

**MINUTES OF A MEETING OF THE CHRISTCHURCH CITY COUNCIL  
HELD AT 9.30AM ON THURSDAY 27 NOVEMBER 2008**

**PRESENT:** The Mayor, Bob Parker (Chairperson).  
Councillors Helen Broughton, Ngaire Button, Barry Corbett, David Cox, Yani Johanson,  
Claudia Reid, Bob Shearing, Gail Sheriff, Mike Wall, Sue Wells, Chrissie Williams and  
Norm Withers.

**1. APOLOGIES**

An apology for absence was received from Councillor Buck.

It was **resolved** on the motion of Councillor Wells, seconded by Councillor Withers, that the apology be accepted.

**2. CONFIRMATION OF MINUTES**

**26. CONFIRMATION OF MINUTES**

**COUNCIL MEETING OF 30 OCTOBER 2008**

It was **resolved** on the motion of Councillor Sheriff, seconded by Councillor Cox, that the open minutes of the Council meeting held on Thursday 30 October 2008 be confirmed.

**COUNCIL MEETING OF 13 NOVEMBER 2008**

It was **resolved** on the motion of Councillor Reid, seconded by Councillor Broughton, that the open minutes of the Council meeting held on Thursday 13 November 2008 be confirmed.

**3. DEPUTATIONS BY APPOINTMENT**

Richard Budd addressed the Council on behalf of the Heathcote Residents' Association regarding the Bridle Path Road Area Plan. At a residents' meeting on Wednesday 26 November they discussed that they value the rural character of the open tussock hills and want to see this maintained. They expressed concerns regarding amenity construction and developable area from a 20 metre contour to 50 metre contour. In their opinion they consider that the character of soils is delicate over volcanic rock. While a bund will be constructed, they argued that cutting and building in what they consider is delicate soil is a concern for increased sediment discharge into the Heathcote river in their view. They also have concerns about the increased number of dwellings and the increased traffic movements as a result of this.

They advised that they will make a submission on the plan change.

**4. PRESENTATION OF PETITIONS**

Nil.

**20. REPORT OF THE REGULATORY AND PLANNING COMMITTEE:  
MEETING OF 6 NOVEMBER 2008**

**5. BRIDLE PATH ROAD AREA PLAN**

This item was taken at this stage of the meeting

Councillor Wells moved:

*That the Council adopt the final Bridle Path Road Area Plan.*

27. 11. 2008

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The motion was seconded by Councillor Sheriff and when put to the meeting was declared **carried** on division No. 1 by 10 votes to 3, the voting being as follows:

**For (10):** Councillors Button, Corbett, Cox, Reid, Shearing, Sheriff, Wall, Wells, Withers and the Mayor.

**Against (3):** Councillors Broughton, Johanson and Williams.

**5. DELEGATED AUTHORITY TO CEO TO AWARD MAJOR ELEMENTS OF INFRASTRUCTURE CONTRACTS OVER 2008-09 CHRISTMAS HOLIDAY PERIOD**

Councillor Williams moved:

*That the Council delegate power to the recess committee to be appointed on 19 December to award the following contracts during the 2008 period between 27 November 2008 and 12 February 2009:*

- (i) *Western Interceptor Stage 2a pipeline construction and commissioning contract for up to \$8 million.*
- (ii) *The contract for the design, supply, construction and tender of the biosolids thermal drying plant only for a sum up to \$19 million.*

The motion was seconded by Councillor Johanson.

Councillor Wells moved by way of amendment:

*That the Council delegate power to the Chief Executive Officer in conjunction with the Mayor and/or Deputy Mayor to award the following contracts during the 2008 period between 20 December 2008 and 12 February 2009:*

- (i) *Western Interceptor Stage 2a pipeline construction and commissioning contract for up to \$8 million.*
- (ii) *The contract for the design, supply, construction and tender of the biosolids thermal drying plant only for a sum up to \$19 million.*

The amendment was seconded by Councillor Shearing and when put to the meeting was declared **carried** on division No. 2 by 11 votes to 2, the voting being as follows:

**For (11):** Councillors Broughton, Button, Corbett, Cox, Reid, Shearing, Sheriff, Wall, Wells, Withers and the Mayor

**Against (2):** Councillors Johanson and Williams.

The amendment when put to the meeting as the substantive motion was declared **carried**.

**6. CLEANFILL LICENSING BYLAW DELEGATIONS AND MINOR CORRECTIONS**

It was **resolved** on the motion of Councillor Corbett, seconded by Councillor Williams, that the Council:

- (a) Delegate to its Chief Executive all of its powers under the Christchurch City Cleanfill Licensing Bylaw 2008.
- (b) Resolve, pursuant to section 151(2) of the Local Government Act 2002 to make the following minor corrections to the Christchurch City Cleanfill Licensing Bylaw 2008:

- (i) Clause 3.4(c):

“The Council may from time to time by resolution (**following a special consultative procedure**) remove from or add materials to Schedule A of the Bylaw. The removal or addition will take effect from a date determined by the Council, with one month notice, or such longer period as the Chief Executive decides, being given to the public of the effective date.”

- (ii) Clause 3.6:

“3.6 The provisions of the Christchurch City **Council** General Bylaw **2008** (as amended from time to time) are implied into and form part of this Bylaw.”

- (c) Resolve that its resolution in (b) above be publicly notified.

## 7. CHRISTCHURCH CITY HOLDINGS LIMITED - OVERVIEW OF ANNUAL REPORT

It was **resolved** on the motion of Councillor Withers, seconded by Councillor Cox, that the Council receive the CCHL Annual Report for the year ending 30 June 2008.

## 8. COVENANT OF EUROPEAN MAYORS

It was **resolved** on the motion of Councillor Williams, seconded by Councillor Reid, that the Council authorise the Mayor to sign the Covenant of Mayors.

Councillor Button requested that her vote against the adoption of the above motion be recorded.

## 9. PROPOSED STANMORE ROAD CYCLE LANE AND THE CHRISTCHURCH CITY COUNCIL TRAFFIC AND PARKING AMENDMENT (STANMORE ROAD) BYLAW 2009

It was **resolved** on the motion of Councillor Wells, seconded by Councillor Corbett, that the Council:

- (a) Send this report to the appropriate Community Board for its consideration and Part A recommendation to the Council.
- (b) Consider Community Board recommendations and resolve the actual proposal that a special consultative procedure will be undertaken.

(Noting that Community Boards will be able to submit on this proposal.)

## 10. PROPOSED KILMORE STREET CYCLE LANE AND THE CHRISTCHURCH CITY COUNCIL TRAFFIC AND PARKING AMENDMENT (KILMORE STREET) BYLAW 2009

It was **resolved** on the motion of Councillor Wells, seconded by Councillor Corbett, that the Council:

- (a) Send this report to the appropriate Community Board for its consideration and Part A recommendation to the Council.
- (b) Consider Community Board recommendations and resolve the actual proposal that a special consultative procedure will be undertaken.

(Noting that Community Boards will be able to submit on this proposal.)

**11. PROPOSED LINWOOD AVENUE CYCLE LANE AND THE CHRISTCHURCH CITY COUNCIL TRAFFIC AND PARKING AMENDMENT (LINWOOD AVENUE) BYLAW 2009**

It was **resolved** on the motion of Councillor Wells, seconded by Councillor Corbett, that the Council:

- (a) Send this report to the appropriate Community Board for its consideration and Part A recommendation to the Council.
- (b) Consider Community Board recommendations and resolve the actual proposal that a special consultative procedure will be undertaken.

(Noting that Community Boards will be able to submit on this proposal.

**12. HAGLEY PARK TEMPORARY CLOSURE FOR LORITZ BROS CIRCUS**

It was **resolved** on the motion of Councillor Cox, seconded by Councillor Wall, that the Council:

- (a) Approve the exclusive use of the Carlton Mill corner sports fields in North Hagley Park, in accordance with the requirements of section 53(1)(e) of the Reserves Act 1977, indicated below by the Loritz Bros Circus, by temporarily fencing off these areas from the rest of the park from Sunday 28 December 2008 to Wednesday 18 January 2009 inclusive, a period of 23 days, for the setting up, period of the Circus and clearing away of the site at the conclusion of the Circus. The approval is subject to the following conditions:
  - (i) The Circus organisers are to be responsible for obtaining all building consents that may be required before the Circus at their expense.
  - (ii) The Circus organisers are responsible for meeting all conditions for site works including any restoration specified by the various authorities including the Council.
  - (iii) In respect of any animals as part of the Circus the Organisers are required to ensure all statutory animal welfare requirements are adhered to; mainly the Animal Welfare Act 1999 and any relevant codes.

Abiding by the Council's normal set of conditions for events like the one being applied for, including the payment of bonds.

- (b) Approve the Circus Organisers' application to charge the public attending the Circus, in accordance with section 53(1)(e) of the Reserves Act 1977, the maximum charges set out below:

Child	\$19
Student/Beneficiary	\$24
Adult	\$26
Family	\$60

**13. GRAHAM CONDON RECREATION & SPORT CENTRE**

It was **resolved** on the motion of Councillor Button, seconded by Councillor Withers, that the Council:

- (a) Enter into the following documents by the Council with the Ministry of Education and the Papanui High School Board of Trustees in relation to the land to be used for the construction and operation of the Graham Condon Recreation and Sport Centre on the terms generally described in this report:
  - (i) Heads of Agreement.
  - (ii) Construction Licence.
  - (iii) Deed of Lease.

- (iv) Deed of Licence relating to the School's use of the Graham Condon Recreation and Sport Centre.
  - (v) Deed of Licence relating to Council/ community use of the existing School Sports Hall.
  - (vi) Deed of Lease or Licence relating to the associated car park.
- (b) Authorise the General Manager Community Services to enter into negotiations with the Ministry of Education and the Papanui High School Board of Trustees in relation to the proposed Heads of Agreement and associated documents referred to above and delegate to him the authority to enter into such documentation once he is satisfied that they are in a form satisfactory to the Council.
- (c) Approve the proposed design of the Graham Condon Recreation and Sport Centre in the form of the floor plans and elevation plans attached to this report with authority to the General Manager Community Services to agree such minor variations to such plans that he considers necessary.
- (d) Approve the commencement of the tender process for the construction of the Graham Condon Recreation and Sport Centre.
- (e) Delegate to the Chief Executive Officer the authority to accept the preferred tender up to five per cent over for the construction of the Graham Condon Recreation and Sport Centre in the form described by this report and provided the tender is within budget.
- (f) Agree to name the facility the "Graham Condon Recreation and Sport Centre", but subject to the formal agreement of the family of Graham Condon, the Ministry of Education and the Papanui High School Board of Trustees to that name.

#### 14. STRENGTHENING COMMUNITIES GRANTS PROGRAMME EVALUATION 2008/09

Councillor Williams moved:

*That the staff recommendations be adopted.*

The motion was seconded by Councillor by Councillor Wells.

Councillor Shearing moved by way of amendment:

*That a working party be established consisting of Councillors, Board Chairs and staff to review all items below (b) through (o) and all schemes that make up the community grants funding programme.*

The amendment was seconded by Councillor Withers and when put to the meeting was declared **lost** on division No. 3 by 9 votes to 4, the voting being as follows:

**Against (9):** Councillors Button, Corbett, Cox, Reid, Sheriff, Wall, Wells, Williams and the Mayor.

**For (4):** Councillors Broughton, Johanson, Shearing and Withers.

Councillor Williams moved by way of amendment:

That the Council:

- (a) *Establish a working party, consisting of Councillors Button, Corbett and Shearing (with Councillor Button being the chairperson), one Community Board member and staff, to review criteria for all schemes that make up the Community Grants Funding Programme and clause (j) as outlined in the report.*
- (b) *Require all applicants to the Strengthening Communities Fund and Community Organisation Loans Scheme be incorporated under the Incorporated Societies Act 1908 or the Charitable Trusts Act 1957.*

- (c) *Require all applicants to the Small Projects Fund (as it is currently known), applying for more than \$2,000, be incorporated under the Incorporated Societies Act 1908 or the Charitable Trusts Act 1957.*
- (d) (i) *Amend the Delegations Register under Community Boards Financial by adding the following delegation:*  
  
*“Authority to approve the local Strengthening Communities Fund allocation of \$280,000 for Metropolitan Community Boards and \$45,000 for the Lyttelton/Mt Herbert Community Board and \$35,000 for the Akaroa/Wairewa Community Board (subject to being consistent with any policies, standards or criteria adopted by the Council.”*
- (d) (ii) *Amend the Delegations Register under Community Boards Financial by renaming the “Small Projects Fund Assessment Committee” to the “Small Grants Fund Committee”, subject to the adoption of recommendation (e) below.*
- (e) *Rename the Small Project Fund to ‘Small Grants Fund’.*
- (f) *Rename Key Local Organisations to Key Local Projects.*
- (g) *Amend the criteria of the Strengthening Communities Fund to enable Community Boards to consider applications for capital works or capital items received from the community. Applications for capital works or capital items must not be for projects that fit within the Capital Programme or an internal Council unit budget.*
- (h) *Place a funding cap of \$25,000 per application, on all applications to the Strengthening Communities Fund for capital works or capital allocations.*
- (i) *Amend the criteria of the (currently named) Small Projects Fund to enable Community Boards to consider applications for capital items from community organisations.*
- (k) *Revert back to one loan funding round for the Community Organisation Loans Scheme, with an annual closing date of 31 January.*
- (l) *Increase the interest rate of the Community Organisation Loans Scheme from 2 per cent to 4.5 per cent. This rate to be reviewed annually.*
- (m) *Review the interest rate applied to all new loans, allocated from the Community Organisation Loans Scheme, on a three-year basis.*
- (n) *Require all new applicants to the Community Organisation Loans Scheme to provide security against their loan by way of mortgage/financial instrument.*
- (o) *Require all successful applicants to the Community Organisation Loans Scheme to make loan repayments on a quarterly basis.*

The amendment was seconded by Councillor Wells and when put to the meeting as the substantive motion was declared **carried**.

**15. HEARINGS PANEL REPORT ON THE PROPOSED CHRISTCHURCH CITY COUNCIL WASTE MANAGEMENT BYLAW 2009 AND FOR THE REVOCATION OF THE CHRISTCHURCH CITY REFUSE BYLAW 1995 AND THE BANKS PENINSULA DISTRICT REFUSE BYLAW 2002**

It was **resolved** on the motion of Councillor Wells, seconded by Councillor Shearing, that the Council:

- (a) Adopt the new Christchurch City Council Waste Management Bylaw 2009 to come into effect on 1 February 2009.
- (b) Give public notice as soon as practicable, that the Christchurch City Council Waste Management Bylaw 2009 has been made by the Council, that it comes into effect on 1 February 2009 and that copies of the bylaw may be inspected and obtained at the Council’s offices or on its website, without payment.

**16. TERMS AND CONDITIONS FOR THE USE OF THE KERBSIDE COLLECTION SERVICES AND WASTE COLLECTION POINTS**

It was **resolved** on the motion of the Mayor seconded by Councillor Shearing that the report be deferred.

**17. ADOPTION OF SCHEDULE OF MEETINGS**

It was **resolved** on the motion of Councillor Withers, seconded by Councillor Sheriff, that the Council adopt the amended schedule of meetings attached to this report.

**18. PROPOSED MARINA AT LYTTTELTON**

It was **resolved** on the motion of Councillor Sheriff, seconded by Councillor Reid, that the Council:

- (a) Alter its resolution of 13 December 2007 by removing the words "Lyttelton Marina Subcommittee" and replacing them with "Lyttelton Marina Working Party" in Attachment A to the staff report considered at the meetings held on that date.
- (b) Authorise the Council Secretary to amend the Council's records accordingly.

**19. DRAFT WATER SUPPLY STRATEGY**

It was **resolved** on the motion of Councillor Wall, seconded by Councillor Wells, that the Council:

- (a) Approve the release of the Draft Water Supply Strategy 2008-2038 for public consultation, beginning December 2008.
- (b) Appoint a Hearings Panel comprising Councillors (to be decided at a Council meeting on 19 December 2008) to hear feedback on submissions to the draft Water Supply Strategy and that their recommendations be included in the final strategy presented to Council for adoption.

**20. REPORT OF THE REGULATORY AND PLANNING COMMITTEE:  
MEETING OF 6 NOVEMBER 2008**

**1. PROPOSED ALCOHOL RESTRICTIONS IN PUBLIC PLACES BYLAW**

Councillor Wells moved:

*That the Council, in relation to the proposed Christchurch City Council Alcohol Restrictions in Public Places Bylaw 2009, resolve:*

- (a) *That the attached proposed Christchurch City Council Alcohol Restrictions in Public Places Bylaw 2009 meets the requirements of section 155 of the Local Government Act 2002.*
- (b) *That the attached Statement of Proposal (which includes the proposed Bylaw) and Summary of Information be adopted for consultation.*
- (c) *That public notice of the consultation be given in The Press and Christchurch Star newspapers and on the Council's website at the start of the consultation period, and that public notice of the proposal be given in the Akaroa Mail and other community newspapers distributed in the Christchurch district area, as close as possible to the start of the consultation period.*
- (d) *That the consultation documents be made available for public inspection at all Council Service Centres, Council Libraries and on the Council's website during the consultation period.*
- (e) *That the consultation period (within which written submissions may be made to the Council) be between 28 January 2009 and 2 March 2009.*

- (f) *That a hearings panel be appointed to hear submissions, deliberate on those submissions and to report back to the Council on the final form of the Bylaw.*
- (g) *That the Jellie Park alcohol ban area be extended to the entire park with the exception of the Jellie Park pool and sports complex.*
- (h) *That the Hagley Park and Environs alcohol ban area be extended to include the area to the north of the Avon River in Little Hagley Park, bounded by Carlton Mill Road.*
- (i) *That the New Brighton Mall, Marine Parade & Environs alcohol ban area be amended so that New Brighton Mall no longer includes the words "the river and Lonsdale Street"; and Marine Parade description be defined to include New Brighton Beach – "Marine Parade (from Beach Road to Bridge Street), and the beach alongside that section of Marine Parade and the Pier (down to the mean low water spring level)".*

The motion was seconded by Councillor Wall

Councillor Broughton moved by way of amendment:

*The residential area around Ilam/University was not included as a possible alcohol ban owing to the lack of support from the Police. However, Council recognises this area causes ongoing concern to local residents, and Council may need to reconsider this area in the future.*

The amendment was seconded by Councillor Williams and when put to the meeting was declared **lost** on division No. 4 by 2 votes to 11, the voting being as follows:

**Against (11):** Councillors Button, Corbett, Cox, Reid, Shearing, Sheriff, Wall, Wells, Williams, Withers and the Mayor.

**For (2):** Councillors Broughton and Johanson.

The motion when put to the meeting was declared **carried** unanimously.

2. **OPERATIONAL POLICES – HEAVY VEHICLE PARKING IN A RESIDENTIAL AREA AND PROHIBITED TIMES ON ROADS**

It was **resolved** on the motion of Councillor Wells, seconded by Councillor Broughton, that the Council:

- (a) Adopt the attached "Operational Policy – Heavy Vehicle Parking in a Residential Area" that sets out the framework for assessing and processing requests for roads to be added to the "Heavy Vehicle Parking in a Residential Area Register".
- (b) Adopt the attached "Operational Policy – Prohibited Times on Roads" that sets out the framework for assessing and processing requests for roads to be added to the "Prohibited Times on Roads Register".

3. **REVIEW OF CHRISTCHURCH CITY BROTHELS (LOCATION AND SIGNAGE) BYLAW 2004**

It was **resolved** unanimously on the motion of Councillor Wells seconded by Councillor Broughton, that the Council:

- (a) Determines that under the section 155(1) analysis, there is not sufficient evidence of a problem in regards to the location of brothels that needs to be addressed by way of a bylaw.
- (b) Determines that under the section 155(1) analysis, there is sufficient evidence of a problem in regards signage advertising of commercial sexual services that needs to be addressed by way of a bylaw.
- (c) Consider a new bylaw controlling signage advertising commercial sexual services, in conjunction with the Brothels Location and Signage Subcommittee, for adoption under the provisions of the Prostitution Reform Act 2003, and that once any new bylaw is introduced the current Brothels (Location and Signage) Bylaw 2004 be revoked.



4. **CONSULTATION ON DRAFT REGIONAL POLICY STATEMENT CHAPTERS ON ENERGY, HISTORIC HERITAGE AND AIR**

It was **resolved** on the motion of Councillor Wells, seconded by Councillor Shearing, that the Council provides feedback to Environment Canterbury on the draft chapters as set out in Attachments 1 to 3.

5. **BRIDLE PATH ROAD AREA PLAN**

Dealt with earlier in the meeting.

On the motion of Councillor Wells, seconded by Councillor Withers, the report as a whole was then adopted.

21. **NOTICES OF MOTION**

Nil.

22. **RESOLUTION TO EXCLUDE THE PUBLIC**

27. **RESOLUTION TO EXCLUDE THE PUBLIC (Cont'd)**

It was **resolved** on the motion of the Mayor, seconded by Councillor Withers:

- (a) That the resolutions to exclude the public set out on page 345 of the agenda and page 51 of the agenda continued, be adopted.
- (b) That Mr Mark Odlin from Buddle Findlay be permitted to remain at the meeting following the exclusion of the public, in his capacity as a consultant to enable him to advise the Council on item 29.

**CONFIRMED THIS 19TH DAY OF DECEMBER 2008**

**MAYOR**