



CHRISTCHURCH CITY COUNCIL AGENDA

THURSDAY 5 OCTOBER 2006

AT 9.30AM

IN THE COUNCIL CHAMBER, CIVIC OFFICES

Council: The Mayor, Garry Moore (Chairperson).
Councillors Helen Broughton, Sally Buck, Graham Condon, Barry Corbett, David Cox, Anna Crighton,
Carole Evans, Pat Harrow, Bob Parker, Bob Shearing, Gail Sheriff, Sue Wells and Norm Withers.

ITEM NO	DESCRIPTION
1.	APOLOGIES
2.	CONFIRMATION OF MINUTES - COUNCIL MEETING OF 28.9.2006
3.	DEPUTATIONS BY APPOINTMENT
4.	PRESENTATION OF PETITIONS
5.	CORRESPONDENCE
6.	CHRISTCHURCH CITY HOLDINGS LTD: AMENDMENTS TO CONSTITUTION
7.	WEATHERTIGHT HOMES RESOLUTION SERVICES AMENDMENT BILL
8.	COMMUNITY BOARD FUNDING PROCESS 2007/08
9.	WATER SUPPLY ASSET MANAGEMENT PLAN 2005
10.	WET WEATHER SEWER OVERFLOWS
11.	APPLICATION FOR EXISTING USE CERTIFICATE
12.	CHRISTCHURCH CITY FIRES BYLAW 2006
13.	REVOCATION OF CHRISTCHURCH CITY ANIMALS (OTHER THAN DOGS) AND BANKS PENINSULA KEEPING OF POULTRY, ANIMALS AND BEES BYLAWS
14.	REVOCATION OF DANGEROUS GOODS INSPECTION FEES BYLAW, 1990
15.	REPORT OF THE BURWOOD/PEGASUS COMMUNITY BOARD: MEETING OF 6 SEPTEMBER 2006
16.	REPORT BY THE CHAIRPERSON OF THE FENDALTON/WAIMAIRI COMMUNITY BOARD REGARDING SAFETY IMPROVEMENTS AT MEMORIAL AVENUE/ROYDVALE AVENUE INTERSECTION
17.	REPORT OF THE FENDALTON/WAIMAIRI COMMUNITY BOARD: MEETING OF 8 AUGUST 2006

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5. 10. 2006

ITEM NO	DESCRIPTION
18.	REPORT OF THE HAGLEY/FERRYMEAD COMMUNITY BOARD: MEETING OF 23 AUGUST 2006
19.	REPORT OF THE HAGLEY/FERRYMEAD COMMUNITY BOARD: MEETING OF 6 SEPTEMBER 2006
20.	REPORT OF THE LYTTTELTON/MT HERBERT COMMUNITY BOARD: MEETING OF 16 AUGUST 2006
21.	REPORT OF THE RICCARTON/WIGRAM COMMUNITY BOARD: MEETING OF 23 AUGUST 2006
22.	REPORT OF THE SPREYDON/HEATHCOTE COMMUNITY BOARD: MEETING OF 5 SEPTEMBER 2006
23.	NOTICES OF MOTION
24.	QUESTIONS
25.	RESOLUTION TO EXCLUDE THE PUBLIC

5. 10. 2006

1. APOLOGIES

2. CONFIRMATION OF MINUTES - COUNCIL MEETING OF 28.9.2006

Attached.

3. DEPUTATIONS BY APPOINTMENT

Request for Upgrading of Hussey Road

Mrs Yvonne Palmer will make submissions on behalf of the Shirley/Papanui Community Board, requesting that urgent consideration be given to upgrading Hussey Road with footpaths.

The Board advises that this road has gone from being a rural cul-de-sac to an open road carrying at least 500% more traffic resulting from the Northwood and Styx Mill Country Club developments.

4. PRESENTATION OF PETITIONS

5. CORRESPONDENCE

6. CHRISTCHURCH CITY HOLDINGS LTD: AMENDMENTS TO CONSTITUTION

General Manager responsible:	CEO CCHL
Officer responsible:	CEO CCHL
Author:	Bob Lineham, DDI 941-8411

PURPOSE OF REPORT

1. The purpose of this report is to obtain approval to recommended changes to the constitution of Christchurch City Holdings Limited.

EXECUTIVE SUMMARY

2. A legal review of the existing constitution of CCHL has been undertaken and a range of changes are being recommended for approval by the Council as shareholder. Most of these are fine tuning of wording. The text of the changes and an explanation from the CCHL legal adviser is attached as Appendix A.
3. A substantive change provides for external directors to retire by rotation on a three yearly basis rather than "en-bloc" immediately following the local authority elections. This is being promoted in the interest of providing a measure of continuity, which is seen as good governance practice. The provision for the shareholder to replace any director at any time remains unchanged.

FINANCIAL AND LEGAL CONSIDERATIONS

4. The proposed amendments have been reviewed and proposed by Lane Neave Lawyers and after approval by the Council as shareholder need to be promulgated in terms of section 122 of the Companies Act 1993.

STAFF RECOMMENDATION

That the Council resolve as the shareholder of Christchurch City Holdings Limited in the form of a written resolution under section 122(1) of the Act that the constitution be amended as set out in the attached document and the amendments be lodged with the Companies Office in accordance with the Act.

6 Cont'd

BACKGROUND ON PROPOSED CHANGES TO THE CCHL CONSTITUTION

5. The CCHL Board recently commissioned Lane Neave Lawyers to review the constitution of the company to ensure that it was current and in accordance with other legislation and good commercial practice.
6. The last review of the constitution was done in 1997 and since that date the Local Government Act 2002 has been enacted.
7. Most of the proposed changes are “fine tuning” and/or for clarification with no impact on the overall way the company operates. However, there is a substantive change in respect of clauses 14.5 and 14.6 which relate to the appointment of directors.
8. The current constitution requires that all directors must resign following the local authority elections including the external directors. The legal review has pointed out that this makes the company very vulnerable with what could be a significant lack of continuity. Legal advisers have suggested that the external directors should be reviewed on a three year rolling basis rather than have the whole board all up for review at the same time. It is in the interests of the company to have some continuity. The Council can still remove any director at any time as provided in the current constitution.
9. Attached (Appendix A) is a copy of the proposed changes with a detailed explanation against each affected clause. The comments have been provided by Lane Neave Lawyers. Also attached (Appendix B) is a copy of the existing clause 14 to enable a comparison to be made. A full copy of the existing constitution will be tabled at the meeting.

7. WEATHERTIGHT HOMES RESOLUTION SERVICES AMENDMENT BILL

General Manager responsible:	General Manager Regulation and Democracy Services, DDI 941-8549
Officer responsible:	Manager Environmental Policy and Approvals
Author:	John Buchan, Building Control Manager

PURPOSE OF REPORT

1. To advise the Council of the Weathertight Homes Resolution Services Amendment Bill which has been referred to the Social Services Select Committee after being introduced on 23 August 2006, and seek approval for a Council submission on the Bill. The Social Services Select Committee has allowed four weeks for submissions closing on 6 October 2006.

EXECUTIVE SUMMARY

2. This Bill amends the Weathertight Homes Resolution Services Act 2002 "(the principal Act") to make enhancements to the assessment and resolution of leaky building claims under it.
3. The Weathertight Homes Resolution Service (WHRS) was set up in 2002 to provide homeowners with a speedier, more flexible and cost-effective alternative to the courts for the resolution of leaky building claims. The WHRS was reviewed earlier in the year and the Government announced a number of changes which were communicated to the Council by way of a memo on the 17 May 2006.
4. The Bill complements a suite of other ongoing changes designed to transform the building and construction industry. These include the licensing of building practitioners, the review of the Building Code, a new product certification regime, the auditing and accrediting of Building Consent Authorities, and a loan scheme to assist homeowners repair leaky buildings.
5. The number of claims involving the Council should diminish over time as new processes and building methods improve the weathertightness and durability of buildings.
6. The key changes presented in the Bill are:
 - a wider scope of claims for weathertightness deficiencies;
 - an option of an eligibility assessor's report or a more comprehensive assessor's report;
 - a new Weathertight Homes Tribunal to provide strengthened adjudication services;
 - a low-value claims process;
 - a class action approach to claims relating to multi-unit complexes;
 - improved processes and case management.
7. The Social Services Select Committee has called for submissions on the Bill to be lodged by Friday 6 October 2006. This is an unusually short timeframe and reflects the Government's intention to fast track the Bill.

FINANCIAL AND LEGAL CONSIDERATIONS

8. The wider scope of claims proposed in the Bill has significant implications for the Council because of the possibility of an increase in the number and value of claims that are received. While the Council has insurance cover, an increase in claims may lead to an increase in premiums and the excess which the Council has to pay. However, these are claims that could be made if the proceedings were in the Courts, and it may be preferable that all possible defects are addressed at the same time to avoid future claims being made. There is also a concern with regard to assessors requiring more work to be done than is necessary, as a result of the increase in scope.

7 Cont'd

9. The proposed requirement in the Bill for Councils to include information on LIMS in respect of houses that have been assessed as eligible assists in clarification for local authorities. Although the Council currently has a discretion about including that information, it may not be aware of all houses that have been subject to a weathertight claim, particularly where the Council is not a party. Including this as a statutory requirement in the Bill removes the decision, and potential liability, from Councils of including or not including that information. Councils should, however, not be liable for not including such information on a LIM until it receives that information from the Tribunal or chief executive.
10. There are also other legal issues, related to the management and resolution of claims, including proportionate liability, timeframes and third party claims, as well as some other minor technical matters that need to be fixed in the Bill, that are addressed in the draft submission.

STAFF RECOMMENDATIONS

It is recommended that the Council:

- (a) Consider the submission and grant approval for it to be submitted to the Select Committee.
- (b) Resolve whether or not the Council wishes to appear before the Select Committee in support of its submission, and if so, who should represent the Council before the Select Committee.

7 Cont'd

BACKGROUND ON THE WEATHERTIGHT HOMES RESOLUTION SERVICES AMENDMENT BILL

11. This Bill amends the Weathertight Homes Resolution Services Act 2002 "(the principal Act") to make enhancements to the assessment and resolution of leaky building claims under it.
12. The Weathertight Homes Resolution Service (WHRS) was set up in 2002 to provide homeowners with a speedier, more flexible and cost-effective alternative to the courts for the resolution of leaky building claims.
13. The Bill complements a suite of other ongoing changes designed to transform the building and construction industry. These include the licensing of building practitioners, the review of the Building Code, a new product certification regime, the auditing and accrediting of Building Consent Authorities, and a loan scheme to assist homeowners repair leaky buildings.
14. The Bill aims to:
 - strengthen and streamline management of the overall WHRS process;
 - improve the efficiency and effectiveness of each stage of the process;
 - enhance the independence of the adjudication process;
 - increase the proportion of claims resolved through early negotiation;
 - reduce the average length of time for claims to be resolved;
 - lower the evidential and legal costs for all parties using the service.
15. The key changes in the Bill are:
 - a wider scope of claims for weathertightness deficiencies:
 - an option of an eligibility assessor's report or a more comprehensive assessor's report:
 - a new Weathertight Homes Tribunal to provide strengthened adjudication services:
 - a low-value claims process:
 - a class action approach to claims relating to multi-unit complexes:
 - improved processes and case management.
16. The principal matters giving effect to the policy objectives, in the same order as in the Bill, are:

Commencement and Transitional Provisions

17. The Bill provides for the commencement of different Parts and provisions on dates to be appointed by Order in Council. This will enable the appointment process for members of the new Weathertight Homes Tribunal to commence and for the substantive provisions in the Bill to take effect once the tribunal is established. The Bill also provides for the continuity of claims when the amendments come into force, and for claimants to take advantage of the enhancements to the WHRS process where appropriate.

Assistance and Guidance

18. The Bill provides for the Departments responsible for administering the principal Act to provide assistance and guidance to claimants and respondents. This will include guidance on understanding assessment reports, the advantages of early negotiation, and on resolution options and processes. This will help speed up the claims process and make it more cost-effective for all parties.

Class Action Approach to Multi-Unit Complexes

19. The ownership and occupation rights in multiple-unit residential complexes, and the nature of damage and requirements for making repairs to multi-unit complexes, raise many complex issues. A whole-of-building approach is required, as far as possible, to achieve the effective assessment and resolution of claims, and to make repairs.

7 Cont'd

20. The Bill provides for claims from within multi-unit complexes (as defined in the Bill) where rights of ownership or occupation are governed by arrangements commonly referred to as-
 - a unit title (under the Unit Titles Act 1972); or
 - a cross-lease; or
 - a company share.
21. The Bill requires a class action approach to claims relating to multi-unit complexes. For a claim relating to dwellinghouses, the owners of at least 75 percent of the dwellinghouses must authorise the representative to bring and resolve a claim, and to authorise invasive testing of those dwellinghouses. A representative will be able to bring a claim, and to authorise invasive testing on common areas.
22. The only exceptions to the class action approach will be claims relating to:
 - a dwellinghouse in a multi-unit complex where no other dwellinghouse or common area is affected; or
 - separate dwellinghouse(s) in a stand-alone complex; or
 - common area only claims.
23. The Bill also provides measures relating to the withdrawal of an authorisation, the sale of a dwellinghouse and adding further dwellinghouse owners to claims in multi-unit complexes. In addition, it provides for relief where any voting threshold within a multi-unit complex, in relation to any decisions about the WHRS claim, requires more than 80 percent of owners who are eligible to vote. The new provisions in respect of multi-unit dwellings raise issues with regard to whether every such claim should be dealt with via the WHRS or whether "large-value" or complex claims should more appropriately be dealt with in the High Court.

Sale and Purchase of Dwellinghouses Subject to a Claim

24. Claimants who sell their dwellinghouses will no longer be able to pursue their claims within the WHRS process. This is to ensure WHRS focuses on assisting those claimants who own a leaky building and want to repair their dwellinghouse so it is weathertight. The former owner may be able to continue a claim in the general courts.
25. The Bill later provides that purchasers who find that they have purchased a leaky building for which a WHRS claim was earlier made may be able to apply to use earlier assessment reports and, in the case of an eligible claim, adjudication evidence and orders relating to the former owner's claim. This will allow purchasers to benefit where possible from a former owner's claim.

Eligibility

26. The Bill amends the eligibility criteria to accommodate the new provisions relating to multi-unit complexes.
27. The Bill sets a time limit so that only homes built or altered before 1 January 2012 will be eligible for claims to the WHRS. This means that the WHRS will substantively cease around 2021. The Building Act 2004 made changes that are now addressing the failures that led to leaky building problems and will be fully in place by 2012. Given that the new Licensed Building Practitioners regime will be fully in force in November 2009, a better "end" date for the WHRS may be December 2009, rather than January 2012.

Remedies, Expanded Scope of Claims

28. Currently, leaky building claims are limited to actual damage and homeowners must wait until further damage arises from weathertightness deficiencies to make a subsequent claim. The Bill expands the potential scope of claims to include weathertightness deficiencies that have not yet leaked. However, for a claim to be eligible, there must be actual damage to the dwellinghouse. Claimants will be able to seek any remedy that could be claimed in a court of law in relation to actual damage and weathertightness deficiencies that have not yet leaked.

7 Cont'd

More Comprehensive Assessor Reports and New Category of Eligibility Assessment Reports

29. The Bill requires claimants to consent to "invasive testing" of their building (defined in the Bill), to better determine eligibility and the nature and scope of any damage.
30. The Bill provides claimants with the option of choosing an eligibility assessment report, at no cost, to establish whether they have an eligible claim. This will enable claimants to proceed with early repairs to limit further damage to the dwellinghouse and to engage in direct negotiation. Claimants with an eligibility assessment report may subsequently seek resolution of their claim on the basis of receipts for repair costs.
31. The Bill expands the scope of the current assessment report. A full assessment report, subject to a fee to be set in regulations, will cover not just actual damage (the current scope of the principal Act) but also other weathertightness deficiencies that have not yet leaked.

Decision on Eligibility

32. The Bill provides for the chief executive (of the Department of Building and Housing) to make the decision whether a claim is eligible under the principal Act. Evaluation panels currently fulfil that role, but the reporting required of assessors has resulted in the panels adding limited value to the assessment and resolution process. If a claim is decided as ineligible by the chief executive, the claimant will be able to request that the chair of the Weathertight Homes Tribunal reconsider the decision.

Tardy Claimants

33. The purpose of the principal Act is to provide claimants with speedy, flexible and cost-effective procedures for resolving their leaky building disputes. Claimants also receive benefits from the WHRS process and should progress their claim in a timely way. In cases where a claimant delays the progress of their claim, the dwelling may deteriorate and respondents may no longer be available. In addition, respondents may have to defend claims beyond the relevant limitation period where the claimant applies to the Service within time.
34. The Bill provides for the chief executive (of the Department of Building and Housing) to terminate claims where the claimant is not making enough effort to resolve the claim. Claimants must be given notice and the opportunity to make submissions to the chief executive before a decision is made to terminate their claim. Such a claimant may be able to continue their claim in the general Courts.

Low-value Claim Stream, Mediation

35. The costs of going through the WHRS process are often out of proportion to the value of the claim, and the WHRS process can be overly formal and complex. The Bill establishes a low-value stream for claims that are below a given claim ceiling, to be set in regulations. Low-value claims will be given concentrated case management to assist claimants and respondents to use informal dispute resolution options to resolve their claim. These will include WHRS mediation that will be time limited. If negotiation and mediation of a low-value claim are not successful, an expedited adjudication process will be available. The Government needs to ensure there will be no delay in implementing the regulations setting a low-value claim amount.

Adjudication by New Weathertight Homes Tribunal

36. The Bill will establish a new Weathertight Homes Tribunal to provide strengthened adjudication services under the principal Act. The tribunal will be administered by the Ministry of Justice. This will improve the independence of the adjudication process. Members will be appointed by the Governor-General on the recommendation of the Minister of Justice after consultation with the Minister for Building Issues. One member will be appointed as the chair of the tribunal. Members will be required to take an oath of office before the High Court. The Bill specifies that the Minister of Justice must only appoint person having regard to their knowledge, skills and experience, which should ensure that only people with suitable technical and legal backgrounds are appointed to the Tribunal.

7 Cont'd

Improving the Mediation and Adjudication Process

37. The Bill contains a number of provisions to give the tribunal wider powers and to make the resolution process more efficient and effective-
 - the Bill sets objectives for the management of claims by tribunal members, to ensure that adjudications are speedy, flexible, and cost-effective.
 - these objectives will also facilitate a more inquisitorial approach;
 - the chair of the tribunal will be able to issue practice notes and the
 - tribunal will be able to refer questions of law to the High Court;
 - the Bill also establishes new offence provisions for disobeying a tribunal order or failing to comply with a witness summons.
38. There will be a new requirement for a preliminary pre-hearing conference for general claims (other than low-value claims), under the direction of the tribunal, to set the ground rules for the resolution process.
39. WHRS mediation, subject to time constraints, will be available following the pre-hearing phase, with the consent of the tribunal member assigned to the claim. This will reduce the delays and costs associated with the current separate options and processes for mediation and adjudication. Mediation services will continue to be provided by the Department of Building and Housing. For multi-unit complex claims the timeframe will be 40 working days, while for other claims it will be 20 working days. If a claim does not go to mediation or is not settled at mediation the claim will proceed to adjudication, before the tribunal, to be conducted within current time limits.
40. If negotiation and mediation of a low-value claim are not successful, an expedited adjudication process will be available, on the papers. The Bill sets specific objectives for the management of low-value claims by tribunal members.
41. These focus on minimising unnecessary evidence other than the assessor's report, keeping the cost of the process at a level appropriate to the amount of the claim, and maximising the use of informal means to resolve the claim.

Notices on Land Information Memorandum Reports

42. Currently, territorial authorities (where they are aware of a claim) have a discretion to note the fact of a weathertightness claim on the LIM, but there is no requirement for them to do so. The Bill will require the Department of Building and Housing and the Weathertight Homes Tribunal to send notices to territorial authorities when a claim has been decided eligible and when the outcome of a claim is known. The Bill proposes a consequential amendment to the Local Government Official Information and Meetings Act 1987 to require territorial authorities to place these notices on LIM reports.
43. The Bill will ensure that territorial authorities are aware of claims and provide for consistency in LIM notices, including notices on the outcomes of claims (other than details of mediation settlements that are confidential under the principal Act). The Bill will reduce the imbalance of information on the weathertightness of a home that exists between home buyers and sellers.
44. The WHRS information on the number of active claims dated 15 September 2006 is that there are 169 active claims in the Christchurch City Council area. We currently have been advised of the details of 42 of these claims.
45. If the amendment Bill is implemented we will receive details of the claim when it is decided it is eligible and the information will be added to the property file. However, the Bill could be clarified to ensure that the Council will not be liable for not including WHRS information on a LIM, if the Council has not yet been provided with that information by the Tribunal or the Department.

7 Cont'd

ISSUES FOR COUNCIL CONSIDERATION

46. The submission attached comments on four major issues that impact on the Council:

1. Potential Damage

The provisions allowing claimants to claim for potential damage may be interpreted liberally. This will increase the value of claims, and could lead to additional direct costs and possibly also to increases in insurance premiums.

2. Time Limit on Claims

The Bill sets a time limit so that only homes built or altered up to 1 January 2012 will be eligible. We support the time limitation as the improved building regime will lead to a reduction in the number of claims. We think that the date should be December 2009 because the Licensed Building Practitioners regime comes fully into force on 30 November 2009 and this will ensure capable people are responsible for the construction of all buildings.

3. Improving the resolution process by setting time limits to achieve settlement

We support the principle that claimants should have their claims dealt with promptly. We do however have concerns that other parties have to be located and persuaded to be involved in mediations and this can take time. We have included in the submission that extensions of time should be given when attempts are being made to locate and contact potentially liable parties.

4. Proportionate Liability

The Bill does not address proportionate liability (whereby everyone pays only their share of the liability). The present system is unfair in that if any party fails to pay, the remaining solvent parties may have to pay the total amount to the claimant.

8. COMMUNITY BOARD FUNDING PROCESS 2007/08

General Managers responsible:	General Manager Community Services DDI 841 8534 General Manager Regulation and Democracy Services DDI 941 8549
Officer responsible:	Programme Manager, Strong Communities
Author:	Alan Bywater, Programme Manager, Strong Communities

PURPOSE OF REPORT

1. To determine the scheduling of the community board funding round 2007/08 in the light of the Community Group Grants Review currently in progress.

EXECUTIVE SUMMARY

2. Community Group Grants are currently being reviewed. It is anticipated that this review will be completed in February/March 2007.
3. The Community Boards' funding round has normally commenced in November/December each year to enable the community boards' decisions to be included in the Draft Annual Plan (as implied by the Discretionary Funding Policy), with grants paid early in the new financial year.
4. Given the timing of the normal funding round and the anticipated completion of the Community Group Grants Review it is not possible to fully implement the outcomes of the review as it applies to community board funding and to carry out the funding round to its normal timeline.
5. The options appear to be either:
 - To carry out the funding round with the normal timeline for 2007/08 using the current funding scheme and to leave implementation of the Community Group Grants Review as it affects Community Board Funding to the 2008/09 round; or
 - To carry out the funding round on a timeline starting in February 2007 using the current funding scheme, as part of transitioning to the funding arrangements likely to result from the Community Groups Grants Review; or
 - To implement the Community Group Grants Review as it affects Community Board funding in the 2007/08 round, but to do so using a later timeline. In this circumstance the funding round might commence at the end of March 2007. This would put pressure on staff and community board members to process applications rapidly to enable payments to be made early in the 2007/08 financial year.
6. The Council's existing Discretionary Funding Policy states:

"(ii) Providing for up to \$60,000 per Board to be used for unbudgeted expenditure provided it is supported by a resolution of the Community Board. The remainder to be allocated to projects by the Board before the Annual Plan Working party meets to prepare its draft plan (ie by mid-February)."
7. The second or third options (listed above) contradict the current Discretionary Funding Policy which states that community boards must allocate funding to projects by mid-February. If one of these options is selected the Council will need to either amend the policy or state why it has made a decision that is inconsistent with the policy.
8. Following discussions with the Strong Communities Portfolio Group it is recommended that for the 2007/08 Community Board funding round community boards operate on the same timeline and basis as in previous years.

FINANCIAL AND LEGAL CONSIDERATIONS

9. The Local Government Act 2002 requires the Council to identify when it makes decisions that are inconsistent with or are anticipated to have consequences that will be significantly inconsistent with any policy.

8 Cont'd

10. In this circumstance the Council must clearly identify:
 - (a) the inconsistency; and
 - (b) the reasons for the inconsistency; and
 - (c) any intention of the local authority to amend the policy or plan to accommodate the decision
11. If the Council selects an option that is inconsistent with its existing policy and decides not to change the policy at this time, the Council will need to state how its decision is inconsistent with the policy, why it has made a decision that is inconsistent with its policy and whether it intends to review the policy.
12. There are no financial implications. This report focuses on the timing of the funding round rather than the levels of funding involved.

STAFF RECOMMENDATIONS

It is recommended that the Council:

- (a) Agree to continue with existing Community Board Funding schemes, processes and timelines for 2007/08 funding round.
- (b) Signal its intention to review the Discretionary Funding Policy as part of the Community Group Grants Review.

8 Cont'd

BACKGROUND ON COMMUNITY BOARD FUNDING ROUND

13. Community Boards allocate funding to community organisations through the following schemes:
 - Project fund \$290,000
 - Strengthening Communities Action fund \$40,000
 - Discretionary fund \$60,000
14. Applications are normally invited for applications to the project fund and SCAF fund in November/December, with decisions being made on grants in February and grants being payable in July shortly after the LTCCP or Annual Plan has been finalised. The boards do not have delegated authority over these funds. However, the boards do have delegated authority over up to \$60,000 discretionary funding. As part of this process the grant decisions made by community boards have been published in the Draft Annual Plan in accordance with the Discretionary Funding Policy (see below).
15. With this timing, the community board funding round commences six months before the year in which the funding is available and before the Council has confirmed the total amount of funding available to community boards through the Annual Plan. This sort of timing is out of step with the annual grants rounds within the Council which commence in February with decisions normally made in late June and payments being made in July.
16. The process is underway to review the Council's grant schemes to community organisations. This review incorporates the following schemes:
 - Metropolitan Community Discretionary Fund
 - Community Development Scheme
 - Community Organisations Loan Scheme
 - Major Grants to Community Organisations
 - Metropolitan and Citywide Projects
 - Social Initiatives Fund
 - Community Board Project, SCAP and Community Worker Funding
17. The Community Group Grants Review is being developed in parallel with the Community Development Strategy. It is anticipated that the Community Group Grants Review will be completed in February/March 2007.
18. The Discretionary Funding Policy, incorporating both project and discretionary funds (attached as Appendix 1) was introduced in April 1991 and amended in March 2000. This policy covers a number of aspects of funding processes for community boards discretionary funding. The policy increased the total funding to community boards (including SCAP) to \$380,000 per (city) board. The policy makes provision for each board to use up to \$60,000 as unbudgeted expenditure (provided it is supported by a resolution to the community board) and that the remainder of the funds to be allocated to projects by the Board before the Annual Plan Working Party meets to prepare its draft plan (ie by mid February).
19. The allocation of community board funding, including any grants to community organisations, has normally been included in the Draft Annual Plan.
20. The Discretionary Funding Policy was developed prior to the introduction of the Local Government Act 2002 and may not be fully appropriate in the context of the LTCCP/Annual Plan process under the Act.
21. It is unclear why the policy specifically requires community board funding to be allocated prior to mid-February, however given the reference in the policy to the decisions needing to be made before the Annual Plan Working Party meets to prepare the draft plan, the reason is probably to enable the allocations to be included in the Draft Annual Plan.
22. Inclusion of the boards' decisions on the allocation of funding to projects in the Draft Annual Plan (a document for public consultation) appears unnecessary under the LTCCP/Annual Plan arrangements in the Local Government Act 2002 environment.

8 Cont'd

23. Given the normal dates of the community board funding round and the anticipated completion of the Community Group Grants Review, it is not possible to introduce the reviewed grant scheme processes for community board funding to the normal timeline (ie commencing in November/December) and in accordance with the Discretionary Funding Policy. The current process for the allocation of project funding is rigorous and requires time to implement.

OPTIONS

24. For the 2007/08 Community Board funding round community boards operate on the same timeline and basis as in previous years (ie not encompassing any changes that may result from the Community Group Grants Review). Changes to the grants schemes, timelines and processes emanating from the Review could be introduced for the community board funding round in 2008/09.
25. For 2007/08 the Community Board Funding round operates using the existing schemes but does so on a shorter timeline starting in February 2007, as part of transitioning to the new arrangements likely as a result of the Community Group Grants Review. This option will bring the timing of the Community Board funding round in line with the Annual Grants round. This approach is inconsistent with the Discretionary Funding Policy. Given that the arrangements for Community Board funding could potentially be significantly different than for previous occasions, there is a high likelihood that the Discretionary Funding Policy will need to be reviewed or revoked as an outcome of the Community Group Grants Review.
26. Await completion of the Community Group Grants Review and use the reviewed schemes and processes emanating from this Review, but do so at a later timeline than normal. In this option it is likely that applications would not be requested until late March 2007. To still enable payments to be made in July there will be significant pressure on staff and community boards to process and decide on applications in a short timeframe. This approach is clearly not consistent with the Discretionary Funding Policy. However given that the arrangements for Community Board funding could potentially be significantly different than for previous occasions, there is a high likelihood that the Discretionary Funding Policy will need to be reviewed or revoked as an outcome of the Community Group Grants Review.

PREFERRED OPTION

27. Option 1 - Continue with existing Community Board Funding schemes, processes and timelines for 2007/08 funding round

	Benefits (current and future)	Costs (current and future)
Social	Limits disruption to community organisations applying to community boards for funding.	Any improvements to the community board funding schemes and processes will not come in to effect until the 2008/09 round. There will be no attempt to commence transition to revised arrangements as part of the 2007/08 round.
Cultural	Limits disruption to any cultural organisations applying to community boards for funding.	Any improvements to the community board funding schemes and processes will not come in to effect until the 2008/09 round. There will be no attempt to commence transition in to revised arrangements as part of the 2007/08 round.
Environmental	Limits disruption to any environmental organisations applying to community boards for funding.	Any improvements to the community board funding schemes and processes will not come in to effect until the 2008/09 round. There will be no attempt to commence transition to revised arrangements as part of the 2007/08 round.
Economic		

8 Cont'd

Extent to which community outcomes are achieved:

Given the scope of the community board funding the primary alignment is to several Community Outcomes, namely: A Safe City, A City of Inclusive and Diverse Communities, A Well-Governed City, A Healthy City, A City of Recreation, Fun and Creativity and A City of Life Long Learning.

Also contributes to A City of People who Value and Protect the Natural Environment, A Prosperous City and An Attractive and Well-Designed City.

Impact on Council's capacity and responsibilities:

This option has the least impact on the Council's capacity as it enables existing processes to be used for the 2007/08 funding round and any new processes emanating from the review to be introduced in a measured way for the 2008/09 funding round.

Effects on Maori:

Maori community organisations are included in the applicants/potential applicants for community board funding and will be effected in a similar way to other community organisations through any changes to the timing, structure and processes of funding schemes.

Consistency with existing Council policies:

This option is consistent with the Council's existing Discretionary Funding Policy.

Views and preferences of persons affected or likely to have an interest:

Affected and interested parties have expressed views about the Council's funding schemes in general, rather than about the community board scheme in particular. These views have been canvassed at meetings of an external reference group established to assist with the Community Development Strategy, Community Group Grants Review and Community Facilities Plan. A summary of the views expressed by this group in relation to the Council's community group grants activity is attached as Appendix 2.

Other relevant matters:

This option will enable the Council to comply with its existing, albeit perhaps out of date, policy in relation to discretionary funding. This policy will need revoking or reviewing as a consequence of the Community Group Grants Review when completed. However, doing so now, prior to the Community Group Grants Review being completed may result in further changes to the policy being required subsequently.

It is likely that the changes to grants schemes, criteria and processes resulting from the Community Group Grants Review will have to be phased in over a period of time, rather than all take immediate effect. The timeframe between the scheduled completion of the review and the latest possible time for community board funding rounds to commence to allow payment of grants in early July 2007 is tight. Some difficulties may be experienced in developing the processes, forms etc in good time for the 2007/08 community board funding round under this scenario. For this reason it may be helpful to retain the existing arrangements for community board funding for 2007/08 and introduce any changes emanating from the Community Group Grants Review in 2008/09. The changes to metropolitan grants emanating from the review could begin to be introduced in the 2007/08 round.

8 Cont'd

ASSESSMENT OF OPTIONS

28. Option 2 - Continue with existing Community Board Funding schemes and processes for 2007/08 funding round but operate them on a shorter timeline as part of transitioning to the arrangements likely following the Community Group Grants Review.

	Benefits (current and future)	Costs (current and future)
Social	Limits the extent of disruption to community organisations applying to community boards for funding. Allows the changes in community group funding likely to emanate from the Community Group Grants Review to be signalled and start the transition to new arrangements.	Any improvements to the community board funding schemes and processes will not come fully in to effect until the 2008/09 round.
Cultural	Limits the extent of disruption to any cultural organisations applying to community boards for funding. Allows the changes in community group funding likely to emanate from the Community Group Grants Review to be signalled and start the transition to new arrangements.	Any improvements to the community board funding schemes and processes will not come fully in to effect until the 2008/09 round.
Environmental	Limits the extent of disruption to any environmental organisations applying to community boards for funding. Allows the changes in community group funding likely to emanate from the Review of Community Group Funding to be signalled and start the transition to new arrangements.	Any improvements to the community board funding schemes and processes will not come fully in to effect until the 2008/09 round.
Economic		
<p>Extent to which community outcomes are achieved: Given the scope of the community board funding the primary alignment is to several Community Outcomes, namely: A Safe City, A City of Inclusive and Diverse Communities, A Well-Governed City, A Healthy City, A City of Recreation, Fun and Creativity and A City of Life Long Learning.</p> <p>Also contributes to A City of People who Value and Protect the Natural Environment, A Prosperous City and An Attractive and Well-Designed City.</p> <p>Impact on Council's capacity and responsibilities: Introducing changes to the timeframes whilst retaining the existing schemes for community board funding schemes will have the effect of helping staff and community groups to transition from one set of arrangements to the next. This option will put staff and community boards under time pressure in adjusting to the shorter timeframes, but this is mitigated to some degree by operating grants schemes they are familiar with. Other grant schemes within the Council, such as the Annual Grants, currently operate successfully within these timeframes.</p> <p>Effects on Maori: Maori community organisations are included in the applicants/potential applicants for community board funding and will be affected in a similar way to other community organisations through any changes to the timing, structure and processes of funding schemes.</p> <p>Consistency with existing Council policies: This option is consistent with the Council's Strategic Directions but not consistent with clauses in the Discretionary Funding Policy relating to the timing of community board funding decisions.</p> <p>Views and preferences of persons affected or likely to have an interest: Affected and interested parties have expressed views about the Council's funding schemes in general, rather than about the community board scheme in particular. These views have been canvassed at meetings of an external reference group established to assist with the Community Development Strategy, Community Group Grants Review and Community Facilities Plan. A summary of the views expressed by this group in relation to the Council's community group grants activity is attached as Appendix 2.</p>		

8 Cont'd

Other relevant matters:
 Under this option it is recommended that the Council:

- acknowledge that the decision is inconsistent with the Discretionary Funding Policy
- state the reason for making a decision that is inconsistent with this policy is to assist with the transition to new grants arrangements emanating from the Community Group Grants Review
- identify that the Discretionary Funding Policy will be reviewed as part of the Community Group Grants Review.

It is likely that the changes to grants schemes, criteria and processes resulting from the Community Group Grants Review will have to be phased in over a period of time, rather than all take immediate effect. This option allows the Council to signal to community organisations that changes to community board funding processes are coming through the Community Group Grants Review and for staff to get used to the shorter timeframe whilst working on funding schemes they are familiar with. In addition it brings the timing of the community board funding round in to line with the Annual Grants Round.

This approach may help in the transitioning to any changes emanating from the Community Group Grants Review in 2008/09.

29. Option 3 - Delay the 2007/08 Community Board Funding Round to enable changes to the schemes and processes emanating from the Community Group Grants Review to be implemented.

	Benefits (current and future)	Costs (current and future)
Social	Improvements to the social outcomes resulting emanating from the Community Group Grants Review start to take effect at the earliest possible opportunity.	The processes around the reviewed community board funding scheme may not receive the full time and attention they require in order for them to work well the first time. Community organisations applying to the funding community board funding schemes will have very limited time to adjust to the new arrangements.
Cultural	Improvements to the cultural outcomes resulting emanating from the Community Group Grants Review start to take effect at the earliest possible opportunity.	The processes around the reviewed community board funding scheme may not receive the full time and attention they require in order for them to work well the first time. Cultural organisations applying to the funding community board funding schemes will have very limited time to adjust to the new arrangements.
Environmental	Improvements to the environmental outcomes resulting emanating from the of Community Group Grants Review start to take effect at the earliest possible opportunity.	The processes around the reviewed community board funding scheme may not receive the full time and attention they require in order for them to work well the first time. Environmental organisations applying to the funding community board funding schemes will have very limited time to adjust to the new arrangements.
Economic		

Extent to which community outcomes are achieved:

Given the scope of the community board funding the primary alignment is to several Community Outcomes, namely: A Safe City, A City of Inclusive and Diverse Communities, A Well-Governed City, A Healthy City, A City of Recreation, Fun and Creativity and A City of Life Long Learning.

Also contributes to A City of People who Value and Protect the Natural Environment, A Prosperous City and An Attractive and Well-Designed City.

Impact on Council's capacity and responsibilities:

Introducing any changes to the community board funding schemes in a short timeframe following the review and in time for a delayed 2007/08 funding round will severely stretch the Council's staff resources and potentially divert staff from other work.

8 Cont'd

Effects on Maori:

Maori community organisations are included in the applicants/potential applicants for community board funding and will be affected in a similar way to other community organisations through any changes to the timing, structure and processes of funding schemes.

Consistency with existing Council policies:

This option is consistent with the Council's Strategic Directions but not consistent with clauses in the Discretionary Funding Policy relating to the timing of community board funding decisions.

Views and preferences of persons affected or likely to have an interest:

Affected and interested parties have expressed views about the Council's funding schemes in general, rather than about the community board scheme in particular. These views have been canvassed at meetings of an external reference group established to assist with the Community Development Strategy, Community Group Grants Review and Community Facilities Plan. A summary of the views expressed by this group in relation to the Council's community group grants activity is attached as Appendix 2.

Other relevant matters:

Under this option it is recommended that the Council:

- acknowledge that the decision is inconsistent with the Discretionary Funding Policy
- state the reason for making a decision that is inconsistent with this policy is to assist with the transition to new grants arrangements emanating from the Community Group Grants Review
- identify that the Discretionary Funding Policy will be reviewed as part of the Community Group Grants Review.

The timeframes to implement the changes to funding schemes and process emanating from the Review of Community Group Grants will be very tight and potentially the changeover from the former ways of working to the new ones may not be as smooth as they could be due to the tight timeframes. Developing the new documentation and processes for revised funding schemes emanating from the Community Group Grants Review will require staff time. It will be necessary to provide clear and full communication to community group about the changes in the processes to enable them to understand the new arrangements. The ability of staff to develop the new documentation and processes, communicate with community organisations and enable them to adjust to the new arrangements will be difficult in the time available.

9. WATER SUPPLY ASSET MANAGEMENT PLAN 2005

General Manager responsible:	General Manager City Environment Group, DDI 941 8656
Officer responsible:	City Water and Waste Manager
Author:	Paula Southen, Reticulation Asset Management Planner

PURPOSE OF REPORT

1. The purpose of this report is to gain approval for the revised 2005 Water Supply Asset Management Plan (AMP).

EXECUTIVE SUMMARY

2. The 2002 Water Supply Asset Management Plan has been reviewed and updated. A summary of the Asset Management Plan has been produced to allow the Council to consider and adopt the 2005 plan (attached).

FINANCIAL AND LEGAL CONSIDERATIONS

3. The AMP includes a 20 year financial forecast. The first 10 years align with the expenditure contained in the 2006/16 LTCCP. It is intended that the plan provide the basis for expenditure levels in future LTCCP's.
4. Asset Management Plans are a key input to the Long-Term Council Community Plan (LTCCP). Schedule 10 of the Local Government Act 2002 identifies the requirements for asset management and the Asset Management Plan provides the detail from which the Group of Activities information in the LTCCP is drawn.

STAFF RECOMMENDATIONS

It is recommended that the Council adopt the Water Supply Asset Management Plan 2005 as précised in the Summary Water Supply Asset Management Plan 2005.

9 Cont'd

BACKGROUND ON THE WATER SUPPLY ASSET MANAGEMENT PLAN

5. The objective of asset management is to provide the desired level of service in the most cost effective manner for present and future customers. The Asset Management Plan documents the Council's Asset Management Practices as they relate to water supply. The Asset Management Plan includes:
 - A description of the assets, their condition, capacity and performance.
 - A definition of the current levels of service aligned to the information in the 2006/16 LTCCP.
 - An assessment of the effects of current demand and future growth.
 - A risk management plan.
 - Lifecycle management plan, including operations and maintenance, renewals and new assets.
 - Long term (20 year) financial forecasts.
 - A plan for the improvement of the asset management plan and asset management practices.
6. Preparation for the Asset Management Plan for Water Supply began in 1995 and the plan was first adopted by Council in 1998. The plan was fully reviewed and adopted by the Council again in May 2002.
7. The plan was reviewed in 2005. This review updated the asset data and forecasts but did not change any of the underlying philosophy or methods from the 2002 revision.
8. The Asset Management Plan has now reached a stage where formal approval is sought. A summary plan has been produced to provide an overview of the Asset Management Plan and to allow the Council to consider and adopt the 2005 plan.
9. The Summary Plan was presented and discussed at the Liveable City Portfolio Group Meeting on 1 December 2005. Some additions and alterations have been made to the summary as a result.
10. Although the Asset Management Plan contains some strategic elements it is primarily a management plan. The need to produce a separate Strategic Plan for Water Supply has been identified. The strategy will be influenced by rules adopted by ECan in their Natural Resources Regional Plan (NRRP) and will build on the strategies identified in the Asset Management Plan. Work on the strategy has now commenced and it is planned to bring this before the Council in 2007.

10. WET WEATHER SEWER OVERFLOWS

General Manager responsible:	General Manager City Environment, DDI 941 8656
Officer responsible:	Unit Manager City Water and Waste
Author:	Mike Bourke, Operations Manager

PURPOSE OF REPORT

Wet Weather Sewer Overflows

1. The purpose of this report is to respond to Councillor requests for information about the occurrence of sewage overflows into the rivers in wet weather in 2006.

EXECUTIVE SUMMARY

2. At the Council meeting on 17 August 2006 the Council requested a report on the frequency of overflows into the Avon and Heathcote rivers in 2006.
3. A review of rainfall events in 2006 has confirmed six overflow events (most with multiple overflow points) compared with two events in 2005 and three events in 2004.
4. The Council has nearly completed works on the Heathcote wastewater catchments aimed at reducing overflows from wet weather events with an average return interval (ARI) of two years. Completion of work on the Heathcote would have seen only two overflow events instead of the six reported in 2006. Work to reduce overflows to the Avon are due for completion by December 2010. These works are aimed at containing overflows to the Avon and Heathcote with an ARI of two years.

FINANCIAL AND LEGAL CONSIDERATIONS

5. There are no financial or legal considerations associated with this report.

STAFF RECOMMENDATIONS

It is recommended that the Council receive this information.

10 Cont'd

BACKGROUND

6. Sewer systems all over the world are constructed to take a maximum flow. If that maximum is exceeded the system will overflow. Combined sewer overflows (CSO's) are a feature of large sewer networks in every city worldwide. In Christchurch the sewer system design has over 100 overflow points that allow the system to overflow in the event of a major disaster, blockage or flow in excess of the pipe capacity. It is important that if overflows occur they do so in a manner that first and foremost protects public health. It is preferable to overflow to a river or drain than on to public roads or on to private property. In the lead up to the planning for the major sewer upgrade the frequency of wet weather overflows was on average six per year with an average return interval (ARI) of two months. The major sewer upgrade is designed to reduce the frequency and volume of wet weather sewer overflows as well as providing for growth of the city. The Council has a resource consent for overflows at a total of 12 locations on the Heathcote and Avon rivers. The overflows occur on the Heathcote River in large storm events and less often and only in severe storms on the Avon River.
7. Sewer overflows are caused by excessive stormwater and ground water getting into the piped sewer network and in the Christchurch situation these events are exacerbated by flooding of low lying areas, particularly near the rivers, where inundated properties and roads very quickly fill the sewers and cause overflows.

Resource Consents For Sewer Overflows

8. A resource consent for sewer overflows is required under the RMA as these discharges are deemed "foreseen" events. We know that in significant storm events overflows will occur at one or more of the consented locations. A resource consent was obtained in 2002 that requires the Council to achieve an ARI of two years. The consent target was programmed to be met by 2005 in the Heathcote River and by 2010 in the Avon River. For any overflow events there are response protocols in place that require the Council to notify the statutory bodies, river user groups and erect signs advising of a pollution event (Ministry of Health protocols) until testing shows that the rivers have returned to normal.
9. As part of the consent (as well as providing for City growth) the major sewer upgrade program of works aims to achieve a greatly reduced overflow frequency and volume, with a target ARI of two years. A two year ARI standard was agreed in the consent process as this provides a balance between cost and the need to maintain environmental standards. The consented ARI standard is better than many other cities and is in line with best practice in NZ. Many cities are working towards achieving a lesser standard over a longer period of time (eg North Shore aim to achieve a six month standard, requiring \$400m of expenditure over 20 years).
10. It is worth noting that simply building bigger pipes and systems to cope with every event is not the answer. Increasing the ARI capacity exponentially increases the cost. It can also lead to increased sedimentation (with subsequent odour and potential concrete corrosion problems) during normal dry weather conditions.

Overflows In Christchurch Last Three Years;

	Events per year	Storm Date	No of Overflow locations	Total Rainfall (Bowenvale site) mm	Storm Duration (hours)	Storm Return Period (years)
2004	3	6 Aug	3	88.8	46	5
		27 Aug	1	60.6	65	2
		18 Dec	1	51.4	41	2
2005	2	19 Sept	2	70.6	33	5
		8 Oct	2	26.6	6	2
2006	6 (so far)	12 May	6+	87.4	18	10
		12 June	6+	55.4	12	2
		23 June	3	33.6	22	2
		21 July	1	18.6	11	2
		7 Aug	3	109	50	10
		21 Aug	5	34	6	2

5. 10. 2006

11. In addition to the events detailed in the table above there have been three storm events over ten hours duration in 2006 that have not caused an overflow.
12. Occurrence of overflows is dependent on both the storm event and on the preceding conditions (ie the amount of preceding rainfall and groundwater conditions just prior to the storm). All of the activated overflow events in 2006 have been preceded by significant rainfall events in the days and weeks prior. This indicates the effect of ground water entering into the sewer system. High groundwater levels are further demonstrated by the fact that it can take weeks for storm flows (as measured at the treatment plant) to return to normal levels after a large event. Year to date rainfall in Christchurch is 17 % above average. Had the new No 11 Pumping Station been operational this winter it is predicted that only two of the above storm events would have resulted in overflows (12 May and 7 August which were both events of around a ten year ARI).
13. It has been suggested that overflow points could be fitted with filters to catch any solids that may discharge with the overflow. This option is somewhat impractical as any filter fine enough to trap solids would very quickly block. It should also be noted that the discharged material is very diluted by the extra water and is discharging into a waterway in flood. It is very difficult to observe any significant gross pollution in a river in this condition. It should also be noted that rivers in a flood condition are contaminated by first flush surface water runoff and heavy silt loadings. Protocols require that once an overflow ceases contractors clean up any obvious signs of the overflow. The preliminary results of a recent benthic study on impacts of these overflows on flora and fauna show no observable effects due to the intermittent overflow events.

Current State Of Major Sewer Upgrade Project

14. The Sewer Overflow Consent listed a total of ten capital projects six of which directly impact on overflow reduction to the Heathcote River. Three of these six projects have been completed with the major item, Pump Station 11 renewal, nearing completion. Further modelling work has shown that the other two minor capital works are no longer necessary to achieve the two year ARI. Environment Canterbury are in agreement that the two deferred projects are not necessary at this stage. These projects have been reprogrammed in the 2006/16 LTCCP to occur between 2011-2013. Further modelling work will review the requirements for the capital projects associated with sewer overflow reduction in the Avon River catchment.
15. The consent deadline for completing the Heathcote works was extended by ECAN from December 2005 to September 2006 due to construction delays on Pump Station 11. This delay will be registered by ECAN as a minor non-conformance with no enforcement action.
16. To support the capital expenditure in the MSU project Christchurch City Council also have a rolling reticulation renewal programme. This programme is prioritised according to asset condition and effects on inflow and infiltration. Christchurch City Council currently video approximately 35km of sewers per annum in support of the renewal programme.

OPTIONS

17. That the Council receive this report.

11. APPLICATION FOR EXISTING USE CERTIFICATE

General Manager responsible:	General Manager Regulatory and Democracy Group, DDI 941-8549
Officer responsible:	Environmental Policy and Approvals Manager
Author:	John Gibson, Planning Administration Manager

PURPOSE OF REPORT

1. The purpose of this report is to make a recommendation on whether the Council can issue an Existing Use Certificate pursuant to Section 139A of the Resource Management Act 1991 for an activity at 154 Leinster Road as a retirement home with 29 attached units. Section 139A was inserted into the Act in 2005 and there is currently no delegated authority to a Hearings Panel or to an Officer Committee to issue a certificate. This application therefore has to be considered by the Council (refer attached).

EXECUTIVE SUMMARY

2. Section 139A of the Resource Management Act 1991 allows for a person to request a council to issue a certificate stating that the use of the land is allowed by Section 10 of the Act. In this case the application is accompanied by sufficient evidence to establish that the site has been in use as a retirement home with 29 attached units for a continuous period dating back to 1998. Staff have made a rigorous examination of the evidence and are satisfied that an Existing Use Certificate can be issued.

FINANCIAL AND LEGAL CONSIDERATIONS

3. Nil.

STAFF RECOMMENDATIONS

It is recommended that the Council agree to issue, pursuant to Section 139A of the Resource Management Act 1991, an Existing Use Certificate for the use of the land at 154 Leinster Road (Lot 1 DP 75516) as a retirement home with 29 attached units.

12. CHRISTCHURCH CITY FIRES BYLAW 2006

General Manager responsible:	General Manager Strategy and Planning, DDI 941-8177
Officer responsible:	Programme Manager Strong Communities
Author:	Rochelle Hardy and Terence Moody

PURPOSE OF REPORT

1. The purpose of the report is to advise the Council of the outcome of the special consultative procedure which was undertaken in respect of the proposed amendments and consolidation of the Christchurch City Council Fires Bylaw (1991) and the Banks Peninsula Fire Prevention Involving Vegetation Inside Urban Fire Areas (1994) bylaw ("the bylaws") and to recommend that the Council now resolve to adopt the amended bylaw.

EXECUTIVE SUMMARY

2. At its meeting on 15 June 2006 the Council approved a draft to amend and consolidate "the bylaws" as attached and marked Attachment 1. At that meeting the Council resolved to commence the special consultative procedure under the Local Government Act 2002 ("LGA 2002") required to undertake the revocations.
3. The period during which the public were invited to make submissions was between 21 June 2006 and 9 August 2006. One submission was received as attached (Attachment 2), which objected to the proposal on the grounds that *The Christchurch City Council should keep their noses out of my backyard and what I choose to burn on my fire, unless they are offering to allow me to dump waste at the dump for nothing.* The alternative suggested was *Remove the Christchurch City Council from the management of open air fires. Let people take responsibility for their own backyards!* The submitter advised he did not want to appear to present the submission. Accepting the option put forward by the submitter would mean that no controls existed over fires being burnt in the open in the whole of Christchurch City, which would not fulfil the requirements to protect health and safety in the City.
4. In examining the proposal further staff have considered some minor amendments require to be made to the proposed bylaw that went out for consultation. These are attached (Attachment 3) and the changes in the bylaw have been made in ***bold italics*** so Councillors may see their effects. One change relates to making provision for the revocation of the current Christchurch City and Banks Peninsula bylaws on the coming into force of the new bylaw. This was not included in the draft that went out for consultation although it arises from the adoption of the new bylaw. It is recommended that the bylaw come into force on the 1 November which is the starting date of the fire ban period in Christchurch City under the present City Council bylaw. A further minor change has been to advise that the bylaw is also made under the Health Act 1956 to cover the public health and nuisance provisions it addresses in relation to smoke and odour emissions.

Reasons for Adoption of the Bylaw

5. A bylaw is considered necessary to ensure that fires in the open do not cause danger to persons or property. The bylaw also removes some current provisions relating to indoor fires and chimneys which are now covered by fire and building regulations. The bylaw consolidates the bylaws of the previous Christchurch City and Banks Peninsula District providing for one bylaw over the whole of the City and in addition satisfies the requirement to review bylaws prior to 2008.

FINANCIAL AND LEGAL CONSIDERATIONS

6. Section 156(1) of the LGA 2002 provides that the Council must follow the special consultative procedure set out in section 86 of the LGA 2002 when adopting a bylaw. This procedure has now been completed in respect of the above bylaw. Only one submission was received in regard to the proposed bylaw which would require a complete revocation of the bylaws to comply with. It is not considered to be reasonable at this time as it fails to meet general public expectations of controls over such activities. For this reason it is recommended the Council adopt the bylaw as attached.

12 Cont'd

7. Section 157(1) of the LGA 2002 provides that as soon as practicable after making a bylaw the Council must give public notice of the making of the bylaw. That notice must state the date on which the bylaw will come into force and that copies of the bylaw may be inspected and obtained at the office of the Council upon payment of a specified amount. In this regard it is recommended that the Council resolve that such notice be given in *The Press* and the *Christchurch Star* newspapers and on the Council's website on Wednesday 11th October 2006. It is also recommended that the Council resolve that the purchase price of copies of the bylaw be \$2; this will cover printing costs.

STAFF RECOMMENDATIONS

It is recommended that the Council resolve:

- (a) To adopt the Christchurch Fires Bylaw 2006 as attached.
- (b) That public notice of the adoption of the bylaw and subsequent revocations be given in 'The Press' and the "Christchurch Star" newspapers and on the Council's website.
- (c) That the subsequently revoked bylaws be removed from the list of Christchurch City Council and Banks Peninsula bylaws on the Council's website.

12 Cont'd

BACKGROUND ON CHRISTCHURCH CITY FIRES BYLAW 2006

8. The object of the Christchurch City Fires Bylaw ("the City Bylaw") was the conservation of public safety by preventing danger from fire. The City Bylaw was implemented in accordance with the Clean Air Act, 1972 (repealed) and the Local Government Act, 1974. Conservation of public safety was achieved by restricting and / or prohibiting open air fires during specific times.
9. The object of the Banks Peninsula Bylaw was to prevent the spreading of fires involving vegetation by restricting open air fires in the "urban fire district". There is no set time prohibiting open air fires in the bylaw; restrictions are generally imposed at the same time as restrictions in rural areas in the Peninsula.
10. The purpose of the Bylaws was to ensure that, where permitted, fires do not create any danger to persons or properties. As such, it is not a question of 'what' is burnt, but when open air fires are undertaken and in what manner. Since the Bylaws were enacted more stringent standards on outdoor burning in residential areas have been implemented. This is due to an improved understanding of the impacts on health from discharges to air and growing concern with air quality in Christchurch City. Additional provisions contained in the City Bylaw on indoor fires and chimneys, have also been superseded by more recent fire and building regulations.
11. Discharges to air are now covered by central and regional planning mechanisms. Open air fires are subject to the relevant provisions of these documents. The proposed Regional Air Plan¹ ("the Plan") controls the discharge of contaminants into air in Canterbury. Under the Plan, outdoor burning is a discretionary activity in residential areas of Canterbury and in the Christchurch Clean Air Zone 1 as specified in the map in the bylaw. Winter burning in these areas is non-complying. The Bylaws have a specific role in regulating open air fires to prevent the risk of fire spreading in the CCC territorial area, but are inconsistent with external controls on discharges to air.
12. From May 2003 to May 2005 the Christchurch City Environmental Services Unit dealt with 240 complaints related to open air fires including nine complaints relating to the storage of waste which the complainant considered posed a fire risk. Just over 90 percent of complaints were directly related to open air fires. The total number of complaints referred to 199 properties within the City or 0.15 percent of the estimated 135,000 households at June 2005. The former Banks Peninsula District Council did not maintain a complaints register for fire-related issues but reported low numbers of complaints.
13. It is difficult to justify controls on all of the matters covered by the current fire Bylaws. However, a bylaw is considered an appropriate method for dealing with open air fire matters, as written in its attached form, and is consistent with the New Zealand Bill of Rights Act. A more succinct bylaw incorporating conditions that are consistent with recent air discharge provisions is deemed most appropriate. This equates to a ban on open air fires in urban and residential areas and controls on cooking fires such as barbecues, unless specific resource consents are granted in individual cases.

Financial And Legal Considerations

14. Certain aspects of the Christchurch Fire Prevention Bylaw and Banks Peninsula Bylaw are inconsistent with regional policies and rules on open air fires. The draft that went out for consultation included provisions that implement such regional policies and rules and will ensure consistency with these external, legislative documents. Fires will still be permitted (subject to regulations and restrictions) in areas outside the Clean Air Zone 1 and residential areas
15. The general bylaw-making power is contained in s.145 of the LGA 02 and covers bylaws for the purposes of protecting the public from nuisance; protecting, promoting, and maintaining public health and safety; and minimising the potential for offensive behaviour in public places. Specific bylaw-making powers apply including prevention of the spread of fires involving vegetation². Bylaws may also be implemented to conserve public health, and preventing or abating nuisances under s.64 (a) of the Health Act, 1956.

¹ Proposed Natural Resources Regional Plan Chapter 3: Air Quality

² S.146 (c) subject to sections 20 to 22 of the Forest and Rural Fires Act 1977.

13. REVOCATION OF CHRISTCHURCH CITY ANIMALS (OTHER THAN DOGS) AND BANKS PENINSULA KEEPING OF POULTRY, ANIMALS AND BEES BYLAWS

General Manager responsible:	General Manager Strategy and Planning, DDI 941-8177
Officer responsible:	Programme Manager Strong Communities
Author:	Terence Moody

PURPOSE OF REPORT

1. The purpose of the report is to advise the Council of the outcome of the special consultative procedure which was undertaken in respect of the proposed revocation of the Christchurch City Animals (Other than dogs) Bylaw 2000 and the Banks Peninsula Keeping of Poultry, Animals and Bees Bylaw (“the bylaws”) and to recommend that the Council now revoke those bylaws.

EXECUTIVE SUMMARY

2. At its meeting on 15 June 2006 the Council approved a draft to revoke “the bylaws” as above. At that meeting the Council resolved to commence the special consultative procedure under the Local Government Act 2002 (“LGA 2002”) required to undertake the revocations.
3. The period during which the public were invited to make submissions was between 21 June 2006 and 9 August 2006. Two submissions were received, although one was received significantly after the due date. It should be noted, however, that both submissions supported the revocations. These are attached and marked Attachment 1.

FINANCIAL AND LEGAL CONSIDERATIONS

4. Section 156(1) of the LGA 2002 provides that the Council must follow the special consultative procedure set out in section 86 of the LGA 2002 when revoking a bylaw. This procedure has now been completed in respect of the above bylaws. Two submissions were received in regard to the matter both in favour of the revocation. Subsequently the Council may now formally adopt the revocation.
5. The Legal Services Unit advises that under the LGA 2002, the revocation of these bylaws can be done by Council resolution and does not need a Bylaw to revoke the bylaws. Section 86(2) of the LGA 2002 requires that for the purposes of the special consultative procedure process, the statement of proposal must include a copy of the draft bylaw when making or amending a bylaw. No draft bylaw is required to be included in the statement of proposal when the proposal is to revoke a bylaw.

STAFF RECOMMENDATIONS

It is recommended that the Council resolve:

- (a) To revoke the Christchurch City Animals (Other than dogs) Bylaw 2000 and the Banks Peninsula Keeping of Poultry, Animals and Bees Bylaw.
- (b) That public notice of the revocation of the bylaws be given in ‘The Press’ and the “Christchurch Star’ newspapers and on the Council’s website.
- (c) That the bylaws be removed from the list of Christchurch City Council and Banks Peninsula bylaws on the Council’s website.

BACKGROUND REVOCATION OF CHRISTCHURCH CITY ANIMALS (OTHER THAN DOGS) AND BANKS PENINSULA KEEPING OF POULTRY, ANIMALS AND BEES BYLAWS

6. In the normal course of events the Animals (Other than dogs) Bylaw and the Banks Peninsula District Council bylaw would be due for review sometime before June 2008. However, the Council at its meeting on the 30 June 2004 on the draft Long-Term Council Community Plan decided;

(b) That staff review the current bylaw with a view to including provisions for the control of the number of cats that a household may retain and to effective penalties for breaches of the bylaw.³
7. In the case of a review all the matters included in section 155 must be considered, including whether a bylaw is the most appropriate way of addressing the problem. As any reviewed bylaw is likely to remain in force for a period of at least five years, but could be as long as 10 years following review, this opportunity has been taken to re-examine all provisions. In undertaking these bylaw reviews the approach that has been taken follows that of the Ministry of Economic Development *Code of Good Regulatory Practice*.⁴
8. The Christchurch City bylaw currently in force, as introduced in 2000, consolidated similar titled bylaw provisions previously in force in the territorial authorities that were amalgamated into the present Christchurch City in 1989. At the time of developing the bylaw the opportunity was taken to simplify the provisions compared with previous bylaws but still retain a bylaw applying over the whole City. At the time it was realised that central government legislation, introduced since previous bylaws had been made, regulated many of the matters which had been the subject of bylaw controls. The City Plan, then notified, also contained matters that previously would have been included in such bylaws.
9. It is considered sufficient legal powers exist for the control of nuisances and matters of animal welfare under national legislation such as the Health Act 1956; the Animal Welfare Act 1999; the Building Act 1991; The Agricultural Pests (Exemption of Domestic Rabbits) Order 1994; Wildlife (Farming of Unprotected Wildlife) Regulations 1985; Animal Products Act 1999; Biosecurity (National American Foulbrood Pest Management Strategy) Order 1998 and the Impounding Act 1955. A legal opinion is as follows on the matter of covering matters covered by central government legislation.
Where the acts in question are already an offence under central government legislation it would be unwise for the Council, and indeed unnecessary, for Council to make a bylaw duplicating those offences.
10. In two years the Environmental Services Unit has dealt with 309 complaints related to animals, bees and poultry. About half of these referred problems with poultry or birds; about a third regarding animals or stock; and 20 percent regarding bees or wasps. The total complaints referred to 279 properties over the City over the two years, or 0.21 percent of the estimated 135,000 households at June 2005. It is therefore not a significant issue in Christchurch City. On the basis of the examination of the problems caused by the keeping of animals it appears these are generally minimal.
11. The additional controls over cats being sought result from a relatively small number of cases occurring in the City. In the year (September 2004 to August 2005) most complaints have related to what have been described as feral, semi feral, or abandoned cats. About 40 complaints at 33 properties have been dealt with by pest control services on behalf of the Council. Given that it is estimated that there are 60,000 households keeping cats and about 20,000 with two or more cats, there are in the order of 88,000 cats kept in the City. The complaint rate is therefore very small about 0.05% of cat keeping households and of the total number of cats. No further controls are therefore considered necessary.

³ *Annual Plan Subcommittee Report*, clause 24, Christchurch City Council, 30 June 2004

⁴ Ministry of Economic Development, *Code of Good Regulatory Practice*, Quality of Regulation Team, Competition and Enterprise Branch, November 1997

13 Cont'd

12. The Banks Peninsula District Council (BPDC) bylaw is New Zealand Standard 9201, Chapter 13:1972 and as such reflects the time it was prepared by the Standards Association of New Zealand. It contains prescriptive requirements for matters such as licensing of the keeping of pigs; construction of pigsties; cleanliness of pigsties, and the disposal or transport of manure and pigswill. The use of stables for human habitation is not permitted, and conditions regarding poultry keeping including structures for such purposes are set down. Licensing of the keeping of bees in other than rural areas is required. These are matters that were taken out of the Christchurch City Council Bylaw in the 2000 review. It has been difficult to obtain information of the number of complaints received by BPDC, but anecdotally they appear to have been limited, at least in recent times. Given the form of the bylaw it is unlikely that such conditions would still exist in modern settlements.

Conclusions

13. It is considered there are sufficient powers under central government legislation to control nuisances arising from the keeping of animals, and indeed to control animal welfare issues that may arise from time to time. In reality the nuisance sections of the Health Act 1956 are used to control such matters and these are wide enough to control matters that have been the subject of complaint. These provisions also cover the problems caused by noise from animals although noise provisions of the Resource Management Act 1991 are likely to apply.

14. REVOCATION OF DANGEROUS GOODS INSPECTION FEES BYLAW, 1990

General Manager responsible:	General Manager Strategy and Planning, DDI 941-8177
Officer responsible:	Programme Manager Strong Communities
Author:	Terence Moody

PURPOSE OF REPORT

1. The purpose of the report is to advise the Council of the outcome of the special consultative procedure which was undertaken in respect of the proposed revocation of the Christchurch City Dangerous Goods Inspection Fees Bylaw 1990 (“the bylaw”) and to recommend that the Council now revoke the bylaw.

EXECUTIVE SUMMARY

2. At its meeting on 15 June 2006 the Council approved a draft to revoke “the bylaw” as above. At that meeting the Council resolved to commence the special consultative procedure under the Local Government Act 2002 (“LGA 2002”) required to undertake the revocation.
3. The period during which the public were invited to make submissions was between 21 June 2006 and 9 August 2006. No submissions were received.

FINANCIAL AND LEGAL CONSIDERATIONS

4. Section 156(1) of the LGA 2002 provides that the Council must follow the special consultative procedure set out in section 86 of the LGA 2002 when revoking a bylaw. This procedure has now been completed in respect of the above bylaw. No submissions were received in regard to the matter. Subsequently the Council may now formally adopt the revocation.
5. The Legal Services Unit advises that under the LGA 2002, the revocation of these bylaws can be done by Council resolution and does not need a Bylaw to revoke the bylaws. Section 86(2) of the LGA 2002 requires that for the purposes of the special consultative procedure process, the statement of proposal must include a copy of the draft bylaw when making or amending a bylaw. No draft bylaw is required to be included in the statement of proposal when the proposal is to revoke a bylaw.

STAFF RECOMMENDATIONS

It is recommended that the Council resolve:

- (a) To revoke the Christchurch City Dangerous Goods Inspection Fees Bylaw 1990.
- (b) That public notice of the revocation of the bylaw be given in ‘The Press’ and the “Christchurch Star’ newspapers and on the Council’s website.
- (c) That the bylaw be removed from the list of Christchurch City Council bylaws on the Council’s website.

14 Cont'd

BACKGROUND ON DANGEROUS GOODS INSPECTION FEES BYLAW 1990

6. The objective of the Christchurch City Dangerous Goods Inspection Fees Bylaw, 1990 ("the Bylaw") was to outline the schedule of fees relating to dangerous goods inspections. The Schedule detailed at Clause 4 in the Bylaw outlined the fees for inspection, supervision, or testing of plant equipment. The Bylaw was established under the Local Government Act, 1974 and the Dangerous Goods Act, 1974.
7. The Dangerous Goods Act, 1974 controlled packaging, handling and storage of dangerous goods. Under the Act territorial authorities were deemed licensing authorities with responsibility for provisions contained in the Act. These powers were revoked following the introduction of the HSNO⁵; a transitional period applied until 1 July 2004 for existing uses.
8. The HSNO consolidated controls on hazardous substances and new organisms and established the Environmental Risk Management Authority (ERMA). The majority of dangerous goods and scheduled toxic substances were transferred to the HSNO on 1 April 2004. ERMA are now responsible for approving annual licenses for premises and making decisions on applications to introduce hazardous substances and new organisms, including genetically modified organisms. ERMA issue test certificates that verify compliance with various conditions associated with the Act.
9. HSNO provides for Codes of Practice to be approved by ERMA. Codes of practice are used as a method of achieving controls set out under HSNO. The codes act as a means of demonstrating compliance with regulatory requirements which, together with best practice, are intended to eliminate or minimise the risk associated with the management of hazardous substances. Monitoring of hazardous substances (including dangerous goods) falls to the various agencies as stated under s.97 of HSNO.
10. The Bylaw is now considered redundant given the transfer of powers under HSNO and the establishment of ERMA. Information on HSNO and changes to this effect have been available on the Christchurch City Council website for some time⁶ and Council officers have acted accordingly.
11. Hazardous substances are also controlled through the City Plan. This fulfils the requirement of s.31(b)(ii) of the Resource Management Act, 1991 (RMA) which requires territorial authorities to prevent or mitigate any adverse effects associated with the storage, use, disposal or transport of hazardous substances. All hazardous substances, when discharged to air, to water, or onto or into land, are contaminants under the RMA.
12. The City Plan provides permitted baselines for hazardous substances in each zone. Hazardous substance manufacturing, use, storage and disposal are permitted where all the relevant zone rules and General City rules, Community, Development and Critical Standards are met. Key conditions include adequate bunding to contain 100 - 120% of the substances, collection and signage requirements.
13. Section 7 of the City Plan addresses the transportation of hazardous substances and promotes the use of rail, arterial roads and roads in industrial areas, for the transport of hazardous substances. The aim is to minimise the potential for hazards, particularly in areas where there are concentrations of people, or where the environment is dominated by residential occupation.
14. The Christchurch City Council's role in managing hazardous substances - or dangerous goods - is considered to be adequately covered by district planning provisions contained in the City Plan. As noted, the powers to inspect dangerous good facilities have been revoked and the Bylaw is now redundant.

⁵ The Explosives Act 1957, Toxic Substances Act 1979, and the Pesticides Act 1979, were also repealed with the introduction of HSNO

⁶ Available at: <http://www.ccc.govt.nz/hazards/hsnoinfo.asp>

14 Cont'd

15. In addition to the volume-based controls stipulated in the City Plan, the regional council (ECan) has responsibility for use, manufacture, storage and transport of the following substances:
 - Petroleum hydrocarbon (excluding LPG);
 - chlorinated hydrocarbon
 - agrichemicals
 - timber preservatives
 - substances containing arsenic, cadmium, cyanide, lead, mercury or selenium with a HSNO ecotoxicity classification of 9.1A, 9.1B or 9.1C.
16. These substances are controlled as part of the overall aim of preventing adverse effects on water quality.
17. As with territorial authorities, regional councils do not have an enforcement role under HSNO. However, s.30 (v) and s.31 (ii) of the RMA are identical with s.30 (v) requiring regional councils to prevent or mitigate any adverse effects of the storage, use, disposal or transport of hazardous substances. In effect, ECan are responsible for controlling discharges of hazardous substances into or onto land, air, or water.
18. ECan exercises its s. 30 (v) functions through Chapter 17 of the Regional Policy Statement and various chapters of the proposed natural resources regional plan (PNRRP). In particular Chapter 4, Water Quality, includes objectives and policies relating to hazardous substances.
19. The PRRNP was notified on 3 July 2004. The objective of Chapter 4 is to prevent impacts on surface and ground water quality. Certain activities are permitted while others, such as direct discharges to water or onto land where a hazardous substance may enter surface water, are prohibited. Exemptions apply, provided certain conditions are met, for example discharges from pest control and the maintenance of structures in surface water bodies.
20. Rules relating to the policies control the use of certain hazardous substances. Of particular note are rules regarding the installation and removal of hazardous substance storage containers (including tanks). ECan must be advised of the removal of underground containers. Specific conditions apply for assessing spent petroleum hydrocarbon storage. Use, including storage in above and under ground containers is permitted, provided all the relevant conditions are met. Piping of hazardous substances is a controlled activity, where all the relevant conditions are met. Good practice, based on ERMA guidance notes and codes of practice, is stipulated for agrichemical use.
21. Although the Plan is not yet operative, regard must be given to policies in accordance with s.104 of the RMA. ECan staff use the proposed rules in determining conditions for new activities. In particular, storage tanks are to be designed, constructed and tested in accordance with a standard approved by ERMA. A number of consents now contain rules with these requirements.

Conclusions

22. The provisions contained in the Christchurch City Dangerous Goods Inspection Fees Bylaw 1990 are now redundant due to the repeal of the Dangerous Goods Act, 1974 and the implementation of subsequent legislation. The two principal pieces of legislation that address the management of hazardous substances are the HSNO and the RMA.
23. While local authorities have a role in preventing or mitigating any adverse effects of the storage, use, disposal or transport of hazardous substances local authorities no longer have a role as inspectors of dangerous goods facilities. The Christchurch City Dangerous Goods Inspection Fees Bylaw 1990 may be considered repugnant to the HSNO and is therefore invalid in accordance with s.17 of the Bylaws Act 1910.

5. 10. 2006

**15. REPORT OF THE BURWOOD/PEGASUS COMMUNITY BOARD:
MEETING OF 6 SEPTEMBER 2006**

Attached.

**16. REPORT BY THE CHAIRPERSON OF THE FENDALTON/WAIMAIRI COMMUNITY BOARD
REGARDING SAFETY IMPROVEMENTS AT MEMORIAL AVENUE/ROYDVALE AVENUE
INTERSECTION**

Attached.

17. REPORT OF THE FENDALTON/WAIMAIRI COMMUNITY BOARD: MEETING OF 8 AUGUST 2006

Attached.

18. REPORT OF THE HAGLEY/FERRYMEAD COMMUNITY BOARD: MEETING OF 23 AUGUST 2006

Attached.

**19. REPORT OF THE HAGLEY/FERRYMEAD COMMUNITY BOARD: MEETING OF 6 SEPTEMBER
2006**

Attached.

**20. REPORT OF THE LYTTTELTON/MT HERBERT COMMUNITY BOARD: MEETING OF 16 AUGUST
2006**

Attached.

21. REPORT OF THE RICCARTON/WIGRAM COMMUNITY BOARD: MEETING OF 23 AUGUST 2006

Attached.

**22. REPORT OF THE SPREYDON/HEATHCOTE COMMUNITY BOARD: MEETING OF
5 SEPTEMBER 2006**

Attached.

23. NOTICES OF MOTION

Sister City Relationships

To consider the following motion, notice of which has been given by Councillors Bob Shearing and Graham Condon pursuant to Standing Order 2.16:

- “1. That Council ask staff to provide an update on the current and proposed levels of support to our Sister Cities groups via the International Relations Team.
2. That Council re-affirm to provide sufficient support and budget to our six Sister City Groups to allow them to carry out their designated functions.
3. That support and funding for the Wuhan Friendly Relationship be provided outside the existing Sister City support structure and budget.”

24. QUESTIONS

25. RESOLUTION TO EXCLUDE THE PUBLIC

Attached.