinary meeting held on 12 April 2006 be confirmed.

**3. CORRESPONDENCE**

**BRIDLE PATH ROAD - CYCLIST AND PEDESTRIAN PATHWAYS**

The attached letter was received from Jack Travis, Heathcote Valley Community Association Inc, regarding the installation of a cyclist/pedestrian pathway on Bridle Path Road near Main Road.

**4. COMMUNITY BOARD PRINCIPAL ADVISER'S UPDATE**

**5. QUESTIONS FROM MEMBERS**

Members may at any ordinary meeting put a question to the Chairperson concerning any matter relevant to the role or function of the Community Board concerning any matter that does not appear on the order paper. All questions are subject to Standing Orders 4.1.1 to 4.1.5.

**6. DEPUTATIONS BY APPOINTMENT**

**7. RESIDENTS'/COMMUNITY GROUPS**

Time is allocated at Board meetings for representatives of residents'/community groups to address the Board on local matters. Groups are invited to do this on a rotational basis.

**Lesley McMillan**, Community Worker from Avebury House will be in attendance.

**8. GLOUCESTER STREET - PROPOSED BUS STOP RELOCATION AND P5 LOADING ZONE**

<b>General Manager responsible:</b>	General Manager City Environment, DDI 941-8656
<b>Officer responsible:</b>	Transport and City Streets Manager
<b>Author:</b>	Basil Pettigrew, Traffic Engineer

**PURPOSE OF REPORT**

1. The purpose of this report is to seek the Board's approval for the relocation of a bus stop and to establish a P5 Loading Zone on the north side of Gloucester Street adjacent to Rolleston Avenue (see attachment).

**EXECUTIVE SUMMARY**

2. Christ's College have identified safety issues with the current location of the bus stop situated on the north side of Gloucester Street 30 metres from its intersection with Rolleston Avenue. These concerns have been confirmed with site investigations and discussions with bus drivers.
3. The difficulty faced by bus drivers is that there is a kerb build out on northern side of Gloucester Street, at its intersection with Rolleston Avenue. This was constructed to reduce the crossing distance for pedestrians and to offer protection for parked vehicles. However, bus drivers are forced to swing wide and consequently have trouble accessing the bus stop immediately around the corner. This is particularly the case with the larger 51 seater buses with tag axle. There are three different bus services using this stop eg five buses used this stop between 8.05am and 8.40am.
4. Compounding this problem being experienced by the bus drivers is that short-term parking is occurring on the bus stop. This is because there is a demand for a drop-off zone to meet the needs of parents/caregivers from Christ's College and long-term commuters are taking up all other available parking. This then leads to double parking by the buses or the other vehicles dropping off or picking up students.
5. The Parking Strategy was adopted by the Council on 26 June 2003. It gives direction on the establishment of kerb side parking. Relevant Policies are as follows:

**Policy 46 Safety:**

"To ensure that the provision of parking does not compromise the safety of those parking or the safety of others."

Kerbside parking priority outside educational institutions has also been clarified by the strategy as follows:

"To allocate kerb space where demand exceeds supply in general accordance with the Educational Parking Priority table below."

	<b>Education Parking Priority</b>
1	Bus stops
2	Taxi, limousine and shuttle services
3	Short-stay parking for site visitors
4	Parking for people with disabilities
5	Resident car parking
6	Commuter parking (staff and students)

6. The preferred location for the bus stop is 20 metres further east towards the Central City. A 13 metre long bus stop can be marked here. There are double driveways either side of this location which gives a total effective length of 29 metres for the buses to pull in and out.
7. Given the mandate from the Parking Strategy it is proposed to establish P5 loading zones within the existing bus stop and immediately west as shown on the plan. This will provide space for three vehicles during the times recommended by Christ's College. Long-term commuter parking will be reduced by three spaces during the period of the restriction. However, provision for this category of parking ranks the lowest in terms of the direction given by the Parking Strategy.

#### **CONSULTATION**

8. The properties adjacent to the proposed parking arrangements are owned by Christ's College.
9. Christ's College is fully supportive of the proposal.
10. A copy of this report and plan has been sent to the ICON Residents' Group for their information.

#### **FINANCIAL AND LEGAL CONSIDERATIONS**

11. Signage and road marking is within existing budgets.
12. The Land Transport Road Users Rule 2006 provides for the installation of parking restrictions.

#### **CONCLUSION**

13. There are safety concerns with:
  - (a) The current location of the bus stop making it very difficult for the drivers of the larger buses to park correctly.
  - (b) The lack of short-term parking for caregivers dropping off students in Gloucester Street.
14. These concerns can be effectively addressed by installing the parking arrangement shown on the plan.

#### **STAFF RECOMMENDATIONS**

It is recommended that the Board agree that:

- (a) The existing bus stop installed on the north side of Gloucester Street commencing at a point 27 metres from its intersection with Rolleston Avenue and extending in an easterly direction for 12 metres be revoked.
- (b) A bus stop be installed on the north side of Gloucester Street commencing at a point 47 metres from its intersection with Rolleston Avenue and extending in an easterly direction for a distance of 13 metres.
- (c) That a "Loading Zone time limit 5 minutes" be created on the north side of Gloucester Street commencing at a point 14 metres from its intersection with Rolleston Avenue and extending in an easterly direction for a distance of 8 metres.
- (d) That a "Loading Zone time limit 5 minutes" be created on the north side of Gloucester Street commencing at a point 27 metres from its intersection with Rolleston Avenue and extending in an easterly direction for a distance of 12 metres.

#### **CHAIRPERSON'S RECOMMENDATION**

That the staff recommendations be adopted.

**9. STRUCTURE ON STREET APPLICATION FOR 40 KINSEY TERRACE**

<b>General Manager responsible:</b>	General Manager City Environment, DDI 941-8656
<b>Officer responsible:</b>	Transport and City Streets Manager
<b>Author:</b>	Tony Lange, Asset Engineer

**PURPOSE OF REPORT**

1. The purpose of this report is to seek the Board's approval to erect a private structure partially on legal road following the initial development of a preferred scheme for the Kinsey Terrace Street Renewal Project.

**EXECUTIVE SUMMARY**

2. A Structure on Street application for a new double garage sited partially on legal road has been made by the owners of 40 Kinsey Terrace. Currently the owners have a dedicated single garage located entirely on legal road but would like to build an integrated structure that provides a covered link between the proposed structure and the existing house.
3. The Transport and City Streets Unit have reignited the street renewal project with a new round of consultation now underway. Capital funds have been allocated with construction planned for completion in the 2006/07 year.
4. Staff have assessed the sighting of the proposed structure in relation to the upcoming street renewal project and have deemed this to be minimal.
5. Some residents in the area oppose the approval of this application.
6. Residents have endorsed a scheme plan that addresses the issues raised at public meetings held in February and March this year. However, this scheme plan is not yet finalised and will be presented to the Board at a future seminar meeting.
7. The proposed structure on street will not impact on the adopted scheme plan for the street renewal project.

**FINANCIAL AND LEGAL CONSIDERATIONS**

8. Community Boards have been delegated to approve Structure on Street applications for garages and parking platforms.
9. The application is subject to compliance with other Council requirements ie resource and building consents.
10. A Deed of Licence fee for occupation of road space will accrue to the Council. This is valued at \$200 per annum for a double garage.

**STAFF RECOMMENDATIONS**

It is recommended that the Board:

- (a) Approve the application subject to the conditions listed in this report.
- (b) Revoke the current Deed of Licence for the single garage and call for the removal of the single garage within six months from the completion of the new double garage.

**CHAIRPERSON'S RECOMMENDATION**

For discussion.

## BACKGROUND

11. The Board will be aware that Kinsey Terrace has been the subject of much debate over the last few years with the old Environmental Planning and Policy and City Streets Units embarking on a renewal project for Kinsey Terrace in 2000. To date the issues raised by the residents have not been addressed as agreement on a final plan had not been reached. The Transport and City Streets Unit have now reignited the renewal project with a new round of consultation now underway. Capital funds have been allocated with construction planned for completion in the 2006/07 year.
12. In the meantime the owners of 40 Kinsey Terrace have approached the Council with plans for an extensive addition to their current dwelling. This involves the construction of a double garage sited partly on legal road (3.0 metres over the boundary). This work is subject to 'Structure on Street' approval which can only be granted by the Board (see attached plan A).
13. When considering the application the Council must be satisfied that:
  - Safety of all road users is not compromised.
  - Legal right of access is maintained for individual property owners.
  - The applicant is unable to construct the structure on his or her land because of the nature of the terrain.
  - The proposal is consistent with the City Plan objectives on property access and parking requirements.
  - The road environment is not unduly compromised with the presence of the structure.
  - The visual intrusion to the streetscape will have minimal effect to road users.
  - Road users include pedestrians, cyclists and other commuters.
14. Currently the owners have a dedicated single garage located entirely on legal road but would like to build an integrated structure that provides a covered link between the proposed structure and the existing house. The existing Deed of License for the single garage would be terminated and a condition made for the current single garage to be removed from the road space. However, the loss of this structure may deny neighbours an opportunity to have covered parking and not impact on vehicle turning movements of large vehicles. The problem herein is that this structure is privately owned and the Council has no rights to its ongoing management.
15. Council policy does not prohibit a property owner from one or more structures on the street. However in this situation it may be prudent for the Council to order the owner to remove the existing structure, within a period to be specified, following the completion of the new structure. This is a fair and reasonable request given the constrained nature of the road at the west end of Kinsey Terrace and the apparent monopoly the owners have in this location where on street parking is at a premium and other residents have no off street parking.
16. The City Plan allows for two vehicle entrances for properties with a road frontage between 16 metres and 60 metres. However, in the City Plan there is a minimum distance between vehicle crossings within the same frontage and it is 7.5 metres. The reason for this is that the distance between crossings provides an opportunity for on street parking which does not exist in this case as the distance between the two structures is approximately 5 metres.
17. The building of a garage partially on the applicant's land will incur extensive remodelling of the existing dwelling and this request is consistent with the Council's policy for approving garages on legal road. Any new garage on legal road would be subject to a new Deed of License arrangement.
18. While the proposed structure is partially located on legal road, along the applicant's road frontage, the structure itself will be adjacent to the formed road and will comprise a short bridge span of 0.5 metres from the edge of road/ top of bank to the front of the structure. Analysis of vehicle path movements indicates that the position of the structure will not affect turning vehicles. Indeed it will assist turning vehicles when compared to the current situation (see attached plans B and C).



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19. However, current on street parking arrangements are likely to be compromised by the addition of this structure. A defined parking area capable of accommodating four vehicles will be removed if the Structure on Street application is approved as vehicles are restricted from parking in front of a garage on legal road. This is an issue that can be addressed through the renewal project as there are other options available for on street parking. It will however be important that residents are aware that conflict does arise while trying to maximise on street parking and accommodate turning vehicles, particularly emergency vehicles and service vehicles which are larger than family sized vehicles, in this constrained area.
20. In normal circumstances a loss of parking can occur. An application to provide a new vehicle entrance will result in the loss of parking in that location whether the structure is located on legal road or within the private property.

### CONSULTATION

21. The Environmental Services Unit have yet to receive resource consent or building consent applications from the owners of 40 Kinsey Terrace.
22. Residents in the street have become aware of the application and have contacted the Council with concerns as follows.
23. The Council's Authorising Officer for resource consents in this locality, received an email from the chair of the Clifton Neighbourhood Committee (CNC), dated 18 July. This noted the conflict that arises at the western end of Kinsey Terrace between turning vehicles and parked vehicles. In the email it is noted that an "increasing number of trucks, unable to turn (in the now inadequate turnaround area) are having to back up the narrow road".
24. In an attachment to the email, dated 15 July, the CNC suggests that the "proposed garage, if built, would seriously compromise the options available for resolving or at least mitigating, the traffic difficulties" in this part of Kinsey Terrace.
25. The CNC conclude the following:
  - "The proposed garage will further degrade an already difficult situation in regard to vehicle parking and manoeuvring.
  - This being so the Consent notification process should be extended to include all those parties who will be affected in that regard.
  - An extensive process of "Our Street" discussion and debate has been undertaken; much of this will have to be revisited if the proposal is approved, and this could include research and design work already carried out or planned for by the Council."
26. Two public meetings have been held with the residents of Kinsey Terrace since this report was tabled in November last year. The first meeting was held to identify any issues the residents had and set the project's objectives. The second meeting reported back with a scheme plan that sought to address the issues while meeting the objectives of the Council to renew the street asset. The scheme for the western end of Kinsey Terrace is still subject to a geotechnical report on the stability of a low bank with the potential to create parking space.
27. The objectives of the renewal project did not preclude the owners of 40 Kinsey Terrace from proceeding with their Structure on Street application. The scheme plan, which is based on the agreed objectives and not yet finalised, is not inhibited by the location of the proposed structure. The consultant engaged by the Council for the scheme development, including consultation with the community, has commented that nothing raised in the process precludes the structure from proceeding.
28. The scheme plan will be fine tuned over the next few months and presented to the Board at a seminar before seeking wider community comment.

### OPTIONS

29. **Option A - Decline the application**
30. The Council could decline the application; however there are no traffic related issues to warrant this decision.

31. **Option B - Approve the application**

32. The affect of the garage, in the planned location, has been technically assessed as follows.
33. Computer modelling of vehicle paths for medium sized trucks, typical of current vehicles, has been carried out to assess the risk of the proposed structure prohibiting turning movements at the western end of Kinsey terrace. The results indicate that the proposed structure will not compromise any option to improve vehicle manoeuvres (see attached plans).
34. However the proposed structure will impact on the number of on street parking spaces currently available to visitors and residents as four spaces are located along the road frontage of 40 Kinsey Terrace, the applicants address. At least two of these will be lost with the garage development until such time as this issue can be resolved as part of the renewal project. Opportunities do exist to provide on street parking at current numbers, albeit in a different location, and improve vehicle turning. Although these issues are outside the objective of this report they need to be included in the renewal project.
35. It is recommended approval be given subject to:
- Deed of licence being entered into with the Council.
  - Resource and building consents being obtained.
  - The owner being entirely responsible for the stability, safety and future maintenance of the bank, driveway and formation work associated with the structure.
  - The site being kept in a tidy condition at all times during the course of construction.
  - Maintaining clear access to the neighbouring properties.

**PREFERRED OPTION**

36. Option B.



**ASSESSMENT OF OPTIONS****Maintain The Status Quo (If Not Preferred Option)**

Option A - Decline the application

	<b>Benefits (current and future)</b>	<b>Costs (current and future)</b>
<b>Social</b>		
<b>Cultural</b>		
<b>Environmental</b>		
<b>Economic</b>		
<p><b>Extent to which community outcomes are achieved:</b></p> <p><b>Impact on Council's capacity and responsibilities:</b> Nil.</p> <p><b>Effects on Maori:</b> Nil.</p> <p><b>Consistency with existing Council policies:</b> Consistent.</p> <p><b>Views and preferences of persons affected or likely to have an interest:</b> Community group is against the application.</p> <p><b>Other relevant matters:</b> Nil.</p>		

**The Preferred Option**

Option B - Approve the Application

	<b>Benefits (current and future)</b>	<b>Costs (current and future)</b>
<b>Social</b>		
<b>Cultural</b>		
<b>Environmental</b>	Will provide an opportunity for vehicles to manoeuvre.	Loss of parking until such time as the renewal project is completed.
<b>Economic</b>	Deed of License fee - \$200 per annum.	
<p><b>Extent to which community outcomes are achieved:</b>            Primary alignment with community outcome a            Also contributes to     and</p> <p><b>Impact on Council's capacity and responsibilities:</b>            Nil.</p> <p><b>Effects on Maori:</b>            Nil.</p> <p><b>Consistency with existing Council policies:</b>            Consistent.</p> <p><b>Views and preferences of persons affected or likely to have an interest:</b>            Community group is against the application.</p> <p><b>Other relevant matters:</b></p>		

**10. ELECTED MEMBERS' REMUNERATION 2006/07**

<b>General Manager responsible:</b>	General Manager Regulation and Democracy Services, DDI 941-8549
<b>Officer responsible:</b>	Secretariat Manager
<b>Author:</b>	Max Robertson, Council Secretary

**PURPOSE OF REPORT**

1. The purpose of this report is to:
  - (a) enable the Council to make a decision at a May 2006 meeting to send to the Remuneration Authority a proposal regarding remuneration to be paid to elected members (except the Mayor) for the 2006/07 financial year; and
  - (b) permit Community Boards to indicate to the Council their preferred option for the allocation of the 2006/07 remuneration pool amongst the elected members of the Christchurch City Council and the eight Christchurch community boards.

**EXECUTIVE SUMMARY**

2. The Remuneration Authority has advised that the remuneration pool for the elected members of the Christchurch City Council and its eight community boards has been fixed at \$1,529,250 for the 2006/07 financial year and that the Mayor's gross salary has been fixed at \$151,330. In the case of the Mayor this figure represents the gross amount to be debited against the pool - the Mayor's net salary will be adjusted to reflect the fact that he has full private use of a car provided by the Council.
3. This represents an increase of \$59,306 in the 2005/06 pool of \$1,469,944.
4. Based on the rules and principles set by the Remuneration Authority the Council is now required to decide how it proposes to allocate the pool amongst its elected members for the 2006/07 financial year and, once agreed, to submit its proposal to the Remuneration Authority for approval. It should be emphasised that the Remuneration Authority expects the pool to be fully allocated, and it is thus incumbent on the Council to revise the current salaries to reflect the full amount of the pool.
5. The Council's proposal must be approved by the Remuneration Authority before any amended salaries proposed by the Council can be implemented.

**FINANCIAL AND LEGAL CONSIDERATIONS**

6. The principal statutory provisions which apply in this instance are the Seventh Schedule of the Local Government Act 2002, and the Remuneration Authority Act 1977. Once this Council's 2006/07 remuneration proposal (or any variation thereof) has been approved by the Remuneration Authority, it will be gazetted via the Local Government Elected Members' Determination 2006.
7. Once the allocation of the increased pool has been decided by the Council and approved by the Remuneration Authority, it will be necessary to reflect the resulting expenditure in the nine different budget provisions for this item (Councillors and eight community boards).
8. There are some substantial budgetary and rating implications associated with some of the options postulated in this report, ie:

Option	Additional Expenditure	Resulting Rate Increase
1	\$66,856	+0.036%
2	\$73,880	+0.040%
3	\$71,356	+0.038%
4	\$81,356.76	+0.044%
5	\$382,180.38	+0.204%
6	\$461,508.68	+0.247%
7	\$156,205	+0.084%
8	\$156,205	+0.084%

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**STAFF RECOMMENDATIONS**

It is recommended that the Board decide:

- (a) Which salary option it wishes to recommend to the Council.
- (b) Whether or not it wishes to also recommend any changes to the present allowances and expenses in respect of mileage allowances, and the communications allowance.

**CHAIRPERSON'S RECOMMENDATION**

For discussion.

**BACKGROUND ON ELECTED MEMBERS' REMUNERATION 2006/07**

9. The Remuneration Authority is responsible for setting the salaries of elected local government representatives (clause 6 of Schedule 7 of the Local Government Act 2002 refers).
10. A brief summary of the remuneration framework and the rules and principles which the Remuneration Authority works under is attached as Appendix A.
11. The Remuneration Authority revises remuneration pools annually, and each council is thus required to review its levels of remuneration prior to the start of each financial year, based on the new pool. Therefore, this report has been submitted to allow the Council to consider the allocation of the increased pool for the 2006/07 financial year. The salaries proposed will thus apply from 1 July 2006.
12. The Authority has now released the Christchurch City indicative pool for 2006/07, which amounts to:

Total pool	\$1,529,250
less Mayor's gross salary	<u>\$151,330</u>
Net pool available for Deputy Mayor, 12 Councillors, eight community board chairs and 32 community board members	\$1,377,920

13. This represents a total increase of **\$59,306** in this Council's remuneration pool.
14. Although included within the pool, the Mayor's salary is independently set by the Remuneration Authority.
15. It should also be noted that 50% of the total remuneration paid to community board chairs and elected (not Councillor appointments) community board members is paid outside the pool.
16. The pool is fixed by the Remuneration Authority relative to other councils and has regard to population, expenditure and assets. The merging of Christchurch City and Banks Peninsula does not produce a remuneration pool equal to the sum of the two separate pools.
17. Although the Mayor's salary is set by the Remuneration Authority, it is included within the pool. Where a Mayor has partial or full private use of a car provided by the Council (as is the case in Christchurch), the Mayor's gross salary is reduced by an amount which reflects both the extent of private use and the value of the car supplied.

**DISCUSSION**

**Decisions to be Made**

18. In preparing its proposal the Council is required to make the following decisions:
  - To decide whether the remuneration pool should be allocated on a salary only basis, or whether it should be a mix of salary and meeting fees.
  - To agree appropriate levels/rates for the different positions/roles on the Council and its community boards and, using that information, develop an option for the allocation of the money within the remuneration pool.

**Basis of Remuneration**

19. Although it is possible for the Council to recommend the payment of a mixture of salary and meeting fees to Councillors, community board members must be paid on a salary only basis, without meeting fees.

### Distribution Options

20. The allocation of the increased pool was discussed with Councillors and community board members at a seminar held on Thursday 16 March 2006. Three possible options for the allocation of the 2006/07 pool were presented at the seminar. Although the members present at the seminar did not indicate a preference for any of the three options presented, staff were requested to prepare some further options which:
- Provided for the chairs and members of the Banks Peninsula community boards to receive a salary equivalent to 80% of the salaries payable to the chairs and members of the metropolitan community boards.
  - Assumed that 75% (rather than the present 50%) of the salaries payable to the chairs and members of community boards can be paid outside the remuneration pool (this option being based on oral advice from two elected members that the Remuneration Authority had recently indicated that it might be possible for 75% of the community board salaries to be paid outside the pool, if the Council were to submit such a remuneration proposal).
21. In response to an earlier enquiry, the Chairman of the Remuneration Authority advised in May 2005 that:
- “Any increase in the pool arising from combining the two councils is unlikely to, in itself, be sufficient to meet the salary of a new councillor (at existing Christchurch rates) plus the salaries currently payable to the Banks Peninsula community boards. It may be necessary therefore for the Authority to consider, for example, allowing the funding of the two community boards to be met entirely from outside the pool. All this will require some detailed discussions with your council in due course.”*
22. The Chairman of the Remuneration Authority has since orally confirmed that, in recognition of Christchurch’s unique situation with the recent dissolution of Banks Peninsula District, the Authority is prepared to consider making “special arrangements” on a transitional basis for 2006/07, including the possibility of a greater proportion than 50% of the community board remuneration being paid outside the pool, or, alternatively adjusting the pool to reflect the additional payments resulting from the inclusion of Banks Peninsula.
23. The Chairman has indicated that any such “special arrangement” would be for 2006/07 and would not be permanent. Given that any such proposal for an increased amount of community board remuneration to come outside the pool is for one year only and that in 2007/08 (assuming minimal change in the pool figure) the elected members will be facing the same situation as now with having to operate within the 50/50 split, the question needs to be asked why members reach an arrangement for 2006/07 which needs to be reviewed again for 2007/08. Members could decide now to reach a decision for 2006/07 based on the 50/50 split which means the formula arrived at will have long term stability and any difficulty in arriving at that formula will be for this year only.
24. Staff were also requested to confirm the amount of the total pool figure. Staff retained Mr John Mackey from Deloitte to review the setting of the pool figure. Following a comprehensive review, Mr Mackey has advised that the Remuneration Authority’s calculation of the indicative remuneration pool for Christchurch City for the year ending 30 June 2007 appears to substantially comply with the legislation, and is materially correct.

### Principles Applicable to this Remuneration Review

25. Given that the Council is required to make a recommendation to the Remuneration Authority as to how the pool is to be divided it is considered appropriate that before considering options elected members consider the principles which should guide them in their deliberations on this topic.
26. It is considered that the following principles could be taken into account.
- Principle:** Remuneration for any elected position should be such as to attract people to hold office within the Council’s governance structure so that remuneration should not limit the diversity of representation for councillor and community board positions.
- Principle:** Members with similar responsibilities should receive similar remuneration.

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**Principle:** A differential rate of remuneration between the same class of elected member within the Council (eg councillor, community board chair or community board member) should exist only where it can be justified by reference to relevant differences.

**Principle:** Remuneration should be set at a level that acknowledges the impact that performing the role of an elected member has on personal lives and careers.

**Principle:** Remuneration should not be reduced part way through a three year electoral term, when that risk was not known to a candidate at the preceding election unless there are circumstances outside the Council's control.

### Councillor Remuneration

27. At its meeting on 5 May 2005 the Council resolved to have a differential for the Deputy Mayor in recognition of her high workload and additional responsibilities.
28. At its meeting on 8 December 2005 the Council resolved that the Banks Peninsula Ward Councillor be remunerated at the same rate as the other Councillors on the basis that that Councillor has city wide responsibilities as well as the other Councillors.
29. The options below assume that the Council will not be changing its May and December 2005 resolutions in respect of these two positions.

### Community Board Remuneration

30. At its meeting on 2 December 2004 the Council adopted a proposed remuneration structure which provided for the payment of salaries of \$32,500 and \$20,000 for community board chairs and members, respectively. Following representations to the Remuneration Authority, the Authority increased these salaries to the amounts shown below:

Position	2004 Salaries Proposed by CCC	2004 Salaries Fixed by Remuneration Authority
Community Board Chairs	\$32,500	\$35,000
Community Board Members	\$20,000	\$22,000

31. At the time, the Remuneration Authority advised that in approving these increases, it had been mindful of the following factors:
  1. *The need to equitably distribute the pool following the reduction in the number of councillors.*
  2. *The consequential increase in representational activities for community boards.*
  3. *The role of the community boards as established by government policy and the Local Government Commission's determination regarding the Christchurch City representation review.*
  4. *Representations made to the Remuneration Authority by community board members.*
32. The Authority also went on to say that Christchurch is seen as a model for how the two arms of local representation can work effectively at the macro and micro levels, and that the adjustments made by the Authority were not major, but established a slightly more rational relativity.
33. An issue that arose at the seminar on 16 March 2006 was that of a differential between "City board members and chairs" and "Peninsula board members and chairs." At present City board members are paid \$22,450 per annum while Peninsula board members receive \$6,273 per annum. The figures for community board chairs are \$35,850 and \$11,412, respectively. These are relativities of 28% and 32% respectively.
34. Community boards have their respective roles set by the Local Government Act 2002 and the other legislation administered by the Council.

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35. S. 52 of the Act provides that the role of a community boards is to:
- (a) *represent, and act as an advocate for, the interests of its community; and*
  - (b) *consider and report on all matters referred to it by the territorial authority, or any matter of interest or concern to the community board; and*
  - (c) *maintain an overview of services provided by the territorial authority within the community; and*
  - (d) *prepare an annual submission to the territorial authority for expenditure within the community; and*
  - (e) *communicate with community organisations and special interest groups within the community; and*
  - (f) *undertake any other responsibilities that are delegated to it by the territorial authority.*
36. That provision applies equally to all eight community boards. In addition the Council has given the same level of delegations to all eight boards. The Council's expectation of the workload of community boards as far as their delegated authorities is the same.

### Land Area and Representation Ratios within each Community

37. At the seminar on Thursday 16 March 2006, I was asked to provide information relating to the land area of each community, and the number of residents represented by each community board member. The following table sets out this information:

Community	Land Area in Hectares	No of Members (including both elected and appointed members)	Population 2001 Census	No of Residents per member
Akaroa/Wairewa	94,320	6	3,027	505
Burwood/Pegasus	4,540	7	52,944	7,563
Fendalton/Waimairi	10,610	7	51,210	7,316
Hagley/Ferrymead	5,800	7	52,515	7,502
Lyttelton/Mt Herbert	21,480	6	5,397	900
Riccarton/Wigram	9,800	7	54,939	7,848
Shirley/Papanui	9,660	7	53,304	7,615
Spreydon/Heathcote	4,490	7	51,306	7,329

38. Certainly while there are population differences between the Boards the question needs to be asked whether the democratic responsibilities and the Local Government Act responsibilities of a Peninsula Board member are any less because they represent fewer people. Apart from having a greater number of people to represent a City board member does not have any additional governance responsibilities to a Peninsula board member.
39. The question also needs to be asked whether the responsibilities associated with the role of democratic representation is dependent on the number of constituents represented? If Christchurch is truly one city, the starting point surely would be equality of remuneration, except where a differential can be rationally justified. All Board members, regardless of the size of the population served by the Board need to have members fully engaged in their role and able to commit time to that role. Complex and contentious issues for a community board can arise from an area with a small population just as easily as an area with a large population. That can be more so where the small population area is developing and geographically is more challenging to administer.
40. Regarding a perception there may be that a larger population results in a higher workload thereby justifying a higher level of remuneration it must be borne in mind that at the present time the Council does not have any empirical data as to the workloads of elected members so that the "workload factor" should not be taken into account when the Council is setting remuneration. It has not been established with any certainty that having a greater population than another community board means the workload of a member of a board with a larger population is greater. In the absence of reliable data there is no rationale for a differential rate of payment for this reason.
41. Another factor to be borne in mind in setting remuneration is the geographical area of the community board areas. As can be seen from the table above the Lyttelton/Mt Herbert community is twice as large as the biggest City community while Akaroa/Wairewa is nine times larger. The travelling time for a Board member on the Peninsula in serving their constituents is greater than in a built up urban area. The ability to claim mileage is available equally to all Board members but should not recognition be given to the time physically spent travelling in addition to being present at meetings and engaging in Board business?



**Auckland and Dunedin situations**

42. Auckland City and Dunedin City have both urban and island/rural areas, and it is considered appropriate to look at the remuneration systems used by those two Councils.
43. In Auckland City, there are extremely small differences between the salaries paid to the chairs and members of the eight Isthmus community boards, compared with the salaries paid to the chairs and members of the two Hauraki Gulf community boards, despite the significant differences in their respective land area and population, as the following table discloses:

Position	Number of Positions	Current Salary
Isthmus Chairs	8	\$19,197
Isthmus Members	34	\$9,411
Waiheke Island Chair	1	\$18,070
Waiheke Island Members	4	\$8,690
Great Barrier Island Chair	1	\$18,070
Great Barrier Island Members	4	\$8,690

44. There are eight Isthmus community boards, and two Hauraki Gulf community boards, with the following land area and population:

Board/s	Land Area	Population
Isthmus	658 square km (total)	401,000 (total)
Waiheke Island	22 square km	7,000
Great Barrier Island	285 square km	1,100

45. The Chairman of the Remuneration Authority has orally advised that the small differentials which apply in the case of the Auckland City community boards are partly attributable to the fact that members of the two Hauraki Gulf community boards are required to spend considerable time travelling by ferry to attend meetings etc.
46. A similar situation applies in Dunedin City, where identical salaries are paid to the chairs, deputy chairs and members of all six Dunedin community boards, despite the substantial disparities in their land area and population, as the following table discloses:

Board	Land Area	Population	Number of Board Members	Salaries Applicable
Chalmers	78 square km	5,400	6	Chair \$17,303 Deputy Chair \$12,214 Member \$8,142
Mosgiel/Taieri	677 square km	15,100	6	
Waikouaiti Coast	515 square km	3,270	6	
Otago Peninsula	121 square km	4,230	6	
Saddle Hill	40 square km	5,130	6	
Strath Taieri	1,836 square km	650	6	

**Remuneration Options**

47. Eight options are attached to this report, comprising:
- Option 1, which envisages a range of reductions for the positions of Deputy Mayor, Councillors, the chairs and members of metropolitan community boards and increases for the chairs and members of the Banks Peninsula boards.
  - Option 2, which is based on the same percentage allocations of the pool as in 2005/06, with the same salaries being paid for the chairmen and members of all community boards.
  - Option 3, which assumes that 50% of the pool is allocated to Councillors, and 27% to community board members, with the ratio between metropolitan and Banks Peninsula community board positions maintained near their present levels.
  - Option 4, which is based on the assumption that the chairs and members of the Banks Peninsula community boards will be paid 80% of the salaries applicable in the case of the metropolitan boards (with 50% of the applicable salaries being paid outside the pool, as at present).

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- Option 5 - this assumes the same relativities between all positions as shown in Option 3, and has been prepared on the basis that 75% of all community board salaries are paid outside the pool.
- Option 6 - this assumes that 75% of community board salaries are paid outside the pool, with the Banks Peninsula chairs and members being paid 80% of the metropolitan board salaries, with the salaries for the Deputy Mayor and Councillors being adjusted so that the pool is fully allocated.
- Option 7 - this assumes the continuation of the present (2005/06 salaries and 2006/07) but with more than 50% of the community board salaries being paid outside the pool.
- Option 8 - this assumes reductions of \$2,000 for Councillors, \$1,500 for metropolitan community board chairs and \$1,000 for metropolitan community board members, with the total amount resulting from these reductions being distributed to the chairs and members of the Banks Peninsula community boards, and with more than 58% of the Banks Peninsula community board salaries being paid outside the pool.

### **Elected Member Allowances and Expenses**

48. As part of its amended remuneration proposal, the Council is also required to seek the Remuneration Authority's approval for any amendments to the Schedule of Elected Member Allowances and Expenses previously approved by the Authority. The schedule attached as Appendix B is similar to the schedule previously approved by the Authority for 2005/06, with the following amendments:
- It provides for the payment of mileage allowance at a flat rate of 70 cents per kilometre for all qualifying travel, and clarifies the type of travel which qualifies for payment of mileage allowance.
  - It proposes an increase in the communications allowance from \$120 to \$150 per month.

#### *Mileage Allowance*

49. In September 2005, the Inland Revenue Department came out with new rules on mileage reimbursements for employees. Elected members are not, however, considered employees, but rather as "self employed" persons under the withholding tax regime. The IRD has indicated that it is reviewing mileage rates for self employed persons.
50. In the meantime, self employed persons may use the mileage rates published by the IRD, but only up to a maximum of 5,000 kilometres per year. If this is exceeded, the self employed person has the option of either using the specified rates up to 5,000 kilometres or, alternatively, claiming actual running expenses, apportioned for the percentage of business use. The mileage rates published by the IRD are:

#### **Banded rate**

1 to 3,000 kms	62 cents per km
3,001 kms and over	19 cents for each km over 3,000 (limited to 5,000 kms)

#### **Flat rate**

Any distance	28 cents per km (limited to 5,000 kms)
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51. It has been noted that these rates could disadvantage the Banks Peninsula Councillor and Banks Peninsula Community Board members, who are required to travel greater distances than their urban counterparts to attend Council meetings and other related events.
52. Subject to the approval of the Remuneration Authority, it would be possible for the Council to amend its expenses policy to provide for the payment of up to 70 cents per kilometre for all qualifying travel incurred by elected members in any one year (ie the 70 cent rate would be paid for all travel, and would not be reduced after the member/s concerned had travelled 3,000 kilometres in any one year, or stopped completely after the member/s had travelled 5,000 kilometres in any one year). In this instance, the term "qualifying travel" refers to travel associated with attendance at the meetings or events set out in the Schedule of Elected Member Allowances set out in Appendix B to this report. Before the Local Government Act 2002 came into force, members could only claim for attendance at formally convened council,

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committee or subcommittee meetings, which they were required to attend. However, subject to the approval of the Remuneration Authority, mileage allowance can now be paid for attendance at a wider range of meetings or events, and the list of meetings or events set out in Appendix B has therefore been expanded to recognise this.

53. A number of other councils (eg ECan) pay their members at the rate of 70 cents per kilometre, with no limit, in recognition of the long distances their members are required to travel on the local authority's business.
54. The revised schedule of elected member allowances and expenses attached has therefore been amended to:
- Provide for the payment of a flat rate of 70 cents per kilometre for all qualifying travel.
  - Clarify the type of travel which qualifies for payment of the allowance of 70 cents per kilometre.

### *Communications Allowance*

55. At present, a flat communications allowance of \$120 per month is payable to the Deputy Mayor, Councillors and community board chairs as a contribution towards:
- Home telephone line rental
  - Monthly cellphone base rental charge
  - Council related toll calls made from home telephone line
  - Call charges for Council related calls made from cellphone
56. It has been suggested that there is justification for an increase in the standard allowance of \$120, to reflect (inter alia) the high number of Council related cellphone calls made by elected members, and the fact that at least two Councillors have wireless cards for their laptops, enabling them to stay in touch while on the move. It has also been pointed out that every phone call from Akaroa to the city is a toll call.
57. In these circumstances, there appears to be ample justification for the communications allowance to be increased from \$120 to \$150 per month. If the payment of this allowance continues to be limited to the deputy mayor, councillors and the chairs of the eight community boards, such an increase would result in the following additional expenditure:
- |  |                   |
|--|-------------------|
| Total annual payments at \$150 a month   | \$37,800          |
| Present annual payments at \$130 a month | \$30,240          |
| Additional expenditure                   | \$7,560 per annum |
58. At the recent seminar, some community board members gave their opinion that payment of the communications allowance should be extended to include all community board members, rather than being limited to community board chairs. The following schedule sets out the additional expenditure which would result if this suggestion were to be adopted:

<b>Amount of Monthly Allowance</b>	<b>Annual Expenditure if Limited to Deputy Mayor, Councillors and Community Board Chairs (21 positions)</b>	<b>Annual Expenditure if Extended to Include all Community Board Members (53 positions)</b>
\$120	\$30,240	\$76,320
\$150	\$37,800	\$95,400

59. Any increase in communications allowance from \$120 to \$150 per month, and any increase to include community board members, is currently unbudgeted.

### **Unanimity of the Council's Decision**

60. In submitting its proposal the Council is required to notify the Remuneration Authority of:
- (i) details of any dissent at Council, and
  - (ii) details of any dissent from its community boards.
61. A community board also has the ability to express any opposing views it might have on the Council's final proposal direct to the Remuneration Authority.

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62. If the Council's recommendations are unanimous and reasonable it is unlikely that the Commission will withhold its approval. It does, however, have the power to amend any proposal if the level of dissatisfaction is high or if the proposal is considered unreasonable.

**CONCLUSION**

63. It is essential that each board reaches a decision as early as possible on its preferred remuneration option, and on any recommended alterations to the present allowances and expenses policy, so that the boards' views can be taken into account by the Council when it reaches a final decision on its preferred remuneration option at its meeting on Thursday 11 May 2006.
64. The new salaries and expenses approved by the Remuneration Authority will apply from 1 July 2006.

## 11. PROPOSED ORION NEW ZEALAND LIMITED CABLE ROUTE-THROUGH HEATHCOTE VALLEY PARK

<b>General Manager responsible:</b>	General Manager City Environment, DDI 941 8656
<b>Officer responsible:</b>	Greenspace Manager
<b>Authors:</b>	Tony Hallams, Greenspace Unit and Felix Dawson, Corporate Support Unit

### PURPOSE OF REPORT

1. The purpose of this report is to:
  - (a) Firstly for the Board to consider a recommendation of approval for Orion New Zealand to obtain an easement over legal land title Section 1 SO 20271, Local Purpose (Waterway) Reserve, to enable a 11Kv cable to be installed in the Heathcote Valley Park, and
  - (b) Secondly, to support a recommendation to the Council that Orion New Zealand be granted a right to obtain easements to enable the 11Kv cable with two associated kiosks to be installed in fee simple land in the Heathcote Valley Park controlled by the Christchurch City Council covered under legal titles 43C/777, 21B/1238, and 11F/452.

### EXECUTIVE SUMMARY

2. The Council has received an application from Orion to establish a power cable across the Heathcote Valley Park to act as a back up to the existing supply running across Ferrymead Bridge. The purpose of the back up is to provide a contingency in the event that the existing supply is damaged. This could include circumstances associated with an extreme earthquake event.
3. Orion has requested the proposed route because it is the shortest and therefore the cheapest option. The proposed route is partly contained in the existing Park access way and partly follows the boundary of the site where the Golf Driving Range is to be established (see plan attached). Council officers are of the view that it will have minimal impact on the Heathcote Valley Park as a whole. The Council will receive benefit in the form of a power supply and other utility services (that may be placed in the opening up of the ground after the creation of easements) to both development sites where the Golf Driving Range and Maori Village are proposed.

### FINANCIAL AND LEGAL CONSIDERATIONS

4. The Board has the delegated authority from Council (16 December 2004) to grant easements over reserves. The parcel of land subject to the Reserves Act 1977 involved in the application is Section 1 SO 20271. Section 48 of the Reserves Act 1977 provides for the granting of rights of way and other easements across reserves. This parcel of land will not be materially affected by the proposal as the cable route will be underground, and any related kiosks located on adjoining fee simple land included in the proposal. Public notification of the proposal is not required pursuant to section 120 of the Act, but approval of the Minister of Conservation will be necessary

The following parcels of land held as fee simple will also accommodate the intended cable route with associated Kiosks; 43C/777; 21B/1238; 11F/452. A decision of the Council, acting on a Hagley/Ferrymead recommendation to approve or otherwise the application, will be necessary

5. The applicant shall pay all costs associated with the establishment of the easements, which will include Council officer's time spent preparing reports, attending Council meetings, preparing legal documentation, together with the fees of outside agencies required to complete the process, which will include the Minister of Conservation's approval fee.
6. Survey plans of the easements shall be provided within three months of granting of the easement, so the easement can be registered as required by the Reserves Act 1977.
7. Final compensation is to be decided through negotiations with the applicant and Corporate Support Unit staff member(s) after land valuation and consideration of the mutual benefits from the proposal.

**STAFF RECOMMENDATIONS**

It is recommended that the Board agree to the proposal to support a registered easement being granted to Orion New Zealand Limited over Council reserve land at Heathcote Valley Park, detailed under Section 1 SO 20271, and recommend to Council that easements be granted to Orion New Zealand Limited over fee simple land Heathcote Valley Park detailed under 43 C/777, 21B/1238, and 11F/452, subject to the following conditions:

- (a) That the applicant lodges a survey plan of the proposed easement with Land Information New Zealand within three months of the granting of the easement.
- (b) That the approval of the Minister of Conservation is obtained for the parcels of land subject to the Reserves Act 1977.
- (c) That any resource and building consents are obtained.
- (d) That the applicant negotiates a suitable compensation package with the Council, subject to an independent valuation, the cost to be borne by the applicant, for the privilege of utilising the Council land as an easement.
- (e) That before work commences on the site the applicant is responsible for locating any existing services in the reserve, if applicable, and ensuring that are not damaged by contractors.
- (f) The easement construction area being maintained by the applicant and their contractors in a safe and tidy condition at all times.
- (g) A bond of \$2,000 is to be paid by the applicant to the Christchurch City Council via Darren Moses, Heathcote Valley Park Project Manager, before work commences on the site. This bond, less any expenses incurred by the Council, is to be refunded to the payee upon the completion of the work, and lodgement of the survey plan as built with the Greenspace Unit Policy and Leasing Officer.

**CHAIRPERSON'S RECOMMENDATION**

That the staff recommendations be adopted.

## **BACKGROUND**

8. In May 2005 Orion approached the Council with a view to providing a back up power supply to the existing route that runs across the Heathcote Bridge. The proposal was to lay an 11Kv cable from the Heathcote District Substation near Scruttons Road across the Heathcote Valley Park to Bridle Path Road. The cable would then run up Major Hornbrook Road and link through to Sumner Redcliffs and Mount Pleasant. The reason for the proposal is to provide a back up supply to these areas in the event that the existing supply is damaged, particularly in the event of damage to the bridge following an earthquake.
9. The proposed route crosses land to the west of Truscotts Road around the edge of the proposed golf driving range, crosses Ferrymead Trust land to Truscotts Road and then follows Ferrymead Park Drive to Bridle Path Road (see plan attached). It is approximately 1.25km long and one metre wide. It is made up of 620 metres on the land to the west of Truscotts Road which is held under the Reserves Act 1977. The rest of the route is 630m long and runs along the edge of the existing Park access way which is part held as road and part unclassified. The proposal also includes two kiosks. The Ferrymead Trust has given consent to the proposal on their land.
10. Orion have looked at an alternative route through Truscotts Road-Deavoli Place-Cooks Lane-Bridle Path Road which may be established as of right. The route across Ferrymead is a shorter route which results in significant cost savings to Orion. Given that half of the cable is to be located in an existing access way and half runs down a boundary it is considered that there will be minimal impact to the Park as a whole.
11. Discussions have been held between Property Consultancy staff and Orion with a view to the provision of a supply to the two sites currently under development, namely the proposed Golf Course site and the proposed Maori Village site on Woodhill. Discussions have included use of the Orion trench to lay additional services such as water and telecommunication lines. The proposal therefore provides a mutual benefit to both parties.
12. Orion has agreed to pay all legal and survey costs associated with establishing the easement. They have also indicated that in the event of an easement being granted that there will be final negotiations with the Corporate Services Unit for payment of any top up compensation that should be required over and above the benefits that will be gained by the Council as described above.

## **OPTIONS CONSIDERED BY THE APPLICANT**

13. The following options have been considered:
  - (a) Do nothing.
  - (b) Take the longer route through Deavoli Place and Cooks Lane.
  - (c) Take the shorter route across Heathcote Valley Park.

## **PREFERRED OPTION**

14. To "Do nothing" would not result in a back up supply to the Sumner area and is therefore not favoured. The longer route involves damage and disturbance to the existing roading network and significant cost. Option three is favoured because it is cheaper and provides mutual benefit to both parties. There will be minimal impact on the Park. Half of the route will be laid in an existing road/park access road, with the rest of the cable located so that it will cause minimal disruption to the proposed use for the site.
15. The applicant has indicated they will undertake works that are consistent with Council's policies. Before any tenders are let or work commences on the site discussions will be held with Darren Moses in the City Solutions Unit to ascertain the Council's requirements though the construction phase of laying the cable and any Council services.

## ASSESSMENT OF OPTIONS

## The Preferred Option

	Benefits (current and future)	Costs (current and future)
<b>Social</b>	Nil	Nil
<b>Cultural</b>	Nil	Nil
<b>Environmental</b>	Nil	Nil
<b>Economic</b>	The Council will mutually benefit from the proposal insofar as being able to jointly utilise the easements intended.	Nil
<p><b>Extent to which community outcomes are achieved:</b> Will not conflict with any community outcomes.</p> <p><b>Impact on Council's capacity and responsibilities:</b> Nil.</p> <p><b>Effects on Maori:</b> Nil.</p> <p><b>Consistency with existing Council policies:</b> Yes.</p> <p><b>Views and preferences of persons affected or likely to have an interest:</b> N/A.</p> <p><b>Other relevant matters:</b></p>		



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**Maintain The Status Quo (If Not Preferred Option)**

	<b>Benefits (current and future)</b>	<b>Costs (current and future)</b>
<b>Social</b>	Nil	Nil
<b>Cultural</b>	Nil	Nil
<b>Environmental</b>	Nil	Nil
<b>Economic</b>	Nil	Nil
<b>Extent to which community outcomes are achieved:</b> Nil		
<b>Impact on Council's capacity and responsibilities:</b> Marginal		
<b>Effects on Maori:</b> Nil		
<b>Consistency with existing Council policies:</b> Yes		
<b>Views and preferences of persons affected or likely to have an interest:</b> N/A		
<b>Other relevant matters:</b>		

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**12. RESOLUTION TO EXCLUDE THE PUBLIC**

Attached.