

**MINUTES OF A MEETING OF THE CHRISTCHURCH CITY COUNCIL
HELD AT 9.30AM ON THURSDAY 4 OCTOBER 2007**

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

1. APOLOGIES

Nil.

PRESENTATION OF MAQUETTE - SERGEANT NICHOLAS VC

Councillor Anna Crighton and Mr B J Clark presented a maquette of Sergeant Nicholas VC to the Council and the Mayor responded on behalf of the Council and accepted the gift. The suggestion from Mr Clark that streets be named in memory of the fallen was noted.

2. CONFIRMATION OF MINUTES

COUNCIL MEETING OF 27 SEPTEMBER 2007

Resolved: That the open and public excluded minutes of the Council meeting held on Thursday 27 September 2007 be confirmed, subject to noting in respect to clause 16 Councillor Corbett had withdrawn and taken no part in respect to this clause.

3. DEPUTATIONS BY APPOINTMENT

Nil.

4. PRESENTATION OF PETITIONS

Nil.

5. CANTERBURY REGIONAL BIODIVERSITY STRATEGY ENDORSEMENT

Resolved: That the staff recommendation be adopted.

6. MANAGEMENT OF ART IN PUBLIC PLACES FUND

It was **resolved:**

- (a) To adopt the Terms of Reference of the Public Art Advisory Group and the composition of its membership as set out in Appendix B of the report and that the Public Art Advisory Group be chaired by a nominee of the Art in Industry Trust and include Adrienne Lady Stewart, Anthony Wright (representing the Art in Industry Trust), Lara Strongman and one elected member.
- (b) To note that the Council will be asked to approve priority sites for the expenditure of the fund within the guidelines established in the *Artworks in Public Places Plan*.
- (c) To allocate \$50,000 from the 2007-08 Art in Public Places Fund to a work for Stewart Plaza, leaving a balance of \$200,000 to be allocated in the 2007/08 year.
- (d) To note that the Council's contribution will be supplemented by a substantial promised gift from the Stewart family, in anticipation of a new work being installed in the Stewart Plaza in time for the opening of SCAPE: Christchurch Biennial of Art in Public Space in November 2008.
- (e) To thank the Stewart family for their continued support of public art initiatives within Christchurch.
- (f) To note that the Public Art Fund will be managed within the Community Services Group by the Art Gallery Unit.

7. USE OF THE COUNCIL'S SERVICE DUCTS AND DISPOSAL

Resolved: That the staff recommendation be adopted.

Note: The Mayor and Councillors Barry Corbett and Sue Wells declared an interest in respect to this item and retired from voting and discussion thereon.

8. APPOINTMENT OF DEPUTY PRINCIPAL RURAL FIRE OFFICERS

Resolved: That the staff recommendation be adopted.

9. RESOURCE MANAGEMENT ACT 1991 – DELEGATION OF POWERS

Resolved: That the staff recommendation be adopted.

10. NOTIFICATION OF PLAN CHANGE BUSINESS 4 AND BUSINESS RETAIL PARK HEIGHT LIMITS BUSINESS 4 SETBACKS

Resolved: That the staff recommendation be adopted.

Councillors Helen Broughton and Sue Wells took no part in discussion and voting in respect to this item.

Note: Councillor Barry Corbett requested that his vote against the above motion be recorded.

11. ROLE RESPONSIBILITY TEMPLATE FOR THE DEPUTY MAYOR

Councillor Helen Broughton moved *“That it be recommended to the incoming Council that the role responsibility template for the office of Deputy Mayor attached to the report be adopted”*. The motion was seconded by Councillor Sue Wells and when put to the meeting was declared **lost** on division no 1 by 9 votes to 4, the voting being as follows:

Against (9): Councillors Corbett, Cox, Evans, Harrow, Parker, Shearing, Sheriff, Withers and the Mayor.

For (4): Councillors Broughton, Buck, Crighton and Wells.

It was then **resolved** that the staff recommendation be adopted.

Councillor Helen Broughton requested that her vote against the above motion be recorded.

12. PROHIBITED DOG AREA DISPENSATION

Resolved: That the staff recommendation be adopted.

13. URBAN REGENERATION AGENCY

It was **resolved** that the Council:

- (a) Affirm its commitment to the Urban Development Strategy (UDS) and specifically confirm its commitment to Priority Action 10 of the UDS which calls for the creation of a city revitalisation agency.
- (b) Agree to establish an Urban Regeneration Agency (URA), the mission of which is to take an active role in the market place in order to be a catalyst for meeting the regeneration objectives of Christchurch City through the implementation of flagship regeneration projects.

- (c) Adopt the initial objectives of the Urban Regeneration Agency which are:
 - (i) To act as a champion and partner for urban regeneration in Christchurch.
 - (ii) To initiate, develop and implement projects that lead to investment and redevelopment in Christchurch's intensification areas and activity centres as identified in the UDS.
 - (iii) To eliminate and overcome development activities that run counter to the Council's regeneration objectives and policies such as detrimental land speculation and pre-existing uses.
 - (iv) To foster public-private partnerships that maximize shared resources and generate a balanced mix of economic, social and environmental benefits.
 - (v) To be a positive force in the development community that does not duplicate current, successful market activity and exits projects when Council's regeneration objectives have been achieved.
 - (vi) To ensure protection of the heritage buildings and sites listed in the city plan.
 - (vii) That the urban regeneration agency work with the Council's urban design team and Urban Design Advisory Group.
- (d) Adopt the following projects and activities as the principal scope of work for the URA to be carried out in the central city:
 - (i) Preparing and implementing comprehensive redevelopment plans for target areas which guide future investment, public and private, in these areas.
 - (ii) Acquiring, assembling, selling and leasing real estate to achieve redevelopment and to promote the Council policy objectives, specifically the Greater Christchurch Urban Development Strategy and the Central City Revitalisation Strategy.
 - (iii) Performing remediation of brownfield sites or other properties encumbered with environmental and redevelopment obstacles.
 - (iv) Facilitating the formation and implementation of public-private sector partnerships and joint ventures in the implementation of relevant projects.
 - (v) Developing flagship, prestige projects that are exemplars of the Council's revitalisation objectives and act as catalysts for private investment and development.
- (e) Direct staff to further investigate whether the establishment of a trust under the Council is the preferred institutional structure for the URA, and to complete necessary pre-establishment activities by August 2008. Pre-establishment activities are to include:
 - (i) Development of a detailed organisational, financial and legal structure.
 - (ii) Identification of funding options to provide the URA with sufficient capital to engage in between five and ten regeneration projects at any given time.
- (f) Indicate to the Board of Directors of CCHL the Council's desire for CCHL to aid in urban regeneration, and request that CCHL work with Council staff to identify potential financial resources that could be made available to an Urban Regeneration Agency.

**43. DEFERRED APPLICATION BY WORKING MEN'S CLUB FOR TERRITORIAL AUTHORITY
CONSENT UNDER THE GAMBLING ACT 2003**

This clause was considered at this stage of the meeting and is reported under clause 43.

14. VARIATION 6 (CHRISTCHURCH GROUNDWATER PROTECTION ZONES) TO THE PROPOSED NATURAL RESOURCES REGIONAL PLAN

This clause was considered in association with the amended clause 14 of the report in the agenda continued.

Resolved: That the staff recommendation be adopted with the addition of the following wording to the Council submission in respect to clause 1 of the submission "General": *"Retain the variation in part and amend the NRRP to give effect to the submissions of the Christchurch City Council as attached."*

15. URBAN DESIGN PANEL

It was **resolved:**

- (a) To establish an Urban Design Panel Subcommittee of the Council for a trial period of three years (from the date the members of the panel are appointed) to provide urban design advice on significant resource consents and plan changes in the central city (within the four avenues), Business 2 and Living 3 zones, as outlined in the attached terms of reference dated September 2007.
- (b) That the panel is not deemed to be discharged on the coming into office of the members of the local authority elected or appointed at, or following, the next triennial general election of members.
- (c) To adopt the attached *"Urban Design Panel - Terms of Reference"* dated September 2007.
- (d) To appoint the Subcommittee, on the recommendation of the Mayor and the Chief Executive, of up to 12 panel members from nominations received from the NZ Institute of Architects, NZ Institute of Landscape Architects, NZ Planning Institute, and the Property Council of New Zealand, and appoint one of the 12 as the convener of the panel, and one as the alternate convener.
- (e) That the developments and area covered by the panel (as set out in Part 4 of the Terms of Reference) be reviewed on a six monthly basis by staff and the panel, and any recommendations to amend these be referred to the Council for consideration.
- (f) To seek a further report from the Chief Executive on the budget for this project and the panel composition.
- (g) To amend clause 4 in the Terms of Reference "Urban Design Panel Reviews" by the addition of the following clauses:
 - (m) To minimise energy use both within the buildings and in relation to the entire development.
 - (n) Ensure protection of listed heritage buildings and sites.
- (h) To add the following key point to clause 9 of the report:

"Raise the quality of the debate on urban design and to encourage the establishment of a school of urban design in Christchurch."

Councillor Carole Evans requested that her vote against the above motion be recorded.

16. STRENGTHENING COMMUNITIES GRANTS FUNDING PROGRAMME OPERATIONAL PROCEDURES (2007)

Resolved: That the staff recommendation be adopted.

17. CENTRAL PLAINS WATER TRUST: 2007 STATEMENT OF INTENT

It was **resolved**:

- (a) To receive the Statement of Intent for the year *ending* 30 June 2008.
- (b) To receive the Financial Statement for the 6 month period ending 31 December 2006.
- (c) To make the following comments to the Trust on the draft 2008 Statement of Intent.
 - (i) That in the implementation of Objective 3 the Trust promote a good balance between diverse farming activities including agricultural and horticultural activities.
 - (ii) That in respect to the Other performance measures, on page 6 of the draft SOI, the achievement indicator be amended from "*Consents obtained*" to read "*Consents and all necessary reports obtained*".
 - (iii) That CPWT will ensure the application of "a no surprises" policy whereby early notice will be given to the Selwyn District Council and the Christchurch City Council of issues that arise requiring the consent of the two Councils.
 - (iv) In respect to "*Other information to meet the needs of the Councils*" on page 7 of the SOI that the following additions be made:
 - CPWT will meet quarterly with the Christchurch City Council to discuss any questions that may arise.
 - CPWT and Selwyn District Council will meet at least six monthly with the Christchurch City Council to discuss the Trust's activities.

The above motion when put to the meeting was declared **carried** on division no 2 by 8 votes to 5, the voting being as follows:

For (8): Councillors Cox, Evans, Harrow, Parker, Shearing, Sheriff, Wells, and the Mayor.

Against (5): Councillors Broughton, Buck, Corbett, Crighton and Withers.

**18. REPORT OF THE AKAROA/WAIREWA COMMUNITY BOARD:
MEETING OF 22 AUGUST 2007**

Resolved: That the Board report be adopted.

**19. REPORT OF THE CHAIRMAN OF THE AKAROA/WAIREWA COMMUNITY BOARD:
MEETING OF 26 AUGUST 2007**

Resolved: That the Chairman's report be adopted.

The above motion, relating to Takapuneke/Greens Point, Akaroa - Endowment Issues, when put to the meeting was declared **carried** on division no 3 by 13 votes to 0, the voting being as follows:

For (13): Councillors Broughton, Buck, Corbett, Cox, Crighton, Evans, Harrow, Parker, Shearing, Sheriff, Wells Withers, and the Mayor.

Against (0): Nil.

**20. REPORT OF THE BURWOOD/PEGASUS COMMUNITY BOARD:
MEETING OF 5 SEPTEMBER 2007**

Resolved: That the Board's report be adopted.

**21. REPORT OF THE FENDALTON/WAIMAIRI COMMUNITY BOARD:
MEETING OF 14 AUGUST 2007**

Resolved: That the Board's report be received.

**22. REPORT OF THE FENDALTON/WAIMAIRI COMMUNITY BOARD:
MEETING OF 11 SEPTEMBER 2007**

Moved: That the Board's report be adopted.

(1) Review of City Plan Rules Regarding Staff Car Parking at Commercial Sites

It was **resolved** that the matter be referred to the City Plan Team for consideration as part of their work plan for the forthcoming year.

Report adopted as amended.

23. REPORT OF THE CHAIRPERSON OF THE FENDALTON/WAIMAIRI COMMUNITY BOARD:

Resolved: That the Chairperson's report be adopted.

**24. REPORT OF THE HAGLEY/FERRYMEAD COMMUNITY BOARD:
MEETING OF 22 AUGUST 2007**

Resolved: That the Board's report be received.

**25. REPORT OF THE LYTTTELTON/MT HERBERT COMMUNITY BOARD:
MEETING OF 15 AUGUST 2007**

Resolved: That the Board's report be received.

**26. REPORT OF THE RICcarton/WIGRAM COMMUNITY BOARD:
MEETING OF 29 AUGUST 2007**

Resolved: That the Board's report be received.

**27. REPORT OF THE SHIRLEY/PAPANUI COMMUNITY BOARD:
MEETING OF 5 SEPTEMBER 2007**

Resolved: That the Board's report be received.

**28. REPORT OF THE SPREYDON/HEATHCOTE COMMUNITY BOARD:
MEETING OF 4 SEPTEMBER 2007**

Resolved: That the Board's report be adopted.

29. REPORT OF THE CHAIRPERSON OF THE SPREYDON/HEATHCOTE COMMUNITY BOARD

Resolved: That the Chairperson's report be adopted.

30. NOTICES OF MOTION

Nil.

31. **QUESTIONS**

Nil.

32. **RESOLUTION TO EXCLUDE THE PUBLIC**

It was **resolved** that the resolution to exclude the public set out on page 117 of the agenda and in the supplementary agendas be adopted.

41. **REPORT OF THE HEARINGS PANEL ON CHRISTCHURCH CITY URBAN FIRE SAFETY BYLAW 2007**

Resolved: That the Panel's recommendation be adopted.

43. **DEFERRED APPLICATION BY CHRISTCHURCH WORKING MEN'S CLUB FOR TERRITORIAL AUTHORITY CONSENT UNDER THE GAMBLING ACT 2003**

It was **resolved:**

1. That the Council recognises:
 - (a) That the Christchurch Working Men's Club seeks a territorial authority consent from the Council pursuant to sections 98(c) and 100 of the Gambling Act 2003 for premises situated at 818 Colombo Street, Christchurch. This venue has previously been licensed for gaming machine purposes at different times for 18 gaming machines and the Club has been licensed for 18 and/or 36 machines for another venue. The proposal in the consent sought is to reduce the number of venues from two to one, and the number of machines from 54 to 36 to a maximum of 18.
 - (b) That in terms of the Gambling Act 2003 the new venue has not been the subject of a Class 4 venue licence under the Gambling act 2003 for the last six months.
 - (c) That in the Council's Class 4 gambling venue policy of 23 November 2006 the Council adopted a policy which provides:
 - (i) The Christchurch City Council will not grant consent under section 98 of the Gambling Act 2003 to allow any increase in Class 4 gaming venues or Class 4 machine numbers except in the circumstances set out below.
 - (ii) The Christchurch City Council will grant a consent where two or more corporate societies are merging and require Ministerial approval to operate up to the statutory limit in accordance with section 95(4) of the Gambling act 2003. The total number of machines that may operate at the venue **must not** exceed 18 machines.
 - (d) That the Christchurch Working Men's Club is not involved in a merger with another club but does propose to make application to the Minister under section 96 for permission to operate 18 gaming machines at the new venue.
 - (e) That given the current wording of the 2006 Class 4 venue policy, it would be inconsistent for the Council to grant a consent to the Christchurch Working Men's Club pursuant to sections 98 and 100 of the Gambling Act 2003. However, since the Christchurch Working Men's Club is merely transferring its activities from one premise to another, and is not initiating a new gambling activity, rather it simply seeks to continue its normal activities as it has always done, and the effect of any consent will not be to increase Class 4 gaming venues nor Class 4 machine numbers, an anomaly has been identified in the current Council policy in that it makes no allowance for consents to be given for section 96 Ministerial approvals whilst permitting consents to be given for section 95 Ministerial approvals.

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2. That the Council identifies that the reasons for the inconsistency in the current policy have arisen because the Council did not consider section 96 consent situations when making provision for section 95 consent situations either in 2004 or in 2006 for purposes of a S96 application by the Club for Ministerial approval.

3. That this matter be included as part of Council's submission on the Gambling Act.

Note: Councillor Barry Corbett declared an interest in the above item and retired from voting and discussion thereon.

40. SUPPLEMENTARY REPORTS

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

- Report of Hearings Panel on Christchurch City Urban Fire Safety Bylaw 2007
- Deferred Application by Christchurch Working Men's Club for Territorial Authority Consent under Gambling Act 2003

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

CONFIRMED THIS 11TH DAY OF OCTOBER 2007

MAYOR

MINUTES OF A MEETING OF THE CHRISTCHURCH CITY COUNCIL
HELD AT 9.30AM ON THURSDAY 4 OCTOBER 2007

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

33. PLAN CHANGE 12 TO THE CITY PLAN - REZONING PART OF SPECIAL PURPOSE (WIGRAM) ZONE

Resolved: That the staff recommendation be adopted and that the Chief Executive be asked to review the procedural matters raised by Mr Collins in his report.

34. DIRECTOR APPOINTMENT - RED BUS LTD AND CHRISTCHURCH CITY HOLDINGS

Resolved: That the staff recommendation be adopted.

35. STAFF ACCOMMODATION

Resolved: That the staff recommendation be adopted.

36. REPORT OF THE CHAIRPERSON FENDALTON/WAIMAIRI COMMUNITY BOARD

Councillor Broughton moved "*That consideration of this item be deferred for the incoming Council to decide*". The motion was seconded by Councillor Harrow and when put to the meeting was declared **lost**.

The Board recommendation on being put to the meeting was then declared **carried** on division no 4 by 10 votes to 3, the voting being as follows:

For (10): Councillors Buck, Corbett, Cox, Evans, Parker, Shearing, Sheriff, Withers, Wells and the Mayor.

Against (3): Councillors Broughton, Crighton and Harrow.

37. REPORT OF THE CHAIRPERSON RICcarton/WIGRAM COMMUNITY BOARD

The Chairperson's recommendation on being put to the meeting was declared **carried** on division no 5 by 13 votes to 0, the voting being as follows:

For (13): Councillors Broughton, Buck, Corbett, Cox, Crighton, Evans, Harrow, Parker, Shearing, Sheriff, Wells, Withers and the Mayor.

Against (0): Nil.

39. CHRISTCHURCH SYMPHONY TRUST - LEASE PROPOSAL

Resolved: That the staff recommendation be adopted.

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44. CONCLUSION

The meeting concluded at 1.06pm.

CONFIRMED THIS 11TH DAY OF OCTOBER 2007

MAYOR