

**MINUTES OF A MEETING OF THE CHRISTCHURCH CITY COUNCIL
HELD AT 9.30AM ON THURSDAY 6 OCTOBER 2005**

PRESENT: The Mayor, Garry Moore (Chairperson).
Councillors Helen Broughton, Sally Buck, Barry Corbett, David Cox, Carole Evans,
Bob Shearing, Gail Sheriff, Sue Wells and Norm Withers.

1. APOLOGIES

Apologies for absence were received from Councillors Graham Condon, Anna Crighton and Pat Harrow.

It was **resolved** that the apologies be accepted.

2. CONFIRMATION OF MINUTES

COUNCIL MEETING OF 22 SEPTEMBER 2005

Resolved: That the open and public excluded minutes of the Council meeting held on Thursday 22 September 2005 be confirmed.

3. DEPUTATIONS BY APPOINTMENT

SPOKES CANTERBURY

Glen Koorey and Andrew MacBeth made submissions on behalf of SPOKES Canterbury, seeking the lifting of the temporary freeze placed by the Council on cycleway works.

It was **resolved** that the submissions be considered in conjunction with the staff report on this topic.

4. PRESENTATION OF PETITIONS

Nil.

5. CORRESPONDENCE

Nil.

8. CYCLEWAYS TEMPORARY FREEZE

Moved:

- (a) That the Council lift its temporary freeze on cycleway capital projects.
- (b) That staff report back to the Liveable City Portfolio Group within two months on the outcome of the marketing review and updating the Cycle Network Plan.
- (c) That the Council further investigate the value of cycle lanes on Riccarton Road.

On being put to the meeting, clause (a) of the motion was declared **lost** on division no 1 by 3 votes to 6, the voting being as follows:

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

For (3): Councillors Buck, Wells and the Mayor.

Abstain: Councillor Broughton.

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Clauses (b) and (c) of the motion were then put to the meeting and declared **carried**.

(Note: Councillors Broughton and Wells both abstained from voting on clauses (b) and (c) of the motion.)

6. DRAFT 2005 WASTE MANAGEMENT PLAN FOR SOLID AND HAZARDOUS WASTE

Following a presentation regarding the options traversed in the report, it was **resolved** that the staff be requested to amend the draft Solid and Hazardous Waste Management Plan to take into account the suggestions made at the meeting, and that the amended draft plan be reported back to the Council for approval prior to its release for public comment.

7. OCEAN OUTFALL PIPELINE

Resolved: That the staff recommendations be adopted.

8. CYCLEWAYS TEMPORARY FREEZE

This item was dealt with earlier in the meeting.

9. PART TIME SPEED LIMITS

Resolved: That the staff recommendations be adopted.

It was further **resolved** that, where road reconstruction is proposed adjacent to any school, the installation of the required facilities to allow for the possible future implementation of part time speed limits outside the school/s affected be considered as part of the reconstruction work, where staff consider this to be appropriate.

10. POLICY ON PRIVATELY-REQUESTED PLAN CHANGES

Also considered were two tabled letters from Goodman, Steven, Tavendale and Reid and Anderson, Lloyd, Caudwell, both of which expressed reservations regarding the proposals contained in the staff report.

It was **resolved** that the report be deferred, to enable the officers to consider the issues raised in the tabled correspondence, and report back to a subsequent Council meeting.

11. DOMESTIC FOOD REVIEW

Resolved: That the staff recommendations be adopted.

12. MEMBERSHIP OF METROPOLITAN FUNDING SUBCOMMITTEE/METROPOLITAN COMMUNITY DEVELOPMENT SCHEME FUNDING ASSESSMENT COMMITTEE

Resolved: That the staff recommendations be adopted.

13. REPORT OF THE CANTERBURY WASTE SUBCOMMITTEE - MEETING OF 12 SEPTEMBER 2005

Resolved: That the report be received.

14. REPORT OF THE BURWOOD/PEGASUS COMMUNITY BOARD - MEETING OF 7 SEPTEMBER 2005

Resolved: That the Board's report be received.

15. REPORTS OF THE HAGLEY/FERRYMEAD COMMUNITY BOARD

MEETING OF 24 AUGUST 2005

Resolved: That the Board's report be received.

MEETING OF 14 SEPTEMBER 2005

Moved: That the Board's report be adopted.

(2) Declaring Land to be Road - Bromley/Maces Road Safety Improvement Works

Adopted.

It was further **resolved** that the Mayor write to the Minister of Conservation expressing concern at the requirement that 50% of the current market value of the land being declared road be paid to the Department of Conservation.

Report adopted as amended.

16. REPORTS OF THE RICCARTON/WIGRAM COMMUNITY BOARD

MEETING OF 29 AUGUST 2005

Resolved: That the Board's report be received.

MEETING OF 31 AUGUST 2005

Resolved: That the Board's report be received.

**17. REPORT OF THE SHIRLEY/PAPANUI COMMUNITY BOARD -
MEETING OF 24 AUGUST 2005**

Resolved: That the Board's report be received.

**18. REPORT OF THE SPREYDON/HEATHCOTE COMMUNITY BOARD -
MEETING OF 6 SEPTEMBER 2005**

Resolved: That the Board's report be received.

19. NOTICES OF MOTION

Nil.

20. QUESTIONS

Nil.

24. CHRISTCHURCH CITY BROTHELS (LOCATION AND SIGNAGE) BYLAW 2004

Councillor Corbett moved "*That this report be considered with the public present*". The motion was seconded by Councillor Withers and when put to the meeting was declared **carried** on division no 2 by 9 votes to 1, the voting being as follows:

For (9): Councillors Buck, Corbett, Cox, Evans, Shearing, Sheriff, Wells, Withers and the Mayor.

Against (1): Councillor Broughton.

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It was then **moved**:

- (a) That the Council not apply to the Court of Appeal for a stay of the decision of the High Court of 29 July 2005 which quashed Clauses 6 and 7 of the Christchurch City Brothels (Location and Signage) Bylaw 2004.
- (b) That the Council appoint a subcommittee of Councillors to make any decision which is required of the Council in the course of pursuing, in the Court of Appeal, the appeal against the High Court judgment of 29 July 2005.
- (c) In the event of the Council introducing a new bylaw regarding the location of brothels, it be noted that any such new bylaw requirements could be legally enforced in respect of commercial brothel owners.
- (d) That, as a result of the decision regarding the stay, staff report back as to whether the Council should pursue its appeal against the High Court decision of 29 July 2005.

On being put to the meeting clause (a) of the motion was declared **carried**, while clause (b) of the motion was declared **lost**.

Clause (c) of the motion was declared **carried** on division no 3 by 8 votes to 2, the voting being as follows:

For (8): Councillors Broughton, Buck, Cox, Evans, Shearing, Sheriff, Withers and the Mayor.

Against (2): Councillors Corbett and Wells.

Clause (d) of the motion was declared **carried** on division no 4 by 6 votes to 5, the voting being as follows:

For (6): Councillors Corbett, Cox, Shearing, Wells, Mayor and the Mayor's casting vote.

Against (5): Councillors Broughton, Buck, Evans, Sheriff and Withers.

21. RESOLUTION TO EXCLUDE THE PUBLIC

It was **resolved** that the resolution to exclude the public set out on page 185 of the agenda be adopted, subject to deletion of the reference to the report regarding the Christchurch City Brothels (Location and Signage) Bylaw 2004, this topic having being dealt with with the public present.

CONFIRMED THIS 13TH DAY OF OCTOBER 2005

MAYOR