

**MINUTES OF A MEETING OF THE CHRISTCHURCH CITY COUNCIL
HELD AT 9.30AM ON THURSDAY 25 SEPTEMBER 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

An apology for early departure was received and accepted from Councillor Johanson who retired at 11.27am.

2. CONFIRMATION OF MINUTES

COUNCIL MEETING OF 28.8.2008

It was **resolved** on the motion of Councillor Wall, seconded by Councillor Wells, that the open minutes of the Council meeting held on Thursday 28 August 2008 be confirmed.

COUNCIL MEETING OF 11.9.2008

It was **resolved** on the motion of Councillor Wall, seconded by Councillor Wells, that the open minutes of the Council meeting held on Thursday 11 September 2008 be confirmed, subject to noting under item 37 that The Mayor and Councillors Corbett and Wells withdrew from the meeting for this clause and took no part in the discussion of this item, and under item 27 replacing Councillor Sheriff's name with Councillor Johanson's name as voting for the motion and replacing Councillor Johanson's name with Councillor Sheriff's name as voting against the motion.

3. DEPUTATIONS BY APPOINTMENT

Item 16 Hagley Park - Temporary Closure for Ellerslie International Flower Show

Paul de Spa and Keith Turner, representative from Spokes, addressed the Council regarding this item. They are concerned that the Armagh Street entrance will create problems with trucks using this as well as pedestrians and cars and cyclists. They are keen to encourage a sustainable garden festival together with a principle of active public transport and would like the Council to take a lead in encouraging this. They suggested that there is an opportunity for the event to promote cycling and the use of public transport and are keen to work with staff on this. They also want to be involved in a debrief of the 2009 event and planning for future shows.

4. PRESENTATION OF PETITIONS

Nil.

5. ENFORCEMENT ISSUES ARISING FROM THE 2008 BYLAW REVIEWS

The Council **decided** to refer this item to the next meeting of the Regulatory and Planning Committee.

6. VEHICLES GIVING WAY TO BUSES

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

- (a) Note that it is not possible to make a bylaw requiring drivers of vehicles to give way to buses pulling out from a bus stop.

- (b) Approve a submission to be made on the yellow draft of the Road User Amendment (Rule 61001/4), in support of the UK model giving priority to buses when signalling to leave a stop, and seeking an appropriate amendment to the Road User Rule to give effect to such a requirement. (This submission is to be made together with any other submissions it is appropriate for the Council to make in relation to the consultation on Rule 61001/4.)

7. HEARINGS PANEL REPORT ON THE PROPOSED CLEANFILL LICENSING BYLAW 2008

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

- (a) Adopt the new Christchurch City Council Cleanfill Licensing Bylaw 2008 (Attachment B), which will come into effect on 1 November 2008.
- (b) Give public notice as soon as practicable, that the Christchurch City Council Cleanfill Licensing Bylaw 2008 has been made by the Council, that it comes into effect on 1 November 2008 and that copies of the bylaw may be inspected and obtained at the Council's offices or on its website, without payment.

9. APPROVAL OF CHANGES TO PROVISIONS IN THE CITY PLAN

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

- (a) Approve, pursuant to clause 17(2) of the First Schedule to the Resource Management Act 1991, the changes to City Plan provisions introduced by its decision on Plan Change 9.
- (b) Authorise the General Manager Strategy and Planning to determine the date on which the changes become operative.

Councillor Williams withdrew and took no part in the discussion or voting of this item.

10. APPOINTMENT OF CHAIRPERSON TO DESTINATION CHRISTCHURCH, CANTERBURY, NEW ZEALAND TRUST

It was **resolved** on the motion of Councillor Wall, seconded by Councillor Buck, that the Council approve the appointment of Mr Graham Heenan as Chairperson of Destination Christchurch, Canterbury, New Zealand Trust.

11. POLICY ON APPOINTMENT OF DIRECTORS - AMENDMENT

It was **resolved** on the motion of Councillor Corbett, seconded by Councillor Withers, that the Council approve the changes proposed in the Policy on Appointment of Directors - Amendment.

12. UPDATE ON THE REVIEW OF THE LOCAL GOVERNMENT ACT 2002 AND THE LOCAL ELECTORAL ACT 2001

It was **resolved** on the motion of Councillor Withers, seconded by Councillor Reid, that the Council receive the information in this report on the outcomes of the Local Government Commission's review of the Local Government Act 2002 and Local Electoral Act 2001.

13. NOTICES OF MOTION

Nil.

8. (16) HAGLEY PARK – TEMPORARY CLOSURE FOR ELLERSLIE INTERNATIONAL FLOWER SHOW

This item was taken at this stage of the meeting.

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

- (a) In accordance with the requirements of section 53(1)(e) of the Reserves Act 1977, approve the exclusive use of the parts of North Hagley Park, indicated below, by the Ellerslie International Flower Show, by temporarily fencing off these areas from the rest of the park for the periods of time set out below:
 - (i) Sunday 8 February 2009 to Sunday 29 March 2009 inclusive, a period of 49 days for the setting up, period of the Show and clearing away the Show site of approximately 6.8985 hectares as shown on the attached Map 1.
 - (ii) Friday 6 March 2009 to Monday 16 March 2009 inclusive, a period of 11 days for the Show itself, this area being part of the main cycle path from Fendalton Road to the Armagh Street Bridge through the Park, which cuts through the Show site, being approximately 0.1560 hectares in area as shown on Map 2.
 - (iii) Thursday 5 March 2009 to Tuesday 17 March 2009, inclusive, a period of 13 days, which includes time to set up and dismantle fences for the temporary car park area of approximately 7.8180 hectares as shown on Map 3.

This approval is subject to the following conditions:

- (1) The Show Organisers are to be responsible for obtaining all resource and building consents required before the Show at their expense.
 - (2) The Show Organisers are to be responsible for meeting all the conditions for site works including restoration specified by the various authorities including the Council.
 - (3) The Show Organisers are to work further with SPOKEs representatives on mutual conditions such as clear signage communication for commuters.
- (b) In accordance with section 53(1)(e) of the Reserves Act 1977 approve the Show Organisers' application to charge the public attending the Show the maximum charges as set out below:

Adult	\$35.00
Senior Citizen	\$31.00
Child	\$5.00
Family	\$75.00
At Gate Add	\$2.00
Premiere Garden Party	\$175.00
Per car to park in the temporary public car park	\$5.00

- (c) Give consideration in the traffic management plan to limiting motorised vehicle traffic to the Botanic Gardens car park via the Armagh Street gates from 6-16 March 2009.
- (d) Give consideration to appropriate access and parking provisions for cycle traffic.

17. ROAD STOPPING POLICY

It was **resolved** on the motion of Councillor Wall, seconded by Councillor Buck, that this report be forwarded to Community Boards for their comment and a subsequent amended report to be brought back to the Council.

Note: It was noted that there are several urgent areas that require a decision and these can be put to the Council for a decision.

(10.29am the Mayor retired)

(10.30am Councillor Norm Withers (Deputy Mayor) assumed the Chair)

18. REPORT OF THE RĀPAKI MĀRAE RE-DEVELOPMENT WORKING PARTY

The Mayor declared an interest and took no part in the discussion or voting on this item.

Councillor Reid moved:

That the Council:

- (a) *Approve a grant for \$400,000 (excluding GST) to Te Hapū o Ngāti Wheke Incorporated Society as a contribution to the construction costs of the new Rāpaki Marae.*
- (b) *Fund the grant from the unallocated balance of the Civic and Community portion of the Capital Endowment Fund.*
- (c) *Make a condition of the grant that the Society complete a funding agreement based on the Council's standard Community Grants Funding Agreement and that the Council grant be used only for construction costs of Stage 1A. The Community Grants Funding agreement will include a minimum of 10 days use per annum for 10 years by the Council without charge and a provision for community access.*
- (d) *Authorise the General Manager Community Services, to approve a draw down of this grant upon the signing of a Community Grants Funding Agreement by the Society.*
- (e) *Note that this report is a substitution for the report before the Council on 28 August 2008.*

The motion was seconded by Councillor Williams and when put to the meeting was declared **carried** on division No. 1 by 9 votes to 4, the voting being as follows:

For (9): Councillors Broughton, Button, Corbett, Johanson, Reid, Shearing, Wall, Wells and Williams.

Against (4): Councillors Buck, Cox, Sheriff and Withers.

(11am Mayor resumed the Chair)

19. SUBMISSION ON THE SCOPE OF A NATIONAL POLICY STATEMENT – URBAN DESIGN

It was **resolved** on the motion of Councillor Williams, seconded by Councillor Wells, that the Council approve the attached submission on the Ministry for the Environment's paper "Scope of a National Policy Statement on Urban Design".

20. REPORT OF THE REGULATORY AND PLANNING COMMITTEE - MEETING OF 4 SEPTEMBER 2008

(1) ADOPTION OF REPORT ANNUAL REPORT TO LIQUOR LICENSING AUTHORITY

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

- (a) Adopt the attached 2007/2008 Annual Report to the Liquor Licensing Authority, as amended, pursuant to Section 105 of the Sale of Liquor Act 1989, subject to item (b) below.
- (b) The clause reading "The agency is of the opinion that the availability and cheap price of liquor via Off Licences is the major contributor. The agency would have liked to have seen a proposal in the Sale and Supply of Liquor and Liquor Enforcement Bill raising the age to 20 years of age for purchase from an Off License as this may have had a major positive impact in this area" being considered separately.

That paragraph (b) page 52 of the report be included in the report to the authority as the decision of the Council.

(2) NOTIFICATION OF COUNCIL PLAN CHANGE 8 TO CITY PLAN – REZONING OF 191 WIGRAM ROAD (MUSGROVES SITE) FROM BUSINESS 5 TO BUSINESS 4

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

- (a) Adopt the attached (separately circulated) assessment pursuant to Section 32 of the Resource Management Act.
- (b) Publicly notify Plan Change 8 to the City Plan.
- (c) Appoint a Panel comprising Councillors Button, Wall and Wells, to hear Plan Change 8 to the City Plan.

(3) ESTABLISHMENT OF SUBMISSIONS PANEL

Councillor Wells moved:

That the Council:

- (a) *Establish a Submission Panel of at least four members (as a subordinate decision-making body).*
- (b) *Delegate to the Panel the power to:*
 - *consider Council submissions prepared by staff on all relevant bills and regulations; local, regional and central government strategy and policy reviews; Long-Term Council Community Plans and Annual Plans of other local authorities; and the strategies and policies of key partners;*
 - *provide direction to staff on the contents of Council submissions;*
 - *approve Council submissions; and*
 - *refer any proposed submission to Council for its consideration and approval where the Panel is unable to confirm the Council's position on an issue before it.*
- (c) *Approve the attached Terms of Reference.*
- (d) *Require that the Chairperson of the Panel, or the Deputy Chairperson if necessary, provide an oral report as a standing agenda item, to Council each month, with a summary of submission(s) approved by the Panel, and a brief summary about the consultation(s).*
- (e) *Provide that the Panel is not discharged following the next triennial local government general election.*
- (f) *Appoint Councillor Wells as Chair, Councillor Williams as Deputy Chair and Councillors Shearing and Wall as members of the Panel.*
- (g) *Affirm that the delegation does not include submissions on matters under the Resource Management Act 1991, for which delegations already exist.*
- (h) *Provide for all Councillors to be circulated with the draft submissions and Panel meeting times to enable their respective attendance at Panel meetings if possible.*

The motion was seconded by Councillor Buck and when put to the meeting was declared **carried** on division No. 2 by 13 votes with one abstention, the voting being as follows:

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

Abstain (1): Councillor Broughton.

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

25. 9. 2008

- 6 -

14. RESOLUTION TO EXCLUDE THE PUBLIC

At 11.35am it was **resolved** on the motion of Councillor Withers, seconded by Councillor Wells, that the resolution to exclude the public set out on page 95 of the agenda be adopted.

21. RESOLUTION TO EXCLUDE THE PUBLIC (Cont'd)

At 11.35am it was **resolved** on the motion of Councillor Withers, seconded by Councillor Wells, that the resolution to exclude the public set out on page 87 of the agenda continued be adopted.

(11.35am Councillor Williams retired)

CONFIRMED THIS 30TH DAY OF OCTOBER 2008

MAYOR