

**MINUTES OF A MEETING OF THE CHRISTCHURCH CITY COUNCIL
HELD AT 9.30AM ON THURSDAY 22 OCTOBER 2009**

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



1. LEAVE OF ABSENCE

It was **resolved** on the motion of the Mayor, seconded by Councillor Corbett, that leave of absence be granted to Councillor Chrissie Williams for the period from 16 November 2009 to 22 January 2010, to complete a Post-Graduate Certificate.

2. CONFIRMATION OF MINUTES

COUNCIL MEETING OF 24 SEPTEMBER 2009

It was **resolved** on the motion of the Mayor, seconded by Councillor Withers, that the open minutes of the Council meeting held on Thursday 24 September 2009 be confirmed.

3. DEPUTATIONS BY APPOINTMENT

Donna Allfrey from Avon Loop addressed the Council regarding clause 14.1 District Plan Work Programme to advocate for the protection of Special Amenity Areas.

8. ANNUAL REPORT

Item 8 was taken at this stage of the meeting.

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

- (a) Adopt the 2009 Annual Report as presented.
- (b) Authorise the General Manager Corporate Services to make changes as required for publishing the Annual Report.
- (c) Authorise the General Manager Corporate Services to produce and publish the Annual Report and Summary Annual Report within the statutory timeframes.
- (d) Authorise the transfer of the balance of the 2009 cash operating surplus of \$1,571,160 million to the debt repayment reserve to be used immediately to fund capital expenditure in lieu of borrowing.

4. PRESENTATION OF PETITIONS

Nil.

5. ADOPTION OF SCHEDULE OF MEETINGS 2010

It was **resolved** on the motion of Councillor Sheriff, seconded by Councillor Wall, that the Council adopt the schedule of meetings attached to this report in the agenda.

6. CHRISTCHURCH CITY HOLDINGS LTD - NOTICE OF DATE OF ANNUAL GENERAL MEETING AND APPOINTMENT OF PROXY

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

- (a) Note the date of Christchurch City Holdings Annual General Meeting.
- (b) Appoint Councillor Cox to vote at the Annual General Meeting.

7. ART GALLERY – CHALLENGE GRANTS SCHEME AGREEMENT

It was **resolved** on the motion of Councillor Reid, seconded by Councillor Cox, that the Council grant to the General Manager Community Services the delegated authority:

- (a) To negotiate and agree on terms and conditions acceptable to him an agreement with the Christchurch Art Gallery Trust to implement the Challenge Grants Scheme specified in the 2009-2019 LTCCP.
- (b) To manage and administer the Council's rights and obligations under that agreement.

9. REPORT BY THE CHAIRPERSON OF THE FENDALTON/WAIMAIRI COMMUNITY BOARD REALIGNMENT OF POUND ROAD AND ROAD STOPPING – AIRPORT RUNWAY EXTENSION

Val Carter, Chairperson, joined the table for the discussion of this item.

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

- (a) The realignment of Pound Road from Savills Road to McLeans Island Road as shown in the attached plan.
- (b) The sale of an area of land as shown on the attached plan marked "A", by way of land exchange.

(Note: The Board requested that the proposed design for the realignment of Pound Road comes to the Board for input prior to its finalisation.)

10. DRAFT PUBLIC OPEN SPACE STRATEGY 2010-2040

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

- (a) Approve the Draft Public Open Space Strategy for public consultation.
- (b) Establish a Hearings Panel comprising Councillors Reid (Chairperson) Broughton, Corbett, Williams and Wall to hear public submissions and recommend changes to the draft strategy to the Council.

11. PROPOSED CHARITABLE TRUST TO OPERATE THE WORLD BUSKERS FESTIVAL – PART ONE

This item was withdrawn from the agenda.

12. SUBMISSION ON THE LAW COMMISSIONS REPORT ENTITLED "ALCOHOL IN OUR LIVES"

The Mayor moved, seconded by Councillor Wells:

That the Council endorse the submission on the Law Commissions report entitled "Alcohol in our lives".

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Councillor Corbett moved by way of amendment:

That the time referred to in section 5.21 of the submission be amended to 2am.

The amendment was seconded by Councillor Johanson and when put to the meeting was declared **carried** on division No. 1 by 8 votes to 6, the voting being as follows:

For (8): Councillors Broughton, Corbett, Cox, Johanson, Reid, Wells, Withers and the Mayor.

Against (6): Councillors Buck, Button, Shearing, Sheriff, Wall and Williams.

The amendment was then put as part of the substantive motion and declared **carried**.

It was **resolved** unanimously, on the motion of the Mayor, seconded by Councillor Wells, that the Council endorse the amended submission on the Law Commission's report entitled "Alcohol in our lives".

19. METROPOLITAN DISCRETIONARY RESPONSE FUND APPLICATION – OCTOBER 2009

Item 19 was taken at this stage of the meeting.

It was **resolved** on the motion of the Mayor, seconded by Councillor Broughton, that the Metropolitan Funding Committee approve the request from Surf Life Saving Canterbury for a grant of \$32,000 from the Metropolitan Discretionary Response Fund.

Councillor Withers took no part in the discussion or voting on this item.

13. REPORT OF THE REGULATORY AND PLANNING COMMITTEE: MEETING OF 1 OCTOBER 2009

1. ADOPTION OF REPORT ON DOG CONTROL POLICY AND PRACTICES 2008/09

It was **resolved** on the motion of Councillor Wells, seconded by Councillor Buck, that the Council adopt the Christchurch City Council Report on Dog Control Policy and Practice for 2008/09, pursuant to Section 10A of the Dog Control Act 1996 as attached in the agenda.

2. DISTRICT PLAN WORK PROGRAMME 2009-2010

Please refer to item 14 of these minutes.

3. SUBMISSION ON THE PROPOSED PLAN CHANGE 1 WAIMAKARIRI RIVER REGIONAL PLAN

It was **resolved** on the motion of Councillor Wells, seconded by Councillor Button, that the Council endorse the submission on Proposed Plan Change 1 to the Waimakariri River Regional Plan as attached in the agenda.

4. CORRECTION OF ERROR AND APPROVAL OF CHANGES TO PROVISIONS IN THE CITY PLAN

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

1. Without further formality, and pursuant to clause 16(2) of the First Schedule to the Resource Management Act 1991, amend the Christchurch City Plan by deleting Table 3 in rule 2.4.5 in Part 6 of the City Plan and substituting the following table:

<u>Column A</u> <u>Area to which</u> <u>minimum ground</u> <u>levels apply (as shown</u> <u>on plan in Appendix</u> <u>3b)</u>	<u>Column B</u> <u>Grid reference (NZMS Grid)</u>		<u>Column C Minimum</u> <u>finished ground</u> <u>level (metres above</u> <u>mean sea level)</u>
	<u>Northing</u>	<u>Easting</u>	
<u>RC5 – A</u> <u>Westernmost extent</u> <u>Easternmost extent</u>	<u>5751420 N</u> <u>5751719 N</u>	<u>2477660 E</u> <u>2477909 E</u>	<u>12.05</u> <u>11.9</u>
<u>RC5 – B</u> <u>Westernmost extent</u> <u>Easternmost extent</u>	<u>5751568 N</u> <u>5751870 N</u>	<u>2478180 E</u> <u>2478449 E</u>	<u>11.07</u> <u>10.46</u>
<u>RC5 – C</u> <u>Westernmost extent</u> <u>Easternmost extent</u>	<u>5751034 N</u> <u>5751611 N</u>	<u>2478238 E</u> <u>2478525 E</u>	<u>12.85</u> <u>10.40</u>
<u>RC6</u>	<u>5751014 N</u>	<u>2477695 E</u>	<u>13.8</u>

- 2(a) Approve, pursuant to clause 17(2) of the First Schedule to the Resource Management Act 1991, the changes to City Plan provisions set out in the documents attached to this report as Appendices 1, 3, 4 and 5.
- 2(b) Approve, pursuant to clause 17(2) of the First Schedule to the Resource Management Act 1991, the changes to City Plan provisions set out in Appendix 2 attached to this report, subject to the substitution of Table 3 in rule 4.2.5 in Part 6 in Appendix 2 by the table set out in recommendation (a) above.
- 2(c) Authorise the General Manager, Strategy and Planning to determine the date on which the changes to plan provisions become operative.

Note. Councillor Williams declared an interest in Appendix 3 and took no part in the discussion on related matters and voting on recommendation 2(b). plan change 27.

5. **RESOURCE MANAGEMENT (SIMPLIFYING AND STREAMLINING) AMENDMENT BILL 2009 – DELEGATION OF POWERS**

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

- (a) Approve the new delegations and amended delegations set out in the above tables 1-3 with the following amendments:
- i. Table 1: Delegations (zo), (zp) and (zy) to be delegated to the Council.
 - ii. Table 1: Update reference regarding delegation (zo) from section 145(1) of the Resource Management Act to section 142(1).
 - iii. Table 1: Update reference regarding delegation (zx) from section 145(1) of the Resource Management Act to section 149(F).
 - iv. Table 2: Delegation (j) regarding section hearings and decisions under section 357A of the Resource Management Act to be delegated to the Resource Management Officer Subcommittee.
- (b) Confirm all existing delegations made by the Council under the Resource Management Act 1991, as recorded in the attached document.
- (c) Agree that the Regulatory and Planning Committee review the governance structure of and delegations to the Council Hearings Panel.

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

**14. REPORT OF THE REGULATORY AND PLANNING COMMITTEE:
MEETING OF 9 OCTOBER 2009**

Councillor Wells moved, seconded by Councillor Shearing:

That the Council adopt the 2009/2010 District Plan work programme as attached in the agenda.

On being put to the meeting the motion was declared **carried** on division No. 2 by 13 votes to 1, the voting being as follows:

For (13): Councillors Broughton, Buck, Button, Corbett, Cox, Reid, Shearing, Sheriff, Wall, Wells, Williams, Withers and the Mayor.

Against (1): Councillor Johanson.

15. NOTICES OF MOTION

Nil.

16. 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 95 of the agenda be adopted.

CONFIRMED THIS 26TH DAY OF NOVEMBER 2009

MAYOR