

**MINUTES OF A MEETING OF THE CHRISTCHURCH CITY COUNCIL
HELD AT 9.30AM ON THURSDAY 11 OCTOBER 2007**

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

1. APOLOGIES

Nil.

2. CONFIRMATION OF MINUTES

COUNCIL MEETING OF 4 OCTOBER 2007

Resolved: That the open and public excluded minutes of the Council meeting held on Thursday 4 October 2007 be confirmed.

24. SUPPLEMENTARY REPORTS

The Mayor referred to the following late items which had been separately circulated (or were to be circulated) after the agenda had been distributed:

- Report of the Hearings Panel - Proposed Charitable Trust for Banks Peninsula Projects
- Resource Management Act 1991 - Delegation of Powers
- Funding Request to Attract Major Stage Show to Christchurch (Public Excluded)
- New Civic Building - Site Selection (Public Excluded), together with a supporting report from Vbase and presentations from Vbase and Ngāi Tahu Properties Ltd

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 it was necessary for the items concerned to be dealt with at the present meeting, rather than being deferred to a subsequent meeting.

In respect to the report "New Civic Building - Site Selection" it was advised by the Chief Executive that the reason why this report was not on the agenda for the meeting was that the discussions which formed the basis of the report had not been concluded until the previous day, and consequently the report could not be completed until that morning.

The reason why the report could not be delayed until a subsequent meeting was that this was the last meeting of this Council for the term and other dates relevant to this issue could not be achieved in a later timeframe.

The motion to receive the above late items was put in two parts. It was **resolved** that the late items in respect to the:

- Report of the Hearings Panel - Proposed Charitable Trust for Banks Peninsula Projects
- Resource Management Act 1991 - Delegation of Powers
- Funding Request to Attract Major Stage Show to Christchurch (Public Excluded)

be received and considered at the present meeting.

The motion in respect to acceptance of the report on the new Civic Building - Site Selection on being put to the meeting was declared **carried** on division no 1 by 10 votes to 3, the voting being as follows:

For (10): Councillors Corbett, Cox, Harrow, Evans, Parker, Shearing, Sheriff, Wells, Withers and the Mayor.

Against (3): Councillors Broughton, Buck, and Crighton.

3. DEPUTATIONS BY APPOINTMENT

(a) CHAIRPERSONS, BURWOOD/PEGASUS AND SHIRLEY/PAPANUI COMMUNITY BOARDS - MARSHLAND ROAD UPGRADING BETWEEN BRIGGS ROAD AND QUEEN ELIZABETH II DRIVE

Glenda Burt, Chairperson, Burwood/Pegasus Community Board, and Yvonne Palmer, Chairperson, Shirley/Papanui Community Board attended and spoke regarding the details of the design for this project, the amendments which had been now incorporated into it and the need for further consideration in the 2009 LTCCP. They confirmed that they were now satisfied with the project as amended. They requested that:

- After six months there be a review of how the intersection is operating.
- The right-turn arrow currently on the lamp stand be phased in now.
- There be a signage change to indicate this is now a shared cyclist/pedestrian pathway.

The deputation from the Board Chairpersons was considered in association with clause 18 of the agenda relating to this topic.

4. PRESENTATION OF PETITIONS

Nil.

5. PRESENTATION OF CERTIFICATES TO RETIRING COUNCILLORS

Certificates recognising their service were presented to the Mayor, Garry Moore, Councillor Carole Evans (Deputy Mayor), Councillor Anna Crighton and Councillor Pat Harrow. Councillors Evans, Crighton and Harrow and the Mayor then took the opportunity to address the meeting and to thank their colleagues and staff for the support they had received during their time as elected members and to share with the meeting memories of their time as elected representatives and the significant outcomes they felt had been achieved during that time.

A presentation was also made to the Mayoress, Pam Sharpe, and at the conclusion of the presentation the Mayor received a standing ovation from those present.

7. ADOPTION OF 2007 ANNUAL REPORT

This item was considered at this stage of the meeting. A copy of the unqualified Audit Report from Audit New Zealand was also tabled at the meeting for the information of members.

It was **resolved**:

- (a) To adopt the 2007 Annual Report as presented.
- (b) To authorise the General Manager Corporate Services to make changes as required for publishing the Annual Report.
- (c) To authorise the General Manager Corporate Services to produce and publish the Annual Report and Summary Annual Report within the statutory timeframes.

6. 2006/07 SURPLUS

Resolved: That the staff recommendation be adopted.

8. CHRISTCHURCH TO LITTLE RIVER RAIL TRAIL - LITTLE RIVER TOWNSHIP SECTION

It was **resolved** that consideration of this item be deferred to a subsequent meeting.

9. MISUSE OF DRUGS (CLASSIFICATION OF BZP) AMENDMENT BILL

Resolved: That the staff recommendation be adopted.

10. REVIEW OF CLEANFILL LICENSING BYLAW 2003

Resolved: That the staff recommendation be adopted.

Note: Councillor Sally buck declared an interest in respect to this item and retired from discussion and voting thereon.

**11. REPORT OF THE BURWOOD/PEGASUS COMMUNITY BOARD:
MEETING OF 19 SEPTEMBER 2007**

Resolved: That the Board's report be adopted.

12. REPORT OF THE CHAIRPERSON OF THE BURWOOD/PEGASUS COMMUNITY BOARD

Resolved: That the Chairperson's report be adopted.

13. REPORT OF THE CHAIRPERSON OF THE FENDALTON/WAIMAIRI COMMUNITY BOARD

Resolved: That the Chairperson's report be adopted.

14. REPORT NO 1 OF THE CHAIRPERSON OF THE HAGLEY/FERRYMEAD COMMUNITY BOARD

Resolved: That the Chairperson's report be adopted.

15. REPORT NO 2 OF THE CHAIRPERSON OF THE HAGLEY/FERRYMEAD COMMUNITY BOARD

Resolved: That the Chairperson's report be adopted.

16. REPORT NO 3 OF THE CHAIRPERSON OF THE HAGLEY/FERRYMEAD COMMUNITY BOARD

Resolved: That the Chairperson's report be adopted.

17. REPORT OF THE CHAIRPERSON OF THE LYTTELTON/MT HERBERT COMMUNITY BOARD

Resolved: That the Chairperson's report be adopted.

**18. REPORT OF THE CHAIRPERSONS OF THE SHIRLEY/PAPANUI AND BURWOOD/PEGASUS
COMMUNITY BOARDS**

(1) Marshland Road Upgrading Between Briggs Road and Queen Elizabeth II Drive

This item was considered together with the deputations by the Chairpersons of the Shirley/Papanui and Burwood/Pegasus Community Boards.

Councillor Withers moved *"That the staff recommendation be adopted, subject to the following amendments:*

That the Council approves:

- (a) *The installation of traffic signals for the main entry to the development at 195-201 Marshland Road and the associated works on Marshland Road in general accordance with the amended plan attached to the report.*
- (b) *That the existing footpath on the eastern side of Marshland Road between Briggs Road and Queen Elizabeth II Drive be declared as a shared cycle and pedestrian path.*
- (c) *That any further upgrading or safety and efficiency improvement work, including the acquisition of land, on the Briggs/Lake Terrace/Marshland intersection be included in the LTCCP review in 2009.*
- (d) *That the resolutions of the joint meeting of the Shirley/Papanui and Burwood/Pegasus Community Boards made 26th September 2007 in relation to the Marshland Road Upgrading be amended as follows:*

Resolution of the joint Boards:

- (a) *The provision of a bus stop on the western side of Marshland Road measured at a point 170 metres in a northerly direction from a point opposite the northern kerb line of Briggs Road and extending in northerly direction for a distance of 25 metres.*
- (b) *The provision of a bus stop on the eastern side of Marshland Road measured at a point 114 metres in a northerly direction from a point opposite the northern kerb line of Lake Terrace Road and extending in a northerly direction for a distance of 18 metres and that the bus stop be recessed.*
- (c) *The installation of a no stopping at all times restriction **on the western side of Marshland Road** measured at a point 60 metres in a northerly direction from a point opposite the northern kerb line of Briggs Road and extending in northerly direction for a distance of 110 metres **and at a point 195 metres in a northerly direction to a point opposite the southern kerbline of Queen Elizabeth II Drive.***
- (d) ***That the existing no stopping at all times restriction on the western side of Marshland Road south of Briggs Road be extended to a point measured 118 metres from the southern kerbline of Briggs Road.***

The motion was seconded by Councillor Evans and when put to the meeting was declared carried.

Report adopted as amended.

19. NOTICES OF MOTION

Nil.

20. QUESTIONS

Nil.

**25. REPORT OF THE HEARINGS PANEL -
PROPOSED CHARITABLE TRUST FOR BANKS PENINSULA PROJECTS**

Resolved: That the report of the Hearings Panel be adopted.

26. RESOURCE MANAGEMENT ACT 1991 - DELEGATION OF POWERS

Resolved: That staff recommendation be adopted.

21/27.RESOLUTIONS TO EXCLUDE THE PUBLIC

It was **resolved** that the resolutions to exclude the public set out on page 243 of the agenda and in the supplementary agendas be adopted.

In relation to clause 31 (New Civic Building - Site Selection) it was also **resolved** that the following persons be permitted to remain after the public had been excluded as they had, in the Council's opinion, knowledge that would assist the Council:

Representing Vbase

Simon Mortlock, Acting Chair
Bryan Pearson, Chief Executive
Ben Mitchell, Prodirections
Michael Wolfe, Lane Neave
Bill Dywer, Lane Neave

Representing Ngāi Tahu

Mark Solomon, Kaiwhakahere, Te Rūnanga O Ngāi Tahu
Linda Constable, Chair, Ngāi Tahu Property
Tony Sewell, General Manager, Ngāi Tahu Property
Ian Athfield, Athfield Architects
Ian McNabb, General Manager Property Development, Ngāi Tahu Property
Ian Dewar, General Manager Property Investment, Ngāi Tahu Property
Gordon Craig, Development Manager, Ngāi Tahu Property
Janet Wright, Communications Manager, Te Rūnanga O Ngāi Tahu
John McIntyre, Athfield Architects
Gary Lee, Technical Services, Ngāi Tahu Property

The knowledge possessed by those persons, and its relevance to the Civic building project was that with regard to the persons from Vbase and Prodirections they have been acting on behalf of the Council in pursuance of the Council's resolution of 7 June 2007 to initiate the ROI process, review the design brief and assist the CEO in his report back regarding this Civic building project.

With regard to the persons from Ngāi Tahu and acting on behalf of Ngāi Tahu, Vbase have been in discussions with Ngāi Tahu regarding a proposal and they have knowledge which is relevant to the Civic building issue.

31. NEW CIVIC BUILDING - SITE SELECTION

This clause was considered within the public excluded section of the meeting. At the conclusion of consideration of this item it was resolved that the Council's resolution in respect to this item be removed from the public excluded section of the meeting and is accordingly detailed below:

That the Council:

- (a) *Receive the report.*
- (b) *Having considered the report and the options, adopt the proposal set out in the report, and to this end:*
 - *Approve purchase by Tuam 2 Limited of the site identified in that proposal.*
 - *Approve the issuing of 50% of the shareholding in Tuam 2 Limited to Ngāi Tahu Property Limited or its nominated subsidiary.*
 - *Confirm that Tuam 2 Limited will design and construct the new civic building.*
 - *Approve the use of "Civic Building Limited" [one of the companies consulted on in the 2007 LTCCP Amendments (at page 11 of the 2007 Amendments) as part of the funding structure].*

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- *Agree to enter into a lease from Tuam 2 Limited of the new civic building for an initial term of 24 years with 3 rights of renewal of 24 years each, at a rent at commencement date of \$7.5m pa. plus GST, with rent reviews at 3 yearly intervals, to be a full net lease in a form to be finalised and executed by the Chief Executive.*
 - *Authorise the Chief Executive to execute all documents, including any special resolutions of shareholders, necessary to give effect to these commitments.*
- (c) *Direct that all necessary modifications to the Statement of Intent of Tuam 2 Limited be initiated by its board.*
- (d) *Appoints Tony Marryatt and Chris Kerr as directors of Civic Building Limited and directs the board of Civic Building Limited to prepare a draft statement of intent.*
- (e) *Notes that the Council has authority to borrow to fund its obligations under the proposal.*
- (f) *Authorises Civic Building Limited to on-lend to Tuam 2 Limited to meet its obligations under the proposal.*
- (g) *Notes that the 2006-16 LTCCP includes funding provisions for the rent from 2010.*
- (h) *Notes that the 2006-16 LTCCP, as amended in 2007 provides as a matter of policy for the Council to maintain a controlling interest in Tuam 2 Limited. To the extent that the proposal is a departure from this, it is not considered significant for the purposes of section 80 of the Local Government Act 2002.*
- (i) *Notes that in terms of the significance policy none of these decisions give rise to an obligation to consult under sections 88 or 97 of the Local Government Act 2002.*
- (j) *Notes that, in its judgment, it has received sufficient information to enable it to make a decision on this matter.*

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

MAYOR

CHIEF EXECUTIVE OFFICER

**MINUTES OF A RECONVENED MEETING OF THE CHRISTCHURCH CITY COUNCIL
HELD AT 3PM ON FRIDAY 12 OCTOBER 2007
HAVING BEEN ADJOURNED FROM 3.20PM ON THURSDAY 11 OCTOBER 2007**

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

1. APOLOGIES

Nil.

32. RESOLUTION TO BE PASSED - SUPPLEMENTARY REPORT

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

- Report - Urban Design Panel

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 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.

33. URBAN DESIGN PANEL

Resolved: That the staff recommendation be adopted.

21. RESOLUTION TO EXCLUDE THE PUBLIC

It was **resolved** that the resolution to exclude the public set out on page 243 of the agenda in respect to clause 23, CEO Review, be adopted, and that Mr Mike Stenhouse of Sheffield Ltd be permitted to remain at the meeting to assist the Council in its deliberations because of his knowledge of the matter under discussion.

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

MAYOR

CHIEF EXECUTIVE OFFICER