

**MINUTES OF A MEETING OF THE CHRISTCHURCH CITY COUNCIL
HELD AT 9.30AM ON THURSDAY 26 NOVEMBER 2009**

PRESENT: Councillor Norm Withers (Deputy Chairperson).
Councillors Helen Broughton, Sally Buck, Ngaire Button, Barry Corbett, David Cox,
Yani Johanson, Claudia Reid, Bob Shearing, Gail Sheriff, Mike Wall and Sue Wells.



1. APOLOGIES

An apology for absence was received from The Mayor.
Leave of absence has been granted to Councillor Williams.

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

2. CONFIRMATION OF MINUTES

COUNCIL MEETING OF 8 OCTOBER 2009

It was **resolved** on the motion of Councillor Sheriff, seconded by Councillor Corbett, that the open minutes of the Council meeting held on Thursday 8 October 2009 be confirmed.

COUNCIL MEETING OF 22 OCTOBER 2009

It was **resolved** on the motion of Councillor Sheriff, seconded by Councillor Wall, that the open minutes of the Council meeting held on Thursday 22 October 2009 be confirmed.

3. DEPUTATIONS BY APPOINTMENT

Alistair James, Chair of the Canterbury District Health Board and David Meates, Chief Executive accompanied by Murray Dickson and Judith Sugden addressed the Council regarding item 8 – Christchurch Hospital Land Exchange Proposal and gave a presentation on the proposal.

4. PRESENTATION OF PETITIONS

Nil.

5. RECESS COMMITTEE

It was **resolved** on the motion of Councillor Broughton, seconded by Councillor Shearing:

That the Council:

- (a) Establish a Recess Committee comprising the Mayor or Deputy Mayor and three Councillors authorised to make any decisions of the Council for the period from 21 December 2009 to 29 January 2010. A quorum of 3 is required.
- (b) Note that any decisions made will be reported to the Council for record purposes.
- (c) Agree that notice of any Recess Committee be publicised and forwarded to all Councillors.

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

**6 REPORT BY THE CHAIRPERSON OF THE FENDALTON/WAIMAIRI COMMUNITY BOARD:
MEETING OF 4 NOVEMBER 2009**

1. POUND ROAD – ROAD STOPPING AND LAND SWAP

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

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

- (a) Approve the acquisition by agreement under Section 17 of the Public Works Act 1981 of those parcels of land shown as Sections 1, 3 to 9 inclusive and Section 12 on Survey Office Plan 424971 for road from Christchurch International Airport Limited, Environment Canterbury and the private landowners affected and once acquired, to set apart the above sections, as described in the Second Schedule below as road pursuant to Section 114 of the Public Works Act 1981:

SECOND SCHEDULE		
LAND TO BE LEGALISED AS ROAD		
Section Number	Area	Plan
1	11873 m ²	SO 424971
3	7657 m ²	SO 424971
4	1913 m ²	SO 424971
5	3989 m ²	SO 424971
6	2759 m ²	SO 424971
7	8078 m ²	SO 424971
8	1018 m ²	SO 424971
9	7371m ²	SO 424971
10	3902m ²	SO 424971
11	131m ²	SO 424971
12	824m ²	SO 424971

- (b) Set apart those parcels of land owned by the Council and shown as Sections 10 and 11 on Survey Office Plan 424971 as road pursuant to Section 114 of the Public Works Act 1981;
- (c) Approve the disposal of that parcel of land owned by the Council shown as Section 15 on Survey Office Plan 424971 as described in the Third Schedule below, in exchange for that land depicted as Sections 13 and 14 on Survey Office Plan 424971 as described in the Fourth Schedule below, which Sections 13 and 14 are intended to be held by the Council as an addition to the Council's existing adjoining ecological park as scenic reserve subject to the Reserves Act 1977;

THIRD SCHEDULE		
LAND TO BE DISPOSED OF		
Section Number	Area	Plan
15	21603 m ²	SO 424971

FOURTH SCHEDULE		
LAND TO BE ACQUIRED		
Section Number	Area	Plan
13	124384m ²	SO 424971
14	12093 m ²	SO 424971

- (d) Grant delegated authority to the Unit Manager Corporate Support to negotiate and conclude such agreements with Christchurch International Airport Limited, the Crown, Environment Canterbury and the affected private landowners to give effect to the above arrangements on such terms and conditions as he/she shall consider appropriate;

- (e) That, should any objection(s) be received under the Tenth Schedule of the Local Government Act 1974 to the proposed road stopping of those parcels of Pound, Savills and Jessons Roads shown as Sections 16 to 23 inclusive on Survey Office Plan 424971, the Council Secretary be delegated the power to appoint an Independent Commissioner to hear those objections and to report his or her recommendations in respect of those objections to the Council.
- (f) Subject to the land shown as Sections 13 and 14 on Survey Office Plan 424971 being acquired by the Council, that Sections 13 and 14 on Survey Office Plan 424971 be classified pursuant to Section 16(2)(a) of the Reserves Act 1977 as a scenic reserve within the meaning of Section 19(1)(a) of the Reserves Act 1977.

7. SURFACE WATER STRATEGY

It was **resolved** on the motion of Councillor Reid, seconded by Councillor Corbett, that the Council adopt the Christchurch City Council Surface Water Strategy 2009.

The Council noted its appreciation of Councillor Williams who chaired the hearings panel that considered the submissions received on the strategy.

8. CHRISTCHURCH HOSPITAL LAND EXCHANGE PROPOSAL

Councillor Corbett moved,

That the Council:

- (a) *Confirms its willingness to consider a land exchange with the Canterbury District Health Board subject to, reaching agreement on the parcels of land and costs involved and subject to considering the results of consultation on the issue.*
- (b) *Delegate the Chief Executive to negotiate with the Canterbury District Health Board the specific areas of land to be the subject of the land exchange and values (if any), with the requirements that the negotiation results in:*
 - (i) *No reduction in the size of North Hagley Park*
 - (ii) *Continued pedestrian access across the River Avon to Rolleston Avenue.*
- (c) *Instructs the Chief Executive to negotiate with the Canterbury District Health Board over the possible acquisition of the Nurses Memorial Chapel as part of the exchange process.*
- (d) *Authorises the Chief Executive to carry out a joint consultation process with the CDHB and report its results back to the Council for a decision to be made as to whether to initiate a change to the Acts of parliament to enable the land exchange to take place.*

The motion was seconded by Councillor Shearing.

Councillor Wells moved by way of amendment:

Add new (b) (iii) Certainty that change in the reserve status will not trigger any offer back provisions to Ngai Tahu.

Add new (d)

Authorises the Chief Executive to initiate a joint consultation process with the CDHB, including a Special Consultative Procedure, to enable the Council to make a decision as to whether to support a change to the Acts of Parliament to enable the land exchange to take place.

The amendment was seconded by Councillor Johanson and was put to the meeting on a clause by clause basis.

New (b) (iii) was declared **carried**.

New (d) was declared **tied** on division No. 1 by 6 votes all, the voting being as follows:

For (6): Councillors Broughton, Button, Johanson, Reid, Wells and Withers.

Against (6): Councillors Buck, Corbett, Cox, Shearing, Sheriff and Wall

Councillor Buck moved by way of amendment:

That clause (d) lay on the table until the 10 December Council meeting.

The amendment was seconded by Councillor Broughton and when put to the meeting was declared **carried** on division No. 2 by 7 votes to 5, the voting being as follows:

For (7): Councillors Broughton, Buck, Button, Johanson, Reid, Wells and Withers.

Against (5): Councillors Corbett, Cox, Shearing, Sheriff and Wall

The **carried** amendments were then put to the meeting as part of the substantive motion as follows:

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

- (a) Confirms its willingness to consider a land exchange with the Canterbury District Health Board subject to, reaching agreement on the parcels of land and costs involved and subject to considering the results of consultation on the issue.
- (b) Delegate the Chief Executive to negotiate with the Canterbury District Health Board the specific areas of land to be the subject of the land exchange and values (if any), with the requirements that the negotiation results in:
 - (i) No reduction in the size of North Hagley Park
 - (ii) Continued pedestrian access across the River Avon to Rolleston Avenue.
 - (iii) Certainty that change in the reserve status will not trigger any offer back provisions to Ngai Tahu.
- (c) Instructs the Chief Executive to negotiate with the Canterbury District Health Board over the possible acquisition of the Nurses Memorial Chapel as part of the exchange process.

That clause (d) lay on the table until the 10 December Council meeting.

Councillor Wall retired from the meeting.

The Deputy Mayor welcomed a delegation from Hubei Province, China, led by Mrs Song Yuying, Chairwoman, Hubei Provincial Committee Chinese People's Consultative Conference (CPCC). Gifts were exchanged and the delegation shared morning tea with the Councillors.

9. METROPOLITAN DISCRETIONARY RESPONSE FUND APPLICATIONS

Councillor Cox moved, seconded by Councillor Button:

(a) *That the application from Risingholme Community Centre Incorporated be declined.*

Councillor Johanson moved by way of amendment

(b) That the Council write to the Minister of Education and all local Members of Parliament expressing concern at the impact of the reduction in funding of ACE programmes in Christchurch noting that ACE programmes should be considered core business of central government and funded as such

The amendment was seconded by Councillor Withers and when put to the meeting was declared **carried** on division No. 3 by 6 votes to 4 with 1 abstention, the voting being as follows:

For (6): Councillors Buck, Corbett, Johanson, Reid, Wells and Withers.

Against (4): Councillors Button, Cox, Shearing and Sheriff.

Abstain (1): Councillor Broughton.

The amendment was then put to the meeting as part of the substantive motion and declared **carried**.

It was **resolved** on the motion of Councillor Shearing, seconded by Councillor Sheriff, that the Metropolitan Funding Subcommittee decline the application from Floyds Creative Arts Charitable Trust.

Councillor Johanson asked that his vote against the motion be recorded. Councillor Buck asked that her abstention from voting be recorded.

**18. RICCARTON HIGH SCHOOL CYCLE BUBBLE PROJECT - PHASE 2
(MAIN SOUTH ROAD SIGNALISED CROSSING)**

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

- (a) The proposed Riccarton High School Cycle Bubble Project - Phase 2 be approved as shown in **Attachment 2**.
- (b) To approve the following parking restrictions:

Remove existing no stopping:

- (i) That the existing stopping of vehicles at any time be removed on the north-west side of Main South Road commencing at its intersection with Colman Avenue and extending 25 metres in a south-westerly direction.
- (ii) That the existing stopping of vehicles at any time be removed on the north-west side of Main South Road commencing at a point 47 metres south-west of its intersection with Colman Avenue and extending 18 metres in a south-westerly direction.
- (iii) That the existing stopping of vehicles at any time be removed on the south-east side of Main South Road commencing at its intersection with Colman Avenue and extending 23 metres in a south-westerly direction.
- (iv) That the existing stopping of vehicles at any time be removed on the south-east side of Main South Road commencing at a point 45 metres south-west of its intersection with Colman Avenue and extending 58 metres in a south-westerly direction.
- (v) That the existing stopping of vehicles at any time be removed on the north-west side of Main South Road commencing at its intersection with Colman Avenue and extending 14 metres in a north-easterly direction.
- (vi) That the existing stopping of vehicles at any time be removed on the south-east side of Main South Road commencing at its intersection with Colman Avenue and extending four metres in a north-easterly direction.

Remove existing zebra pedestrian crossing:

- (vii) That the zebra pedestrian crossing on Main South Road located at a point 15 metres south-west from Colman Avenue be removed.

Install new signalised pedestrian crossing:

- (viii) That a pedestrian crossing, controlled by traffic signals be installed on Main South Road located at a point 15 metres south-west from Colman Avenue.

New no stopping:

- (ix) That the stopping of vehicles be prohibited at any time on the north-west side of Main South Road commencing at its intersection with Colman Avenue and extending 15 metres in a south-westerly direction.
- (x) That the stopping of vehicles be prohibited at any time on the north-west side of Main South Road commencing at a point 20 metres south-west of its intersection with Colman Avenue and extending 45 metres in a south-westerly direction.
- (xi) That the stopping of vehicles be prohibited at any time on the south-east side of Main South Road commencing at its intersection with Colman Avenue and extending 15 metres in a south-westerly direction.
- (xii) That the stopping of vehicles be prohibited at any time on the south-east side of Main South Road commencing at a point 20 metres south-west of its intersection with Colman Avenue and extending 83 metres in a south-westerly direction.
- (xiii) That the stopping of vehicles be prohibited at any time on the north-west side of Main South Road commencing at its intersection with Colman Avenue and extending 35 metres in a north-easterly direction.
- (xiv) That the stopping of vehicles be prohibited at any time on the south-east side of Main South Road commencing at its intersection with Colman Avenue and extending 58 metres in a north-easterly direction.

**19. REPORT OF THE REGULATORY AND PLANNING COMMITTEE:
MEETING OF 19 NOVEMBER 2009**

1. PRESTONS ROAD PROPOSED PLAN CHANGE 30 – PRIVATE PLAN CHANGE REQUEST FOR THE REZONING OF RURAL LAND BETWEEN LOWER STYX ROAD AND MAIREHAU ROAD, NORTH-EAST CHRISTCHURCH, TO LIVING G.

Councillor Wells moved,

- (a) That the application be accepted for notification pursuant to Clause 25 of the First Schedule to the Resource Management Act 1991 and it note that the costs of processing the Private Plan Change will be borne by the proponent.
- (b) That the Council agree that Rule 20.1.5 (as attached) is intended to cover all net wastewater costs, including additional operational costs to other parts of the network, to the Council of opening up “the third front” and note that the proponent of the private plan change agrees with this interpretation.

The motion was seconded by Councillor Shearing and when put to the meeting 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, Sheriff, Wells and Withers.

Against (2): Councillors Broughton and Buck.

2. CONSULTATION ON DRAFT REGIONAL POLICY STATEMENT CHAPTERS ON LANDSCAPE, ECOSYSTEMS AND INDIGENOUS BIODIVERSITY AND THE COASTAL ENVIRONMENT

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

That the Council provides feedback to Environment Canterbury on draft chapters attached XX, 8A and 11, of the Draft Regional Policy Statement including the following amendments:

- Chapter XX (p.8) Incorporate a sentence to explain hierarchy of landscape policy documents.
- Chapter 11 (p.2) Provide consistency with other publications in the use of the term "significantly contribute".
- Chapter 11 (p.11) Policy 11.2 – address the wording "significantly compromised" to Environment Canterbury and request that the policy be reworded for clarity.
- General – advocate using plain English where possible throughout the draft chapters.

3. LAND TRANSPORT (ROAD USER) AMENDMENT RULE 2009

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

- (a) Note the information provided in this report regarding the amendment to the Road User Rule and its potential effect in relation to the Council's Traffic and Parking Bylaw 2008.
- (b) Instruct staff to clarify the change with the New Zealand Transport Agency and Local Government New Zealand and report back to the Regulatory and Planning Committee in 2010.

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

10. NOTICES OF MOTION

Nil.

11. RESOLUTION TO EXCLUDE THE PUBLIC

It was **resolved** on the motion of Councillor Withers, seconded by Councillor Cox, that the resolution to exclude the public set out on page 81 of the agenda be adopted.

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

It was **resolved** on the motion of Councillor Withers, seconded by Councillor Cox, that the resolution to exclude the public set out on page 23 of the agenda continued be adopted.

CONFIRMED THIS 10TH DAY OF DECEMBER 2009

MAYOR