



**MINUTES OF A MEETING OF THE CHRISTCHURCH CITY COUNCIL
HELD AT 12 NOON ON THURSDAY 23 SEPTEMBER 2004**

PRESENT: The Mayor, Garry Moore (Chairperson).
Councillors Oscar Alpers, Carole Anderton, Paddy Austin, Helen Broughton, Sally Buck, Graham Condon, Barry Corbett, David Cox, Anna Crighton, Carole Evans, Megan Evans, Ishwar Ganda, Pat Harrow, Alister James, Lesley Keast, Denis O'Rourke, Linda Rutland, Gail Sheriff, Barbara Stewart, Ingrid Stonhill, Sue Wells, Chrissie Williams, Norm Withers and Ron Wright.

APOLOGIES: Apologies for lateness were received and accepted from Councillors Alister James and Carole Anderton who arrived at 12.30pm and 1.40pm respectively.

1. CONFIRMATION OF MINUTES

COUNCIL MEETING OF 26 AUGUST 2004

Resolved: That the open and public excluded minutes of the Council meeting held on Thursday 26 August 2004 be confirmed.

In addition Councillor Harrow moved:

"That it be recorded in the Council minutes that the Council note, that none of the current Councillors are the subject of the Court proceedings which have been referred to in the news media, in particular on the front page of last Saturday's Press."

The motion was seconded by Councillor O'Rourke and when put to the meeting was declared **carried**.

2. DEPUTATIONS BY APPOINTMENT

Nil.

3. PRESENTATION OF PETITIONS

Councillor Sally Buck presented two petitions from Isleworth Primary School and Wairakei School signed by approximately 150 and 120 parents and residents respectively, the prayers of which read:

"We the undersigned would like the Council to review the priorities and increase the budgets for more 40kmph school safety speed zones outside all schools in Christchurch to ensure our roads are safer for children. We would like to see a 40kmph safety speed zone outside Isleworth School on Farrington Ave and Wairakei School."

It was **resolved** that both petitions be referred to the appropriate Standing Committee.

4. CORRESPONDENCE

Nil.

5. REPORT OF THE LEGAL SERVICES MANAGER - AWAROA GODLEY HEAD COASTAL PARK

An amended report from the Legal Services Manager was tabled at the meeting and it was **resolved** that the appointment of Councillor Carole Evans (Chair) and Councillor Carole Anderton to the non statutory hearing panel considering the Awaroa/Godley Head Coast Park Development proposals be extended until the completion of the panel's considerations and the receipt of their recommendations by the Council.

6. SUPPLEMENTARY ITEMS

The Mayor referred to the following late items which had been separately circulated after the agenda had been distributed:

- Report of the Sustainable Transport and Utilities Committee of 20 September 2004
- Report of the Council Hearings Panel - Proposal to Construct a Private Drain Through Private Property: Section 460 of the Local Government Act 1974
- Report of the General Manager City Environment on Cathedral Square Completion Project Report
- Supplementary Report by the Chair of the Strategy and Finance Committee - Appointment of Councillor Directors to Christchurch City Holdings Limited and Subsidiaries following the Elections
- Supplementary Report by the Chairman of the Parks, Gardens and Waterways Committee (Public Excluded)
- Supplementary Report by the Chair of the Strategy and Finance Committee (Public Excluded)

The Mayor advised that it had not been possible to circulate these items with the agenda as the required information was not available at that time, but that it was necessary for the items concerned to be dealt with at the present meeting, rather than being deferred to a subsequent meeting.

It was **resolved** that the late items be received and considered at the present meeting.

7. REPORT OF THE ARTS, CULTURE AND HERITAGE COMMITTEE OF 9 SEPTEMBER 2004

Moved: That the Committee's report be adopted.

(1) Art Projects for Libraries

The recommendations of the Committee were adopted subject to the correction of recommendation 3 to read:

*"3. That if the funding sought in clause 2 of the recommendation is **not** raised, then the art feature be permitted to go ahead, within the \$30,000 budget."*

(2) Artworks In Public Places - Five Year Plan

The Committee's recommendations were adopted subject to the amendment of recommendation 4 to read:

*"4. That because of the success of the **three year** Art in Public Places programme, the Council consider provision being made in the LTCCP for **capital** funding to be continued at the \$250,000 level."*

(Note: Councillor Barry Corbett requested that his vote against the adoption of the above resolution be recorded.)

Report adopted as amended.

(Councillor Broughton arrived at 12.15pm)

8. REPORT OF THE COMMUNITY AND LEISURE COMMITTEE OF 6 SEPTEMBER 2004

Moved: That the Committee's report be received.

(3.3) **Mayor's Welfare Fund Charitable Trust - Six Monthly Report for the Period 1 January 2004 to 30 June 2004**

Committee Recommendation

The Committee asked that a letter of thanks be sent to the Committee and staff of the Mayor's Welfare Fund for the time and service they have given to the fund and the interests of the city.

Councillor Keast moved by way of addition "That the incoming Council be requested to provide a separate line item in the budget for the Mayor's Welfare Fund". The amendment was seconded by Councillor Condon and when put to the meeting was declared **carried**.

Report adopted as amended.

9. REPORT OF THE COMMUNITY AND LEISURE COMMITTEE OF 9 SEPTEMBER 2004

Resolved: That the Committee's report be adopted.

(Councillor Alpers arrived at 12.20pm)

10. REPORT OF THE PARKS, GARDENS AND WATERWAYS COMMITTEE OF 8 SEPTEMBER 2004

Moved: That the Committee's report be adopted.

(1) New Reserve Purchase: Morrison Avenue

This clause was considered in association with clause 11 of the Committee's report in the public excluded section in the agenda. The recommendation of the Committee adopted without amendment.

(Note: Councillor Norm Withers requested that his vote against the adoption of the resolution in respect of this clause be recorded.)

Report adopted.

11. REPORT OF THE PROPERTY AND MAJOR PROJECTS COMMITTEE OF 10 SEPTEMBER 2004

Resolved: That the Committee's report be adopted.

12. REPORT OF THE REGULATORY AND CONSENTS COMMITTEE OF 3 SEPTEMBER 2004

Moved: That the Committee's report be adopted.

(2) High Density Development in New Brighton

(Councillor James arrived at 12.30pm)

Committee Recommendation

1. *That the Council prepare a section 32 analysis covering the areas as defined in the New Brighton Master Plan.*
2. *That officers report back to the February 2005 Council meeting with a comprehensive City Plan work programme for adoption by the Council.*

Councillor James moved by way of amendment "That the New Brighton Master Plan section 32 analysis begin immediately, in advance of the City Plan work programme to be reported to the incoming Council". The amendment was seconded by Councillor Sheriff and when put to the meeting was declared **lost**.

The recommendation made by the Committee was then adopted without amendment.

(Note: Councillor Chrissie Williams requested that her vote against resolution no 1 as above be recorded.)

(3) Variation 92 to the Proposed City Plan: Rezoning of 207-215 Johns Road from Rural 3 to Living 1 (Deferred)

Adopted.

(Note: Councillor Helen Broughton requested that her vote against the adoption of the resolution in respect of this clause be recorded.)

(5) Report from the Alcohol Policy Subcommittee

Committee Recommendation

1. *That the Council not support a variation under clause 4.1 of the Liquor Control Bylaw 2004 to introduce a liquor ban in Ilam.*
2. *That the University of Canterbury Students' Association be encouraged to liaise with relevant parties to promote the responsible conduct of students and events organised by the Students' Association where alcohol is available.*
3. *That matters raised during the Alcohol Policy Subcommittee's investigation into reported alcohol related disorder issues in Ilam within the Riccarton/Wigram Community Board's jurisdiction be referred to the Board for its consideration and action where appropriate.*
4. *That the matters raised during the Alcohol Policy Subcommittee's investigation into reported alcohol related disorder issues in Ilam which are Police issues be brought to the attention of the Police for consideration and action where appropriate.*
5. *That University of Canterbury management, through the University Students Association and Student Health Centre, and the management of licensed venues owned by the Students Association be encouraged to work together to promote a responsible attitude towards the consumption of alcohol and promote health services available to students.*
6. *That Community and Public Health be encouraged to continue working with other relevant agencies, such as the University Student Health Centre, to continue to educate University of Canterbury students about the responsible consumption of alcohol.*
7. *That the Council promote residents' rights under liquor licensing legislation through the 'City Scene' magazine.*
8. *That thanks be extended to the Chair of the Alcohol Policy Subcommittee and the Committee Secretary.*

Councillor Buck moved by way of amendment "*That the Council not support a variation under clause 4.1 of the Liquor Control Bylaw 2004 to introduce a liquor ban in Ilam at this stage **but that this item be revisited when the new Council is in place***". The amendment was seconded by Councillor Broughton and when put to the meeting was declared **lost** on division no 1 by 19 votes to 4, the voting being as follows:

Against (19): Councillors Alpers, Austin, Condon, Corbett, Cox, C Evans, Ganda, Harrow, James, Keast, O'Rourke, Sheriff, Stewart, Stonhill, Wells, Williams, Withers, Wright and the Mayor.

For (4): Councillors Broughton, Buck, Crighton and Rutland.

Abstain: Councillor Megan Evans.

The recommendation made by the Committee was then adopted without amendment.

(Note: Councillor Megan Evans declared an interest in the above item and retired from the voting and discussion thereon.)

(Councillors Broughton, Buck and Wright retired at 1.20pm)

(7) Development of Office Block at Ferrymead

Committee Recommendation

1. *That an investigation be carried out and a report prepared on whether the requirements of the Industrial Business Zones are sufficient to protect surrounding amenities especially in sensitive locations and whether there would be a distributional impact from the proliferation of offices in suburban areas.*
2. *That the Council consider whether to proceed with a change to the proposed City Plan when this report is received.*

Councillor O'Rourke moved by way of addition and amendment:

- "1. *That an investigation be carried out and a report prepared on whether the requirements of the Industrial Business Zones are sufficient to protect surrounding amenities especially in sensitive locations and **where residential areas may be adversely affected and** whether there would be a distributional impact from the proliferation of offices in suburban areas.*

(Councillors Broughton, Buck and Wright returned at 1.25pm)

(Councillor Austin retired at 1.31pm)

3. *That should a change to the City Plan be proposed, the Council will give notice to the Ferrymead applicant that such change is contemplated, give the applicant an opportunity to be heard and discuss how the desires of the applicant and the objectives of the Council and community might best be achieved."*

The amendment was seconded by Councillor Condon and when put to the meeting was declared **carried**.

Councillor Rutland then moved by way of further amendment:

- "1. *That an investigation be carried out as a **top priority** and a report prepared on whether the requirements of the Industrial Business zone are sufficient to protect surrounding amenities especially in sensitive locations and where residential areas may be adversely affected and whether there would be a distributional impact from the proliferation of offices in suburban areas."*

The amendment was seconded by Councillor Crighton and when put to the meeting was declared **lost** on division no 3 by 14 votes to 9, the voting being as follows:

Against (14): Councillors Alpers, Buck, Condon, Corbett, C Evans, M Evans, Harrow, Keast, Sheriff, Stonhill, Wells, Withers, Wright and the Mayor.

For (9): Councillors Broughton, Cox, Crighton, Ganda, James, O'Rourke, Rutland, Stewart and Williams.

Recommendation no 2 made by the Committee was then adopted without amendment.

(Councillor Anderton arrived at 1.40pm)

(10) The Use of 1080 for Pest Control - a Discussion Document

Adopted.

(Note: Councillors Sally Buck, Carole Evans and Barbara Stewart requested that their vote against the adoption of the Committee's recommendation in respect of this item be recorded.)

Report adopted as amended.

**13. REPORT OF THE STRATEGY AND FINANCE COMMITTEE
OF 13 SEPTEMBER 2004**

(Note: At the request of the Chairman, Councillor Alister James, consideration of this report was deferred until after his arrival.)

Moved: That the Committee's report be adopted.

(2) Robert McDougall Gallery – Canterbury Museum

The Committee's recommendation was adopted, subject to noting that in respect of the details of the deed of lease the business use should be for the purpose of a **public gallery** for the display of art and decorative arts and crafts and ancillary facilities.

(3) Bedford Row – Equity Issues

Committee Recommendation

1. *That the Facility Assets Manager and Legal Services Manager be delegated authority to conclude a Memorandum of Encumbrance and Agreement with the owner of 8-12 Bedford Row as generally provided for in this report and the previous Council resolutions.*
2. *That should agreement not be reached and documented by 31 December 2004, all Council support be withdrawn, and all previous resolutions relating to it be automatically rescinded.*

The Committee's recommendation when put to the meeting was declared **carried** on division no 3 by 18 votes to 6, the voting being as follows:

For (18): Councillors Alpers, Anderton, Broughton, Buck, Condon, Crighton, M Evans, Ganda, Harrow, James, Keast, O'Rourke, Stewart, Stonhill, Wells, Williams, Wright and the Mayor.

Against (6): Councillors Corbett, Cox, C Evans, Rutland, Sheriff and Withers.

(6) Delegations: Council Recess

The recommendations of the Committee were adopted subject to deletion of the delegation contained in recommendation 5(a)(ii) *Appointing directors to the board of CPW.*

Report adopted as amended.

**14. SUPPLEMENTARY REPORT BY THE CHAIR OF THE STRATEGY AND FINANCE COMMITTEE -
APPOINTMENT OF COUNCILLOR DIRECTORS TO CHRISTCHURCH CITY HOLDINGS LIMITED
AND SUBSIDIARIES FOLLOWING THE ELECTIONS**

It was **resolved** that this report be referred to the inaugural meeting of the new Council with the following recommendation:

1. *That an appointments committee be appointed to recommend to the Council the appointment of four Councillors to the CCHL Board in accordance with Section 5 of the Policy on Appointment and Remuneration of Directors.*
2. *That the members of the committee be the Mayor, Paddy Austin, Alister James and Craig Boyce, (with David Stock as an alternate).*

**15. REPORT OF THE SUSTAINABLE TRANSPORT AND UTILITIES COMMITTEE
OF 7 SEPTEMBER 2004**

Moved: That the Committee's report be adopted.

(Councillors Cox, Keast, Broughton and Sheriff retired at 2.45pm)

(1) Terrorist Action Beslan Russia

The Mayor advised that he had contacted the Russian Embassy and expressed sympathy at the events in Beslan on behalf of the Council and the people of Christchurch. In addition it was suggested that the possibility of arranging for a visit to Christchurch for some of the children involved, in a similar manner to that for children from Columbine High School, should be also investigated.

(3) Proposed Waste Handling Facilities Licensing Bylaw

Committee Recommendation

1. *That the attached Statement of Proposal for the draft Christchurch City Waste Handling Facilities Licensing Bylaw 2005 be publicly notified and be subject to the Local Government Act 2002 special consultative procedure with public submissions to be made between 2 October 2004 and 19 November 2004, as set out in the report.*

Councillor O'Rourke moved by way of addition:

- "2. *That the licence fee of \$50 be reviewed on an annual basis in conjunction with other Council charges.*"

The amendment was seconded by Councillor Wright and when put to the meeting was declared **carried**.

(Councillors Sheriff and Austin returned at 2.50pm)
(Councillor Keast returned at 2.52pm)
(Councillor Broughton returned at 2.53pm)
(Councillor Cox returned at 2.54pm)

(5) Resurfacing of Vehicle Entrances

Committee Recommendation

That the current policy be reconfirmed.

Councillor Broughton moved by way of amendment "*That the Council maintain only those crossings covered by 6 above in the report and excluding owner installed materials*". The amendment was seconded by Councillor Buck and when put to the meeting was declared **lost**.

The recommendation made by the Committee was then adopted without amendment.

(7) Hills Road/Innes Road Intersection - Safety Improvements

(8) Clarence Street/Riccarton Road/Straven Road Intersection Improvements

(9) Marshland Road - Traffic Management

Adopted.

(Note: Councillor Pat Harrow requested that his vote against the resolutions in respect to the above clauses be recorded.
In addition Councillor Norm Withers requested that his vote against the adoption of the resolution in respect to clause 9 also be recorded.)

(10) Ferrymead Bridge Lifelines Project

Committee Recommendation

1. *That this information be received.*
2. *That the Council approve Option 2 - strengthening/widening of the existing bridge - for consultation.*
3. *That options for the resiting/replacement of the Cob Cottage be investigated as a separate project and coordinated with the bridge if possible.*
4. *That the standard of service for cyclists and pedestrians using Bridle Path Road, (riverside section) be further investigated as a separate project.*

Councillor Crighton moved by way of amendment "*That the Council put out both Options 1 and 2 for consultation*". The amendment was seconded by Councillor Rutland and when put to the meeting was declared **lost** on division no 4 by 18 votes to 7, the voting being as follows:

Against (18): Councillors Austin, Buck, Condon, Corbett, Cox, C Evans, M Evans, Harrow, Keast, O'Rourke, Sheriff, Stewart, Stonhill, Wells, Williams, Withers, Wright and the Mayor.

For (7): Councillors Alpers, Anderton, Broughton, Crighton, Ganda, James and Rutland.

The recommendation made by the Committee was then adopted subject to the amendment of recommendation 2 to read:

2. *That the Council approve Option 2 - strengthening/widening of the existing bridge - for consultation on the detail.*

(11) New Brighton Road - Avondale Road to Wainoni Road Cycleway Improvements

Committee Recommendation

1. *That the proposed improvements to cycle, pedestrian and bus facilities in New Brighton Road be approved for final design, tender and construction as amended and subject to cycle markings on the downstream side of the New Brighton Road/Anzac Drive roundabout being modified to more clearly define the connection with the off-road pathway.*
2. *That all existing no stopping restrictions in New Brighton Road between Avondale Road and Wainoni Road be revoked.*
3. *That the following stopping restrictions be approved ...*
4. *That the existing bus stop be removed from the north side of New Brighton Road at its present position commencing 94 metres to the east from the intersection with Bassett Street and extending for 16 metres in an east direction.*
5. *That the existing bus stop be removed from the south side of New Brighton Road at its present position commencing 64 metres to the east from the intersection with Bassett Street and extending for 15 metres in an east direction.*
6. *That the existing bus stop be revoked from the north side of New Brighton Road at its present position 32 metres west of the intersection with Wattle Drive, and reinstated on the north side of New Brighton Road commencing 52 metres from its intersection with Wainoni Road and extending 15 metres in a west direction.*
7. *That the existing bus stop be revoked from the south side of New Brighton Road at its present position 36 metres west of the intersection with Wattle Drive, and reinstated on the south side of New Brighton Road commencing at a point 104 metres from its intersection with Wainoni Road and extending in a west direction for a distance of 25 metres.*
8. *That a 'Give Way' sign be placed against Waygreen Avenue at its intersection with New Brighton Road.*
9. *That a 'Give Way' sign be placed against Brooker Avenue at its intersection with New Brighton Road.*
10. *That a 'Give Way' sign be placed against Dunair Drive at its intersection with New Brighton Road.*
11. *That a 'Give Way' sign be placed against Stour Drive at its intersection with New Brighton Road.*

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Councillor Harrow moved by way of amendment "*That options 1 and 2 be referred back to the relevant committee for reconsideration*". The amendment was seconded by Councillor Stewart and when put to the meeting was declared **lost**.

The recommendation made by the Committee was then adopted without amendment.

(Note: Councillors Barry Corbett and Norm Withers requested that their vote against the above resolution be recorded.)

(Councillor Condon retired at 3.30pm)

Report adopted as amended.

16. SUPPLEMENTARY REPORT OF THE SUSTAINABLE TRANSPORT AND UTILITIES COMMITTEE OF 20 SEPTEMBER 2004

Resolved: That the Committee's report be adopted.

17. REPORT OF THE URBAN PLANNING AND GROWTH SPECIAL COMMITTEE OF 1 SEPTEMBER 2004

Moved: That the Committee's report be adopted.

(3.2) Ministry for the Environment Draft New Zealand Urban Design Protocol

It was noted that members' comments would be sought on the document and added to the staff response.

Report adopted.

18. REPORT OF THE COUNCIL HEARINGS PANEL - PROPOSAL TO CONSTRUCT A PRIVATE DRAIN THROUGH PRIVATE PROPERTY: SECTION 460 OF THE LOCAL GOVERNMENT ACT 1974

It was **resolved:**

1. That the only practical route for a drain to convey stormwater emanating from 120 Dyers Pass Road from the point of termination of the existing stormwater drain at the boundary between 7 and 11 Kiteroa Place to the public drain on 15 Kiteroa Place is that shown on the attached plan marked "Appendix 1".
2. That pursuant to Section 460 of the Local Government Act 1974 a private stormwater drain be constructed through Nos. 11, 13, 13A and 15 Kiteroa Place along the route shown on the abovementioned plan.

19. REPORT OF THE CENTRAL CITY STREETS SUBCOMMITTEE OF 20 AUGUST 2004

Resolved: That the Subcommittee's report be received.

(Councillor Ishwar Ganda declared an interest in the above report and retired from the voting and discussion thereon.)

20. REPORT OF THE CANTERBURY WASTE SUBCOMMITTEE OF 6 SEPTEMBER 2004

Resolved: That the Subcommittee's report (both open and public excluded sections) be received.

21. REPORT OF THE BURWOOD/PEGASUS COMMUNITY BOARD OF 16 AUGUST 2004

Resolved: That the Board's report be received.

22. REPORT OF THE BURWOOD/PEGASUS COMMUNITY BOARD OF 30 AUGUST 2004

Resolved: That the Board's report be received.

23. REPORT OF THE FENDALTON/WAIMAIRI COMMUNITY BOARD OF 31 AUGUST 2004

Resolved: That the Board's report be adopted.

24. REPORT OF THE FENDALTON/WAIMAIRI COMMUNITY BOARD OF 14 SEPTEMBER 2004

Moved: That the Board's report be adopted.

(1) Garreg Road – Undergrounding of Overhead Services – Board Funding Contribution

Board Recommendation

That, subject to the Council's approval, the Board underwrite, up to a maximum of \$25,000, any funding shortfall above \$175,000 so that the residents can confirm their half share of undergrounding to achieve full reconstruction of Garreg Road.

(Councillor Broughton retired at 4.25pm and returned at 4.28pm)

(Councillor Austin retired at 4.35pm and returned at 4.41pm)

The recommendation of the Board when put to the meeting was declared **lost** on division no 5 by 19 votes to 5, the voting being as follows:

Against (19): Councillors Austin, Condon, Corbett, Cox, Crighton, C Evans, M Evans, Ganda, Harrow, James, Keast, O'Rourke, Rutland, Sheriff, Stewart, Stonhill, Williams, Withers and the Mayor.

For (5): Councillors Alpers, Anderton, Broughton, Buck and Wright.

Abstain: Councillor Sue Wells.

(Note: Councillor Sue Wells declared an interest in the above item and retired from the voting and discussion thereon.)

Report adopted as amended.

25. REPORT OF THE HAGLEY/FERRYMEAD COMMUNITY BOARD OF 1 SEPTEMBER 2004

Resolved: That the Board's report be adopted.

26. REPORT OF THE RICcarton/WIGRAM COMMUNITY BOARD OF 1 SEPTEMBER 2004

Resolved: That the Board's report be received.

(Councillor Stewart retired at 4.43pm)

**27. REPORT OF THE SHIRLEY/PAPANUI COMMUNITY BOARD
OF 1 SEPTEMBER 2004**

Resolved: That the Board's report be received.

**28. REPORT OF THE SHIRLEY/PAPANUI COMMUNITY BOARD
OF 15 SEPTEMBER 2004**

Resolved: That the Board's report be received.

**29. REPORT OF THE SPREYDON/HEATHCOTE COMMUNITY BOARD
OF 10 AUGUST 2004**

Resolved: That the Board's report be adopted.

**30. REPORT OF THE SPREYDON/HEATHCOTE COMMUNITY BOARD
OF 24 AUGUST 2004**

Resolved: That the Board's report be received.

**31. REPORT OF THE SPREYDON/HEATHCOTE COMMUNITY BOARD
OF 7 SEPTEMBER 2004**

Resolved: That the Board's report be received.

**32. REPORT OF THE GENERAL MANAGER CITY ENVIRONMENT - CATHEDRAL SQUARE
COMPLETION PROJECT REPORT**

It was **resolved** that the information be received.

33. RESOLUTION TO EXCLUDE THE PUBLIC

It was **resolved** that the resolution to exclude the public as amended and separately circulated be adopted.

SIGNED BY THE MAYOR AND CHIEF EXECUTIVE OFFICER PURSUANT TO STANDING ORDER 2.12.2

MAYOR

CHIEF EXECUTIVE OFFICER