

**MINUTES OF A MEETING OF THE CHRISTCHURCH CITY COUNCIL
HELD AT 9.30AM ON THURSDAY 27 SEPTEMBER 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

Apologies for lateness were received from Councillors Helen Broughton and Sue Wells, who arrived at 9.36am and from the Mayor for early departure.

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

The Mayor then paid tribute to the late Des King, a former City Councillor, and the meeting stood in a moment's silence. Councillors Anna Crighton and Pat Harrow also spoke and shared some memories of Mr King with the meeting.

2. CONFIRMATION OF MINUTES

COUNCIL MEETING OF 20 SEPTEMBER 2007

Resolved: That the open minutes of the Council meeting held on Thursday 20 September 2007 be confirmed.

15. SUSTAINABLE ENERGY STRATEGY FOR CHRISTCHURCH 2008-18

This clause was considered at this stage of the meeting and it is recorded under clause 15.

(Councillor Helen Broughton and Sue Wells arrived at 9.26am.)

3. DEPUTATIONS BY APPOINTMENT

The Mayor advised that late requests for speaking rights in respect to the agenda item relating to the Taylors Mistake and Boulder Bay baches had been received from Mr Jim Turpin, of the Taylors Mistake Association Inc and Mr John Freeman. In accordance with Standing Orders clause 2.13.1.1 the approval of the meeting was sought for speaking rights to Messrs Turpin and Freeman.

It was **resolved** that speaking rights be granted to Mr Jim Turpin and Mr John Freeman.

(a) MR GEOFF VENNING, ADVENTURE TOURS

Mr Venning provided a comprehensive PowerPoint presentation on the White Flipped Penguin Trust giving information on the white flipped penguins and the proposal of the Trust to establish a penguin colony at Boulder Bay. He requested that the Council not licence bach no 6 at Boulder Bay. This bach would in the view of the Trust obstruct the establishment of the penguin colony, by reason of its close proximity to the creek bed which would be used by the penguins for accessway to their nesting areas.

(b) MR JOHN FREEMAN

Mr Freeman advised that his deputation was on his own behalf, but he expressed disappointment that this issue had not previously been before the Hagley/Ferrymead Community Board. He spoke regarding his concerns on the issue of pollution, should baches continue to discharge wastewater into the bay and the need to keep the Taylors Mistake Bay unpolluted.

(c) **MR JIM TURPIN, TAYLORS MISTAKE ASSOCIATION**

Mr Turpin requested that the Council when making a decision agree only "in principle" as it was the view of his Association that there were still a large number of outstanding issues which needed to be discussed.

He advised that his Association wished to have time to study the implications of the report and he felt that there would also be other parties that might wish to do the same. The Association would like to have the opportunity to discuss in more detail with staff the likely content of any licences which might be issued in order to be able to decide whether they would agree to the transfer of land as proposed.

The deputations were considered in association with clause 5 of the agenda.

5. TAYLORS MISTAKE AND BOULDER BAY BACHES

In addition to the report on this topic contained in the agenda, correspondence was tabled from:

- Save the Bay Ltd
- Mr Otto Snoep
- Buddle Findlay
- Wynn Williams and Co

Mr Mitchell, General Manager Regulation and Democracy Services, advised that he had received that morning from Wynn Williams and Co, acting on behalf of Te Rūnanga O Ngāi Tahu, a letter advising that their client was concerned that there had been no consultation with it on this issue. Accordingly his recommendation was that this matter be left to lie on the table until the extent of any previous consultation with them could be confirmed and the issue discussed with them.

It was **resolved**:

1. With regard to the Taylors Mistake and Boulder Bay baches, that the Council:
 - (a) consult with Te Rūnanga O Ngāi Tahu; and
 - (b) discuss with the Taylors Mistake Bay Association the proposed draft deed of licence for occupation of Legal Road; and
 - (c) continue discussion with Save the Bay Limited.
2. To ask staff to report on other instances where private structures are located on Road Reserve within the Christchurch City Council boundaries.
3. To note that a report on the heritage status of the baches will be presented back to the Council.

Note: Councillor Barry Corbett declared an interest in respect to part 2 of the above motion and took no part in any discussion thereon.

Councillor Gail Sheriff requested that her vote against part 2 of the above motion be recorded.

7. TRAM EXTENSION STUDY

This clause was considered at this stage of the meeting and is reported under clause 7.

(Councillor Crighton temporarily retired from 12.20pm to 12.28pm)

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

Councillor Sue Wells provided an update in respect of the above matter which had been considered at the previous Council meeting on 20 September 2007.

She advised that due to time constraints and sickness it had not been possible for the subcommittee consisting of Councillors Sue Wells, Carole Evans and Norm Withers to meet until the previous day.

Councillor Wells provided an update of the discussion at that meeting and advised that it was the wish of the subcommittee to try and accommodate the request from the Christchurch Working Men's Club to transfer the gaming licence in respect to 18 gaming machines from its premises in Oxford Terrace to new premises in Colombo Street.

The legal opinion received at that meeting had been that this could not be done without a change to the Council's policy and this would need to be done under the special consultative procedure.

It had been suggested that section 80 of the Local Government Act 2002 would allow the Council to make changes to its policy if there was considered to be an anomaly. While the legal advice given to the subcommittee was that this was not possible in this instance, the subcommittee sought the formal approval of the Council to the obtaining of a further legal opinion in respect to this matter.

It was advised that this issue had some urgency as there was a deadline of 12 October 2007 for the matter to be resolved or it was likely that the Department of Internal Affairs would cancel the Club's existing licence for its former Oxford Terrace premises.

It was **resolved** that a report be brought back to the Council meeting of 4 October 2007 providing a further legal opinion as to whether it would be possible for the Council to use section 80 of the Local Government Act 2002 to approve the transfer of gaming machines from the former Christchurch Working Men's Club premises at Oxford Terrace to its new premises at 818 Colombo Street.

Councillor Sally Buck requested that her vote against the above motion be recorded.

6. ADOPTION OF CITY COUNCIL RURAL FIRE AUTHORITY FIRE PLAN

Resolved: That the staff recommendation be adopted.

Note: The meeting expressed its appreciation to Mr Keith Marshall for his work on the plan.

7. TRAM EXTENSION STUDY

It was **resolved** that the Council:

1. Acknowledge the *potential* for extending the tram route to incorporate Oxford Terrace, City Mall (Cashel and High Streets), Colombo Street and Cathedral Square, joining the existing line behind the Cathedral.
2. Acknowledge the merits of the tram either continuing along High to Manchester to Cashel Streets or turning across the reserve to the west of the Holiday Inn Hotel and request a further report on which of these options should be recommended.
3. Authorise further work on the route details, cost estimates and funding options with a view to progressing the proposal through the 2009-19 LTCCP.
4. "Future proof" for the extension of the tram by:
 - (i) Confirming the general route (as per (a) above) for future planning and investigative purposes.
 - (ii) Approving the design and construction of the strengthened concrete base for the later stages of the mall reconstruction (ie Cashel Street) in addition to High Street (already approved).

8. REPORT OF HEARINGS PANEL ON CHRISTCHURCH CITY FIRE SAFETY BYLAW 2007

Consideration of this clause was deferred.

It was **resolved** that this item be referred back to the Hearings Panel for further discussion with staff in regard to the issues raised at the meeting regarding the wording of clauses 8 and 9 of the proposed Bylaw.

Councillors Sally Buck and Sue Wells requested that their vote against the above motion be recorded.

9. NOTICES OF MOTION

Nil.

10. QUESTIONS

Nil.

15. SUSTAINABLE ENERGY STRATEGY FOR CHRISTCHURCH 2008-18

It was **resolved**:

1. To adopt the amended Sustainable Energy Strategy for Christchurch 2008-18 as enclosed with the report.
2. To agree that staff prepare a two stage implementation plan based on Option 4 for the periods 2008–13 and 2013–18, to be considered as part of the 2008/09 Annual Plan and the 2009-19 LTCCP respectively.
3. To confirm the use of the Burwood Landfill gas project Carbon Credits (estimated value of \$3.53 million) as the funding source for the 2008-13 Sustainable Energy Strategy Implementation Plan.
4. That the strategy also seek to have relevant regulatory mechanisms included in the City and District Plans.
5. To add to "E2" and "E3" to test a small number of homes against the BRANZ and EECA Home Energy Use Project.

11. RESOLUTION TO EXCLUDE THE PUBLIC

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

CONFIRMED THIS 4TH DAY OF OCTOBER 2007

MAYOR

**MINUTES OF A MEETING OF THE CHRISTCHURCH CITY COUNCIL
HELD AT 9.30AM ON THURSDAY 27 SEPTEMBER 2007**

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

12. CONFIRMATION OF MINUTES - COUNCIL MEETING OF 20 SEPTEMBER 2007

Resolved: That the public excluded minutes of the Council meeting held on Thursday 20 September 2007 be confirmed.

13. STOPPING OF UNFORMED ROAD AND LAND EXCHANGE - WESTERN VALLEY ROAD, LITTLE RIVER

Resolved: That the staff recommendation be adopted.

14. FARMERS CARPARK BUILDING- LEASING OF ADDITIONAL CARPARKS

The staff recommendation on being put to the meeting was declared **lost** on division no 1 by 7 votes to 4, the voting being as follows:

Against (7): Councillors Corbett, Cox, Crighton, Evans, Parker, Sheriff and Withers.

For (4): Councillors Broughton, Buck, Harrow and Shearing.

(Note: Councillor Sue Wells declared an interest in respect to this clause and retired from voting and discussion thereon.)

17. CONCLUSION

The meeting concluded at 1.30pm.

CONFIRMED THIS 4TH DAY OF OCTOBER 2007

MAYOR