



**MINUTES OF A MEETING OF THE CHRISTCHURCH CITY COUNCIL
HELD AT 2PM ON THURSDAY 26 AUGUST 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: An apology for lateness was received and accepted from Councillor Oscar Alpers (arrived at 2.04pm) and from Councillors Carole Anderton and Paddy Austin for early retirement.

At the commencement of the meeting members stood for a moment's silence in memory of Ms Maria Leuluai, Receptionist 4th floor.

1. CONFIRMATION OF MINUTES

COUNCIL MEETING OF 29 JULY 2004

Resolved: That the open and public excluded minutes of the Council meeting held on Thursday 29 July 2004 be confirmed.

(Councillor Alpers arrived at 2.04pm)

2. CORRESPONDENCE

Copies of correspondence relating to the draft Christchurch Road Safety Strategy had been separately circulated.

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

3. PRESENTATION OF PETITIONS

Councillor Norm Withers presented a petition signed by 44 residents in the Gardiners Road-Johns Road-Hussey Road area opposed to the granting of permission to Barry and Leanne Foster to operate helicopter flights in that area.

It was **resolved** that the petition be referred to the Regulatory and Consents Committee.

4. DEPUTATIONS BY APPOINTMENT

Nil.

Councillor Graham Condon drew the attention of members to the three awards won by the Council at the recent New Zealand Recreation Association Conference and members extended their congratulations to the staff involved.

5. SUPPLEMENTARY ITEM

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

- Supplementary report by the Mayor - Banks Peninsula Reorganisation.

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

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

**6. REPORT OF THE STRATEGY AND FINANCE COMMITTEE
OF 16 AUGUST 2004**

Moved: That the Committee's report be adopted.

**(2) Hagley Nurses' Home
Deed of Covenant**

Committee Recommendation

1. *That the Council resolution of 25 March 2004 to promote a Local Bill for the Hagley Nurses' Home be revoked.*
2. *That the Council sign the draft deed of covenant attached to this report.*

Councillor Anna Crighton moved by way of amendment "*That the covenant as proposed be put out for consultation with affected parties as required by the Local Government Act 2002*". The amendment was seconded by Councillor Wright and when put to the meeting was declared **lost** on division no 1 by 20 votes to 5, the voting being as follows:

Against (20): Councillors Anderton, Austin, Buck, Condon, Corbett, Cox, C Evans, M Evans, Ganda, Harrow, James, Keast, O'Rourke, Rutland, Sheriff, Stonhill, Wells, Williams, Withers and the Mayor.

For (5): Councillors Alpers, Broughton, Crighton, Stewart and Wright.

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

(Note: Councillors Anna Crighton and Helen Broughton requested that their vote against the above decision be recorded.)

(5) Bertelsmann Award Fund

Committee Recommendation

That the City Manager's Bertelsmann Fund be amalgamated with the Bertelsmann Prize Fund and the purpose of the fund be changed to the provision of in-house training programmes for elected members and staff which have an emphasis on improving excellence within the Council generally.

Councillor Anderton moved by way of amendment "*That the incoming Council convene a small committee of elected members and staff to review the two Bertelsmann funds and recommend a scheme that will utilise those funds in the most beneficial way for both staff and elected members with a strategic focus on professional development for the recipients*". The amendment was seconded by Councillor Austin and when put to the meeting was declared **carried** as the substantive motion.

Report adopted as amended.

**7. REPORT OF THE ARTS, CULTURE AND HERITAGE COMMITTEE
OF 12 AUGUST 2004**

Resolved: That the Committee's report be received.

**8. REPORT OF THE COMMUNITY AND LEISURE COMMITTEE
OF 9 AUGUST 2004**

(Councillor Anderton retired at 3.03pm)
(Councillor Broughton retired at 3.05pm)

Resolved: That the Committee's report be adopted.

(Councillor Broughton returned at 3.06pm)
(Councillor Condon retired at 3.06pm)

9. REPORT OF THE PARKS, GARDENS AND WATERWAYS COMMITTEE OF 11 AUGUST 2004

Moved: That the Committee's report be adopted.

(5) Halswell Quarry Park, Management and Structures

(Councillor Condon returned at 3.10pm)

Committee Recommendation

1. *That the Council (as landowner) in accordance with clause 5.4 of the Halswell Park Management Plan approve the installation of the following three works of art – "Sister City icons" at the Halswell Quarry Park as listed below and outlined on the drawings (tabled):*

- *Kurashiki canoe*
- *Seattle totem pole, and*
- *Gansu Gate and associated structures*

The installation to be subject to full external funding and any necessary resource and building consents.

2. *That the Management Plan be reviewed to clarify and include the design guidelines of the Sister City Gardens features (eg art works and sculptures) and to generally update the plan to include land added since 1998 and the proposed community and education use of Paterson House.*

3. *That staff report back to the Parks, Gardens and Waterways Committee on the implications of this property (Halswell Quarry Park) being classified as a reserve under the Reserves Act 1977.*

Councillor Rutland moved by way of amendment "*That work on the Management Plan be completed first and installation of the structures be undertaken following this*". The amendment was seconded by Councillor Broughton and when put to the meeting was declared **lost** on division no 2 by 22 votes to 2, the voting being as follows:

Against (22): Councillors Alpers, Austin, Buck, Condon, Corbett, Cox, Crighton, C Evans, M Evans, Ganda, Harrow, James, Keast, O'Rourke, Sheriff, Stewart, Stonhill, Wells, Williams, Withers, Wright and the Mayor.

For (2): Councillors Broughton and Rutland.

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

Report adopted.

10. REPORT OF THE PROPERTY AND MAJOR PROJECTS COMMITTEE OF 13 AUGUST 2004

Resolved: That the Committee's report be adopted.

(Councillor Ganda retired at 3.25pm)

11. REPORT OF THE REGULATORY AND CONSENTS COMMITTEE OF 6 AUGUST 2004

Resolved: That the Committee's report be adopted.

(Councillors James and Keast retired at 3.45pm)

12. REPORT OF THE SUSTAINABLE TRANSPORT AND UTILITIES COMMITTEE OF 10 AUGUST 2004

Moved: That the Committee's report be adopted.

(Councillor Keast returned at 3.55pm)
(Councillor Austin retired at 3.58pm)
(Councillor James returned at 4pm)

(1) Opawa Road (Garlands Road to Curries Road)

Committee Recommendation

That the Council receive the information and support the revised plan of Opawa Road (Garlands Road to Curries Road) to final design, tender and construction.

Councillor Corbett moved by way of amendment "That the Council receive the information and support the revised plan of Opawa Road (Garlands Road to Curries Road) to final design, tender and construction excluding marked cycle lanes". The amendment was seconded by Councillor Wright 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, C Evans, M Evans, Ganda, James, Keast, O'Rourke, Rutland, Sheriff, Stonhill, Williams and the Mayor.

For (9): Councillors Broughton, Corbett, Cox, Crighton, Harrow, Stewart, Wells, Withers and Wright.

Absent: Councillors Anderton and Austin.

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

(3) Draft Road Safety Strategy

Committee Recommendation

That the Christchurch Road Safety Strategy as amended be adopted by the Council.

Councillor Chrissie Williams moved by way of amendment "That the terminology in the Road Safety Strategy revert to "older road users" in 14.1 and "young people" in 14.2 as used in the draft strategy approved for consultation". The amendment was seconded by Councillor Anderton and when put to the meeting was declared **carried**.

(4) Citywide Public Transport Priority Plan

Adopted.

Councillor Helen Broughton requested that her vote against the adoption of the Committee recommendation be recorded.

Report adopted as amended.

13. REPORT OF THE SUSTAINABLE TRANSPORT AND UTILITIES COMMITTEE OF 11 AUGUST 2004

Moved: That the Committee's report be adopted.

(1) Solid Waste RMF Proposal

(Note: Councillors Denis O'Rourke, Sally Buck and Ron Wright declared an interest in respect of this item and retired from the voting and discussion thereon.)

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The recommendation of the Committee was adopted subject to amendments to the dates for public notification and to clause 6 as detailed below:

1. *That Council resolves that the Recovered Materials Foundation (RMF) proposal in response to the CCC Request for Information (RFI) number 03/04-58 best meets the Council's objectives for waste minimisation and disposal and that the proposal be put out for public consultation pursuant to the LGA 2002 S.83.*
2. *That Council adopts the following timetable:*
 - *Public Notification - **Wednesday 1 September 2004***
 - *Submissions Close - **Wednesday 20 October 2004***
 - *Hearings Panel Appointed - inaugural Council meeting*
 - *Submissions Heard - November 2004*
 - *Final Council decision - by 10 December 2004*
3. *That to meet this timetable the new Council therefore must appoint a hearings panel to consider submissions on the proposal at its inaugural meeting.*
4. *That Council notes that extraordinary Council meetings should be convened if necessary to ensure that a final decision is made by 10 December 2004.*
5. *That Council approve the Statement of Proposal and Summary of Information attached as tabled at the meeting.*
6. ***That staff be instructed to negotiate an appropriate compensation package with City Care, should its contract be terminated before expiry.***
7. *That staff be authorised to commence negotiating a contract with RMF for the provision of services including the recommendations in Section 8, 3.4 of the Deloitte report, July 2004. This contract is to reflect the Council's wish to maintain appropriate control consistent with Council's objectives with regard to waste minimisation and public access to transfer stations.*
8. *That staff be authorised to obtain further legal advice with regard to any Commerce Act implications that might arise once the proposed contractual arrangements with the RMF, CWS and Onyx are more clearly defined.*
9. *That the Council commit to the disposal of black bag refuse at the RMF managed facilities.*
10. *That staff be instructed to commence negotiating market based lease agreements with the parties named in the proposal and that these ensure that the Council retains appropriate controls.*
11. *That the Council note that the concurrent process of establishing a bylaw to licence refuse stations and waste sorting facilities is also a means of ensuring that waste diversion occurs at all refuse stations.*
12. *That the Council acknowledge the time, effort, co-operation, and financial commitment from those involved in arriving at a proposal that meets the Council's required community outcomes.*

(Note: Councillor Helen Broughton requested that her vote against the above resolution be recorded.)

Report adopted as amended.

**14. REPORT OF THE CANTERBURY WASTE SUBCOMMITTEE
OF 9 AUGUST 2004**

Resolved: That the Subcommittee's report be received.

15. REPORT OF THE BURWOOD/PEGASUS COMMUNITY BOARD OF 21 JUNE 2004

Resolved: That the Board's report be received.

16. REPORT OF THE BURWOOD/PEGASUS COMMUNITY BOARD OF 19 JULY 2004

Resolved: That the Board's report be received.

17. REPORT OF THE BURWOOD/PEGASUS COMMUNITY BOARD OF 2 AUGUST 2004

Resolved: That the Board's report be received.

18. REPORT OF THE FENDALTON/WAIMAIRI COMMUNITY BOARD OF 3 AUGUST 2004

Moved: That the Board's report be adopted.

(1.1) Garreg Road – Undergrounding of Overhead Services – Board Funding Contribution and Notice of Motion

It was **resolved** that this item be withdrawn and referred back to the Community Board for further consideration and clarification in respect of the contribution from Telecom.

- (Note: 1. Councillor Sue Wells declared an interest in respect of this item and retired from the voting and discussion thereon.
2. Councillor Anna Crighton requested that her vote against the above resolution be recorded.)

(Councillors O'Rourke, Buck and Wright returned at 5.05pm)

Report adopted as amended.

19. REPORT OF THE HAGLEY/FERRYMEAD COMMUNITY BOARD OF 4 AUGUST 2004

Resolved: That the Board's report be adopted.

20. REPORT OF THE RICcarton/WIGRAM COMMUNITY BOARD OF 4 AUGUST 2004

Resolved: That the Board's report be received.

21. REPORT OF THE SHIRLEY/PAPANUI COMMUNITY BOARD OF 4 AUGUST 2004

Resolved: That the Board's report be adopted.

(Note: Councillor Ingrid Stonhill declared an interest in respect of the above and retired from the voting and discussion thereon.)

22. REPORT OF THE SPREYDON/HEATHCOTE COMMUNITY BOARD OF 27 JULY 2004

Resolved: That the Board's report be received.

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23. REPORT OF THE COUNCIL HEARINGS PANEL

The recommendation of the Hearings Panel was not adopted.

Instead it was **resolved** that the matter be referred back to the Hearings Panel for the rehearing of objections to the proposal, under section 460(2) of the Local Government Act 1974.

24. SUPPLEMENTARY REPORT OF THE MAYOR - BANKS PENINSULA REORGANISATION

It was **resolved** that the Mayor and Councillors Alister James and Ron Wright be authorised to represent the Council at the hearing before the Local Government Commission in respect of the proposal to abolish the Banks Peninsula District Council and include it in Christchurch City.

(Councillor Ganda retired at 5.30pm)

25. RESOLUTION TO EXCLUDE THE PUBLIC

It was **resolved** that the resolution to exclude the public set out on page 393 of the agenda be adopted.

CONFIRMED THIS 23RD DAY OF SEPTEMBER 2004

MAYOR