

# **CHRISTCHURCH CITY COUNCIL AGENDA**

**THURSDAY 22 OCTOBER 2009**

**9.30AM**

**COUNCIL CHAMBER, CIVIC OFFICES**

## CHRISTCHURCH CITY COUNCIL

**Thursday 22 October 2009 at 9.30am  
in the Council Chamber, Civic Offices**

**Council:** 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.

- | <b>ITEM NO</b> | <b>DESCRIPTION</b>   |
|----------------|--|
| 1.             | <b>APOLOGIES</b>   |
| 2.             | <b>CONFIRMATION OF MINUTES - COUNCIL MEETING OF 24.9.2009</b>  |
| 3.             | <b>DEPUTATIONS BY APPOINTMENT</b>  |
| 4.             | <b>PRESENTATION OF PETITIONS</b>   |
| 5.             | <b>ADOPTION OF SCHEDULE OF MEETINGS 2010</b>   |
| 6.             | <b>CHRISTCHURCH CITY HOLDINGS LTD - NOTICE OF DATE OF ANNUAL GENERAL MEETING AND APPOINTMENT OF PROXY</b>  |
| 7.             | <b>ART GALLERY – CHALLENGE GRANTS SCHEME AGREEMENT</b>   |
| 8.             | <b>ANNUAL REPORT</b>   |
| 9.             | <b>REPORT BY THE CHAIRPERSON OF THE FENDALTON/WAIMAIRI COMMUNITY BOARD - REALIGNMENT OF POUND ROAD AND ROAD STOPPING – AIRPORT RUNWAY EXTENSION</b>  |
| 10.            | <b>DRAFT PUBLIC OPEN SPACE STRATEGY 2010-2040</b>  |
| 11.            | <b>PROPOSED CHARITABLE TRUST TO OPERATE THE WORLD BUSKERS FESTIVAL – PART ONE</b>  |
| 12.            | <b>SUBMISSION ON THE LAW COMMISSION'S REPORT ENTITLED "ALCOHOL IN OUR LIVES"</b>   |
| 13.            | <b>REPORT OF THE REGULATORY AND PLANNING COMMITTEE:<br/>MEETING OF 1 OCTOBER 2009</b> <ol style="list-style-type: none"><li><b>1. Adoption of Report on Dog Control Policy and Practices 2008-09</b></li><li><b>2. District Plan Work Programme 2009-2010</b></li><li><b>3. Submission on the Proposed Plan Change 1 Waimakariri River Regional Plan</b></li><li><b>4. Correction of Error and Approval Changes to Provisions in the City Plan</b></li><li><b>5. Resource Management (Simplifying and Streamlining) Amendment Bill 2009 - Delegation of Powers</b></li><li><b>6. Resource Management Amendment Act Bill 2009 – Summary of Key Changes</b></li><li><b>7. Planning Administration Monthly Report (January-August 2009)</b></li></ol> |
| 14.            | <b>REPORT OF THE REGULATORY AND PLANNING COMMITTEE:<br/>MEETING OF 9 OCTOBER 2009</b> <ol style="list-style-type: none"><li><b>1. District Plan Work Programme 2009-10</b></li></ol>   |
| 15.            | <b>NOTICES OF MOTION</b>   |
| 16.            | <b>RESOLUTION TO EXCLUDE THE PUBLIC</b>  |

22. 10. 2009

- 3 -

**1. APOLOGIES**

Councillor Chrissie Williams is requesting leave of absence from 16 November 2009 to 22 January 2010, to complete a Post-Graduate Certificate.

**2. CONFIRMATION OF MINUTES: COUNCIL MEETING OF 24.9.2009**

Attached.

**3. DEPUTATIONS BY APPOINTMENT**

**4. PRESENTATION OF PETITIONS**

## 5. ADOPTION OF SCHEDULE OF MEETINGS 2010

<b>General Manager responsible:</b>	General Manager Regulation and Democracy Services, DDI 941-8462
<b>Officer responsible:</b>	Democracy Services Manager
<b>Author:</b>	Clare Sullivan, Council Secretary

### PURPOSE OF REPORT

1. The purpose of the report is to seek the adoption by the Council of the **attached** schedule setting out the proposed times and dates of ordinary Council meetings, Regulatory and Planning Committee meetings, and Annual Plan meetings from January to September 2010.

### EXECUTIVE SUMMARY

2. In order that the business of the Council can be conducted in an orderly manner, and to allow public notification of meetings to be given in compliance with the Local Government Official Information and Meetings Act 1987, it is necessary for the Council to adopt a schedule of meetings. The next triennial Christchurch City elections will be held on Saturday 9 October 2010 and the schedule, therefore, lists meetings from January to September inclusive. It will be up to the incoming Council to decide on its preferred governance and meeting arrangements following the elections.
3. The attached schedule assumes:
  - That Council meetings will be held commencing at 9.30am on the second and fourth Thursday of each month, with the meeting on the second Thursday being devoted solely to consideration of community board reports, with all remaining reports/items being submitted to the second meeting on the fourth Thursday.
  - The Regulatory and Planning Committee will meet at 9am on the first Thursday of each month. However, they will also hold a workshop each month. This has been provided for in the schedule.
  - Meetings set aside for the Annual Plan (including a working party meeting in February) and hearings and consideration.
  - Meetings set aside for the Metropolitan Funding Committee.
  - As in previous years the third week of the month will be a community week where, at all possible, meetings are not scheduled unless necessary and Councillors have the opportunity to be active in their community in their representation role.
4. The schedule is based on the agreed format of meetings for 2009, with times set aside for Council workshops. Other dates will still need to be set for a number of special consultative processes and various working parties.
5. The Council would also request that Community Boards, when determining their own meeting timetables, as far as possible schedule Community Board meetings for week 3 of each month. It is acknowledged that a number of community boards hold two meetings a month.

### FINANCIAL IMPLICATIONS

5. Costs associated with holding meetings is provided for in the LTCCP.

### Do the Recommendations of this Report Align with 2009-19 LTCCP budgets?

6. Yes. Page 115 of the 2006-16 LTCCP.

### LEGAL CONSIDERATIONS

7. Yes.

5 Cont'd

**Have you considered the legal implications of the issue under consideration?**

8. Yes.

**ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

9. Yes.

**Do the recommendations of this report support a level of service or project in the 2009-19 LTCCP?**

10. Yes – Democracy and Governance pages 154 to 159 of the 2009-19 LTCCP.

**ALIGNMENT WITH STRATEGIES**

11. This is aligned with the Council's Governance Statement.

**Do the recommendations align with the Council's strategies?**

12. Yes – refer above.

**CONSULTATION FULFILMENT**

13. Not applicable.

**STAFF RECOMMENDATION**

It is recommended that the Council adopt the schedule of meetings **attached** to this report.

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

<b>General Manager responsible:</b>	General Manager Regulation and Democracy Services, DDI 941-8462
<b>Officer responsible:</b>	General Manager Regulation and Democracy Services
<b>Author:</b>	Peter Mitchell

**PURPOSE OF REPORT**

1. The purpose of this report is to inform the Council of the date of Christchurch City Holdings Annual General Meeting for 2009, and for the Council to appoint a proxy, and alternate, to vote at that AGM.

**EXECUTIVE SUMMARY**

2. Christchurch City Holdings Ltd is intending to hold an Annual General Meeting on Wednesday 18 November at 4.30pm at the Civic Offices.
3. The Council, as the shareholder, is required to appoint a proxy, and alternate, to attend this meeting and vote on the Council's behalf. It is appropriate that Councillors who are not on the board of CCHL should be appointed as Proxy and as the alternate.
4. All Councillors are invited to the Annual General Meeting.

**STAFF RECOMMENDATION**

It is recommended that the Council:

- (a) Note the date of Christchurch City Holdings Annual General Meeting.
- (b) Appoint a proxy and alternate, who are not on the board of CCHL, to vote at the Annual General Meeting.

## 7. ART GALLERY – CHALLENGE GRANTS SCHEME AGREEMENT

<b>General Manager responsible:</b>	General Manager Community Service, DDI 941-8608
<b>Officer responsible:</b>	Art Gallery Director
<b>Author:</b>	Jenny Harper

### PURPOSE OF REPORT

1. The purpose of this report is to recommend to the Council that it grants delegated authority to the General Manager Community Services to negotiate and enter into an agreement with the Christchurch Art Gallery Trust (“the Trust”) in respect of the Challenge Grants Scheme provided for in the 2009-2019 LTCCP and administered by the Christchurch Art Gallery (“the Gallery”).

### EXECUTIVE SUMMARY

2. In the 2009-2019 LTCCP the Council provided for the funding of the Challenge Grants Scheme in support of the Gallery’s collection development.
3. The Challenge Grants Scheme is an arrangement by which the Council has agreed to match funds raised by the Trust for the development of the Gallery’s collection on a dollar for dollar basis up to the maximum amount specified in the LTCCP as being available in each year. The purpose of the Scheme is to provide a substantial incentive to the Trust to raise funds in support of the Gallery’s collection development.
4. To formalise the arrangements concerning the Challenge Grants Scheme it is proposed that the Council negotiates and enters into a written agreement with the Trust setting out in detail the terms and conditions of the arrangement.

### FINANCIAL IMPLICATIONS

5. The 2009-2019 LTCCP makes provision for expenditure of \$2,209,000 on the Challenge Grants Scheme over ten years from the 2009/10 to the 2018/19 financial years inclusive. The proposed agreement between the Council and Trust is merely intended to regulate their relationship concerning such funding and its delivery.

### Do the Recommendations of this Report Align with 2009-19 LTCCP budgets?

6. Yes.

### LEGAL CONSIDERATIONS

7. Whilst at the date of writing this report the final form of the proposed agreement has not yet been concluded, it is anticipated that the agreement will generally provide as follows:
  - (a) The Term of the agreement will align with the ten year period of the 2009-19 LTCCP.
  - (b) The Trust will agree to use its reasonable endeavours to raise funds from third party donors in support of the Gallery’s collection development.
  - (c) The funds raised by the Trust must be held and managed in a transparent and accountable manner.
  - (d) The Trust will report to the Council on a quarterly basis identifying and verifying the funds raised by it in each quarter.
  - (e) Following receipt of such reports the Council will, on a quarterly basis, by internal transfer, credit a new ‘Challenge Grants Scheme’ account in the Council’s internal accounts with an amount equal to the amount raised by the Trust in the applicable quarter. In any event the total amount of all such transfers made by the Council in any financial year will not exceed the relevant LTCCP provision for that financial year.

**7 Cont'd**

- (f) The Art Gallery Director will make recommendations to the Trust from time to time to purchase appropriate works of art from the funds raised and held by the Trust and the Council funds held in the Council's internal 'Challenge Grants Scheme' account.
- (g) If the Trust accepts the Art Gallery Director's recommendation, the work of art will be purchased and owned by the parties according to the proportions of their financial contributions to the purchase price. The work of art will then be placed in the Gallery as part of the Gallery's collection.
- (h) Any work of art purchased as a result of the Challenge Grants Scheme may not be disposed of without the agreement of both parties.
- (i) Tax advice has been received that states that it is possible, without infringing its charitable tax status, for the Trust to gift its portion of the works of art purchased as a result of the Challenge Grants Scheme so that ownership vests exclusively in the Council.
- (j) The Council will retain the ability to increase or decrease the LTCCP funding for the Challenge Grants Scheme through its normal planning processes.

**Have you considered the legal implications of the issue under consideration?**

- 8. Yes, see above.

**ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

- 9. The recommendations of this report align with the LTCCP and relevant activity management plans. In these, the Council recognised that the gallery's 'buying power' had slipped relative to the art market, and accepted the well-benchmarked argument for improved funding in this, a core area of the Gallery's responsibility.

**Do the recommendations of this report support a level of service or project in the 2009-19 LTCCP?**

- 10. Yes.

**ALIGNMENT WITH STRATEGIES**

- 11. Yes.

**Do the recommendations align with the Council's strategies?**

- 12. Yes.

**CONSULTATION FULFILMENT**

- 13. The adoption of the Challenge Grants Scheme was consulted on and adopted as part of the process undertaken to consult on and adopt the 2009-2019 LTCCP.

**STAFF RECOMMENDATION**

It is recommended that the Council resolves to 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.



## 8. ANNUAL REPORT

<b>General Manager responsible:</b>	General Manager Corporate Services, DDI: 941-8528
<b>Officer responsible:</b>	Corporate Finance Manager
<b>Author:</b>	Diane Brandish

**PURPOSE OF REPORT**

1. The purpose of this report is:
  - (a) To present the 2009 Annual Report containing the audited financial statements of Christchurch City Council for the year ended 30 June 2009, for adoption by the Council.
  - (b) To obtain the Council's approval to transfer the additional operating cash surplus for the year ended 30 June 2009 to the debt repayment reserve to be used immediately to fund capital expenditure in lieu of borrowing.
2. Under section 98 of the Local Government Act 2002 a local authority must prepare and adopt in respect of each financial year, an annual report. Each annual report must be completed and adopted by resolution, and within one month after the adoption of its annual report, the local authority must make publicly available:
  - (a) Its annual report.
  - (b) A summary of the information contained in its annual report.

**EXECUTIVE SUMMARY**

3. Separately circulated as Appendix 1, is a copy of the annual report for the year ended 30 June 2009.
4. Audit NZ have examined the financial statements and accompanying reports of the group and, subject to there being no further changes, have issued an unqualified audit opinion.
5. A representative of Audit NZ will be in attendance at the Council meeting to answer any questions regarding the accounts.
6. The Council's accounting surplus for the year, inclusive of vested asset contributions, was \$63.4 million, \$21.4 million (50.9 per cent) above plan. We plan for a surplus because under accounting standards we are required to show all revenue, including capital revenues, as income received for the year.
7. After adjusting for capital revenues, vested assets and non-cash components, the cash surplus was \$1.5 million, against a plan to break even.
8. This result differs slightly from the result reported in the Performance Report received by Council on 27 August 2009. This is due to the late receipt of operating and capital subsidies from New Zealand Transport Authority (NZTA), which, following discussions with Audit NZ, must be recognised in the 2008-09 financial year. This had the effect of increasing the cash surplus from \$37,029 to \$1,571,160. Staff are recommending that this surplus be transferred to the debt repayment reserve.
9. The Council invested \$226.4 million during the year, across a wide range of capital projects.
10. The Council's balance sheet reflects its strong financial position with total assets of \$6.8 billion and net assets of \$6.5 billion. Equity increased by \$189.6 million, the main drivers being \$120.9 million of gains on revalued assets and investments, and the \$63.4 million surplus.
11. The Council has four financial ratios which form a key part of its financial risk management strategy. All four actual results fell well within policy limits.

**8 Cont'd**

12. The Council achieved 70 per cent of its level of service targets in 2009 against 71 per cent in 2008. These targets were extensively reviewed as part of the 2009-19 LTCCP process and, in a number of cases, revised measures and/or targets were approved by the Council.
13. This report was reviewed by the Audit and Risk Committee on 29 September 2009 with the recommendation that it be forwarded to Council for adoption.

**FINANCIAL IMPLICATIONS**

14. The recommendations of this report align with the 2006-16 LTCCP budget.

**LEGAL CONSIDERATIONS**

15. There are no legal implications to be considered.

**ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

16. Not applicable.

**ALIGNMENT WITH STRATEGIES**

17. Not applicable.

**CONSULTATION FULFILMENT**

18. Not applicable.

**STAFF RECOMMENDATION**

It is recommended that the Council:

- (a) Resolve to 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.

## 8 Cont'd

## BACKGROUND

19. The Council's accounting surplus for the year, inclusive of vested asset contributions, was \$63.4 million, \$21.4 million (50.9 per cent) above plan. Capital revenues include development contributions, some of which are used to fund future development; New Zealand Transport Agency (NZTA) subsidies; and vested assets, (footpaths, water and drainage infrastructure and reserves land), which are vested to Council by developers. The surplus also includes interest received on funds that are held in the balance sheet for special purposes.
20. The additional accounting surplus of \$21.4 million is made up of additional revenue as follows:
  - Vested assets of \$8.9 million. This is made up of \$11.1 million of assets vested on dissolution of the old Victory Park Board, offset by a shortfall in infrastructure assets.
  - Higher subvention receipts, \$5.9 million.
  - Court recovery of parking fines, \$3.2 million.
  - Sale of Blenheim Rd assets, \$2.7 million.
  - Higher than planned subsidy from NZTA, \$2.4 million.
  - Gain on investment in Endeavour iCap, \$2 million.
21. Offsetting this were expenses which were \$3.6 million above plan. The main variances were:
  - Employee costs higher than plan, \$3.4 million.
  - Provisions for weathertight homes and landfill aftercare higher than plan, \$4.9 million.
  - Consultants' fees higher than plan; \$3.0 million.
  - Interest expenses lower than plan, \$4.7 million due to lower than planned capital expenditure.
  - Depreciation and amortisation lower than plan, \$2.7 million.
22. The Council invested \$226.4 million during the year, across a wide range of capital projects. Those completed include:
  - The Jellie Park upgrade, \$1.0 million.
  - New composting facility, \$22.4 million.
  - Central City crime prevention cameras, \$0.9 million.
  - Cashmere reservoir replacement, \$1.6 million.
  - The landing pontoon access at Akaroa wharf, \$1.4 million.
  - The \$17.0 million Council spent on those properties south of Lichfield that are integral to the Council's vision for the enhancement of the Central City South.
23. Projects progressed include:
  - The ocean outfall pipeline, \$9.8 million.
  - Property purchases for the Transport Interchange, \$4.2 million.
  - The City Mall upgrade, \$6.2 million.
  - Ongoing work at the Wastewater Treatment Plant, \$10.2 million including construction of the fifth and sixth digesters and the Biosolids Drying Facility.
  - The Western Interceptor sewer upgrade, \$6.6 million.
  - Road corridor and bus priority lanes, \$44.8 million.
  - Land purchased for parks, reserves and land drainage features, \$5.5 million.
  - Upgrades and restorations of storm water drains and natural waterways, \$8.3 million.
  - Landscaping, revegetation and renewal of Council assets in parks and reserves, \$4.0 million.

## 9. REPORT BY THE CHAIRPERSON OF THE FENDALTON/WAIMAIRI COMMUNITY BOARD

## REALIGNMENT OF POUND ROAD AND ROAD STOPPING – AIRPORT RUNWAY EXTENSION

<b>General Manager responsible:</b>	General Manager City Environment, DDI: 941-8608
<b>Officer responsible:</b>	Asset and Network Planning Manager
<b>Author:</b>	Weng-Kei Chen, Asset Engineer (Policy)

## PURPOSE OF REPORT

1. The purpose of this report is to seek the Council's approval for the realignment of Pound Road and the sale of a parcel "A" to Christchurch International Airport Company (CIAL) by way of land exchange. The proposal is shown in the attached plan. When considered by the Fendalton/Waimairi Community Board this report involved matters that required a Council decision as well as matters to be decided by the Board under delegated authority. The decision requested from the Board under delegated authority was dealt with by the Board as follows:

"The Board **resolved** to approve the stopping of Pound Road and Savills Road as shown on the plan attached to the 24 August 2009 Works, Traffic and Environment Committee agenda and marked by "X's", being from Savills Road to Jessons Road."

## EXECUTIVE SUMMARY

2. The Council has received a request from Christchurch International Airport Limited (CIAL) to realign the location of the existing Pound Road from Savills Road to McLeans Island Road as shown on the **attached** plan. This deviation is required for the extension of the airport East-West runway which is scheduled to be completed in 2011.
3. The proposal is to replace a section of the existing Pound Road commencing from Savills Road to Jessons Road intersection.
4. Pound Road is a "collector route" and is carrying approximately 3,500 vehicles per day. It is on an important route to many regional recreation destinations, construction, manufacturing and numerous transport businesses.
5. The proposed new alignment will require land owned by the Council (marked "A" on the plan) to be made available to CIAL. Council staff support the exchange for a parcel of CIAL land that is adjacent to the Council site marked "B".
6. Two other options were investigated and quickly discarded and these were construction of a tunnel under the runway and the extension of the existing road to follow the perimeter of the new extended runway. The tunnel option was ruled out by CIAL due to its very high cost, and the extended road option was not supported by the Council's staff due to traffic safety deficiencies.
7. This proposal will provide a shorter route for vehicles travelling in the northerly and westerly direction of McLeans Island Road, however, it will result in a longer distance for vehicles travelling in the easterly direction. The longer distance travelled will be compensated with a lower vehicle running cost and a much safer road without the sharp bends along the perimeter of the existing runway. There have been a number of accidents resulting in drivers failing to negotiate these bends.
8. The design of the new alignment will replace the sharp bend at McLeans Island Road with a controlled Tee intersection. The outcome will result in a safer road environment for road users.
9. This proposal once constructed will render a section of Pound Road redundant to the city roading network and for this reason it is recommended that this portion of road indicated on the plan marked "x" be declared surplus to Roading requirements and "Road Stopping" in accordance with Local Government Act 1974 be carried out by the Council.

**9 Cont'd**

10. It is essential that the Council commences the road stopping process as soon as practicable, enabling CIAL to commence work on-site and physical road closing can be carried out with the completion of the realignment work.
11. CIAL staff gave a seminar presentation to the Fendalton/Waimari Community Board on 24 June 2009 on this road realignment and other future airport developments. Prior to the Board's briefing, CIAL staff also did a presentation to residents in Jessons Road.

**FINANCIAL IMPLICATIONS**

12. There will be no financial implication to the Council and the work will be funded by CIAL, including all costs that the Council will incur.

**Do the Recommendations of this Report Align with 2009-19 LTCCP budgets?**

13. Not applicable.

**LEGAL CONSIDERATIONS**

14. The proposed 'Road to be stopped' complies with Council Policy and in this instance the delegation to stop road is with the Fendalton/Waimairi Community Board.
15. The Fendalton/Waimairi Community Board has recommendatory power to Council for disposal of Council Land and the realignment of Classified road of which Pound Road is a Collector road.

**Have you considered the legal implications of the issue under consideration?**

16. Yes, see above.

**ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

17. Not applicable.

**Do the recommendations of this report support a level of service or project in the 2009-19 LTCCP?**

18. Yes. This proposal will provide a higher level of service and a safer road for road users.

**ALIGNMENT WITH STRATEGIES**

19. Not applicable.

**Do the recommendations align with the Council's strategies?**

20. Not applicable.

**CONSULTATION FULFILMENT**

21. The Road Stopping Process will trigger submissions from stakeholders and the general public.
22. CIAL have carried out a presentation to residents of Jessons Road and the discussion was positive.

**9 Cont'd**

**STAFF RECOMMENDATION**

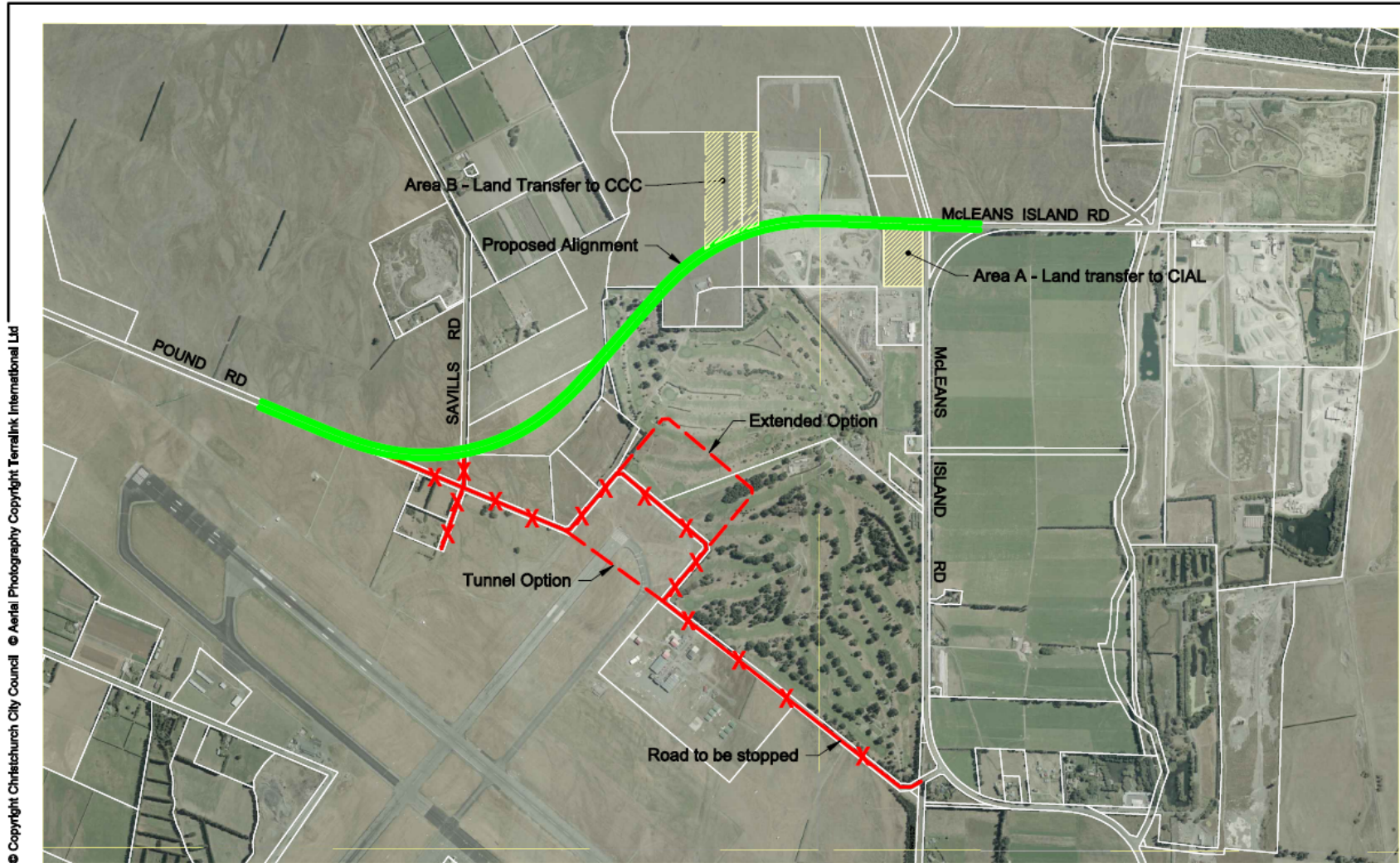
That the Council approve:

- (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.

**BOARD RECOMMENDATION**

That the staff recommendations be adopted.

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



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### Pound Rd Relignment - Airport Runway Extension

Original Plan Size: A4  
ISSUE.1 20/07/08  
TG102502 MJR

## 10. DRAFT PUBLIC OPEN SPACE STRATEGY 2010-2040

<b>General Manager responsible:</b>	General Manager Strategy and Planning, DDI 941-8281
<b>Officer responsible:</b>	Programme Manager, Healthy Environment
<b>Author:</b>	Kelvin McMillan, Senior Policy Planner, Strategy and Planning Group

**PURPOSE OF REPORT**

1. To recommend that the Draft Public Open Space Strategy (separately circulated) be approved by the Council for public consultation beginning in November 2009.

**EXECUTIVE SUMMARY**

2. The Public Open Space Strategy covers the amenity, recreation, heritage, and landscape aspects of Christchurch City streets and waterways and the distribution, quantity and quality of parks and green areas managed by the Council and the connections between them. It relates closely with the Biodiversity Strategy, Surface Water Strategy and Christchurch Transport Plan. The draft strategy was presented to a Council workshop on 25 August 2009.
3. Overall the Strategy aims to provide guidance to the Council on the quantity, quality, distribution, character and priority of public open space provision in Christchurch City. The strategy will also assist and guide policy around the City Plan, reserve management plans, UDS (Greenfield's, revitalisation and the central city), and guide future Development Contributions Policy provisions.
4. Through provision, development and management of public open space the health, recreation, amenity, cultural and environmental needs of City residents and visitors will be maintained, and environmental resilience and the City's character and identity enhanced.
5. For the last 170 years public parks, waterways and the roading network have been instrumental in framing the identity and civic qualities of Christchurch City. The following LTCCP quote sums up the importance of the parks component of the open space network to the City:

*"Christchurch's parks and reserves are what give us our name the 'Garden City'. Whilst other major NZ cities have distinctive greens, what makes us stand out are the number of exotic tree plantings and large spaces for outdoor activities. Hagley Park is the jewel in the crown, being used for events like the Ellerslie Flower Show. I think the Council needs to ensure new residential developments continue to have well landscaped green spaces."*

6. This strategy aims to maintain the positive traditions of the past including Christchurch's Garden City heritage in addition to meeting the challenges of the 21<sup>st</sup> century.
7. Key challenges to be met by 2040 include:
  - Provision of parks, and attractive urban living conditions for another 84,000 people by 2040.
  - Access to local parks for residents in urban intensification areas and especially inner city Christchurch.
  - Provision of parks in priority urban parks deficiency areas.
  - Funding for provision and development of new parks.
  - Enhancement of street environments to encourage greater pedestrian and cycle mobility.
  - Protection and enhancement of City identity.
  - Realisation of the City's natural assets through creation of new recreation routes and better use of existing opportunities.
  - Provision of better access to and protection of outstanding landscape, the coast and heritage places.
8. In order to provide solutions to the above challenges and take advantage of the City's natural and cultural features the strategy provides a vision, goals and objectives and a set of priorities for open space provision. It also contains six concept plans to provide graphic interpretation of strategy priorities and intentions. The Concept Plans cover; Christchurch City Identity, Banks Peninsula, Metropolitan Christchurch, the Central City, Akaroa and Lyttelton.



## 10 Cont'd

9. The strategy vision is:
- *“To provide, develop and maintain a publicly accessible network of open space to enhance and protect health, recreation and liveability for the residents and visitors to Christchurch and Banks Peninsula”.*
  - *“To contribute to maintaining and enhancing the City’s environmental quality and landscape character through the public open space system”.*
10. The four draft strategy goals are:
- *Goal 1 Provide an accessible, and equitably distributed multi-use open space network.*
  - *Goal 2 Ensure public open space is diverse, interesting, and promotes local, and City identity (catering for biodiversity, iconic landscapes, heritage places and views special to each area).*
  - *Goal 3: Encourage community awareness and support for open space provision, development and maintenance.*
  - *Goal 4: Ensure open space provision and management is sustainable.*

**FINANCIAL IMPLICATIONS**

11. The strategy aims to provide a vision and an overview for future public open space provision that will provide guidance and priorities for future LTCCP budget preparation. The Strategy has summarised the highest priorities for future implementation.
12. An Implementation Plan will be prepared subsequent to the Strategy to provide more specific targets, actions and budget implementations in preparation for the 2012-2022 and subsequent LTCCP prioritisation processes. Adoption of the strategy is not a commitment to the delivery of any particular project. That will be determined through each LTCCP.

**Do the Recommendations of this Report Align with 2009-19 LTCCP budgets?**

13. The strategy is part of the Strategy and Planning Group’s work programme for the 2009-2010 financial year.

**LEGAL CONSIDERATIONS**

14. The Strategy provides policy guidance on public open space pursuant to the Local Government Act 2002 including the Development Contributions Policy.

**ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

15. Preparation of the Draft Strategy is in line with the Parks, Open Spaces and Waterways Activity objectives in the current (2009 – 19) LTCCP and contributes to the following LTCCP outcomes:
- **Safety** By ensuring that our parks, open spaces and waterways are healthy and safe places, and by controlling and minimising flood and fire hazards.
  - **Community** By providing spaces for communities to gather and interact, and by providing community burial grounds.
  - **Environment** By enabling people to contribute to projects that improve our environment.
  - **Governance** By involving people in decision-making about parks, open spaces and waterways.
  - **Prosperity** By contributing to Christchurch’s Garden City image and attracting business, skills and tourism.
  - **Health** By providing areas for people to engage in healthy activities. By managing surface water.

## 10 Cont'd

- **Recreation** By offering a range of recreational opportunities in parks, open spaces and waterways.
- **Knowledge** By providing opportunities to learn through social interaction and recreation.
- **City development** By providing an inviting, pleasant and well cared-for environment.

**Do the recommendations of this report support a level of service or project in the 2009-19 LTCCP?**

16. The Draft Public Open Space Strategy is closely aligned with implementation of the Urban Development Strategy. Provision of adequate parks and pedestrian friendly streets in existing urban 'intensification zones' (L2 / L3 and L4 City Plan zones) is a major challenge for the strategy. The strategy provides guidelines for levels of service for parks over the entire City.

**ALIGNMENT WITH STRATEGIES**

17. The Draft Surface Water Strategy is part of the suite of 'Healthy Environment' Strategies:
- Biodiversity Strategy (adopted)  
The Draft Public Open Space Strategy supports the Biodiversity Strategy through provision for land acquisition, and partnerships that support biodiversity objectives.
  - Surface Water Strategy (draft)  
The strategy is linked to the Surface Water Strategy, especially in urban Christchurch where integration of surface water management and parks and streets interact. The rivers, lakes, streams and multi-value stormwater management mechanisms (for example, swales and potentially rain gardens) discussed in the Draft Surface Water Strategy form part of the public open space network.
  - Water Supply Strategy (adopted)  
Use of water is closely related with the planted character of urban Christchurch. On Banks Peninsula water supply catchments sometimes have potential biodiversity and or open space value.
  - Climate Change Strategy (in preparation)  
Initiatives in the strategy will inform and complement implementation of the Climate Change Strategy including carbon sequestration initiatives.

**CONSULTATION FULFILMENT**

18. In order to strengthen the cohesiveness and comprehensiveness of the Draft Public Open Space Strategy, as well as staff engagement in the process, a number of internal workshops have been held. Feedback was requested in a series of discussions with staff from City Environment and Strategy and Planning Groups. An important focus was the integration of the Draft Public Open Space Strategy within the context of the Healthy Environment Programme and other existing high level strategies (UDS).
19. A consultant (Suky Thompson) who is experienced in walking and recreation use on Banks Peninsula was employed to provide guidance on and peer review of the Banks Peninsula and Akaroa Concept Plans. Amendments were made to recreation routes and 'Areas of Interest' as a result.
20. A breakfast workshop for key stakeholders was held on 4 August 2009, with the support of the Community Engagement Team. Seventeen people attended representing the following disciplines: Tourism, Recreation, Federated Farmers, Environmental Consultants, Transport, Ecology, Accessibility, diverse communities, park management, safety, community organisations and sustainability. The attendees were asked to provide feedback on the concept plan maps for Banks Peninsula and metropolitan Christchurch, including potential gaps, new concepts and other considerations not currently addressed. This was an extremely effective element in the public participation process, was highly valued by the participants and provided excellent feedback. The feedback was assessed and where appropriate has been incorporated into this Draft Strategy. Community Board members have been consulted during the early development of the Draft Strategy and a workshop was held on 21 September 2009.

**10 Cont'd**

- 21 Subsequent to recommendations from the 25 August Council workshop, further explanation has been included in the strategy on parks deficiencies analysis and the open space standard for sports park provision has been qualified to allow for further analysis through the pending Sports Park Plan. Reference has also been included to horse grazing areas in the background area.
22. The strategy will be released for public consultation on 16 November 2009 through to 22 January 2010. A process of consultation will be undertaken with Ngai Tahu and the public to be reported back to a Council hearing panel early in the new year. Consultation will include production of a strategy summary document and submission form. It will also be on the "Have Your Say" Web page, and media releases will publicise the strategy. Staff are finalising a consultation plan to provide a programme for engaging with the public on the Draft Strategy.
23. The project team has been in communication with MKT and they have been provided with the strategy and concept plan maps. The strategy has been appropriately amended in response to their comments.

**STRATEGY FORMAT**

24. Prior to release for public comment the strategy will be further illustrated to aid legibility, reformatted where needed and rechecked for typographical errors.

**STAFF RECOMMENDATION**

It is recommended that the Council:

- (a) Approve the Draft Public Open Space Strategy for public consultation.
- (b) Establish a Hearings Panel of up to five Councillors, including a chairperson (to be nominated at this meeting), 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

<b>General Manager responsible:</b>	General Manager Regulation and Democracy Services DDI 941-8462
<b>Officer responsible:</b>	Legal Services Manager
<b>Author:</b>	Robert O'Connor, Solicitor, Legal Services Unit

### PURPOSE OF REPORT

1. The purpose of this report is to:
  - (a) Report the result of the Special Consultative Procedure adopted by the Council in relation to the proposed establishment of a charitable trust to operate the World Buskers Festival (“the Buskers Festival”) as a Council-controlled organisation.
  - (b) Recommend that the Council resolves to establish the proposed charitable trust as a Council-controlled organisation as part of the legal and financial structure to operate the Buskers Festival.

### EXECUTIVE SUMMARY

2. At the Council meeting held on 19 December 2008 the Council authorised the purchase of the Buskers Festival from the Festival City Trust and settlement of the purchase of the Buskers Festival by the Council was completed on 12 May 2009.
3. In the report considered by the Council at the 19 December 2008 meeting staff advised that the previous owner operated the Buskers Festival through the medium of a charitable trust with the profits (if any) being applied to specified charitable objects. The reason for this arrangement is that 87 per cent of the revenue generated by the Buskers Festival takes the form of grants, sponsorship and other donated support which would not be available unless the operator was a charitable trust.
4. At its meeting of 19 December 2008 the Council specifically resolved, inter alia:
  - “4 That ... the Chief Executive be authorised to take the appropriate steps to establish a trust or such other entity, as he shall consider necessary or appropriate for the purpose of ensuring that outside funding sources can be obtained.
  - 5 That the Chief Executive be authorised to establish and put in place the financial and legal structures that he considers appropriate for the establishment and operation of the World Buskers Festival by the Council.”
5. The Legal Services Unit has sought specialist advice from Kerry Ayers of the law firm of Helmore Ayers on the appropriate legal structure to adopt in relation to the Buskers Festival. Mr Ayers is a legal practitioner with substantial experience in the trusts law area and is currently a government appointee to the Charities Commission.
6. It has been determined that, to ensure that the Buskers Festival continues to be eligible to receive the 87 per cent of its revenue currently received from grants, sponsorship and other donated support, a charitable trust be established to operate the Buskers Festival. This replicates the operating structure adopted by the previous owner, the Festival City Trust.
7. Until a new trust can be formed, the Council has licensed the previous owner/operator of the World Buskers Festival, the Festival City Trust, to use the Council owned intellectual property and related assets to continue to operate the Festival up to 31 March 2010. It is expected that the Council will then licence the new charitable trust to operate the World Buskers Festival using the Council owner intellectual property and other related assets from 1 April 2010.

**11 Cont'd**

8. At the Council's meeting of 23 July 2009 the Council resolved to:
- “(a) Approve the Statement of Proposal and the Summary of Information attached to this report.*
  - “(b) Adopt the special consultative procedure for consulting with the public on the proposal to establish a charitable trust to operate the World Buskers Festival.*
  - “(c) That a hearings panel of three Councillors be appointed by the Deputy Mayor and Councillor Wells, in conjunction with the Council Secretary, to consider any oral submissions that may be received in respect of the proposal.”*
9. Pursuant to the Council's resolution of 23 July 2009 a Hearings Panel of Councillors Wells, Broughton and Johanson was appointed by the Deputy Mayor and Councillor Wells, in conjunction with the Council Secretary.
10. The proposal was publicly notified on 31 July 2009 and the consultation period ran from 1 August 2009 to 1 September 2009. No submissions were received and the Hearings Panel was not required to meet.
11. Consequently, it is recommended that the Council approves the establishment of the trust as a Council-controlled organisation and appoints the initial trustees of the trust (although the staff recommendations as to trustee appointments are contained in a separate report in the Council's public excluded agenda to be considered later on the same date as this report is considered).

**FINANCIAL IMPLICATIONS**

12. The establishment of the proposed charitable Trust will ensure that the Buskers Festival remains eligible to source external funding which would not otherwise be available to the Council. As currently 87 per cent of the revenue generated by the Buskers Festival takes the form of grants, sponsorship and other donated support it is essential that the Buskers Festival remains eligible for this support.
13. As it will be necessary for the proposed Trust to operate the Buskers Festival, and as the Trust will be a stand-alone charitable trust, any profit that it may make will not be able to returned to the Council, but will, subject to retaining sufficient reserves, need to be distributed to specified charitable beneficiaries. Mr Ayers has advised that it will be necessary, in order to maintain the Trust's charitable status, that at reasonably regular intervals a trading surplus is applied by the Trust to clearly charitable objects. These charitable objects need to be specified in the Trust Deed.

**Do the Recommendations of this Report Align with 2009-19 LTCCP budgets?**

14. Yes. The establishment of the Trust will have no effect on current LTCCP budgets. The Buskers Festival budget aims to at least break even, with no funding additional to that currently committed being required from the Council's Events and Festivals Fund.

**LEGAL CONSIDERATIONS**

15. Mr Ayers has advised that, subject to a “need to produce at reasonably regular intervals, a trading surplus that is applied to clearly charitable objects ... then a charitable trust could be set up which would run the Buskers Festival for the purpose of producing a surplus to be distributed for clearly charitable purposes”.
16. Establishing a charitable trust to operate the Buskers Festival is expressly authorised by the resolution of the Council at its meeting of 19 December 2008, as detailed in paragraph 4 above.

**11 Cont'd**

17. As it is proposed that the Council will have the right to appoint all of the trustees, the proposed charitable trust will be a Council controlled organisation in terms of Section 6 and Part 5 of the Local Government Act 2002. This will enable the Council an element of control to ensure that the charitable trust functions, as far as is legally possible, in concert with the Council's objective to ensure the continued operation of the Buskers Festival in Christchurch.
18. The draft Deed of Trust for the proposed Trust has been prepared by Mr Ayers and is substantially similar to the Deed adopted for the Gardens Event Trust formed to support the Ellerslie International Flower Show.
19. As a charitable trust, any profit that it may make will not be able to returned to the Council, but will, subject to retaining sufficient reserves, need to be distributed to specified charitable beneficiaries. Mr Ayers has advised that it will be necessary, in order to maintain the Trust's charitable status, that at reasonably regular intervals a trading surplus is applied by the Trust to clearly charitable objects.
20. These charitable objects need to be specified in the Trust Deed. The draft Trust Deed attached to this report describes the proposed charitable beneficiaries in a very generalised way in order to allow the trustees flexibility as to which entities to benefit from time to time.
21. Section 56 of the Local Government Act 2002 requires the Council to adopt the special consultative procedure before it can make a decision on whether or not to establish a Council controlled organisation. The necessary Statement of Proposal as required under the Special Consultative Procedure was publicly notified on 31 July 2009 and the consultation period ran from 1 August 2009 to 1 September 2009. The Statement of Proposal proposed "the establishment of a charitable trust as a Council Controlled Organisation for the purpose of operating the World Buskers Festival from 1 April 2010". The proposed objects of the proposed Trust were detailed in full in the Statement of Proposal and in addition a full copy of the proposed Deed of Trust was attached to the Statement of Proposal.
22. A Council-controlled organisation cannot be established unless the Special Consultative Procedure is used. The Council has complied with this requirement.
23. No submissions were received in response to the Special Consultative Procedure.
24. Mr Ayers has advised that the proposed Trust Deed in the form attached will meet the necessary statutory requirements to enable the proposed Trust, if formed, to be registered under the Charitable Trusts Act 1957 and the Charities Act 2005.
25. Once the Council approves the establishment of the Trust it will be necessary to register the Trust under the Charitable Trusts Act 1957 and the Charities Act 2005.

**Have you considered the legal implications of the issue under consideration?**

26. Yes – see above.

**Proposed Trust Name**

27. It is proposed that the name of the Trust be 'The World Buskers Festival Trust'.

**Proposed Trustees**

28. The staff recommendations as to membership of the proposed Trust Board are contained in a Part Two of this report which is included in the public excluded agenda to be considered at that same meeting as this report.

11 Cont'd

**ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

29. The Buskers Festival is aligned with the current Events and Festivals Activity Management Plan and the draft 2009 – 2019 Events and Festivals Activity Management Plan and the 2009-2019 LTCCP. The Buskers Festival aligns with the following key community outcomes:

- A City of Inclusive and Diverse Communities
- A Prosperous City
- A City for Recreation, Fun and Creativity.

**Do the recommendations of this report support a level of service or project in the 2009-2019 LTCCP?**

30. Yes. The Buskers Festival fits well into Council's objective specified in the 2009-2019 LTCCP – that is, to ensure that events and festivals contribute to the enjoyment of living in Christchurch. The Council's strategic direction is to provide and support a year round programme of events that:

- Attracts visitors and generates economic activity
- Strengthens the distinctive identity and lifestyle qualities of Christchurch
- Provides multiple and lasting benefits to the City
- Celebrates and promotes Christchurch's culture and diversity.

**ALIGNMENT WITH STRATEGIES**

31. The Council's Events Strategy 2007 - 2017 was adopted in December 2007. The Buskers Festival delivers on several goals of the Events Strategy:

- Goal One: Events attract visitors and strengthen the distinctive identities and lifestyle qualities of Christchurch.
- Goal Two: A vibrant calendar of events that enhance Christchurch as a place to live and visit.

**Do the recommendations align with the Council's strategies?**

32. Yes.

**CONSULTATION FULFILMENT**

33. The Council adopted and used the Special Consultative Procedure in relation to the proposed establishment of the Trust as a Council-controlled organisation.

34. There is no statutory impediment to the Council making a decision in respect of the recommendations contained in this report.

**HEARINGS PANEL RECOMMENDATION**

35. It is recommended that the Council, having adopted and completed a special consultative procedure, resolves to:

- (a) Approve the establishment of a charitable trust as a Council-controlled organisation to operate the World Buskers Festival.
- (b) Adopt the Deed of Trust in the form attached to this report as the form to be used in the establishment of the charitable trust subject to such amendments as may be required by the Registrar of Charitable Trusts or the Charities Commission.
- (c) Adopt the name 'The World Buskers Festival Trust' as the formal name of the charitable trust or such other similar name as shall be approved by the Registrar of Charitable Trusts or the Charities Commission.
- (d) Authorise the registration of the Trust under the Charitable Trusts Act 1957 and the Charities Act 2005.

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

<b>General Manager responsible:</b>	General Manager Regulation and Democracy Services, DDI 941 8462
<b>Officer responsible:</b>	Inspections and Enforcement Manager
<b>Author:</b>	Paul Rogers – Liquor Licensing Team Leader

**PURPOSE OF REPORT**

1. The purpose of this report is to seek Council endorsement of the Christchurch City Council's submission on the Law Commission's report entitled "Alcohol in our lives", which will be considered and adopted by the Submissions Panel on 12 October 2009 (**separately circulated**).

**EXECUTIVE SUMMARY**

2. The Council's submission is supportive of the thrust and direction of the report and has made submissions on the policy options as set in Chapter 13 entitled "Range of Options".
3. On 25 September 2008, the Council resolved to establish the Submissions Panel and delegated it the power to approve Council submissions. Although the Panel has adopted the submission, it seeks the endorsement of the Council.

**FINANCIAL IMPLICATIONS**

4. Not applicable.

**Do the Recommendations of this Report Align with 2009-19 LTCCP budgets?**

5. Not applicable.

**LEGAL CONSIDERATIONS**

6. Not applicable.

**Have you considered the legal implications of the issue under consideration?**

7. Not applicable.

**ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

8. Not applicable.

**Do the recommendations of this report support a level of service or project in the 2009-19 LTCCP?**

9. Not applicable.

**ALIGNMENT WITH STRATEGIES**

10. Not applicable.

**Do the recommendations align with the Council's strategies?**

11. Not applicable.

**CONSULTATION FULFILMENT**

12. A Council workshop was held on 15 September 2009 for Councillors to learn about the report and contribute to the development of the submission. Councillors were also sent the draft submission that was considered by the Submissions Panel on 24 September 2009.



**12 Cont'd**

**OTHER CONSIDERATIONS**

13. Submissions on the Law Commission report close at 5pm on Friday 30 October 2009. The submission period since the visit of the Law Commission to Christchurch has been very tight as the Law Commission met with Councillors on 17 September 2009. The next Submissions Panel meeting is on 9 October 2009 at which time it is expected that the Panel will sign off on the draft submission for Council consideration on 22 October 2009.

**STAFF RECOMMENDATION**

It is recommended that the Council endorse the submission on the Law Commissions report entitled "Alcohol in our lives".

22. 10. 2009

- 26 -

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

Attached.

22. 10. 2009

- 27 -

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

Attached.

22. 10. 2009

- 28 -

**15. NOTICES OF MOTION**

**16. RESOLUTION TO EXCLUDE THE PUBLIC**

*Section 48, Local Government Official Information and Meetings Act 1987.*

I move that the public be excluded from the following parts of the proceedings of this meeting, namely items 17-26.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED	REASON FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER	GROUND(S) UNDER SECTION 48(1) FOR THE PASSING OF THIS RESOLUTION
17. CONFIRMATION OF MINUTES: COUNCIL MEETING OF 24.9.2009	) )	
18. PROPOSED CHARITABLE TRUSTS TO OPERATE THE WORLD BUSKERS FESTIVAL – PART TWO	) ) )	
19. METROPOLITAN DISCRETIONARY RESPONSE FUND APPLICATION – OCTOBER 2009	) ) )	
20. POTENTIAL LAND CONTRIBUTION	)	SECTION 48(1)(a)
21. POTENTIAL OPPORTUNITY FOR LAND ACQUISITION	)	
22. REPLACEMENT EQUIPMENT	)	
23. ENERGY EFFICIENCY SHOW HOME	)	
24. 2009 CIVIC AWARDS	)	
25. PLAN CHANGE TO THE CITY PLAN -RECOMMENDED DECISION	) )	
26. PRIVATE PLAN CHANGE 31	)	

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public are as follows:

Item 17	Protection of privacy of natural persons	(Section 7(2)(a))
Item 17	Commercial activities	(Section 7(2)(h))
Item 17	Conduct of negotiations	(Section 7(2)(i))
Item 17	Right of appeal exists	(Section 48(2)(a))
Item 17	Recommendation by Ombudsman	(Section 48(i)(c))
Item 18	Protection of privacy of natural persons	(Section 7(2)(a))
Item 19	Protection of privacy of natural persons	(Section 7(2)(a))
Item 20	Protection of privacy of natural persons	(Section 7(2)(a))
Item 21	Protection of privacy of natural persons	(Section 7(2)(a))
Item 22	Protection of privacy of natural persons	(Section 7(2)(a))
Item 23	Protection of privacy of natural persons	(Section 7(2)(a))
Item 24	Protection of privacy of natural persons	(Section 7(2)(a))
Item 25	Council to make a recommendation	(Section 48(1)(d))
Item 25	Right of appeal exists	(Section 48(2)(a))
Item 26	Right of appeal exists	(Section 48(2)(a))

**Chairman's Recommendation:** That the foregoing motion be adopted.

**Note:** Section 48(4) of the Local Government Official Information and Meetings Act 1987 provides as follows:

“(4) Every resolution to exclude the public shall be put at a time when the meeting is open to the public, and the text of that resolution (or copies thereof):

- (a) Shall be available to any member of the public who is present; and
- (b) Shall form part of the minutes of the local authority.”