

**MINUTES OF A MEETING OF THE CHRISTCHURCH CITY COUNCIL  
HELD AT 9.30AM ON THURSDAY 11 SEPTEMBER 2008**

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

The Council, staff and those present stood as mark of respect for former Mayors Sir Hamish Hay and Ron Guthrey and Mary Guthrey who passed away recently.

**1. APOLOGIES**

An apology for absence was received and accepted from Councillor Shearing and from Burwood/Pegasus Chairperson Dave East.

**2. DEPUTATIONS BY APPOINTMENT**

**Item 27 - New Maintenance Contracts**

Chris Walsh from Tree Tech, Nicholas Chin from Switched On Contracting and Peter Goodwin from the NZ Contractors Federation spoke to item 27 re New Maintenance Contracts.

Peter Goodwin, Secretary of the Canterbury branch of the NZ Contractors Federation asked that the Council defer making a decision. In his view there was not sufficient time for full consultation, and many of the contracts have years of life. He considered that the tenders have not been tested on the open market and that a competitive tender process should be undertaken.

Nicolas Chin from Switched On Contracting argued that City Care should, by now, have the resources to compete for open tenders. In his view it is a poor performing asset. He argued that the Council should comply with the Auditor-General's guidelines for procurement and that it should be an open, transparent process. He argued further that open tendering would allow cost savings to the Council, and provide best price, terms and conditions and support for the local business community.

Chris Walsh from Tree Tech addressed the Council. The company has current contracts with the Council and compete for new contracts. He considered that the Council should review the current tender process and go to open tender. He noted that many councils in Australia require contractors who win tenders to have a local presence and provide local training. He argued that the Council could make those standard requirements. He further argued that there is a difference between best value and best price.

**3. PRESENTATION OF PETITIONS**

Nil.

**4. REPORT OF THE RICCARTON/WIGRAM COMMUNITY BOARD- MEETING OF 15 JULY 2008**

Peter Laloli (Chairperson) and Mike Mora (Deputy Chairperson) joined the Council for the discussion of this item.

It was **resolved** on the motion of Councillor Broughton, seconded by Councillor Wall that the Board's report be received.

**5. REPORT OF THE RICCARTON/WIGRAM COMMUNITY BOARD - MEETING OF 22 JULY 2008**

Peter Laloli (Chairperson) and Mike Mora (Deputy Chairperson) joined the table for the discussion of this item.

It was **resolved** on the motion of Councillor Broughton, seconded by Councillor Wall, that the Board's report be received.

**6. REPORT OF THE RICCARTON/WIGRAM COMMUNITY BOARD - MEETING OF 5 AUGUST 2008**

Peter Laloli (Chairperson) and Mike Mora (Deputy Chairperson) joined the table for the discussion of this item.

**(1) Green Lane Proposed Prohibited Times On Road**

It was **resolved** on the motion of Councillor Broughton, seconded by Councillor Wall, that the Council resolve that motor vehicles weighing less than 3,500 kg are prohibited from using Green Lane at the following times:

- 10pm Thursday to 5am Friday
- 10pm Friday to 5am Saturday
- 10pm Saturday to 5am Sunday
- 10pm Sunday to 5am Monday
- Statutory Holidays: 10pm previous day to 5am on the statutory day.

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

**7. REPORT OF THE SHIRLEY/PAPANUI COMMUNITY BOARD - MEETING OF 16 JULY 2008**

Megan Evans (Chairperson) joined the table for the discussion of this item.

**(1) Papanui High School - Request for Funding for Community Carpark**

Councillor Button moved:

That the balance of the funding request of \$34,000 for the Papanui High School community car park be provided from the Graham Condon Leisure Centre budget to reflect this facility's community usage *subject to the following conditions:*

- (a) That a Memorandum of Understanding covering usage and design is signed between Papanui High School, the Council and the community clubs.
- (b) Maintenance of the car park is agreed to between Papanui High School and the Council.
- (c) Legal clarification regarding the Council's long-term tenure of the land.

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

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

**Against (1):** Councillor Johanson

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

**8. REPORT OF THE SPREYDON/HEATHCOTE COMMUNITY BOARD - MEETING OF 4 JULY 2008**

It was **resolved** on the motion of Councillor Wells, seconded by Councillor Corbett, that the Board's report be received.

**9. REPORT OF THE SPREYDON/HEATHCOTE COMMUNITY BOARD - MEETING OF 15 JULY 2008**

**(1) St Martins Road (Wilson's Road- 131 St Martins Road) Street Renewal Project and Ensors Road Pedestrian Facility- Safety Improvement Project**

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

11. 9. 2008

- 3 -

- (a) Approve the plans shown in Attachment 1 'St Martins Road (Wilsons Road - 131 St Martins Road) Street Renewal Project- Plan for Board Approval' and Attachment 2 'Ensors Road Pedestrian Facility- Safety Improvement Project- Plan for Board Approval' to proceed to final design, tender and construction.
- (b) Approve various parking restrictions.
- (c) Approve a special vehicle lane, specifically a 'cycle lane' which restricts the lane for use of bicycles in various locations.

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

**10. REPORT OF THE SPREYDON/HEATHCOTE COMMUNITY BOARD - MEETING OF 22 JULY 2008**

It was **resolved** on the motion of Councillor Corbett, seconded by Councillor Wells, that the Board's report be received.

**11. REPORT OF THE SPREYDON/HEATHCOTE COMMUNITY BOARD - MEETING OF 1 AUGUST 2008**

It was **resolved** on the motion of Councillor Corbett, seconded by Councillor Wells, that the Board's report be received.

**12. REPORT OF THE AKAROA/WAIREWA COMMUNITY BOARD - MEETING OF 17 JULY 2008**

**(1) Little River Railway Station Trust – Extension of Lease Area**

It was **resolved** on the motion of Councillor Reid, seconded by Councillor Wall, that the Council delegate authority to the Corporate Support Unit Manager to vary the lease to the Little River Railway Station Trust to encompass the Goods Shed building identified on the site plan in the body of this report, thereby increasing the area leased by the Trust to approximately 1350m<sup>2</sup>, maintaining the current lease terms and conditions.

On the motion of Councillor Reid, seconded by Councillor Wall, the Board's report as a whole was then adopted.

**13. REPORT OF THE BURWOOD/PEGASUS COMMUNITY BOARD - MEETING OF 14 JULY 2008**

Tim Sintes (Deputy Chairperson) joined the table for the discussion of this item.

It was **resolved** on the motion of Councillor Sheriff, seconded by Councillor Williams, that the Board's report be received.

**14. REPORT OF THE BURWOOD/PEGASUS COMMUNITY BOARD - MEETING OF 21 JULY 2008**

Tim Sintes (Deputy Chairperson) joined the table for the discussion of this item.

It was **resolved** on the motion of Councillor Williams, seconded by Councillor Sheriff, that the Board's report be received.

**15. REPORT OF THE BURWOOD/PEGASUS COMMUNITY BOARD - MEETING OF 4 AUGUST 2008**

Tim Sintes (Deputy Chairperson) joined the table for the discussion of this item.

It was **resolved** on the motion of Councillor Sheriff, seconded by Councillor Williams, that the Board's report be received.

**16. REPORT OF THE BURWOOD/PEGASUS COMMUNITY BOARD - MEETING OF 18 AUGUST 2008**

Tim Sintes (Deputy Chairperson) joined the table for the discussion of this item.

**(1) South New Brighton Park, Bridge Reserve and Blighs Garden Classification**

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

- (a) That pursuant to Section 16(2A) of the Reserves Act 1977 that the land described in Schedule C below be classified under section 17 of the Reserves Act 1977 as recreation reserve.
- (b) That pursuant to section 16(2A) of the Reserves Act 1977 that the land described in Schedule D below be classified under section 23 of the Reserves Act 1977 as local purpose (Esplanade) reserve.

Schedule	Park	Legal Description	Area	Title	Current status	Recommendation	Public Notification
A	South New Brighton Park	Section 1 SO 17958	0.6235 hectare	CB32B/70	Vested in Council as fee simple without purpose	Declare to be recreation reserve	Not required
B	Blighs Garden	Part Lot 2 DP 6051	0.0397 hectare	CB381/106	Vested in Council as fee simple without purpose	Declare to be recreation reserve	Not required
C	Bridge Reserve	Section 1 SO 16502	0.3388 hectare	CB45A/1241	Vested in Council as recreation reserve	Classify as recreation reserve	Not required
D	Bridge Reserve	Section 2 SO 16502	0.3048 hectare	CB45A/1242	Vested in Council as esplanade reserve under s345(3) LGA 1974	Classify as local purpose (esplanade) reserve	Not required

It was **resolved** on the motion of Councillor Sheriff, seconded by Councillor Williams that the Board's report be adopted.

**17. REPORT OF THE FENDALTON/WAIMAIRI COMMUNITY BOARD - MEETING OF 28 JULY 2008**

Val Carter (Chairperson) joined the table for the discussion on this item.

It was **resolved** on the motion of Councillor Buck, seconded by Councillor Wall that the Board's report be received.

**18. REPORT BY THE CHAIRPERSON OF THE FENDALTON/WAIMAIRI COMMUNITY BOARD -19 AUGUST 2008****(1) Burnside High School and Christ the King School – Variable Speed Limits**

Val Carter (Chairperson) joined the table for the discussion on this item.

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

- (a) Approve the installation of variable speed limits on Memorial Avenue and Greers Road (school zone), subject to a satisfactory outcome of any issues raised by Land Transport New Zealand and/or the community during consultation undertaken by the Council in respect of the proposals to set the new variable speed limits of 40 km/h specified below, as meets the requirements of Section 7.1 of the Land Transport Setting of Speed Limits Rule 2003.
- (b) That pursuant to Clause 5(1) of the Christchurch City Speed Limits Bylaw 2005, a variable speed limit of 40 kilometres per hour apply on:

- (i) Memorial Avenue, commencing at a point 25 metres south easterly of the Grahams Road intersection and extending in a south-easterly direction for a distance of 524 metres; and
  - (ii) Greers Road, commencing at a point 54 metres north easterly of Westburn Terrace and extending in a north-easterly direction for a distance of 446 metres.
- (c) That the abovementioned variable speed limits shall come into force on the date of adoption of the Council's resolution.

(Note: Staff will provide Councillors with a breakdown of costs for the project.)

## 19. REPORT OF THE HAGLEY/FERRYMEAD COMMUNITY BOARD - MEETING OF 7 MAY 2008

Bob Todd (Chairperson) joined the table for this item.

### (1) Cashel Street by Canterbury Mazda – Proposed P5 Loading Zone (Goods Vehicles Only)

It was **resolved** on the motion of Councillor Cox, seconded by Councillor Johanson:

- (a) That the 60 minutes parking restriction on the north side of Cashel Street commencing at a point 99 metres from its intersection with Madras Street and extending in an easterly direction for a distance of 26 metres be revoked.
- (b) That a 'Loading Zone (Goods Vehicles Only) for a maximum of 5 minutes' be created on the north side of Cashel Street commencing at a point 99 metres from its intersection with Madras Street and extending in an easterly direction for a distance of 26 metres.

### (2) Manchester Street by Cockram Nissan – Proposed P5 Loading Zone (Goods Vehicles Only)

It was **resolved** on the motion of Councillor Cox, seconded by Councillor Johanson:

- (a) That the existing "P5 Loading Zone (Goods Vehicles Only)" on the east side of Manchester Street, commencing at a point six metres from its intersection with Mortimer Place and extending in a southerly direction for a distance of 10.5 metres, be revoked.
- (b) That the existing stopping of vehicles be prohibited at all times, outside Cockram Nissan on the east side of Manchester Street commencing at a point 16.5 metres from its intersection with Mortimer Place and extending in a southerly direction for a distance of 13.5 metres, be revoked.
- (c) That a "Loading Zone (Goods Vehicles Only) for a maximum period of 5 minutes" be created on the east side of Manchester Street commencing at a point six metres from its intersection with Mortimer Place and extending in a southerly direction for a distance of 24 metres.

### (3) Moorhouse Avenue – Proposed P5 Loading Zone (Goods Vehicles Only)

It was **resolved** on the motion of Councillor Cox, seconded by Councillor Johanson:

- (a) The existing 60 minute parking restriction on the north side of Moorhouse Avenue commencing at a point 57 metres from its intersection with Montreal Street and extending in an easterly direction for a distance of 24 metres be revoked.
- (b) The existing stopping of vehicles be prohibited at any time on the north side of Moorhouse Avenue commencing at Montreal Street and extending in an easterly direction for a distance of 25.5 metres be revoked.
- (c) The existing 'Bus Stop' restriction on the north side of Moorhouse Avenue commencing at a point 25.5 metres from its intersection with Montreal Street and extending in an easterly direction for a distance of 25.5 metres be revoked.
- (d) That a "Loading Zone (Goods Vehicles Only) for a maximum of 5 minutes" be created on the north side of Moorhouse Avenue commencing at a point 57 metres from its intersection with Montreal Street and extending in an easterly direction for a distance of 24 metres.

- (e) That the stopping of vehicles be prohibited at any time on the north side of Moorhouse Avenue commencing at its intersection with Montreal Street and extending in an easterly direction for a distance of 15 metres.
- (f) That a 'Bus Stop' be installed on the north side of Moorhouse Avenue commencing at a point 15 metres from its intersection with Montreal Street and extending in an easterly direction for a distance of 21.5 metres.

**(4) St Asaph Street by Euromarque Citroen – Proposed P5 Loading Zone (Goods Vehicles Only)**

It was **resolved** on the motion of Councillor Cox, seconded by Councillor Johanson:

- (a) That the existing 60 minute parking restriction on the north side of St Asaph Street commencing at a point 63 metres from its intersection with Durham Street South and extending in a westerly direction for a distance of 22 metres, be revoked.
- (b) That a 'Loading Zone (Goods Vehicles Only) for a maximum of 5 minutes' be created on the north side of St Asaph Street commencing at a point 63 metres from its intersection with Durham Street South and extending in a westerly direction for a distance of 22 metres.

**(5) Tuam Street by Archibalds – Proposed P5 Loading Zone (Goods Vehicles Only)**

It was **resolved** on the motion of Councillor Cox, seconded by Councillor Johanson:

- (a) That the stopping of vehicles be prohibited at any time on the south side of Tuam Street commencing at a point 47 metres from its intersection with Antigua Street and extending in an easterly direction for a distance of 23 metres, be revoked.
- (b) That a 'Loading Zone (Goods Vehicles Only) for a maximum of 5 minutes' be created on the south side of Tuam Street commencing at a point 47 metres from its intersection with Antigua Street and extending in an easterly direction for a distance of 23 metres.

**20. REPORT OF THE HAGLEY/FERRYMEAD COMMUNITY BOARD - MEETING OF 16 JULY 2008**

Bob Todd (Chairperson) joined the table for this item.

It was **resolved** on the motion of Councillor Johanson, seconded by Councillor Cox, that the Board's report be received.

**21. REPORT OF THE HAGLEY/FERRYMEAD COMMUNITY BOARD - MEETING OF 23 JULY 2008**

Bob Todd (Chairperson) joined the table for this item.

It was **resolved** on the motion of Councillor Cox, seconded by Councillor Johanson, that the Board's report be received.

**22. REPORT OF THE HAGLEY/FERRYMEAD COMMUNITY BOARD - MEETING OF 6 AUGUST 2008**

Bob Todd (Chairperson) joined the table for this item.

**(1) Port Hills Road – Proposed No Stopping Restriction**

It was **resolved** on the motion of Councillor Johanson, seconded by Councillor Cox:

- (a) That the stopping of vehicles be prohibited at any time on the north-east side of the slip lane from Chapmans Road into Port Hills Road.
- (b) That the stopping of vehicles be prohibited at any time on the north side of Port Hills Road, commencing at a point 44 metres east of its intersection with Chapmans Road and extending westerly for a distance of 30 metres.

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

**23. REPORT OF THE LYTTTELTON/MT HERBERT COMMUNITY BOARD MEETING OF 15 JULY 2008**

Paula Smith (Chairperson) joined the table for this item.

**(1) Proposed Lease of the Former Reserves Building and Nursery – Oxford Street, Lyttelton**

It was resolved on the motion of Councillor Reid, seconded by Councillor Wall, that a request be made to the Minister of Conservation to classify as local purpose (community buildings) reserve under Section 16 of the Reserves Act 1977, Reserve 4150 described in Certificate of Title 1D/236, SO Plan 7220 containing 0.2532ha.

**(2) Lease Issues – Diamond Harbour and District Health Support Group**

It was **resolved** on the motion of Councillor Reid, seconded by Councillor Wall:

- (a) That the Corporate Support Unit Manager be given delegated authority to negotiate a variation to the lease terms and conditions of a ground lease between the Council and the Diamond Harbour and District Health Support Group for the land described as Lot 1 DP 64100 contained in Certificate of Title 38C/63 and referred to as 2C Waipapa Avenue, Diamond Harbour, with a final expiry date of 30 November 2032, with no further right of renewal.
- (b) That the annual rent charged to the Diamond Harbour and District Health Support Group remain at \$1 per annum plus the goods and services tax **plus** all outgoings until 30 November 2016 after which time such rent will be reviewed three-yearly in accordance with the lease terms and conditions and assessed by an independent valuer or set in accordance with Council policies that may be in place at such time with regard to setting rental levels for community groups and non-profit organisations leasing Council owned land.

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

**24. EDGEWARE POOL SITE WORKING PARTY- TERMS OF REFERENCE**

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

- (a) Adopt the terms of reference for the Edgware Pool Site Working Party.
- (b) Appoint Councillor Button as the elected Council representative to sit on the Working Party.

**25. ELLERSLIE INTERNATIONAL FLOWER SHOW – ESTABLISHMENT OF CHARITABLE TRUST**

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

- (a) Approve the Statement of Proposal and the Summary of Information attached to this report.
- (b) Adopt the special consultative procedure for consulting with the public on the proposal to establish a charitable trust as part of the operation of the Ellerslie International Flower Show.
- (c) Appoint a hearings panel comprised of Councillors Broughton, Johanson and Wells to consider any oral submissions that may be made in respect of the proposal.

**26. HAGLEY PARK – TEMPORARY CLOSURE FOR ELLERSLIE INTERNATIONAL FLOWER SHOW**

The Council **decided** that this matter lie on the table until the next meeting.

**37. RESOLUTION TO EXCLUDE THE PUBLIC**

This item was taken at this stage of the meeting.

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

1. That the resolution to exclude the public set out on page 4 of the supplementary agenda be adopted.
2. That Michael Weatherall be permitted to remain at the meeting following the exclusion of the public, in his capacity as a commercial lawyer from Simpson Grierson, to enable him to advise the Council as requested for the purposes of providing advice of a commercial law nature.

At 12.30pm the public were readmitted to the meeting.

## 27. NEW MAINTENANCE CONTRACTS

The Mayor and Councillors Corbett and Wells took no part in the discussion or voting of this item.

Councillor Williams moved, that the Council:

- (a) Authorises the Audit and Risk Management Committee to work with the Chief Executive to appoint a panel comprising internal and external members, and chaired by an external consultant to enter into negotiations with City Care Limited for new maintenance contracts, to replace those referred to in the schedule attached to the public excluded staff report.
- (b) Direct the appointed panel to follow the Auditor-General's "Procurement Guidelines for Public Entities" (June 2008).
- (c) That if the panel recommends entering into negotiated new maintenance contracts with City Care, the Chief Executive be authorised to either:
  - (i) Enter into new maintenance contracts with City Care, after notification to the Council, as negotiated by the panel.or
  - (ii) Report back to the Council if in his view the negotiated terms and conditions don't give the Council 'value for money'.
- (d) That if the panel is unable to successfully negotiate new maintenance contracts with City Care, the Chief Executive report back to the Council on the recommended process for instigating a competitive tender process for the work, as detailed in the schedule attached to the public excluded staff report.

The motion was seconded by Councillor Cox.

Councillor Broughton then moved by way of amendment:

That negotiations shall be conducted on an open book policy whereby CCL shall disclose to the panel all information required and to add the word 'competitive' in (a) after the word 'new' and before the word 'maintenance'.

The amendment was seconded by Councillor Buck and on being put to the meeting was declared **lost** on division No. 2 by 4 votes to 6, the voting being as follows:

**For (4):** Councillors Broughton, Buck, Button and Johanson

**Against (6):** Councillors Cox, Reid, Sheriff, Wall, Williams and Withers

The motion was put to the meeting and declared **carried** on division No. 3, by 9 votes to 1, the voting being as follows:

**For (9):** Councillors Broughton, Buck, Button Corbett, Cox, Reid, Sheriff, Wall Williams and Withers

**Against (1):** Councillor Johanson



(1.14pm the Mayor, and Councillors Corbett and Wells rejoined the meeting.)

(1.15pm the Mayor retired and Councillor Withers assumed the Chair.)

(1.15pm Councillor Corbett retired.)

## 28. REPRESENTATION REVIEW: MAORI WARD AND ELECTORAL SYSTEM ISSUES

Councillor Cox moved that the Council:

- (a) Note that no Maori ward can be established in the Christchurch City Council district at this point in time because the legislative threshold used to qualify for the election of at least one member to a Maori ward has not been met.
- (b) Retain the current First Past the Post (FPP) electoral system for the 2010 City Council elections.
- (c) Note that regardless of whether the Council passes a resolution to change its electoral system, it is required to give public notice by 19 September 2008 of the right for 5 per cent of electors to demand a poll on the electoral system to be used at the 2010 local elections.

The motion was seconded by Councillor Sheriff and was then put to the meeting on a clause by clause basis.

Clause (a) was declared **carried**.

Clause (b) was declared **carried**. Councillor Wells requested that her name be recorded against.

Clause (c) was declared **carried**.

## 29. NOTICES OF MOTION

Nil.

## 30. RESOLUTION TO EXCLUDE THE PUBLIC

It was **resolved** on the motion of Councillor Withers, seconded by Councillor Broughton, that the resolution to exclude the public set out on page 221 of the agenda be adopted.

## 36. SUPPLEMENTARY REPORT

The Deputy Mayor referred to the following report that was separately circulated after the agenda had been distributed:

### **High Court Appeal on Variation 86 (Public Excluded)**

The Deputy Mayor advised that it was not possible to include this item on the agenda as the information was not available at the time, but it was necessary for the item concerned to be dealt with at the present meeting.

It was **resolved** on the motion of Councillor Withers, seconded by Councillor Broughton, that the late item be considered at the present meeting.

**CONFIRMED THIS 25TH DAY OF SEPTEMBER 2008**

**MAYOR**