

**MINUTES OF A MEETING OF THE CHRISTCHURCH CITY COUNCIL
HELD AT 9.30AM ON THURSDAY 24 APRIL 2008**

PRESENT: Councillor Norm Withers (Acting Chairperson).
Councillors Helen Broughton, Sally Buck, Ngaire Button, David Cox, Yani Johanson,
Claudia Reid, Bob Shearing, Gail Sheriff, Mike Wall, Sue Wells, Chrissie Williams.

1. APOLOGIES

Apologies for absence were received and accepted from the Mayor and Councillor Barry Corbett.

The meeting then stood for a moments silence in memory of Marie Davies.

2. CONFIRMATION OF MINUTES

COUNCIL MEETING OF 27 MARCH 2008

It was **resolved** on the motion of Councillor Cox, seconded by Councillor Withers, that the minutes of the open Council meeting held on Thursday 27 March 2008 be confirmed, subject to noting that leave of absence had been granted for Councillor Barry Corbett for the Council meeting of 10 April 2008.

COUNCIL MEETING OF 10 APRIL 2008

It was **resolved** on the motion of Councillor Wells, seconded by Councillor Buck, that the minutes of the open Council meeting held on Thursday 10 April 2008 be confirmed.

3. DEPUTATIONS BY APPOINTMENT

John Leenan - Access 8a Waitikiri Drive

Mr Leenan spoke regarding access to his property at 8a Waitikiri Drive and his request that the Council grant him access via the stopped road at the rear of his property, which forms part of the Bottle Lake Forest. In addition he tabled a handout giving further background to his request.

He advised he was now living in a new house at the rear of the property and that for a number of reasons access via Waitikiri Drive was not now desirable. He therefore sought approval from the Council to use the stopped road adjoining the rear of his property for access.

The opportunity was taken to ask Mr Leenan questions regarding the building consent previously granted to him for the erection of the new house and the difficulties associated with access via Waitikiri Drive.

The submission from Mr Leenan was considered in association with clause 5 of the agenda.

Christchurch Civic Trust – Aidanfield Farm Buildings

Mr Ian Clarke and Mr John Wilson, from the Christchurch Civic Trust, spoke to the report contained in the agenda on the Aidanfield Farm Buildings. Mr Clarke also tabled a handout for the information of members. He commented that in his view the comments made by staff supported the retention and purchase of the buildings and financial provision should have been made at an earlier date for the acquisition of these.

Mr Clarke advised the Christchurch Civic Trust was willing to work with the Council in respect to retention of the buildings and that he did not think the original Council resolution of 20 September 2007 had been acted upon.

Mr Wilson drew attention to the high heritage value of the buildings and restated the view that both the Civic Trust and Historic Places Trust should be involved in a partnership with the Council in retaining these.

Halswell Residents' Association – Aidanfield Farm Buildings

Mr Ron Fensom, Chairman, Halswell Residents' Association, spoke regarding the Aidanfield Farm Buildings. He commented that in his view the staff comments supported retention of the farm buildings, and that the community was interested in this project and were supportive. After restoration the buildings could be used for purposes in keeping with their original agricultural past and could also form part of a tourist trail. Retention was supported by the Community Board, Civic Trust and Historic Places Trust and he would request that the Council respond positively to these requests for retention and restoration.

Mr Malcolm Duff, Historic Places Trust – Aidanfield Farm Buildings

Mr Duff reiterated the comments made by Mr Ian Clarke regarding the establishment of a working group to consider options to save the farm buildings. He advised that in his view they were extremely important as examples of the previous agricultural economy of Christchurch. He felt that in addition to the buildings the land abutting these should also be purchased. There was a need for the buildings to be utilised in the long term so as not to cause future problems regarding maintenance and upkeep. He felt future usage should be compatible with their former rural use, such as a garden centre etc. There was a need for both the community and the Council to work together to find a practical and innovative solution to their retention and restoration.

The comments from the deputations in respect to the Aidanfield farm buildings were considered in association with clause 14 of the agenda.

Ms Wanda Shaw – Ruapuna Noise

On the motion of Councillor Withers, seconded by Councillor Broughton, it was **resolved** that in terms of Standing Orders, clause 2.13.1.1 approval be given to the deputation by Ms Shaw.

Ms Shaw spoke to the item on the agenda regarding Ruapuna noise and advised that she felt the report was very thorough. She commented that a number of residents within the area affected by noise had lived there for 40-45 years and their community had hosted a motor-racing track for some time. In her view, it was mainly since 2004 that the noise issue had risen to significance as a result of the increase in the frequency of motor-racing and the associated increase in noise levels, which had now made this a significant problem for local residents.

She advised that she wished to see a return to the noise levels which had existed in the 2003/04 years.

The deputation from Ms Shaw was considered in association with clause 15 of the agenda.

4. PRESENTATION OF PETITIONS

Nil.

5. REVOKING DELEGATED AUTHORITY

Councillor Sheriff moved:

- “(a) That the Council revoke the delegated authority to allow consent easements in respect of Council owned property, leaving the other aspects of the delegation in place.*
- “(b) That the Council immediately redelegate that authority with the exception of the Council's interest in the land over which the right of way easement being sought (contained in Certificate of Title 348/274).*
- “(c) That the Council grant consent to the right of way easement over the Council's land.*
- “(d) That the decision comply with the consultation decision-making obligations set out in the Local Government Act and that all costs incurred will be paid by the applicant of Waitikiri Drive.”*

The motion was seconded by Councillor Cox, and on being put to the meeting was declared **lost**.

Councillor Helen Broughton then moved:

“That the Council resolve to confirm the decision made under delegation by the Corporate Support Manager in respect to an application for access over Council-owned land, to the property at 8 Waitikiri Drive, Christchurch.”

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

(Note: Councillors Cox and Sheriff requested that their vote against the above motion be recorded.)

**6. CHRISTCHURCH CITY HOLDINGS LIMITED –
DRAFT STATEMENT OF INTENT FOR YEAR ENDING 30 JUNE 2009**

Councillor Sheriff moved:

“That the Council:

- (a) Receive the draft Statement of Intent for CCHL.*
- (b) Decide whether or not to make any comments to CCHL regarding the draft 2008/09 Statement of Intent.”*

The motion was seconded by Councillor Cox.

Councillor Williams then moved by way of amendment:

“(b) That the Council ask CCHL to consider the following changes to the Statement of Intent:

- (i) page 42 objective 3: add the words “and community benefits”*
- (ii) page 43 clause 2: add “ that investments be only in New Zealand and Australia”*
- (iii) page 42, objective 6: “CCHL will encourage its subsidiaries to adopt a sustainable approach to the running of their businesses.”*

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

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

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

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

(Note: Councillor Sheriff requested that her vote against the motion be noted.)

Clause (b)(ii) on being put to the meeting was declared **lost** on division number 1 by 7 votes to 3, the voting being as follows:

Against (7): Councillors Buck, Button, Cox, Reid, Sheriff, Wall and Withers.

For (3): Councillors Broughton, Johanson and Williams.

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

The motion as amended as above was then adopted.

(Note: Councillors Shearing and Wells declared an interest in respect to the above clause and retired from voting and discussion thereon.)

7. CCHL AND V-BASE GROUP HALF YEARLY REPORT TO 31 DECEMBER 2007, STATEMENT OF INTENT FOR CIVIC BUILDING LTD FOR 2007/08, AND SUBSIDIARY STATEMENTS OF INTENT FOR 2008/09

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

- (a) Receive the CCHL half year report to 31 December 2007 for the parent company and the group, and also the half year reports of the Vbase group of companies.
- (b) Agree to the Statement of Intent for Civic Building Ltd for the year ending 30 June 2008.
- (c) Receive the draft Statements of Intent for the CCHL subsidiary and associate companies and the draft Statements of Intent for the Council owned subsidiaries.
- (d) Agree to the Statements of Intent with the following change:
 - (i) That CCHL ask Vbase to include in the SOI a statement on community access and affordability to Vbase facilities.
- (e) Express concern through CCHL about the Selwyn Plantation Board continuing with farming operations.
- (f) Ask for confirmation from the Selwyn Plantation Board that the contracting out of forestry management and outsourcing of administration comply with objective 2.1.1.6.
- (g) Ask for confirmation from the Selwyn Plantation Board that the company still complies with FSC certification with the change to farming.
- (h) That CCHL provide an update from Selwyn Plantation Board on performance against objectives 2.1.1.1 to 2.1.1.9.

(Note: Councillors Cox, Sheriff and Williams declared an interest in respect to the above clause and retired from voting and discussion thereon.)

8. MAYOR'S WELFARE FUND CHARITABLE TRUST

It was **resolved** on the motion of Councillor Wells, seconded by Councillor Reid, that the Council, as Trustee of the Mayor's Welfare Fund Charitable Trust, and with effect from the date of this resolution, resolves:

- (a) That pursuant to clause 12 of the Mayor's Welfare Fund Charitable Trust Deed dated 7 September 1992 that the said Trust Deed be altered as follows:
 - (i) By deleting in clause 4.8(a)(ii) the words "the Mayor of Christchurch City for the time being" and substituting them with the words "the Mayor of the City of Christchurch for the time being, or where the Mayor declines to accept such appointment or wishes to discontinue such appointment, such other person as shall be appointed by the Christchurch City Council PROVIDED THAT where the Christchurch City Council shall appoint such other person as aforesaid that person shall hold office as a member of the Committee at the pleasure of the Christchurch City Council, but shall in any event vacate office within three months of the expiry date of the term of office of the Christchurch City Council which appointed that nominee"; and
 - (ii) By deleting in clause 4.8A.4(a) the words "The chairperson of the Committee shall be the Mayor of Christchurch ex officio" and substituting them with the words "The chairperson of the Committee shall be the Mayor of the City of Christchurch for the time being ex officio or where the Mayor declines to accept such appointment or wishes to discontinue such appointment then the chairperson of the Committee shall be that person appointed by the Christchurch City Council as a member of the Committee in the Mayor's place pursuant to clause 4.8(a)(ii) of this Deed and that person shall hold office as chairperson of the Committee for so long as that person shall hold office as a member of the Committee".

- (iii) By adding in clause 4.8A.4(b) the words “or the chairperson appointed pursuant to clause 4.8A.4(a)” after the word “Mayor”.
 - (iv) By deleting in clause 4.8(a)(i) the word “welfare” where ever it appears in that clause.
 - (v) By adding in the first line of clause 4.8(a) the words “or to any officer or employee of the Trustee” after the word “Committee”.
 - (vi) By deleting clause 15.
- (b) That pursuant to clause 4.8(a)(i) of the Mayor’s Welfare Fund Charitable Trust Deed dated 7 September 1992 (as amended as above) that the following groups be selected to nominate from time to time one person each as a member of the Mayor’s Welfare Fund Charitable Trust Committee:
- Age Concern
 - Salvation Army
 - Catholic Social Services
 - Christchurch City Mission
 - Home and Family Christchurch Inc
 - Barnardos
 - Methodist Mission
 - Ministry of Social Development – Work and Income
 - Prisoners Aid and Rehabilitation
 - Refugee and Migrant Community
 - Presbyterian Support
 - St Vincent de Paul
 - Maori Community
 - Pacific Community
- (c) That pursuant to clause 4.8(a) of the Mayor’s Welfare Fund Charitable Trust Deed dated 7 September 1992 (as amended above) the Council’s powers under clauses 4.1 to 4.6 inclusive be delegated to any two of the persons as shall hold from time to time the following Council officer positions:
- General Manager Corporate Services
Corporate Finance Unit Manager
Senior Financial Accountant
Financial Accountant
- (d) That pursuant to clause 5.9 of the Mayor’s Welfare Fund Charitable Trust Deed dated 7 September 1992 the persons holding the following Mayor’s Welfare Fund Charitable Trust and Council elected and officer positions from time to time be formally granted delegated authority and authorised to be signatories of the Mayor’s Welfare Fund Charitable Trust’s bank account:
- Mayor of the City of Christchurch
 - Chairperson of the Mayor’s Welfare Fund Charitable Trust Committee
 - General Manager Community Services
 - Community Support Unit Manager
 - Community Development Manager
 - Assistant Management Accountant
 - Team Leader Community Grants Funding

PROVIDED THAT the signatures of any two of the above persons shall be required to operate the Mayor’s Welfare Fund Charitable Trust’s bank account.

- (e) That all previous authorities in respect of the Mayor’s Welfare Fund Charitable Trust’s bank account are hereby cancelled.

(Note: Councillor Sheriff requested that her vote against the above motion be recorded.)

9. CLEANFILL LICENSING BYLAW 2008

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

- (a) That the Statement of Proposal and Summary of Information for the draft Christchurch City Cleanfill Licensing Bylaw 2008 be consulted on further, using the special consultative procedure, during the period 14 May to 18 June 2008 and that they be made available for public inspection at the Council's principal offices at 163-173 Tuam Street, Christchurch, on the Council's website, or by emailing zp@ccc.govt.nz or telephoning the Council on 941 8999, for a copy.
- (b) That the Statement of Proposal be publicly notified on or before 14 May 2008 and that it be distributed to the same cleanfill site operators and organisations as it was distributed to in the previous consultation period, as well as to the cleanfill site operators on Banks Peninsula, with an explanatory note regarding the need for the further period of consultation.

10. INTERIM GLOBAL STORMWATER RESOURCE CONSENT

This clause was withdrawn.

11. CHRISTCHURCH BOTANIC GARDENS CENTRE

Councillor Williams moved that the Council:

- (a) *Appoint an assessment panel consisting of a Chairperson, the Transport and Greenspace Manager, Botanic Gardens Operations Manager, Botanic Gardens Curator, an architect, a landscape architect and Councillors Broughton and Williams to run a design competition for:*
 - (i) *A new combined visitor centre/staff facility at the Botanic Gardens within a budget of \$8million (excluding fees and temporary access).*
 - (ii) *The location of both the facility at the gardens and the site and design of a possible bridge across the river.*
- (b) *Construct a temporary bridge across the river at the site identified by the winning designer.*
- (c) *Note that if approved during the LTCCP process, the temporary bridge will be replaced by a permanent structure.*
- (d) *Request the panel to shortlist consultants to participate in the design competition.*
- (e) *Invite those successful to provide a design for a green building to the highest possible standard within budget.*
- (f) *Request the panel to recommend to the Council the preferred design concept.*

The motion was seconded by Councillor Johanson.

Councillor Broughton then moved by way of amendment:

"That the Council request the panel to place before the Council the shortlisted design concepts with the recommended options."

The movement was seconded by Councillor Button and on being put to the meeting was declared carried.

Councillor Wells then moved by way of further amendment:

"That the report lie on the table in the interim."

The amendment was seconded by Councillor Broughton and on being put to the meeting was declared **lost** on division number 2 by 7 votes to 5, the voting being as follows:

Against (7): Councillors Buck, Cox, Reid, Shearing, Sheriff, Wall and Williams

For (5): Councillors Broughton, Button, Johanson, Wells and Withers

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

(Note: Councillor Wells requested that her vote against the substantive motion be recorded.)

12. CHRISTCHURCH CITY COUNCIL GRAFFITI OFFICE

Councillor Sheriff moved:

"That the Council:

- (a) *Approve the establishment of a Christchurch City Council Graffiti Office to be implemented in 2008.*
- (b) *Approve the transfer of \$150,000 from the Transport and Greenspace budget to the Community Support Unit budget from 1 July 2008.*
- (c) *Approve staff to submit a funding application requesting \$200,000 for three years from the Ministry of Justice to assist with the establishment of the Graffiti Office."*

The motion was seconded by Councillor Johanson.

Councillor Sheriff then moved by way of addition:

"(d) That the establishment of a Christchurch City Council Graffiti Office to be implemented in 2008 be subject to receipt of additional funding of \$350,000 from Orion, NZ Rail and Ministry of Justice as detailed in the report."

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

The original recommendation was then put to the meeting and declared **carried**.

The meeting then expressed its appreciation to the staff and external representatives who had been involved with the project.

13. BORROWING FOR NEW CIVIC BUILDING PROJECT AND CAPITAL WORKS

Councillor Shearing moved:

"That the Council resolve to:

- (a) *Borrow \$102 million on the usual terms and conditions available to the Council in respect of external borrowing, in accordance with the Liability Management Policy.*
- (b) *Advance \$56 million to Civic Building Limited on terms which match, as far as practicable, the same terms on which the Council has borrowed externally, plus a margin to cover administrative costs.*
- (c) *Subscribe for redeemable preference shares issued by Civic Building Limited to a value of \$6 million.*
- (d) *Authorise the General Manager Corporate Services and the Corporate Finance Manager (jointly) to approve the detailed terms and conditions of the funding transactions, including the subscription for shares, and to enter into all documentation required to complete those transactions.*

(e) Amend the Council minutes of 16 August 2007, resolution 7, as follows:

- (i) Delete clause (e)(ii); and
- (ii) Delete the words "and (ii)" from clause (e)(iii)."

The motion was seconded by Councillor Wall and on being put to the meeting was declared **carried** on division number 3 by 9 votes to 3, the voting being as follows:

For (9): Councillors Buck, Button, Cox, Reid, Shearing, Sheriff, Wall, Wells and Withers.

Against (3): Councillors Broughton, Johanson and Williams.

14. AIDANFIELD FARM BUILDINGS

Councillor Johanson moved:

"That the Council:

- (a) *Grant delegated authority to the Corporate Support Manager to negotiate and enter into an agreement for the purchase of the granary and shearing shed buildings and associated land at 20 Nash Road, Christchurch as a historic reserve under the Reserves Act 1977 on such terms and conditions as he shall see fit (including the acceptance of an obligation on the part of the Council to restore those buildings within an agreed period of time at its cost) to be funded from the Regional Reserves budget.*
- (b) *Approve the classification of the land area associated with the granary and shearing shed farm buildings as an historic reserve under s18 of the Reserves Act 1977.*
- (c) *Approve additional unbudgeted funding over the 2007/08 and 2008/09 financial years of up to \$752,000 to restore the Aidanfield farm buildings.*
- (d) *Approve additional ongoing budget of \$5,000 per annum for the maintenance of the restored structures.*
- (e) *Instruct officers to seek a consent order with appellants to allow for the retention of the Aidanfield farm buildings as heritage buildings to be owned by the Christchurch City Council."*

The motion was seconded by Councillor Williams and on being put to the meeting was declared **lost** on division number 4 by 8 votes to 4, the voting being as follows:

Against (8): Councillors Buck, Button, Cox, Reid, Sheriff, Wall, Wells and Withers.

For (4): Councillors Broughton, Johanson, Shearing and Williams.

Councillor Button then moved:

- "(a) That the Council not purchase land in the Aidanfield Stage 7 subdivision for the purpose of the retention of the heritage farm buildings at 20 Nash Road.*
- (b) That the Council continue to oppose the appeal lodged by the Halswell Residents' Association and Environment Canterbury which seeks the retention of all of the Aidanfield farm buildings.*
- (c) That the Council allocate an unbudgeted sum of \$75,000 to design and install a usable structure with information recording the history of the area using some materials and artifacts from the existing Aidanfield farm site.*
- (d) That this memorial structure should be installed on the adjacent cemetery site.*
- (e) That the design and content of the memorial be approved by the Riccarton/Wigram Community Board in consultation with appropriate staff and the local community."*

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

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

(Note: Councillors Broughton, Johanson and Williams requested that their votes against the above motion be recorded.)

Clause (b) on being put to the meeting was declared **carried** on division number 5 by 8 votes to 4, the voting being as follows:

For (8): Councillors Button, Cox, Reid, Shearing, Sheriff, Wall, Wells and Withers.

Against (4): Councillors Broughton, Buck, Johanson and Williams.

Clauses (c), (d) and (e) on being put to the meeting were then declared **carried**.

(Note: Councillor Johanson requested that his vote against clauses (c), (d) and (e) be recorded, and Councillor Williams abstained from voting in respect to these clauses.)

Councillor Williams then moved in terms of Standing Orders clause 27.1, that a one hour extension of time be granted. The motion was seconded by Councillor Withers and on being put to the meeting was declared **carried**.

15. THE RUAPUNA PARK NOISE ENVIRONMENT

Councillor Shearing moved:

“(a) That the report be received.

(b) That the Council establish a working party comprising Councillors Broughton, Shearing, Wall and Wells and the Chairperson of the Riccarton/Wigram Community Board to:

(1) Meet with lessees of Ruapuna Park to discuss the implications of the Marshall Day Acoustics Report.

(2) Meet with local residents to discuss the implications of the Marshall Day Acoustics Report.

(3) Develop recommendations to the Council by the end of July 2008 for noise mitigation measures including:

(i) Any potential for measures at the track.

(ii) Land acquisition of some or all of the 24 most affected properties.

(iii) Noise attenuation of some or all of the 24 most affected properties.

(c) That the outcomes of the Working Party’s deliberations be fed into a Section 32 assessment for a plan change specific to Ruapuna and that the Section 32 assessment should also include imposing a greater separation distance to residential activities.

(d) That it be noted that current legal advice is that it is unlikely that any enforcement order would be granted by the Environment Court or an abatement notice being upheld by the Environment Court.

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

16. REPORT OF THE REGULATORY AND PLANNING COMMITTEE: MEETING OF 3 APRIL 2008 - FURTHER SUBMISSIONS ON VARIATION 6 (CHRISTCHURCH GROUNDWATER PROTECTION ZONES) TO THE PROPOSED NATURAL RESOURCES REGIONAL PLAN

It was **resolved** on the motion of Councillor Wells, seconded by Councillor Buck, that the Committee's report be adopted.

17. NOTICES OF MOTION

Nil.

18. QUESTIONS

Nil.

19. RESOLUTION TO EXCLUDE THE PUBLIC

It was **resolved** on the motion of Councillor Sheriff, seconded by Councillor Cox that the resolution to exclude the public contained on page 552 of the agenda be adopted.

25. VISIT OR DEPUTY MAYOR TO CHRISTCHURCH ENGLAND – MAY 2008

This clause was taken at the conclusion of the public excluded section of the meeting. Councillor Withers declared an interest in respect to this item and on the motion of Councillor Withers, seconded by Councillor Wells, the chair was assumed by Councillor Shearing.

It was then **resolved** on the motion of Councillor Cox, seconded by Councillor Buck that the Council grant approval for the Deputy Mayor, Councillor Norm Withers, to visit Christchurch, England as the official representative of the Council and for his expenses to be met as detailed in the report.

CONFIRMED THIS 29TH DAY OF MAY 2008

MAYOR