

**MINUTES OF A MEETING OF THE CHRISTCHURCH CITY COUNCIL
HELD AT 9.30AM ON THURSDAY 29 MAY 2008**

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

1. APOLOGIES

An apology for absence was received and accepted from Councillor Buck.

2. CONFIRMATION OF MINUTES

COUNCIL MEETINGS OF 24.4.2008, 28.4.2008 AND 15.5.2008

It was **resolved** on the motion of Councillor Sheriff, seconded by Councillor Wall, that the open and public excluded minutes of the Council meeting held on Thursday 24 April 2008 be confirmed, subject to correcting a reference to leave of absence for Councillor Corbett.

It was **resolved** on the motion of Councillor Williams, seconded by Councillor Sheriff, that the open minutes of the Council meeting held on Monday 28 April 2008 be confirmed, subject to correcting the spelling of Sharon Torstonson.

It was **resolved** on the motion of Councillor Shearing, seconded by Councillor Reid, that the open and public excluded minutes of the Council meeting held on Thursday 15 May 2008 be confirmed.

3. DEPUTATIONS BY APPOINTMENT

Sam Strati, Deputy Chair, Grubb Cottage Heritage Trust, addressed the Council regarding clause 10 of the agenda. He spoke of the formation of the Trust and the importance of preserving the cottage and the land. He asserted that it is of significant importance to Christchurch and Canterbury as the original construction is on the first piece of land to be sold in New Zealand which had not been pre-purchased in England. The building is a primary link to the development of Lyttelton. The Trust are keen to work with the Council to preserve the heritage of Lyttelton and the cottage in particular and see this as a good way of encouraging tourism.

The deputation was considered in association with clause 10 of the agenda.

4. PRESENTATION OF PETITIONS

4.1 Councillor Button presented a petition from Mr Patel of 113 Hills Road and 585 others seeking parking availability outside his shop situated at 113 Hills Road.

It was **resolved** on the motion of Councillor Sheriff, seconded by Councillor Wells, that the petition be referred to staff for investigation.

4.2 Councillor Withers presented a petition from Barbara Purvis and 46 others requesting that the Council develop recessed parking (parking bays) in Sawyers' Arms Road to replace the equivalent amount of parking removed because of the introduction of turning lanes into Emmanuel Christian School and Cotswold Avenue, and the development of a pedestrian island outside the Papanui Club.

It was **resolved** on the motion of Councillor Withers, seconded by Councillor Button, that the petition be referred to staff for investigation.

10. GRUBB COTTAGE, LYTTTELTON

This report was considered at this stage of the meeting.

Councillor Johanson moved:

"That the Council:

(a) *Rescind that part of the resolution of the Council meeting of 30 March 2006:*

"(ii) negotiate and agree the terms and conditions of the proposed on-sale agreement between the Council as vendor and the Lyttelton Information Centre Trust (or such trust or entity that may be established to purchase, conserve and manage Grubb Cottage) as purchaser at the full purchase price paid by the Council".

And further resolve:

(b) *That the Christchurch City Council retain ownership of Grubb Cottage situated at 62 London Street, Lyttelton.*

(c) *That \$260,000 from the Council's anticipated 2007/08 operating surplus be applied to replenish the Historic Places Fund and to finance the purchase of Grubb Cottage under established operating procedures.*

(d) *That the provision of \$250,000 be made, with \$100,000 in the 2008/09 Annual Plan and \$150,000 in 2009/10 financial year, to fund the necessary conservation and stabilisation work to the buildings in line with the recommendations of the Conservation Plan prepared for the Council.*

(e) *That the future ongoing operating costs estimated at \$20,000 per annum also be developed and included within the 2009-19 LTCCP.*

(f) *That the Corporate Support Manager be granted delegated authority to negotiate with and enter into on behalf of the Council a formal Deed of Lease or a management agreement or such other arrangement as he shall consider appropriate in relation to Grubb Cottage with the Grubb Cottage Heritage Trust, on terms and conditions acceptable to him (including but not limited to such matters as the nature and extent of any use or activity to be undertaken to the Cottage and the ongoing management and use of the Cottage).*

The motion was seconded by Councillor Corbett.

Councillor Wells then moved by way of addition:

"(g) That the Council give urgent priority to developing a strategy for the retention of heritage buildings in our city."

The amendment was seconded by Councillor Broughton 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**.

That it be noted by officers that it be intended that it is a goal that the Trust acquire ownership of Grubb Cottage.

(Note: Councillor Reid declared an interest in respect to the above clause and retired from voting thereon.)

5. CENTRAL PLAINS WATER TRUST ISSUES

Councillor Sheriff moved:

“That the Council:

- (a) Receive the Trust's Annual Report for the year ending 30 June 2007.*
- (b) Receive the Trust's Financial Statements for the half year ending 31 December 2007.*
- (c) Receive the report by the Chair of the Trust for the quarter ending 31 December 2007.*
- (d) Receive the report by the Chair of the Trust for the quarter ending 31 March 2008.*
- (e) Receive the Trustees Draft Statement of Intent for the 2008/09 year and note that it does not wish to make comments on the Draft Statement of Intent.”*

The motion was seconded by Councillor Shearing and was then put to the meeting on a clause by clause basis.

Clauses (a) to (c) on being put to the meeting were declared **carried**.

Clause (d) on being put to the meeting was declared **carried**.

(Note: Councillor Williams requested that her abstention from voting on the motion be noted.)

Clause (e) on being put to the meeting was declared **carried**.

(Note: Councillors Helen Broughton and Yani Johanson asked that their votes against the motion be recorded.)

6. CENTRAL PLAINS WATER TRUST - REQUEST FOR INDEPENDENT REVIEW

It was **resolved** on the motion of Councillor Cox, seconded by Councillor Shearing, that the report be received, and the legal advice from Mr Barker be received, and that no further work be undertaken regarding the request for the independent review.

(Note: Councillor Johanson asked that his vote against the motion be recorded.)

7. CCC PERFORMANCE REPORT AS AT 30 APRIL 2008

It was **resolved** on the motion of Councillor Shearing, seconded by Councillor Reid, that the report be received.

8. CANTERBURY MUSEUM – DRAFT ANNUAL PLAN 2008-09

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

- (a) Note that it does not wish to make a submission on the Canterbury Museum Board's draft 2008/09 Annual Plan.
- (b) Authorise Councillor Button to represent the Council at a meeting of contributing authorities to be held on 9 June 2008.
- (c) Direct the Councillor representative to support the Museum's 2008/09 operating levies at the meeting to be held on 9 June 2008.
- (d) Congratulate the Canterbury Museum on its outstanding visitor ratings of 95 per cent.

9. LOCAL GOVERNANCE STATEMENT 2008: INCLUSION OF PRINCIPLES FOR GOVERNANCE AND DECISION-MAKING

Councillor Wells moved:

“That the Council adopt the Principles for Governance and Decision-making by Elected Members for inclusion in the Council’s 2008 Governance Statement.

The motion was seconded by Councillor Withers.

Councillor Wells then moved by way of addition:

“Amendment to Principles document

- 6) *Responsiveness to community needs - elected members are responsive to members of the community as their representative*
- 7) *Informed decision-making - Decisions are based on quality information and advice, and all relevant information is made available to elected members (including advice from Council staff) and is taken into account.”*

The amended was seconded by Councillor Williams 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**.

11. APPOINTMENT OF COUNCIL REPRESENTATIVE TO MUSIC CENTRE OF CHRISTCHURCH TRUST

It was **resolved** on the motion of Councillor Cox, seconded by Councillor Wall, that the appointment of a Council representative to the Music Centre of Christchurch Trust be delegated to the Mayor’s office.

12. APPOINTMENT OF ADDITIONAL MEMBER TO REGULATORY AND PLANNING COMMITTEE

It was **resolved** on the motion of Councillor Wells, seconded by Councillor Withers, that the Council appoint Councillors Mike Wall and Bob Shearing as additional members of the Regulatory and Planning Committee for the ensuing term.

13. MAYOR’S WELFARE FUND CHARITABLE TRUST

It was **resolved** on the motion of the Mayor, seconded by Councillor Williams, that Councillor Broughton be nominated as the Mayor’s representative and Chairperson of the Mayor’s Welfare Fund Committee.

14. HEARING PANEL REPORT ON THE PROPOSED PUBLIC PLACES BYLAW

It was **resolved** on the motion of Councillor Wells, seconded by Councillor Broughton, that the report lie upon the table.

15. HEARINGS PANEL REPORT ON THE REVOCATION OF THE BANKS PENINSULA DISTRICT COUNCIL NUISANCES BYLAW 1996

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

- (a) To revoke the Banks Peninsula Nuisances Bylaw 1996.
- (b) That the revocation takes effect from the date of the Council’s resolution.

16. HEARINGS PANEL REPORT ON THE PROPOSED WATER RELATED SERVICES BYLAW

It was **resolved** on the motion of Councillor Wells, seconded by Councillor Broughton, that the report lie upon the table.

**17. REPORT OF THE REGULATORY AND PLANNING COMMITTEE:
MEETING OF 8 MAY 2008**

(1) Proposed New Zealand Coastal Policy Statement 2008

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

- (a) Endorse the submission on the Proposed New Zealand Coastal Policy Statement 2008.
- (b) Acknowledge the input of Councillor Chrissie Williams and the Strategy and Planning team, in putting together the submission in a short timeframe.

Councillor Johanson expressed concern at the Council making a submission seeking deletion of Policy 20 regarding surf breaks of national significance. He noted that none of the suggested areas in Policy 20 were in the Christchurch City Area and as such questioned the mandate of Council to make a submission on this point when it had no direct impact on the city.

(2) Application for Change to City Plan No.37-Rezoning 458-464 Ferry Road

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

- (a) The Council agree to accept the plan change pursuant to Clause 25 of the 1st Schedule to the Resource Management Act 1991 and publicly notify it accordingly.
- (b) In accordance with Council policy the cost of processing the plan change be at the applicant's expense.

Councillor Wells then moved by way of addition:

“(c) That the Council request information on the process by which the Council audits traffic counts for major and minor arterial roads.”

The amendment was seconded by Councillor Johanson and when 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**.

(3) Miscellaneous Delegations

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

- (a) Delegate to its Chief Executive all of its powers under the Dog Control Act 1996 other than the powers under:
 - (i) section 6(2)(b) (to make grants)
 - (ii) section 7 (to appoint joint committees for the purposes of the Act)
 - (iii) section 10 (to adopt policy on dogs)
 - (iii) section 16(2) (to enter into an agreement with any other territorial authority in respect of dog control services)
 - (iv) section 20 (to make bylaws)
 - (v) section 22 (to hear and determine an objection to a classification as a probationary owner)
 - (vi) section 23 (to terminate a probationary owner classification)
 - (vii) section 26 (to hear and determine an objection to the disqualification of an owner)
 - (viii) section 31 (to hear and determine an objection to a classification of a dog as dangerous)

- (ix) sections 33B and 33D (to hear and determine an objection to a classification of a dog as menacing)
 - (x) sections 37 and 68 (to set fees)
 - (xi) section 55(3) (to determine an objection to a notice issued under section 55(1) in respect of a barking dog)
 - (xii) section 67 (to enter into an agreement with another territorial authority for the provision of pound facilities)
- (b) Delegate to its Chief Executive its powers to institute any prosecution for an offence against the Dog Control Act 1996, together with the power to make any decision pertaining to any such prosecution.
 - (c) Delegate to its Chief Executive all of its powers under the Christchurch City Council Trade Waste Bylaw 2006, the Christchurch City Licensed Waste Handling Facilities Bylaw 2007, and the Christchurch City Urban Fire Safety Bylaw 2007 except the power to set fees under the provisions of those bylaws.
 - (d) Delegate to its Chief Executive its powers to institute any prosecution for an offence against the Christchurch City Council Trade Waste Bylaw 2006, the Christchurch City Licensed Waste Handling Facilities Bylaw 2007, and the Christchurch City Urban Fire Safety Bylaw 2007, together with the power to make any decision pertaining to any such prosecution.
 - (e) Delegate to its Chief Executive its powers under section 139 of the Animal Welfare Act 1999.
 - (f) Delegate to its Chief Executive all of its powers under sections 171 (General powers of entry), 172 (Power of entry for enforcement purposes) and 173 (Power of entry in cases of emergency) of the Local Government Act 2002.

(4) The Revocation of the Banks Peninsula Amusement Devices and Shooting Galleries Bylaw 1996, the Banks Peninsula Public Swimming Pools Bylaw 1972, and the Christchurch City Bylaw No 103 (1979) Public Swimming Pools

It was **resolved** on the motion of Councillor Reid, seconded by Councillor Wells, that the Council confirm its intention and allow the Banks Peninsula Amusement Devices and Shooting Galleries Bylaw 1996, the Banks Peninsula Public Swimming Pools Bylaw 1972, and the Christchurch City Bylaw No 103 (1979) Public Swimming Pools to be automatically revoked on 1 July 2008, in accordance with section 293(3) of the Local Government Act 2002.

(5) Timetable and Process for Upcoming Bylaws

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

- (a) Endorse the process and timeline attached to the report as Appendix A for the review of the Refuse Bylaw, Brothels Location and Signage Bylaw.
- (b) Endorse the process and timeline attached as Appendix B for review of the Alcohol Policy, Liquor Control Bylaw and to consider other measures (regulatory and non-regulatory) the Council could adopt to address liquor related behavioural problems.
- (c) Appoint three subcommittees with the following terms of reference:

Refuse Bylaw Subcommittee

Membership: Councillors Buck, Reid, Shearing, Wall, Wells and Williams

To work with staff to carry out the initial review of the Refuse Bylaw and to present a draft bylaw to the Regulatory and Planning Committee for consideration.

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Brothels Location and Signage Bylaw Subcommittee

Membership: Regulation and Planning Committee

To work with staff to carry out the initial review of the Brothels Location and Signage Bylaw and to present a draft bylaw to the Regulatory and Planning Committee for consideration.

Alcohol Policy and Liquor Control Bylaw Subcommittee

Membership: Regulation and Planning Committee

To work with staff to carry out the initial review of the Alcohol Policy and Liquor Control Bylaw, and consider other measures (regulatory and non-regulatory) the Council could adopt to address liquor related behavioural problems and make recommendations to the Regulatory and Planning Committee.

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

18. NOTICES OF MOTION

Nil.

19. QUESTIONS

Nil.

20. RESOLUTION TO EXCLUDE THE PUBLIC

It was **resolved** on the motion of the Mayor, seconded by Councillor Withers, that the resolution to exclude the public set out on page 365 of the agenda be adopted.

24. CONCLUSION

The meeting concluded at 12.56pm

CONFIRMED THIS 26TH DAY OF JUNE 2008

MAYOR