

**MINUTES OF A MEETING OF THE CHRISTCHURCH CITY COUNCIL
HELD AT 9.30AM ON THURSDAY 23 JULY 2009**

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



1. APOLOGIES

Apologies for absence were received and accepted from Councillors Buck and Sheriff.

3. DEPUTATIONS BY APPOINTMENT

This item was taken at this stage of the meeting.

Councillor Wells withdrew and took no part in this matter.

The Council heard depositions from 13 persons representing a number of groups and individuals regarding item 18 in the Agenda Continued (University of Canterbury: National Conservatorium of Music):

- (a) Phillip Maw of Wynn Williams, representing the Dux de Lux (Karmic), Margo Perpic, Richard Sinke and David Lynch (Momentus Public Relations)
- (b) Therese Minehan, Chairperson, ICON
- (c) Ian Clark, Civic
- (d) Helen Bush
- (e) John Wilson
- (f) Pamela Nunn
- (g) Wendy Gilchrist
- (h) Don Whelan for Barbadoes Street Cultural Zone (incorporating Music Centre of Christchurch, CPIT, Christchurch School of Music, the Catholic Cathedral) and accompanied by Murray Wood of the Music Centre
- (i) Bruce Bellis
- (j) Don Donnithorne, Architect
- (k) Lesley Beaven
- (l) Mrs Mollie McGrade Clark
- (m) John Jackson.

They raised a number of issues and concerns including the process to date, a lack of a special consultative procedure, how the style of the proposed building would impact on the Arts Centre, whether there were more suitable sites in the city, and how it would fit with other creative institutions in the city.

4. PRESENTATION OF PETITIONS

The Mayor presented a petition on behalf of the Problem Gambling Foundation and 525 others calling on the Council to maintain the existing "sinking lid class 4 venue (pokie machine) policy and the introduction of other health promotion measures to reduce the impact of problem gambling in Christchurch.

Margo Perpic on behalf of Save Our Arts Centre presented a petition containing 2500 signatures: "We call upon the Canterbury University, the Council and the Arts Centre of Christchurch Trust Board to put a moratorium on the development, and undertake thorough community consultation before considering this development; understanding that the development should not undermine the surrounding heritage buildings; that local ratepayers' money should not fund a Central Government responsibility, and that the project impact, in terms of immediate and future costs, undergoes a proper feasibility study."

18. UNIVERSITY OF CANTERBURY: NATIONAL CONSERVATORIUM OF MUSIC

This item was taken at this stage of the meeting.

Councillor Wells withdrew and took no part in this matter.

The Mayor moved:

1. *That the Council follows a special consultative procedure on the following proposal:*
 - (a) *That the decisions to be made in respect of this matter are subject to appropriate consents and authorities being obtained for the proposed development and all parties agreeing to proceed with it.*
 - (b) *To approve the Council's involvement, and request Civic Building Limited to undertake the project subject to the principles below, in the development and subsequent lease of a National Conservatorium of Music facility for the University of Canterbury at the Arts Centre of Christchurch.*
 - (c) *To approve the principles with respect of the arrangement as outlined in the public excluded section of this agenda.*
 - (d) *That it acknowledges that the terms of the loan to Civic Building Limited (subject to agreement as per recommendation 2) are inconsistent with the requirements of the Council's liability management policy because the loan is to be repaid over a period of 50 years. This is greater than the maximum of 30 years provided for in the policy.*
 - (e) *That it is not intended to amend the policy and that the loan to Civic Building Limited (subject to agreement as per recommendation 2) is to be regarded as a "one-off" arrangement.*
2. *That in its judgement, and based on the information contained in the report prepared by staff, that:*
 - (a) *The decisions set out in this resolution are significant in terms of the Council's policy on determining significance.*
 - (b) *The Council undertake a special consultative procedure on Council involvement, through a Council-controlled trading organisation, in the funding, development and subsequent lease of a National Conservatorium of Music Facility for the University of Canterbury on the Arts Centre site.*
 - (c) *The Statement of Proposal to commence the special consultative procedure be considered at the 13 August 2009 Council meeting.*

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

Clause 1(a) was declared **carried** on division No. 1, by 8 votes to 3, the voting being as follows:

For (8): Councillors Button, Corbett, Cox, Reid, Shearing, Wall, Withers and the Mayor.

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

Clause 1(b) was declared **carried** on division No. 2, by 8 votes to 3, the voting being as follows:

For (8): Councillors Button, Corbett, Cox, Reid, Shearing, Wall, Withers and the Mayor.

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

Clause 1(c) was declared **carried** on division No. 3, by 8 votes to 3, the voting being as follows:

For (8): Councillors Button, Corbett, Cox, Reid, Shearing, Wall, Withers and the Mayor.

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

Clause 1(d) was declared **carried** on division No. 4, by 9 votes to 2, the voting being as follows:

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

Against (2): Councillors Broughton and Williams.

Clause 1(e) was declared **carried** on division No. 5, by 8 votes to 3, the voting being as follows:

For (8): Councillors Button, Corbett, Cox, Reid, Shearing, Wall, Withers and the Mayor.

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

Clause 2 was declared **carried**.

The meeting adjourned at 12.37pm.

Councillor Reid left the meeting at this point.

The meeting resumed at 1.30pm.

5. CHRISTCHURCH CITY HOLDINGS UPDATE TO COUNCIL

It was **resolved** on the motion of Councillor Corbett, seconded by Councillor Cox, that the Council accept the update report from Christchurch City Holdings Ltd.

11. REPORT OF THE REGULATORY AND PLANNING COMMITTEE - MEETING OF 2 JULY 2009

This item was taken at this stage of the meeting.

1. REQUEST FOR CHANGE TO CITY PLAN – MADDISON PARK

Councillor Shearing took no part in the discussion or voting on this clause.

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

- (a) Accept the change request and proceed to publicly notify the request pursuant to Schedule 1 Clause 25 (2) (b) of the Resource Management Act 1991.
- (b) Notes that when accepting a private plan change, the costs of processing are borne in full by the applicant.

2. REVIEW OF THE CHRISTCHURCH CITY COUNCIL BROTHELS (LOCATION AND SIGNAGE) BYLAW 2004

Councillor Wells moved that the Council:

- (a) Revoke its resolutions made on 27 November 2008 on the Review of Christchurch City Brothels (Location and Signage) Bylaw 2004:
 - (b) *That the Council determines that under the section 155(1) analysis, there is sufficient evidence of a problem in regards to signage advertising of commercial sexual services that needs to be addressed by way of a bylaw.*
 - (c) *To 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.*
- (b) To determine that under the section 155(1) analysis, although there may be sufficient evidence of a perceived problem with regard to signage advertising commercial sexual services, the most appropriate way to address any such problem is not by way of a bylaw.
- (c) That it notes that the Council can rely on the enforcement order and abatement notice powers which already exist under the Resource Management Act 1991, to take action in respect of any offensive signs about which complaints are received, and that it also has other powers it can exercise in relation to signs under the provisions of both the City and District Plans, as well as the ability to make a complaint, or advise members of the public that they can make complaints, to the Police in relation to the Films, Videos, Publications and Classifications Act 1993 and/or to the Advertising Standards Authority.
- (d) To adopt the proposed Statement of Proposal and Summary of Information and to commence the special consultative procedure under section 83 of the Local Government Act 2002 to revoke the Brothels (Location and Signage) Bylaw 2004.
- (e) That public notice of the consultation be given in The Press and on the Council's website on 29 July 2009, and that public notice of the proposal be given in the Christchurch Star newspaper, Akaroa Mail, and other community newspapers distributed in the Christchurch area, as close as possible to 29 July 2009.
- (f) That the period within which written submissions may be made to the Council be between 29 July 2009 and 4 September 2009.
- (g) That a hearings panel be appointed comprising Councillors Wells (Chair), Shearing, Broughton, Johanson, and Wall, to hear submissions between 5-9 October 2009 and to report back to the Council on its recommendations.
- (h) To dissolve the Brothels Location and Signage Subcommittee.

The motion was seconded by Councillor Shearing.

Councillor Button moved by way of amendment:

That the Council request a second legal opinion with regard to the brothel bylaw relating to signage considering other territorial authorities operating brothels signage bylaws

The amendment was seconded by Councillor Broughton and when put to the meeting was declared **lost** on division No. 6 by 2 votes to 9, the voting being as follows:

For (2) Councillors Broughton and Button.

Against (9) Councillors Corbett, Cox, Johanson, Shearing, Wall, Wells, Williams, Withers and the Mayor.

The motion was then put to the meeting and declared **carried**.

Councillors Broughton and Button asked that their votes against the motion be recorded.

3. CONSULTATION OF DRAFT REGIONAL POLICY STATEMENT CHAPTERS ON SOILS AND BEDS OF RIVERS

It was **resolved** on the motion of Councillor Wells, seconded by Councillor Wall, that the Council provide feedback to Environment Canterbury on draft chapter seven of the Canterbury Regional Policy Statement (Soils) with the following amendments:

- (a) Clarify differences in urban and rural land use in the Explanation section.
- (b) Capitalise "Landuse Capability" and further clarify the concept by referencing the New Zealand Land Resource.

And draft chapter ten (Beds of Rivers and Lakes and their Riparian Zones):

- (c) Re-cast draft Council comments on 10.2 (Issues) in a positive sense.
- (d) Acknowledge the use of exotic flora in the Explanation section.
- (e) Provide greater explanation of "integrated management" which also deals with stormwater issues.

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

6. WORLD BUSKERS FESTIVAL - ESTABLISHMENT OF CHARITABLE TRUST

It was **resolved** on the motion of Councillor Wells, seconded by Councillor Broughton, 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 to operate the World Buskers Festival.
- (c) That a hearings panel of three Councillors be appointed by the Deputy Mayor and Councillor Wells, in conjunction with the Council Secretary, to consider any oral submissions that may be received in respect of the proposal.

2. CONFIRMATION OF MINUTES

This item was taken at this stage of the meeting.

COUNCIL MEETING OF 25.6.2009

It was **resolved** on the motion of Councillor Withers, seconded by Councillor Wells, that the open minutes of the Council meeting held on Thursday 25 June 2009 be confirmed subject to correcting page 5 of the minutes to correctly record Councillor Sheriff's vote on item 19(d).

COUNCIL MEETING OF 25-30.6.2009

It was **resolved** on the motion of Councillor Corbett, seconded by Councillor Shearing, that the open minutes of the Council meeting to adopt the Council's 2009-19 Long Term Council-Community Plan held on Thursday 25 June 2009, Friday 26 June 2009, Monday 29 June 2009 and Tuesday 30 June 2009, be confirmed subject to the following amendments:

Page 6 – note that Councillor Johanson seconded the amendment regarding energy security and peak oil.

Page 15 – Port Hills Master Plan add the words "sufficiently developed" and delete the word "reviewed".

Page 19 – Railtrail Extension – add the following words: Connection to Little River Rail Trail – include funding for east-west rail corridor cycle path to link Hornby to Opawa as part of a 'Great Ride', through the Government initiative.

COUNCIL MEETING OF 9.7.2009

It was **resolved** on the motion of Councillor Withers, seconded by Councillor Shearing, that the open minutes of the Council meeting held on Thursday 9 July 2009 be confirmed.

8. NEW REGENT STREET PEDESTRIAN MALL – VARIATION TO THE SPECIAL ORDER

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

- (a) Adopt for consultation through the special consultative procedure the proposed changes to New Regent Street Mall declaration as detailed in the attached Statement of Proposal.
- (b) Approve the Statement of Proposal (Attachments 1 and 3) and Summary of Information (Attachment 2) in respect of the proposed declaration to vary the New Regent Street Pedestrian Mall Special Order.
- (c) Adopt the dates for publicly notifying the Statement of Proposal and the Summary of Information (6 August 2009 to 9 September 2009).
- (d) Determine that the Summary of Information be distributed to all properties and businesses along New Regent Street and nearby properties in adjacent streets and any absentee owners identified within the distribution area, as well as to other relevant stakeholder groups, including Spokes, Taxi Federation, Transport Groups, and any Resident and Business Groups in the distribution area.
- (e) Determine that the Statement of Proposal and Summary of Information be made available for public inspection at all Council Service Centres, Council libraries and on the Council's website.
- (f) That public notice of the proposal be published in a newspaper having a wide circulation in the Council's district; and that this explains the right of appeal in relation to this proposal, and advises where people can view copies of the summary of information and the statement of proposal, and the time within which submissions can be made.
- (g) That a hearings panel to hear submissions on the proposal be appointed by the Deputy Mayor and Councillor Wells, in conjunction with the Council Secretary.

9. OXFORD TERRACE, CASHEL STREET AND HIGH STREET - PROPOSED CHANGES TO TRAFFIC MOVEMENTS

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

- (a) That the proposed Traffic and Parking Amendment (Oxford Terrace, Cashel Street, and High Street) Bylaw 2009 attachment, amending the First Schedule of the Christchurch City Council Traffic and Parking Bylaw 2008, is the most appropriate way to address the problems identified in paragraph 11 of this report.
- (b) That there are no inconsistencies between the amendments proposed and the New Zealand Bill of Rights Act 1990, and that the draft amendments are in the most appropriate form.
- (c) To adopt for consultation through the special consultative procedure, the proposed changes to Oxford Terrace, Cashel Street and High Street as detailed in Proposals A (amending (a)(iii) to show that it is for service vehicles only), B and C herewith, by approving the Statement of Proposal and Summary of Information (Attachments 1 (which will also include Attachments 3, 4 and 5 and 2)).
- (d) To adopt the dates for publicly notifying the Statement of Proposal and the Summary of Information (6 August 2009 to 9 September 2009).

- (e) To determine that the Summary of Information be distributed to all properties and businesses along Oxford Terrace from Lichfield Street to Hereford Street, Cashel Street from Oxford Terrace to High Street, and High Street from Cashel Street to Hereford Street; and to nearby properties in adjacent streets and any absentee owners identified within the distribution area, as well as to other relevant stakeholder groups, including Spokes, Taxi Federation, Transport Groups, and any Resident and Business Groups in the distribution area;
- (f) To determine that the Statement of Proposal and the Summary of Information be made available for public inspection at all Council Service Centres, Council libraries and on the Council's website;
- (g) That public notice of the proposal be published in a newspaper having a wide circulation in the Council's district, and that this explains the right of appeal in relation to this proposal, and advises where people can view copies of the summary of information and the statement of proposal, and the time within which submissions can be made;
- (h) That a hearings panel to hear any submissions on the proposal be appointed by the Deputy Mayor and Councillor Wells, in conjunction with the Council Secretary.

10. GREATER CHRISTCHURCH TRAVEL DEMAND MANAGEMENT STRATEGY AND ACTION PLAN – COUNCIL ADOPTION

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

- (a) Adopt the Greater Christchurch Travel Demand Management Strategy and Action Plan.
- (b) That any amendments to the City Plan to address Travel Demand Management Strategy will be timetabled as part of the overall City Plan work prioritisation programme.

19. PROPOSED STUDY TOUR

The Mayor took no part in the discussion or voting on this item.

Councillor Withers assumed the Chair for this item.

Councillor Corbett moved:

- (a) *The report be received.*
- (b) *That approval be given for the Mayor to travel to the following cities on the western coast of the USA and Canada (San Francisco, Portland, Vancouver and Washington) as per the attached schedule contained in the agenda, at an estimated cost of \$9,500.00.*

The motion was seconded by Councillor Withers and when put to the meeting was declared **carried** on division No. 7 by 8 votes to 1 the voting being as follows:

For (8): Councillors Broughton, Button, Corbett, Cox, Shearing, Wall, Wells and Withers

Against (1): Councillor Johanson

7. WORKING PARTY RECOMMENDATION ON RATES FUNDED GRANTS REDUCTION

This item was taken at this stage of the meeting.

Councillor Button moved *that the Council adopt and implement Option Three (see below) as the means to achieve the \$750,000 reduction in the Council's grants funding for the 2009/10 financial year.*

Option Three:	<u>Savings</u>
○ Initial reduction of \$109,000	\$109,000
Additional Saving from Metro SCF	\$44,110
○ 4.95% reduction to Metropolitan Strengthening Communities Fund \$250,300 (from \$5,060,000 to 4,755,700)	
○ 0% reduction to Community Board Strengthening Communities Fund	\$0
○ 25% reduction to Metropolitan Small Grants Fund (from \$400,000 to \$300,000)	\$100,000
○ 0% reduction to Community Board Small Grants Fund	\$0
○ 11.8% reduction to Metropolitan Discretionary Response Fund (from \$170,000 to \$150,000)	\$20,000
○ 0% reduction to Community Board Discretionary Response Fund	\$0
○ 5% reduction to Mayoral Projects (from \$50,000 to \$47,500)	\$2,500
○ 0% reduction to Deputy Mayor Project Grants	\$0
○ 6.25% reduction to Growing Sport Fund (from \$40,000 to \$37,500)	\$2,500
○ 5% reduction to Major Events Fund (from \$605,000 to \$574,750)	\$30,250
○ 5% reduction to Metropolitan Community Events (from \$759,000 to \$721,050)	\$37,950
○ 5% reduction to Events Development Discretionary (from \$75,000 to \$71,250)	\$3,750
○ 5% reduction to Sports Support & Promotion (from \$235,000 to \$223,250)	\$11,750
○ 20% reduction to Character Housing Maintenance (from \$50,000 to \$40,000)	\$10,000
○ 14.3% reduction to Heritage Incentive Grants (from \$895,000 to \$763,110)	\$127,890
○ Total Savings	\$750,000

The motion was seconded by Councillor Shearing and when put to the meeting was declared **lost** on division No. 8 by 4 votes to 6, the voting being as follows:

For (4): Councillors Broughton, Button, Shearing and Withers

Against (6): Councillors Corbett, Cox, Johanson, Wall, Wells, and the Mayor.

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Councillor Corbett moved, *that the Council adopt and implement Option One as listed below, as the means to achieve the \$750,000 reduction in Council's grants funding for the 2009/10 financial year.*

Option One:	Savings
○ Initial reduction of \$109,000	\$109,000
○ 5.84% reduction to Metropolitan Strengthening Communities Fund \$295,504 (from \$5,060,000 to \$4,764,496)	
○ 5.84% reduction to Community Board Strengthening Communities Fund (from \$1,760,000 to \$1,657,216)	\$102,784
○ 5.84% reduction to Metropolitan Small Grants Fund (from \$400,000 to \$376,640)	\$23,360
○ 5.84% reduction to Community Board Small Grants Fund (from \$532,000 to \$500,931)	\$31,069
○ 5.84% reduction to Metropolitan Discretionary Response Fund (from \$170,000 to \$160,072)	\$9,928
○ 5.84% reduction to Community Board Discretionary Response Fund (from \$390,000 to \$367,224)	\$22,776
○ 5.84% reduction to Mayoral Project Grants \$2,920 (from \$50,000 to \$47,080)	
○ 5.84% reduction to Deputy Mayor Project Grants (from \$5,000 to \$4,708)	\$292
○ 5.84% reduction to Growing Sport Fund (from \$40,000 to \$37,664)	\$2,336
○ 5.84% reduction to Major Events Fund (from \$605,000 to \$569,668)	\$35,332
○ 5.84% reduction to Metropolitan Community Events (from \$759,000 to \$714,674)	\$44,326
○ 5.84% reduction to Events Development Discretionary (from \$75,000 to \$70,620)	\$4,380
○ 5.84% reduction to Sports Support & Promotion (from \$235,000 to \$221,276)	\$13,724
○ 0% reduction to Character Housing Maintenance (No reduction due to \$50,000 saving already applied)	\$0
○ 5.84% reduction to Heritage Incentive Grants (from \$895,000 to \$842,732)	\$52,268
○ Total Savings	\$749,999

The motion was seconded by Councillor Wall and when put to the meeting was declared **carried** on division No. 9 by 6 votes to 4, the voting being as follows:

For (6): Councillors Corbett, Cox, Johanson, Wall, Wells, and the Mayor.

Against (4): Councillors Broughton Button, Shearing and Withers.

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Councillor Button moved:

That the Council transfer the amount of \$70,000 from the Metropolitan Strengthening Communities Fund to the Events and Festivals Scheme for the 2009/10 year only, to enable the transition for the funding responsibility of the Christmas Parade Trust project from Metropolitan Strengthening Communities Fund to the Events and Festivals Scheme.

The motion was seconded by Councillor Withers, and when put to the meeting was declared **carried**.

12. NOTICES OF MOTION

It was **resolved** on the motion of the Mayor, seconded by Councillor Broughton, that pursuant to Standing Order 2.16.1:

“The Council asks staff to report back to the Council on whether there is a perceived problem regarding regulating the activities of beauticians, tattooists and skin piercers, and the process to make a bylaw.”

13. RESOLUTION TO EXCLUDE THE PUBLIC

It was **resolved** on the motion of the Mayor, seconded by Councillor Withers, that the resolution to exclude the public set out on page 225 of the agenda be adopted.

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

It was **resolved** on the motion of the Mayor, seconded by Councillor Withers, that the resolution to exclude the public set out on page 47 of the agenda continued, be adopted.

22. RESOLUTION TO EXCLUDE THE PUBLIC (Cont'd) (No 2)

It was **resolved** on the motion of the Mayor, seconded by Councillor Withers, that the resolution to exclude the public set out on page 4 of the agenda continued (No. 2) be adopted.

Councillor Johanson asked that his vote against this resolution be recorded.

CONFIRMED THIS 27TH DAY OF AUGUST 2009

MAYOR