

**MINUTES OF A MEETING OF THE CHRISTCHURCH CITY COUNCIL  
HELD AT 9.30AM ON THURSDAY 26 JUNE 2008**

**PRESENT:** The Mayor, Bob Parker (Chairperson).  
Councillors Helen Broughton, Sally Buck, Ngaire Button, Barry Corbett, David Cox,  
Yani Johanson, Claudia Reid, Bob Shearing, Mike Wall, Sue Wells, Chrissie Williams  
and Norm Withers.

**1. APOLOGIES**

An apology for absence was received and accepted from Councillor Gail Sheriff.

**2. CONFIRMATION OF MINUTES**

**COUNCIL MEETINGS OF 29.5.2008 AND 12.6.2008**

It was **resolved** on the motion of Councillor Wells, seconded by Councillor Wall, that the open and public excluded minutes of the Council meeting held on Thursday 29 May 2008 be confirmed subject to the following amendments correcting Councillor Wall's name and the Council meeting held on Thursday 12 June be confirmed subject to amending clause 12(2) by deleting the words "... it approve" and inserting the words "consideration of the Board's request".

**3. DEPUTATIONS BY APPOINTMENT**

**(a) St Albans Pavilion and Pool Project**

Bill Demeter and Douceline Wardle, from the St Albans Pavilion and Pool Project, addressed the Council re clause 5, Former Edgeware Pool report.

The group sought the retention of land, and agreement in principle from the Council for an extension to fundraise for an extra two years for a community facility for the St Albans community. They also sought the creation of a task force with one person from the St Albans Residents' Association, the pavilion and pool committee, the community board, and a ward councillor and an independent chairperson to look at an entire large range of solutions, many, which they believe have not been explored. The group advised that they have raised \$260,000 in pro bono services including plans and donations making a total of \$335,000.

**4. PRESENTATION OF PETITIONS**

Nil.

**5. FORMER EDGEWARE POOL SITE**

Councillor Cox moved:

*"That the Council:*

- (a) Decline a request from the St Albans Pavilion and Pool Group for a 24 month extension, from the existing 31 May 2008 deadline, to allow further opportunity for the Group to raise sufficient funds to establish the proposed pavilion and pool on the portion of the site of the former Edgeware Pool not needed for water services infrastructure.*
- (b) Request a report detailing a process by which the Council can consider the long term future of the site of the former Edgeware Pool not needed for water services infrastructure, including how consultation requirements will be fulfilled."*

The motion was seconded by Councillor Wells.

Councillor Button moved by way of amendment:

*“That the Council:*

- (a) *Decline a request from the St Albans Pavilion and Pool Group for a 24 month extension from the existing 31 May 2008 deadline, to allow further opportunity for the Group to raise sufficient funds to establish the proposed pavilion and pool on the portion of the site of the former Edgeware Pool not needed for water services infrastructure.*
- (b) *Set up a working party comprised of a representative from: the local Residents Association, the Pavilion and Pool Group, the Community Board and a Ward elected City Councillor, the business community and the St Albans school and an independent Chairperson. The purpose of the working party would be to engage with the wider community and to cooperatively investigate an entire range of options (many of which have not been explored or discussed) to do with the old Edgeware Pool site not required for water services infrastructure and report back to the Council by 15 January 2009.”*

The amendment was seconded by Councillor Withers.

At 10.12am the Council **decided** that the meeting stand adjourned and the meeting resumed at 10.26am.

The amendment was put to the meeting on a clause by clause basis.

Clause (a) was declared **carried** on division No. 1 by 8 votes to 5, the voting being as follows:

**For: (8)** Councillors Buck, Corbett, Cox, Reid, Shearing, Wall, Wells and the Mayor.

**Against: (5)** Councillors Broughton, Button, Johanson, Williams and Withers.

Clause (b) was declared **carried** on division No. 2 by 12 votes to 1, the voting being as follows:

**For: (12)** Councillors Broughton, Buck, Button, Corbett, Johanson, Reid, Shearing, Wall, Wells, Williams, Withers and the Mayor.

**Against: (1)** Councillor Cox.

The amendment was then put to the meeting as the substantive motion and was declared **carried** on division No. 3 by 8 votes to 5, the voting being as follows:

**For: (8)** Councillors Buck, Corbett, Cox, Reid, Shearing, Wall, Wells and the Mayor.

**Against: (5)** Councillors Broughton, Button, Johanson, Williams and Withers.

## 11. HERITAGE INCENTIVE GRANT GREATER THAN \$100,000

This report was considered at this stage of the meeting.

It was **resolved** on the motion of Councillor Corbett, seconded by Councillor Wells, that the Council approve a further Heritage Incentive Grant of \$72,360 to the Trustees of the Christchurch Racecourse in respect of the Riccarton Tea House.

**6. INTERIM GLOBAL STORMWATER RESOURCE CONSENT**

It was **resolved** on the motion of Councillor Wells, seconded by Councillor Williams, that the Council:

- (a) Approve the process of applying for an interim global stormwater consent from Environment Canterbury for seven years while Integrated Catchment Management Plans are developed for the 10 natural surface water catchments in the Christchurch City Council Stormwater Management Area.
- (b) Be the approving authority for stormwater discharges as delegated and allowed by the consent granted to by Environment Canterbury for small to medium sized development.
- (c) Charges for processing subdivision requests are reviewed.

**7. SOUTH WEST AREA - INTEGRATED CATCHMENT MANAGEMENT PLAN**

It was **resolved** on the motion of Councillor Wells, seconded by Councillor Buck, that the Council:

- (a) Adopt the Integrated Catchment Plan for the South West Area of Christchurch as a proposed masterplan to support surface water management for the growth of South West Christchurch.
- (b) Note that the Integrated Catchment Management Plan will be used as the technical basis for the application for a Catchment Consent for South West Christchurch.

**8. METROPOLITAN FUNDING COMMITTEE 2008**

It was **resolved** on the motion of Councillor Corbett, seconded by Councillor Cox, that the Council:

- (a) Change the title of the Metropolitan Funding Subcommittee to the Metropolitan Funding Committee, with the Metropolitan Funding Committee having the same members and terms of reference as the Metropolitan Funding Subcommittee.
- (b) Appoint the Small Projects Fund Subcommittee as a subcommittee of the Metropolitan Funding Committee with the following Terms of Reference and delegations:
  - (i) To allocate the Small Projects Fund – Metropolitan, to eligible applicants whose projects are consistent with the Council's Strengthening Communities Strategy and LTCCP.
  - (ii) To consist of Metropolitan Funding Committee members with a term of three years, for the 2008-09, 2009-10 and 2010-11 funding rounds.
  - (iii) To include 4–6 community representatives with an initial term of two years for the 2008-09 and 2009-10 funding rounds.
  - (iv) The quorum at a meeting be eight members at least two of whom must be community representatives.
  - (v) The chairperson to be appointed by the Metropolitan Funding Committee.

**9. HEARINGS PANEL FOR THE REVIEW OF THE CHRISTCHURCH CITY CLEANFILL BYLAW 2003**

It was **resolved** on the motion of Councillor Wells, seconded by Councillor Buck, that in the event of submissions to the review of the Christchurch City Cleanfill Licensing Bylaw 2003 being received by 18 June 2008, the Council appoint a Hearings Panel of three members (Councillors Buck, Corbett and Wells) to consider submissions at a date to be confirmed in July 2008.

**10. NON-TRADING COUNCIL-CONTROLLED ORGANISATIONS – APPLICATION FOR EXEMPTION**

It was **resolved** on the motion of Councillor Cox, seconded by Councillor Shearing, that the Council:

- (a) Grant an exemption under section 7 of the Local Government Act 2002 to each of the companies named in the schedule below, whilst they are not being used for any trading.
- (b) Note that for the period of the exemption the companies are not Council-controlled organisations for the purposes of the Act.

**SCHEDULE**

CCHL 2 Ltd	CIAL Holdings Number 1 Ltd	AMI Stadium Ltd
CCHL 4 Ltd	CIAL Holdings Number 2 Ltd	Ellerslie International Flower Show Ltd
CCHL 5 Ltd	CIAL Holdings Number 3 Ltd	CCC One Ltd
CCHL 6 Ltd	CIAL Holdings Number 4 Ltd	CCC Two Ltd
CCHL 7 Ltd	CIAL Holdings Number 5 Ltd	

- (c) Note that if an entity should commence trading, then the exemption granted in (a) above would no longer apply and an annual report and audit would be necessary. For Christchurch City Council legally-owned entities, the Council would be advised.

**12. CHANGE OF SHAREHOLDING AND ASSIGNMENT OF LEASE–  
VICTORIA HOTELS (CHRISTCHURCH) LIMITED (CROWNE PLAZA HOTEL)**

Councillor Buck moved:

*“That the Council:*

- (a) *Consent to the assignment and records the change in shareholdings.*
- (b) *Note that the Assignee meets all costs of the assignment of the lease.”*

The motion was seconded by Councillor Johanson.

Councillor Wells then moved by way of addition:

*“That the process of commercial lease transactions be reviewed and a report come back to the Council to ensure Boards’ delegation and role is most effective.”*

The amendment was seconded by Councillor Corbett and on being put to the meeting was declared **carried**.

The motion including the above amendment was then put to the meeting as the substantive motion and declared **carried**.

**13. ŌTAUTAHU/CHRISTCHURCH AND TE PĀTAKA O RĀKAIHAUTŪ/ BANKS PENINSULA  
BIODIVERSITY STRATEGY**

It was **resolved** on the motion of Councillor Reid, seconded by Councillor Williams, that the report lie upon the table for additions and corrections to be made and brought back to the Council for adoption.

**14. APPROVAL OF CHANGES TO PROVISIONS IN THE CITY PLAN**

It was **resolved** on the motion of Councillor Wells, seconded by Councillor Broughton, that the Council:

- (a) Approve, pursuant to clause 17(2) of the First Schedule to the Resource Management Act 1991, the changes to City Plan provisions introduced by its decision on Plan Change 10.
- (b) Authorise the General Manager Strategy and Planning to determine the date on which the changes become operative.

**15. REPORT OF THE REGULATORY AND PLANNING COMMITTEE:  
MEETING OF 5.6.2008**

**(1) Correction of Minor Errors in District Plans and Delegation of Function to Regulatory and Planning Committee**

It was **resolved** on the motion of Councillor Wells, seconded by Councillor Broughton, that the Council:

- (a) Without further formality, and pursuant to clause 16(2) of the First Schedule to the Resource Management Act 1991, correct errors in the Banks Peninsula Proposed District Plan by making the following amendments:
  - (i) On Planning Maps S18 and S19 amend the zoning of Lot 18 DP 69197 from Rural to Recreation Reserve.
  - (ii) On Planning Map R9 amend the zoning of that part of Part Lot 3 DP 6152 (1230 Long Bay Road) that is currently zoned Recreation Reserve to Rural.
- (b) Without further formality, and pursuant to clause 20A of the First Schedule to the Resource Management Act 1991, correct an error in the Christchurch City Plan by deleting the words *"land immediately south of Prestons Road between Marshland Road and Burwood,"* from clause 1.2.2 Living 1B (Rural – Living) Zone in Part 2 of Volume 3 of the Plan.
- (c) Delegate to the Regulatory and Planning Committee its functions under clauses 16(2) and 20A of the Resource Management Act 1991.

**(2) Private Plan Change Application for the Rezoning of Land at the Corner of Radcliffe Road and Main North Road Belfast from Rural 3 to Business 2**

It was **resolved** on the motion of Councillor Wells, seconded by Councillor Broughton, that the Council:

- (a) Agree to accept the private plan change request pursuant to Clause 25 of the 1st Schedule to the Resource Management Act 1991 and publicly notify it accordingly subject to a Council submission being prepared on the private plan change and it be referred to the Committee in sufficient time for it to be lodged within the statutory time frame for the receipt of such submissions.
- (b) That in accordance with Council policy the cost of processing the private plan change be at the applicant's expense.

It was noted that staff have advised that there are no grounds under the Resource Management Act 1991 to reject this application, in their opinion.

**(3) Proposed Plan Change 31 – Private Plan Change to Amend L3 Provisions, and Introduce A B1 Zoned Area and Outline Development Plan for the City Block Bounded by Packe Street, Purchas Street, Madras Street and Canon Street ('The Orion Block')**

It was **resolved** on the motion of Councillor Wells, seconded by Councillor Button, that the Council:

- (a) Agree to accept the plan change application as a private plan change application pursuant to Clause 25 of the 1<sup>st</sup> Schedule to the Resource Management Act 1991 and publicly notify it accordingly.
- (b) That in accordance with Council policy the cost of processing the plan change be at the applicant's expense.
- (c) That a Council submission be prepared on the private plan change and referred to the Committee in sufficient time for it to be lodged within the statutory time frame, for the receipt of such submissions.

**(4) Progress Report on City Plan Programme 2006/2007 and Proposed Programme for 2007/2008**

It was **resolved** on the motion of Councillor Wells, seconded by Councillor Broughton, that the Council:

- (a) Receive this report.
- (b) Agree to the inclusion of a new project in the programme for the modification of the airport noise contours.
- (c) The Chief Executive report back on the staff provisions in the district plan team allocated for:
  - (i) The RPS, UDS and related projects
  - (ii) The completion time frame of the District (Area) Plans
  - (iii) The Private Plan changes and designations
  - (iv) The balance of the work plan
  - (v) A recommendation for additional funding/resources to achieve delivery of the approved programme.

On the motion of Councillor Wells, seconded by Councillor Broughton, the report as a whole was then adopted.

**16. NOTICES OF MOTION**

Nil.

**17. QUESTIONS**

Nil.

**25. REPORT OF THE REGULATORY AND PLANNING COMMITTEE:  
RECONVENED MEETING OF 17.6.2008**

This clause was taken at this stage of the meeting.

**(6) Discussion Document on the Evaluation of the Fencing of Swimming Pools Act 1987**

It was **resolved** on the motion of Councillor Wells, seconded by Councillor that the Council approve the submission of the discussion document on the evaluation of the Fencing of Swimming Pools Act 1987.

Councillor Corbett requested that his vote against the motion be recorded.

Councillor Shearing took no part in the voting or discussion of the clause

**26. RESOLUTION TO BE PASSED - SUPPLEMENTARY REPORTS**

The Mayor referred to the following reports which were separately circulated after the agenda had been distributed:

- Miscellaneous Delegations
- Reporting of the Purchase of the Ellerslie International Flower Show in the Annual Report (Public Excluded)

The Mayor advised that it was not possible to include these items in the agenda as the information was not available at the time, but it was necessary for the items concerned to be dealt with at the present meeting.

It was **resolved** on the motion of the Mayor, seconded by Councillor Withers, that the late items be considered at the present meeting.

## 27. MISCELLANEOUS DELEGATIONS

It was **resolved** on the motion of Councillor Wells, seconded by Councillor Button, that the Council:

A: Delegate to its Chief Executive:

- (a) all of its powers under the General Bylaw 2008 except the powers under clause 13 (dispensing powers)
- (b) all of its powers under the Public Places Bylaw 2008 (not already delegated) except the powers under:
  - (i) clause 8 (adoption of policies)
  - (ii) clause 12 (fees)
  - (iii) clause 13 (special use areas)
- (c) all of its powers under the Water Related Services Bylaw 2008 (not already delegated) except the powers under:
  - (i) clause 45 (fees)
- (d) all of its powers under the Dog Control Bylaw 2008 except the powers under clause 8 (prohibited dog areas, leashed dog areas and dog parks/exercise areas)
- (e) all of its powers under the Parks and Reserves Bylaw 2008 except the powers:
  - (i) under clauses 12(4) and (5) (resolving to set aside reserve areas for model aircraft and amendments or revocations of such resolutions)
  - (ii) under clause 17(4) (Council review of permissions given under the bylaw)
  - (iii) to set any fees
- (f) all of its powers under the Stock Control Bylaw 2008 (not already delegated) except the power under clause 9 (roads where stock droving is prohibited)
- (g) all of its powers under the Traffic and Parking Bylaw 2008 except the powers:
  - (i) which have been delegated to the Community Boards;
  - (ii) to prescribe fees
  - (iii) under clause 10 (heavy vehicles parking)
  - (ii) under clause 15 (prohibited times on roads)
- (h) its powers to appoint authorised officers for the purposes of performing duties under any of the Council's bylaws.
- (i) its powers to institute any enforcement action, including a prosecution for an offence against any of the Council's bylaws, together with the power to make any decision pertaining to any such enforcement or prosecution.

B: Resolve to amend the delegation to the Community Boards set out in clause 8 of the delegations register to read as follows:

The power of the Council in respect of any roads or parts of roads or on any areas under its control (including car parks), subject to Council policy, pursuant to the Local Government Act 1974, the Transport Act 1962, the Land Transport Act 1998 and any rules made under that Act, and the Christchurch City Council Traffic and Parking Bylaw 2008:

- (a) To control, by the methods (signs, markings, etc) listed below, **traffic movement on any roads**, or parts of roads, or within carparks, or in other areas controlled by the Council and used by vehicles:
- (i) Stop:
  - (ii) Give way:
  - (iii) Roundabout:
  - (iv) No right turn (*clause 14(1) of the Christchurch City Council Traffic and Parking Bylaw 2008*):
  - (v) No left turn (*clause 14(1) of the Christchurch City Council Traffic and Parking Bylaw 2008*):
  - (vi) No u-turn (*clause 14(1) of the Christchurch City Council Traffic and Parking Bylaw 2008*):
  - (vii) No cycling:
  - (viii) No pedestrians:
  - (ix) No heavy motor vehicles.
- (b) To determine the location of **restricted parking areas on any roads**, or parts of roads, or within car parks, or in other areas controlled by the Council, and the following conditions which may apply to those restricted parking areas, but not limited to:
- (i) the time period or time periods between which the parking restrictions have effect:
  - (ii) the maximum time allowed for parking in any parking space in a restricted parking area:
  - (iii) that a parking space in a restricted parking area is for the specified class of vehicle (ie. motorcycle stands, cycle stands), class of road user (ie. disabled parking areas) or for a designated activity (ie. loading zones):
- (*See clauses 5(1), (2) and (5) of the Christchurch City Council Traffic and Parking Bylaw 2008*)
- (c) To impose, on any roads or any parts of roads or any other areas controlled by the Council, **stopping or standing restrictions** whether by way of a time restriction, a restriction to a specified class, classes or description of vehicle (ie bus stops, taxi stands), a total prohibition or any combination of these (ie. clearways).
- (*See clauses 5(3) and (5) of the Christchurch City Council Traffic and Parking Bylaw 2008*)
- (d) The delegations in (b) and (c) above do not include the powers under clauses 10 and 15 of the Christchurch City Council Traffic and Parking Bylaw 2008.

#### 18. RESOLUTION TO EXCLUDE THE PUBLIC

It was **resolved** on the motion of Councillor Withers, seconded by Councillor Wells, that the resolution to exclude the public set out on page 153 of the agenda be adopted.

#### 23. RESOLUTION TO EXCLUDE THE PUBLIC (Cont'd)

It was **resolved** on the motion of Councillor Withers, seconded by Councillor Wells, that the resolution to exclude the public set out on page 1 of the supplementary agenda No. 2 be adopted.

CONFIRMED THIS 24TH DAY OF JULY 2008

MAYOR