

**MINUTES OF A MEETING OF THE CHRISTCHURCH CITY COUNCIL
HELD AT 9.30AM ON THURSDAY 30 OCTOBER 2008**

PRESENT: The Mayor, Bob Parker (Chairperson).
Councillors Helen Broughton, Sally Buck, 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

Nil.

2. CONFIRMATION OF MINUTES

COUNCIL MEETING OF 25 SEPTEMBER 2008

It was **resolved** on the motion of Councillor Wall, seconded by Councillor Corbett, that the open minutes of the Council meeting held on Thursday 25 September 2008 be confirmed, subject to it being recorded that Councillor Broughton did not abstain on the item 20(3) but rather on item 20(1).

COUNCIL MEETING OF 16 OCTOBER 2008

It was **resolved** on the motion of Councillor Wall, seconded by Councillor Corbett, that the open minutes of the Council meeting held on Thursday 16 October 2008 be confirmed.

3. DEPUTATIONS BY APPOINTMENT

SAFER CYCLE LANES IN CHRISTCHURCH

Mr Anthony Field addressed the Council and presented a petition on behalf of 3,500 others seeking improvements in the cycling lanes and thus the safety of cyclists in Christchurch. He noted that in 1996, 8 per cent of Christchurch commuters cycled, this figure has decreased to 7.3 per cent in the 2001 census and 6.5 per cent in 2006. He asked the Council to increase the funding and number of staff to meet what he sees as a common goal through the development of the Cycling Strategy in 2004. He noted that the Council has established some very good separate cycle lanes and bike routes but he asked for a network of these to allow safe transit throughout the city. He questioned how much has been budgeted for cycle lanes in the next Long Term Council-Community Plan and how much the Council has spent implementing the 2004 strategy.

4. PRESENTATION OF PETITIONS

SAFER CYCLE LANES IN CHRISTCHURCH

Mr Anthony Field presented a petition containing 3,500 signatures urging the Council to improve the cycling lanes and thus the safety of cyclists in Christchurch.

Councillor Johanson presented a petition with 2,497 signatures requesting that the Council *"note the concern regarding the decision to increase the rent for Council social housing tenants by 24 per cent"*.

It was **resolved** on the motion of the Mayor, seconded by Councillor Withers, that the Council receive the petitions.

5. CHRISTCHURCH CITY HOLDINGS LTD - NOTICE OF DATE OF ANNUAL GENERAL MEETING AND APPOINTMENT OF PROXY

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

- (a) Note the date of the Christchurch City Holdings Ltd Annual General Meeting is 19 November 2008.
- (b) Appoint Councillor Cox as a proxy, and Councillor Buck as an alternate, to attend the Christchurch City Holdings Ltd Annual General Meeting on Wednesday 19 November 2008.

6. GRAHAM CONDON RECREATION & SPORT CENTRE

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

7. DUVAUCHELLE RESERVE MANAGER'S RESIDENCE

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

- (a) As the administering authority of the Duvauchelle Reserve under the Reserves Act 1977 grant consent to the Duvauchelle Reserve Management Committee and Recreation and Sports Unit to erect a new Camp Manager's residence at the Camp.
- (b) Approve expenditure of up to \$165,000 from the Recreation and Sport Capital Programme for a new camp manager's residence, \$120,000 from accumulated funds and an additional \$45,000 short term funding to be recovered through summer trading.
- (c) Authorise the Recreation and Sports Manager to approve any final building plans and specifications along with the final position of the residence within the camp grounds.

Note: The Council wished to record the good work achieved by the Reserve Management Committee.

8. RESIDENTS' GROUPS AND COMMUNITY INTEREST GROUPS POLICY - CONSULTATION

It was **resolved** on the motion of Councillor Broughton, seconded by Councillor Withers, that the report be deferred.

9. QEII CENTRE OF EXCELLENCE – RETIREMENT OF SQUASH FACILITIES

Councillor Williams moved:

"That the Council:

- (a) *Approve the retirement of the remaining four squash courts at QEII Park in order to construct an indoor sports science and training facility in partnership with the Academy of Sport South Island.*
- (b) *Note that officers will present an update on the proposed Rawhiti sports hub to the Burwood/Pegasus Community Board on 3 November 2008 and that the Council will be updated on the proposal through the Metropolitan Sports Facility Plan process."*

The motion was seconded by Councillor Wall.

Councillor Sheriff moved by way of amendment:

"That the Council approve the retirement of two courts at QEII Park and allow two courts for expansion for the construction of an indoor sports science and training facility in partnership with the Academy of Sport South Island."

The amendment was seconded by Councillor Cox and when put to the meeting was declared **lost** on division No. 1 by 13 votes to 1, the voting being as follows:

Against (13): Councillors Broughton, Buck, Button, Corbett, Cox, Johanson, Reid, Shearing, Wall, Wells, Williams, Withers and the Mayor.

For (1): Councillor Sheriff.

The motion was then put to the meeting and declared **carried** on division No. 2 by 12 votes to 1 with 1 abstention, the voting being as follows:

For (12): Councillors Buck, Button, Corbett, Cox, Johanson, Reid, Shearing, Wall, Wells, Williams, Withers and the Mayor.

Against (1): Councillor Sheriff.

Abstain (1) Councillor Broughton.

**10. REPORT OF THE REGULATORY AND PLANNING COMMITTEE:
MEETING OF 9 OCTOBER 2008**

(1) CHRISTCHURCH CITY COUNCIL SUBMISSION ON PRIVATELY REQUESTED PLAN CHANGE 22

It was **resolved** on the motion of Councillor Wells, seconded by Councillor Buck, that the Council adopt the attached submission on private Plan Change 22.

(2) PROPOSED PLAN CHANGE 28 – PRIVATE PLAN CHANGE APPLICATION FOR THE REZONING OF LAND AT 320 AND 320A CUMNOR TERRACE (KENNAWAY FARM) BOUNDED BY HEATHCOTE RIVER, TUNNEL ROAD, KENNAWAY ROAD AND LYTTTELTON RAILWAY (AVOCA VALLEY STREAM) FROM FERRYMEAD SPECIAL PURPOSE ZONE (RURAL 2 PROVISIONS) TO BUSINESS 4

Councillor Wells moved:

“That the Council:

- (a) Agree to accept in full the private Plan Change pursuant to Clause 25 of the 1st Schedule to the Resource Management Act 1991 and publicly notify it accordingly, subject to the inclusion of additional rules as set out in Attachment 3 on pages 95 and 96 of the agenda, the accompanying Outline Development Plan on page 97 and any necessary consequential amendments to text, planning maps and layer diagrams.*
- (b) That in accordance with Council policy, the cost of processing the Plan Change, be at the applicant’s expense.*
- (c) That it be noted that the applicant acquiesces to the additional setback for the purpose of public notification, but reserves its position to submit on that matter.”*

The motion was seconded by Councillor Shearing and when put to the meeting was declared **carried** on division No. 3 by 12 votes to 2, the voting being as follows:

For (12): Councillors Buck, Button, Corbett, Cox, Reid, Shearing, Sheriff, Wall, Wells, Williams, Withers and the Mayor.

Against (2): Councillor Broughton and Johanson.

(3) AMENDMENT OF THE CHRISTCHURCH CITY COUNCIL TRAFFIC & PARKING BYLAW 2008

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

- (a)** Resolve that the draft Christchurch City Council Traffic & Parking Amendment Bylaw 2009 is the most appropriate way to provide for one-way streets, and special vehicle lanes (which address traffic flow and safety for cyclists in the district), and that the minor amendments to clauses 11 and 14 of the Bylaw are necessary for clarity.

- (b) Resolve that there are no inconsistencies between the draft Christchurch City Council Traffic and Parking Amendment Bylaw 2009 and the New Zealand Bill of Rights Act 1990, and that the draft Amendment Bylaw is in the most appropriate form.
- (c) Resolve that the attached Statement of Proposal (which includes the draft Amendment Bylaw) and the Summary of Information be adopted for consultation and made available for public inspection at all Council service centres, Council libraries and on the Council's website, and that the public notice of the proposal be published in a newspaper having a wide circulation in the Council's district.
- (d) Appoint a hearings panel comprising Councillors Williams, Button, Wall and Wells to consider submissions noting that the special consultative process will be held 3 November–4 December 2008 with hearings to be held mid-December 2008 if possible.
- (e) Note the advice from staff that the times of operation of bus lanes do not need to be specified in the second schedule of the Bylaw, and further note that while a special consultative procedure is not required, any decision to change the operation times for a special vehicle lane, or the length of a marked lane, should only be done after ascertaining the community's views, as required by the decision-making principles in sections 77-82 of the Local Government Act 2002.

(4) ENFORCEMENT ISSUES ARISING FROM THE 2008 BYLAW REVIEWS

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

- (a) Notes that the Local Government Act 2002 contains an infringement regime that would enable infringement offences (such as breaches of Council bylaws) to be enforced using infringement notices as opposed to a summary proceeding.
- (b) Requests that a submission be prepared to the Minister of Local Government and the Minister of Justice seeking that regulations are promulgated to provide that breaches of some Council bylaws are infringement offences under the Local Government Act 2002 and may be enforced by issuing an infringement notice.
- (c) Requests that a submission be prepared on the yellow draft of the Road User Amendment (Rule 61001/4),
 - (i) In support of the proposed clause 6.2 in relation to the parking on grass verges and berms.
- (d) Subsequently requests that if its submission is unsuccessful on the Land Transport Road User Rule, a submission be prepared on the yellow draft of the Traffic Control Devices Amendment (Rule 54002/2) when it comes out for consultation.
- (e) Raise this issue with Ministers and local Members of Parliament early in 2009.

(5) CONSULTATION ON DRAFT REGIONAL POLICY STATEMENT CHAPTERS ON WASTE MINIMISATION AND MANAGEMENT, CONTAMINATED LAND AND HAZARDOUS SUBSTANCES

It was **resolved** on the motion of Councillor Wells, seconded by Councillor Broughton, that the Council provides feedback to Environment Canterbury on the draft chapters as set out in Attachments 1 to 3, subject to minor changes to the tone of the document, as worked through by elected representatives and staff following the meeting.

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

20. COUNCIL SUBMISSION ON THE NATIONAL ALCOHOL ACTION PLAN: CONSULTATION DOCUMENT

This item was taken at this stage of the meeting.

It was **resolved** on the motion of Councillor Walls, seconded by the Mayor, that the Council adopt the letter attached to the report in the agenda.

16. CANTERBURY COMMUNITY TRUST – SOCIAL HOUSING PARTNERSHIP PROPOSAL

This item was taken at this stage of the meeting.

The Mayor moved:

“That the report be deferred until the outcome of judicial review on social housing rentals is known and a workshop with Councillors can be held.”

The motion was seconded by Councillor Sheriff.

Councillor Johanson moved by way of amendment:

“That the report be deferred until a workshop with Councillors can be held.”

The motion was seconded by Councillor Broughton and when put to the meeting was declared **lost** on division No. 4 by 9 votes to 5, the voting being as follows:

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

For (5): Councillors Broughton, Buck, Johanson, Williams and Withers.

The motion was then put to the meeting and declared **carried** on division No. 5 by 9 votes to 5, the voting being as follows:

For (9): Councillors Button, Corbett, Cox, Reid, Shearing, Sheriff, Wall, Wells, and the Mayor.

Against (5): Councillors Broughton, Buck, Johanson, Williams and Withers.

11. NOTICES OF MOTION

Nil.

12. RESOLUTION TO EXCLUDE THE PUBLIC

It was **resolved** on the motion of Councillor Sheriff, seconded by Councillor Wells:

- (a) That the resolution to exclude the public set out on page 149 of the agenda be adopted.
- (b) That Mr Ben Mitchell 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 19.

CONFIRMED THIS 27TH DAY OF NOVEMBER 2008

MAYOR