

**MINUTES OF A MEETING OF THE CHRISTCHURCH CITY COUNCIL  
HELD AT 9.30AM ON THURSDAY 31 AUGUST 2006**

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

**1. APOLOGIES**

Apologies for absence were received from Councillor Helen Broughton and Pat Harrow.

It was **resolved** that the apologies be accepted.

**DEATH OF MR NICK CHAPMAN**

The Mayor referred to the recent death of Mr Nick Chapman, the former Community Advocate at the Beckenham and Papanui Service Centres, and paid tribute to his long service as a Council employee, and the warm regard in which he had been held by other staff and elected members. Members then stood in silence as a mark of respect for the late Mr Chapman.

**2. CONFIRMATION OF MINUTES**

**COUNCIL MEETING OF 24 AUGUST 2006**

**Resolved:** That the open and public excluded minutes of the Council meeting held on Thursday 24 August 2006 be confirmed.

**3. DEPUTATIONS BY APPOINTMENT**

**REQUEST FOR CHILDREN'S PLAYGROUND: HALSWELL**

Mr Peter Laloli (Chairman, Riccarton/Wigram Community Board) and Mr Ken Hunter, a resident of the Country Palms Subdivision, Halswell, made submissions seeking the provision of a children's playground in the subdivision. Although there were four playground facilities within a 1 kilometre radius, residents believed that they were unsuitable for preschool and school aged children, owing to walking distances and safety concerns for children. The residents had previously been advised that there was no provision within the Council's five year capital programme for a new playground in this neighbourhood. The Community Board therefore sought a reprioritisation of funding within the capital programme to enable a new playground facility to be provided within the subdivision as soon as possible.

It was **resolved** that Council staff be requested to pursue this issue urgently with the Community Board, with a view to a children's playground being provided in this area as soon as possible.

**4. PRESENTATION OF PETITIONS**

Nil.

**5. CORRESPONDENCE**

Nil.

**6. PUBLIC STREETS ENCLOSURES POLICY AND FEES CHARGED**

Also considered in conjunction with this item were the following separately circulated items of correspondence:

- Letter from Mr Robert O'Connor (Council solicitor) to Mr Rick Chapman of FordBaker Valuation dated 18 August 2006, instructing Mr Chapman to enter into a discussion with Mr Gary Sellars.
- Letter from Mr Gary Sellars to Mr Tony Hughes-Johnson, dated 24 August 2006.
- Email sent to all Councillors by Mr O'Connor on 28 August, explaining the background to the instructions given to Mr Chapman.
- Email dated 30 August 2006 received from Mr Clive Weston.

The Mayor advised that it had not been possible to circulate the foregoing items with the agenda, but that it was essential for them to be considered at the present meeting.

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

Councillor Sheriff then moved:

- "1. That the following recommendations of the Public Streets Enclosures Policy and Fees Subcommittee and subsequent resolutions adopted by the Council on 20 December 2005 concerning this matter be confirmed, subject to the amendments set out below in clauses 2, 3, 4 and 5 of the staff recommendations:
- (a) That the Council retain the current fee charging methodology, as set out in the attached report previously submitted to the Council on 15 September 2005.
  - (b) That the current prescriptive Public Streets Enclosures Policy be revoked, and replaced with the revised policy attached, to allow staff more flexibility in issuing and monitoring licences for the occupation of public streets and other public spaces for such purposes.
  - (c) That all tenants occupying public streets and other public spaces be required to pay the full rental due in accordance with the Council's charging policy.
  - (d) That all occupiers who have erected tables, chairs and other street furniture on public streets and other public spaces be required to enter into the Council's standard licence for the occupancy of the affected spaces.
  - (e) That the Corporate Support Manager and Transport and Greenspace Manager be severally delegated power to:
    - (i) Institute enforcement proceedings where an occupier refuses to accept the fees and other conditions applicable in respect of the subject site within the terms of the Council's policy, and have those fees and conditions documented in a licence.
    - (ii) Institute enforcement proceedings where a licensee fails to meet the terms and conditions of their existing licence.
    - (iii) Terminate the occupancy of the subject site or sites, in either of the circumstances referred to in (i) and (ii) above.
2. That recommendations 1 above and 3-6 below apply to the former Christchurch City area, as defined prior to the inclusion of Banks Peninsula.
3. That the current fee charging methodology described in the below table be retained.

<b>Leased Area</b>	<b>Rental Calculation (per annum plus GST)</b>	
0m <sup>2</sup> - 30 m <sup>2</sup>	30% of Prime Rental Rate for	0m <sup>2</sup> - 30 m <sup>2</sup>
31m <sup>2</sup> - 60m <sup>2</sup>	30% of Prime Rental Rate for <b>Plus</b> 26% of Prime Rental Rate for	0m <sup>2</sup> - 30 m <sup>2</sup> 31m <sup>2</sup> - 60m <sup>2</sup>
61m <sup>2</sup> - 99m <sup>2</sup>	30% of Prime Rental Rate for <b>Plus</b> 26% of Prime Rental Rate for <b>Plus</b> 20% of Prime Rental Rate for	0m <sup>2</sup> - 30 m <sup>2</sup> 31m <sup>2</sup> - 60m <sup>2</sup> 61m <sup>2</sup> - 99m <sup>2</sup>
Over 100m <sup>2</sup>	30% of Prime Rental Rate for <b>Plus</b> 26% of Prime Rental Rate for <b>Plus</b> 20% of Prime Rental Rate for <b>Plus</b> 15% of Prime Rental Rate for	0m <sup>2</sup> - 30 m <sup>2</sup> 31m <sup>2</sup> - 60m <sup>2</sup> 61m <sup>2</sup> - 99m <sup>2</sup> 100m <sup>2</sup> or over

4. *That the definition of the Prime Rental Rate be confirmed to mean:*

*“The Prime Rental Rate” means the prime rental rate that would be payable by an independent third party for the area which is within five metres of the front inside ground floor area of the premises leased or owned by the licensee for the licensee’s business. For the purposes of this definition the “front” shall be deemed to be that part of the premises leased or owned by the licensee for the licensee’s business which adjoins or faces onto the licensed area.*

5. *That the future standard tables and chairs licence agreement reflect the above rental formula, the new policy, guidelines and current practices.*

6. *That for the sake of clarity:*

(a) *As there is no recommended change to the charging policy, clause 1(c) above apply for the full period from expiry of previous licences to when new licences are entered into as outlined in (b) below.*

(b) *The new licences provided for in clause 1(d) above be entered into no later than 1 November 2006.”*

The motion was seconded by Councillor Cox.

Councillor Crighton then moved the following amendment, by way of addition to the foregoing motion *“That staff report on the possibility of identifying the area known as “the strip”, for future clarification”*. The amendment was seconded by Councillor Condon and when put to the meeting was declared **lost** on division no 1 by 2 votes to 7, the voting being as follows:

**Against (7):** Councillors Buck, Corbett, Cox, Parker, Sheriff, Withers and the Mayor.

**For (2):** Councillors Condon and Crighton.

The motion moved by Councillor Sheriff and seconded by Councillor Cox was then put to the meeting and declared **carried** on division no 2 by 5 votes to 4, the voting being as follows:

**For (5):** Councillors Buck, Corbett, Cox, Sheriff and the Mayor.

**Against (4):** Councillors Condon, Crighton, Parker and Withers.

(Note: Councillors Evans, Shearing and Wells withdrew from the discussion and voting on this item, for the reason that they had been absent from some of the previous Council meetings when earlier submissions had been made on this topic.)

## 7. BIOSOLIDS ISSUES AND OPTIONS

**Resolved:** That the staff recommendations be adopted.

## 8. BID FOR 2009 COMMUNITY BOARD CONFERENCE

**Resolved:** That the staff recommendation be adopted.

## 9. REPORT OF THE BURWOOD/PEGASUS COMMUNITY BOARD: MEETING OF 2 AUGUST 2006

**Resolved:** That the Board’s report be adopted.

## 10. REPORT OF THE FENDALTON/WAIMAIRI COMMUNITY BOARD: MEETING OF 11 JULY 2006

**Resolved:** That the Board’s report be adopted, subject to it being noted that Councillor Buck had also been present at the meeting.

**11. REPORT OF THE HAGLEY/FERRYMEAD COMMUNITY BOARD:  
MEETING OF 26 JULY 2006**

**Resolved:** That the Board's report be adopted.

**12. REPORT OF THE LYTTELTON/MT HERBERT COMMUNITY BOARD:  
MEETING OF 19 JULY 2006**

**Resolved:** That the Board's report be received.

**13. REPORT OF THE RICCARTON/WIGRAM COMMUNITY BOARD:  
MEETING OF 26 JULY 2006**

**Resolved:** That the Board's report be received.

**14. REPORT OF THE SHIRLEY/PAPANUI COMMUNITY BOARD:  
MEETING OF 2 AUGUST 2006**

**Resolved:** That the Board's report be received, subject to it being noted that the question referred to in clause 10 of the report had been asked by Megan Evans. It was further **resolved** that where members' questions were referred to in future Board reports, that the name of the member asking the question be included.

**15. REPORT OF THE SPREYDON/HEATHCOTE COMMUNITY BOARD:  
MEETING OF 1 AUGUST 2006**

**Resolved:** That the Board's report be received.

**16. NOTICES OF MOTION**

Nil.

**17. QUESTIONS**

Nil.

**18. RESOLUTION TO EXCLUDE THE PUBLIC**

It was **resolved** that the resolution to exclude the public set out on page 213 of the agenda be adopted.

**CONFIRMED THIS 7TH DAY OF SEPTEMBER 2006**

**MAYOR**

MINUTES OF A MEETING OF THE CHRISTCHURCH CITY COUNCIL  
HELD AT 9.30AM ON THURSDAY 31 AUGUST 2006

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

**1. APOLOGIES**

Apologies for absence were received from Councillor Helen Broughton and Pat Harrow.

It was **resolved** that the apologies be accepted.

**19. PROPOSED PROPERTY PURCHASE: 469-483 WAIRAKEI ROAD**

Councillor Buck moved "*That the staff recommendations be adopted*". The motion was seconded by Councillor Condon.

Councillor Wells moved by way of amendment "*That the Council decline to be involved as the purchaser of the properties at 469-483 Wairakei Road*". The amendment was seconded by Councillor Sheriff and when put to the meeting was declared **carried** on division no 3 by 8 votes to 4, the voting being as follows:

**For (8):** Councillors Corbett, Cox, Evans, Parker, Sheriff, Wells, Withers and the Mayor.

**Against (4):** Councillors Buck, Condon, Crighton and Shearing.

The Mayor then moved by way of further amendment "*That the Christchurch City Council, while accepting no liability, work with residents and make direct submissions to the Minister of Finance on behalf of the residents*". The further amendment was seconded by Councillor Evans and when put to the meeting was declared **carried**.

The two foregoing amendments were then put to the meeting and declared **carried** as the substantive motion, in place of the motion moved by Councillor Buck and seconded by Councillor Condon.

**20. EMISSION REDUCTION PURCHASE AGREEMENT**

**Resolved:**

- (a) That the Council approve for signing the Emission Reduction Purchase Agreement with British Gas attached to the report.
- (b) That it be noted that the Council has the consent of the Government to sell the carbon credits which are the subject of the foregoing agreement.

(Note: Councillor Shearing declared an interest in this clause, and retired from the discussion and voting thereon.)

**21. CONTRACT FOR SUPPLY OF SECURITY SERVICES**

**Resolved:** That the staff recommendation be adopted.

**22. REPORT OF THE LYTTELTON/MT HERBERT COMMUNITY BOARD:  
MEETING OF 19 JULY 2006**

**Resolved:** That the Board's report be adopted.

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**23. REPORT OF THE SHIRLEY/PAPANUI COMMUNITY BOARD:  
MEETING OF 2 AUGUST 2006**

**Resolved:** That the Board's report be adopted.

**24. CONCLUSION**

The meeting concluded at 12.05pm.

**CONFIRMED THIS 7TH DAY OF SEPTEMBER 2006**

**MAYOR**