



MINUTES

MINUTES OF A MEETING OF THE CHRISTCHURCH CITY COUNCIL HELD AT 9.30AM ON FRIDAY 23 JULY 2010

PRESENT: The Mayor, Bob Parker (Chairperson).
Councillors Helen Broughton, Sally Buck, Ngaire Button, Barry Corbett, David Cox,
Yani Johanson, Claudia Reid, Bob Shearing (retired at 12.20pm), Gail Sheriff, Mike Wall,
Sue Wells, Chrissie Williams and Norm Withers.

1. APOLOGIES

Nil.

2. DEPUTATIONS BY APPOINTMENT

2.1 Mike Mora addressed the Council regarding item 9 Policy of Vehicle Entrances and Footpath Review.

Councillors Barry Corbett and Norm Withers declared an interest and were not present for the deputations regarding item 14 – Report of the Regulatory and Planning Committee meeting of 1 July 2010: 1. Further report on the application for a consent under the gambling policy by NZ Metropolitan Trotting Club Inc. (Deputations 2.2-2.7)

The following deputations were made to the Council regarding item 14 – Report of the Regulatory and Planning Committee meeting of 1 July 2010: 1. Further report on the application for a consent under the gambling policy by NZ Metropolitan Trotting Club Inc.

2.2 The New Zealand Metropolitan Trotting Club - Shane Gloury (CEO), David Rankin (Chairman) and Alastair Sherriff (Legal Adviser).

2.3 Canterbury Branch of the Harness Racing Trainers and Drivers Association - Anthony Butt (Chairman) and Greg O'Connor.

2.4 Christchurch Methodist Mission - Mary Richardson (Executive Director) and Rev. Michael Greer.

Ms. Richardson presented a petition in support of the sinking lid policy on pokie machines in Christchurch totalling 1,342 signatures.

2.5 Karolin Potter on behalf of the Spreydon/Heathcoate Community Board.

Councillor Wells clarified that either herself or Councillor Corbett took part in the Spreydon/Heathcoate Community Board deputation.

2.6 Simon Mortlock (Director), Nevele R Stud Ltd and Spreydon Lodge Ltd.

2.7 Lynette Whale of Focus on Gambling.

The following deputations were made to the Council regarding item 26 Taylors Mistake and Boulder Bay Baches:

2.8 Jim Turpin (Chairman) Taylors Mistake Association Inc.

2.9 Philip Moore (Wynn Williams) and David Evans (Director) on behalf of Save the Bay Ltd.

The Mayor thanked all those who made deputations to the Council.

3. CONFIRMATION OF MINUTES

COUNCIL MEETING OF 21 JUNE 2010

It was **resolved** on the motion of the Mayor, seconded by Councillor Shearing, that the open minutes of the Council meeting held on Monday 21 June 2010 be confirmed.

23. 7. 2010

- 2 -

COUNCIL MEETING OF 24 JUNE 2010

It was **resolved** on the motion of Councillor Withers, seconded by Councillor Cox, that the open minutes of the Council meeting held on Thursday 24 June 2010 be confirmed.

COUNCIL MEETING OF 8 JULY 2010

It was **resolved** on the motion of Councillor Corbett, seconded by Councillor Withers, that the open minutes of the Council meeting held on Thursday 8 July 2010 be confirmed.

4. PRESENTATION OF PETITIONS

A petition was presented by the Mayor on behalf of B. Dwyer and 48 others in calling for the reinstatement of the pedestrian safety island at 222 Colombo Street (opposite the main entrance of the Beckenham Retirement Village).

The Council **received** the petition and referred it to staff for comment.

5. RICcarton BUSH TRUST STATEMENTS OF INTENT 2011

This item will be dealt with at a later date.

6. REPORT OF THE RESERVES HEARINGS PANEL TO COUNCIL ON THE REVIEW OF THE KAPUATOHE HISTORIC RESERVE MANAGEMENT PLAN

This item will be dealt with at a later date.

7. REPORT OF THE HEARINGS PANEL ON THE SOUTH NEW BRIGHTON RESERVES MANAGEMENT PLAN

This item will be dealt with at a later date.

8. REPORT OF THE BROOKLANDS LAGOON AREA DRAFT PARKS MASTER AND MANAGEMENT PLANS HEARINGS PANEL

This item will be dealt with at a later date.

9. POLICY OF VEHICLE ENTRANCES AND FOOTPATH REVIEW

This item will be dealt with at a later date.

10. ADOPTION OF THE CLIMATE SMART STRATEGY 2010-2025

This item will be dealt with at a later date.

11. ADOPTION OF PUBLIC OPEN SPACE STRATEGY

This item will be dealt with at a later date.

13. GREATER CHRISTCHURCH METRO STRATEGY REVIEW 2010-2016

This item will be dealt with at a later date.

23. 7. 2010

- 3 -

14. REPORT OF THE REGULATORY AND PLANNING COMMITTEE: MEETING OF 1 JULY 2010

This item was taken at this stage of the meeting.

Councillors Corbett and Withers declared an interest in this item and took no part in the discussion or voting thereon.

1. FURTHER REPORT ON THE APPLICATION FOR A CONSENT UNDER THE GAMBLING POLICY BY NZ METROPOLITAN TROTTHING CLUB INC

Councillor Wells moved, seconded by Councillor Williams:

That the Council refuse the New Zealand Metropolitan Trotting Club's application for a consent under section 98(c) of the Gambling Act 2003 by way of making an inconsistent decision with its Gambling Venue and Totalisator Agency Board (TAB) Venue Policy.

Councillor Sheriff moved by way of amendment:

That the Council grant the New Zealand Metropolitan Trotting Club (NZMTC) a territorial authority consent application under section 98(c) of the Gambling Act 2003 and that the Council resolve (in order to comply with section 80 of the Local Government Act 2003) that:

- (a) *A territorial authority consent is granted to the NZMTC under sections 98(c) and 100 of the Gambling Act 2003 and by applying section 80 of the Local Government Act 2002, for the NZMTC to operate up to 18 gaming machines from its premises at 75 Jack Hinton Drive, Addington, Christchurch, provided those machines have been transferred from another Class 4 venue and will not increase the number of gaming machines in Christchurch. This consent will enable the club to operate 9 machines. It can operate 18 machines if it also gets the approval of the Minister under section 96 of the Gambling Act 2003.*
- (b) *This decision is made in the knowledge that it is inconsistent with the Council's Gambling Venue and Totalisator Agency Board Venue Policy.*

The Council also acknowledges that the Gambling Act 2003 gives special recognition to racing clubs, and it does not believe that granting a consent to the NZMTC in this instance will create a precedent under its current policy.
- (c) *The reasons for the inconsistency are that the Council, while recognising that its policy creates a "sinking lid" in the Christchurch district for the purpose of eventually decreasing the numbers of gaming machines in the district, acknowledges that a transfer of machines from one venue to another will not result in an increase of machines in the district. The Council believes that the racing industry is a longstanding and important industry for Christchurch and Canterbury and is prepared to go outside the current policy on this occasion to ensure that the Canterbury industry remains competitive with Auckland and that trainers, jockeys and other associated industries remain in Canterbury.*
- (d) *The Council does not propose to amend its Gambling Venue and Totalisator Agency Board Venue Policy to accommodate this decision but will include the possibility for machines to transfer from one venue to another for consideration in the next review of its policy.*
- (e) *The Council undertake a review of the Council's policy for gaming machines in the New Year.*

The amendment was seconded by Councillor Cox, and on being put to the meeting was declared **lost** on Division No. 1 by 3 votes to 9, the voting being as follows:

For (3): Councillors Cox, Sheriff and Wall

Against (9): Councillors Broughton, Buck, Button, Johanson, Reid, Shearing, Wells, Williams and the Mayor.

23. 7. 2010

- 4 -

The original motion was then put to the meeting and declared **carried** on Division No. 2 by 10 votes to 2, the voting being as follows:

For (10): Councillors Broughton, Buck, Button, Johanson, Reid, Shearing, Wall, Wells, Williams and the Mayor.

Against (2): Councillors Cox and Sheriff

The remainder of the Report of the Regulatory and Planning Committee Meeting of 1 July 2010 will be dealt with at a later date.

Councillor Bob Shearing retired at 12.20pm.

26. TAYLORS MISTAKE AND BOULDER BAY BACHES

This item was taken at this stage of the meeting.

Councillor Wells moved, seconded by Councillor Corbett that:

That the Council resolves to:

- (a) *Receive the information about planning procedures contained in the staff report.*
- (b) *Rescind the resolution passed by the Council on 22 April 2010 that:*
 - (i) *All baches be retained whilst*
 - (ii) *Council staff report back on planning procedures to effect (i)*
- (c) *Confirm that it give effect to the Environment Court 2003 decision regarding the baches which is now incorporated into the City Plan.*
- (d) *Request the Taylors Mistake Association to take immediate steps to:*
 - (i) *Prepare a planting concept plan for the TMB zone to the satisfaction of the Council.*
 - (ii) *Issue the fee simple and leasehold titles in the TMB zone in accordance with the provisions in the City Plan.*
 - (iii) *Transfer the land contained in CT35B/158 and that land contained in CT35B/160 to the east and south of the TMB zone up to and in line with the edge of the western boundary of the TMB zone to the Council for no further consideration, to be vested in the Council as recreation reserve under the Reserves Act 1977.*
 - (iv) *Confirm the Association's undertaking on behalf of affected bach owners that immediately upon fulfilment of the conditions in (d)(i) to (iii) above, all unscheduled baches will be removed.*

That the Council also resolves to:

- (e) *Authorise the Chief Executive to negotiate and to enter into licences to occupy with the owners of the baches scheduled to remain at Taylors Mistake and Boulder Bay on such terms and conditions as he considers appropriate.*
- (f) *Note that the Council's decision to grant licences in respect of baches at Taylors Mistake and Boulders Bay is not an indication that such licences will automatically be granted in other situations where unauthorised structures have been built on land vested in the Council as legal road.*

23. 7. 2010

- 5 -

Councillor Broughton moved by way of amendment:

That the Council officers prepare advice to the Council on a possible Plan Change to retain all the baches at Taylors Mistake.

The amendment was seconded by Councillor Williams and on being put to the meeting was declared **lost** on Division No. 3 by 3 votes to 10, the voting being as follows:

For (3): Councillors Broughton, Wall and Williams.

Against (10): Councillors Buck, Button, Cox, Corbett, Johanson, Reid, Sheriff, Wells, Withers and the Mayor.

The original motion was then put to the meeting and declared **carried** on Division No. 4 by 11 votes to 2, the voting being as follows:

For (11): Councillors Buck, Button, Cox, Corbett, Johanson, Reid, Sheriff, Wall, Wells, Withers and the Mayor.

Against (2): Councillors Broughton and Williams.

24. REQUEST FOR COUNCIL APPROVAL TO USE THE SPECIAL CONSULTATIVE PROCEDURE FOR PROPOSED CHANGE OF DIRECTION OF ONE WAY STREET AND NEW DECLARATION OF A PART TIME PEDESTRIAN MALL IN POPLAR STREET USING BOLLARDS FOR CLOSURE EVERY NIGHT

This item was taken at this stage of the meeting.

Councillor Buck took declared an interest and took no part in the discussion and voting thereon.

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

- (a) That the proposed Traffic and Parking Amendment (Poplar Street) Bylaw 2010 attachment (Attachment 5 to the agenda), amending the First Schedule of the Christchurch City Council Traffic and Parking Bylaw 2008, is the most appropriate way to address the items identified in paragraphs 3 and 8 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 approve the continuation of the trial use of bollards in Poplar Street until the Special Consultative Procedure is completed and a decision has either resulted in the Declaration of a pedestrian mall or another means of improving pedestrian safety has been established.
- (d) To adopt for consultation through the special consultative procedure the proposed changes to Poplar Street as detailed in paragraphs 19(ii) and 27(iii), by approving the Statement of Proposal and Summary of Information (Attachments 1 and 2 to the agenda respectively).
- (e) To adopt the dates for publicly notifying the Statement of Proposal and the Summary of Information (30 July 2010 to 31 August 2010).
- (f) To determine that the Summary of Information be distributed to all properties and businesses along Poplar Street, Ash Street, Tuam Street and Lichfield Street between Manchester Street and Madras Street; to 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.
- (g) To determine that the Statement of Proposal and the Summary of Information be available for public inspection at all the Council Service Centres, the Council libraries and on the Council's website.
- (h) 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

23. 7. 2010

- 6 -

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.

- (i) To appoint a Hearings Panel of Councillors Cox, Reid and Wall, with Councillor Cox as chairperson to hear any submissions on the proposal.

23. PROPOSED NEW DECLARATION OF A PART TIME PEDESTRIAN MALL IN STRUTHERS LANE USING BOLLARDS FOR CLOSURE EVERY NIGHT

This item was taken at this stage of the meeting.

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

- (a) Approves the continuation of the trial use of bollards in Struthers Lane and Plimsoll Lane, until the Special Consultative Procedure is completed and a decision has either resulted in the declaration of a part time pedestrian mall or another means of improving pedestrian safety at night has been established.
- (b) Adopts for consultation through the special consultative procedure the proposed declaration of the part time pedestrian mall in Struthers Lane, by approving the Statement of Proposal and Summary of Information (Attachment 1 and 2 to the agenda respectively).
- (c) Adopts the dates for publicly notifying the Statement of Proposal and the Summary of Information (30 July 2010 to 31 August 2010).
- (d) Determines that the Summary of Information be distributed to all properties and businesses along Struthers Lane, Manchester Street between Tuam Street and Lichfield Street, Lichfield Street between Manchester Street and Colombo Street; Colombo Street between Lichfield Street and Tuam Street, and Tuam Street between Colombo Street and Manchester Street; to 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) Determines 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.
- (f) Publish public notice of the proposal in a newspaper having a wide circulation in the Council's district; and that this notice 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) To appoint a Hearings Panel of Councillors Cox, Reid and Wall, with Councillor Cox as chairperson to hear any submissions on the proposal.

27. CANTERBURY WATER MANAGEMENT STRATEGY: ESTABLISHMENT OF THREE ZONE COMMITTEES, AND APPOINTMENT OF COUNCILLORS TO THE REGIONAL COMMITTEE, AND ZONE COMMITTEES

This item was taken at this stage of the meeting.

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

1. That the Council appoints, as provided for in Clause 30(1)(b) of Schedule 7 to the Local Government Act 2002, the following joint committees:
 - (a) The Selwyn - Waihora Joint Committee together with the Canterbury Regional Council and the Selwyn District Council.
 - (b) The Christchurch - West Melton Joint Committee together with the Canterbury Regional Council and the Selwyn District Council.

23. 7. 2010

- 7 -

- (c) The Banks Peninsula Joint Committee together with the Canterbury Regional Council.
2. That the Council resolve, as provided for by Clause 30(7) of Schedule 7 to the Local Government Act 2002, that the 3 joint committees shall not be deemed to be discharged on the coming into office of the members of the Council elected or appointed at the next triennial general election of members.
 3. That the Council approves the attached Terms of Reference of the Selwyn - Waihora, Christchurch - West Melton, and Banks Peninsula Joint Committees.
 4. That the Council:
 - (a) Appoint Councillor Reid as the Christchurch City Council Councillor to sit on the Selwyn - Waihora Zone Committee, a 'permanent' appointment.
 - (b) Appoint three Councillors to the Canterbury Water Management Strategy Regional Water Management Committee of the Canterbury Regional Council as follows:
 - (i) Councillor Williams to represent Christchurch City Council, a 'permanent' appointment.
 - (ii) Councillor Buck to represent the Christchurch - West Melton Joint Committee, an interim appointment; and
 - (iii) Councillor Reid to represent the Banks Peninsula Zone Committee, an interim appointment.
 5. That the appointments referred to in the preceding paragraph are appointments of that individual in their personal capacity and that such appointments be until the date the new Council resolves to make new appointments.

19. STAFF RECOMMENDATIONS FOR ROLLOVER OF BANKS PENINSULA DISTRICT COUNCIL EXISTING DESIGNATIONS

This item was taken at this stage of the meeting.

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

- (a) Confirm the recommendations made below for each designation of the Banks Peninsula District Council (BPDC) and as set out in reports contained in Appendix B to the agenda pursuant to section 168A of the Resource Management Act 1991.

BANKS PENINSULA DISTRICT COUNCIL WASTEWATER DESIGNATIONS

In accordance with clause 9(2) of Schedule 1 of the Resource Management Act 1991:

- (a) Confirm the existing designation with modifications at Pauahinekotau Head for the Diamond Harbour wastewater treatment plant subject to amending the purpose notation of the designation from 'Sewage Works (Church Bay)' to 'Wastewater Treatment Plant' in Appendix II of the Proposed Plan:
 - (i) Correct Appendix II of the Proposed Plan in order to accurately describe the designation by:
 - (1) Amending the name of the Requiring Authority from 'BPDC' to 'CCC'.
 - (2) Replacing the locality 'Church Bay' with 'Diamond Harbour'
 - (3) Replacing the address 'Church Bay Foreshore' with 'Pauahinekotau Head'
 - (4) Include the underlying zoning of the site, which is 'RV' Recreational Reserves.
- (b) Confirm the existing designation with modifications of the Duvauchelle wastewater treatment plant subject to further modifying Appendix II of the Proposed Plan by amending the notation of the designation from 'Sewage Treatment Plant' to 'Wastewater Treatment Plant'.

23. 7. 2010

- 8 -

- (i) Modify planning map S15 of the Proposed Plan by amending planning map S15 to show the designation covering Lot 1 DP 12513 instead of Pt Lot 3 DP 5105.
 - (ii) Correct Appendix II of the Proposed Plan in order to accurately describe the designation by amending the name of the Requiring Authority from 'BPDC' to 'CCC'.
 - (iii) Include Pt Lot 21 DP 3473 and the eastern half of Lot 1 DP 28014 within the boundaries of the designation by way of S181(3) of the Act.
- (c) Confirm the existing designation with modifications on the foreshore of Governors Bay for the Governors Bay wastewater treatment plant subject to modifying Appendix II of the Proposed Plan by amending the notation of the designation from 'Governors Bay Sewage Treatment Works to 'Wastewater Treatment Plant'.
- (i) Correct Appendix II of the Proposed Plan in order to accurately describe the designation by amending the name of the Requiring Authority from 'BPDC' to 'CCC'.
- (d) Confirm the existing designation with modifications at Cashin Quay, Lyttelton for the Lyttelton wastewater treatment plant subject to modifying Appendix II of the Proposed Plan by:
- (i) Amending the notation of the designation from 'Lyttelton Sewage Treatment Plant' to 'Wastewater Treatment Plant'.
 - (ii) Including reference to the existence of conditions on this designation and list the conditions below Appendix II.
 - (iii) Modify planning map S1 of the Proposed Plan by amending planning map S1 to show the designation boundary following the legal site boundaries of Lot 1 DP 71318.
 - (iv) Amend Appendix II of the Proposed Plan in order to accurately describe the designation by:
 - (1) Amending the name of the Requiring Authority from 'BPDC' to 'CCC'.
 - (2) Amending the size of the designation from '0.8522 ha' to '0.8797 ha'.
- (e) Withdraw the Requirement for the Akaroa sewage treatment plant at Beach Road, Akaroa and remove all references to the designation from Appendix II and planning map R9 of the Proposed Plan.
- (f) Confirm the Requirement to designate the existing wastewater treatment plant located on the site legally described as Lot 2 DP 79380, at Tikao Bay Road, Tikao Bay subject to modifying Appendix II of the Proposed Plan by amending the purpose of the designation from 'Sewage Disposal Site' to 'Wastewater Treatment Plant'.
- (i) Correct Appendix II of the Proposed Plan in order to accurately describe the designation by:
 - (1) Amending the name of the Requiring Authority from 'BPDC' to 'CCC'.
 - (2) Including the legal description of the site, being 'Lot 2 DP 79380'.
 - (3) Including the area of the designation, which is '0.5665 ha'.
- (g) Confirm the Requirement to designate the existing sewage pumping station located in the road reserve of Tikao Bay Road, Tikao Bay subject to an appropriately worded condition requiring all new activities on the site to comply with a noise limit at the boundary of any residential site consistent with the residential noise standards set out in Chapter 33 Noise of the Proposed Plan.
- (i) Modify Appendix II of the Proposed Plan by:
 - (1) Amending the notation of the designation from 'Sewage Pumping Station' to 'Wastewater Pumping Station'.

23. 7. 2010

- 9 -

- (2) Including reference to the existence of conditions on this designation of conditions on this designation and list the conditions below Appendix II.
- (ii) Correct Appendix II of the Proposed Plan in order to accurately describe the designation by:
 - (1) Amending the name of the Requiring Authority from 'BPDC' to 'CCC'.
 - (2) Including the area of the designation, which is '0.014 ha'.
- (h) Confirm the Requirement to designate the existing sewage pumping station located at Lot 21 DP 45004, Tikao Bay Road, Tikao Bay subject to an appropriately worded condition requiring all new activities on the site to comply with a noise limit at the boundary of any residential site consistent with the residential noise standards set out in Chapter 33 Noise of the Proposed Plan.
 - (i) Modify Appendix II of the Proposed Plan by:
 - (1) Amending the purpose of the designation from 'Sewage Treatment Plant' to 'Wastewater Pumping Station'.
 - (2) Including reference to the existence of conditions on this designation and list the conditions below Appendix II.
 - (ii) Correct Appendix II of the Proposed Plan in order to accurately describe the designation by amending the name of the Requiring Authority from 'BPDC' to 'CCC'.
- (i) Confirm the Requirement to designate the existing sewage treatment plant on the site legally described as Lot 1 DP 22953 at Cemetery Road, Wainui subject to modifying Appendix II of the Proposed Plan by amending the purpose notation of the designation from "sewage treatment plant" to "wastewater treatment plant" and correcting Appendix II to accurately describe the designation by:
 - 1. Amending the name of the Requiring Authority from "BPDC" to "CCC".
 - 2. Amend the underlying zoning column from Small Settlement (SS) to Rural (Ru).

As shown on planning map S18 of the proposed plan.
- (j) Reject submissions 766.196, F784 and F949.
- (k) Confirm Commissioner decisions on conditions of designation in Part 2 Appendices BPDC Wastewater Designations.

BANKS PENINSULA DISTRICT COUNCIL CEMETERY DESIGNATIONS

In accordance with clause 9(2) of Schedule 1 of the Resource Management Act 1991:

- (a) Confirm the existing designation for the three existing cemeteries at Beach Road, Akaroa.
 - (i) That the two individual designations over the site as identified in Appendix II of the Proposed Plan not be proceeded with and that the original area identified in the Transitional Plan and on planning map S10 of the Proposed Plan be confirmed subject to an appropriately worded condition relating to the protection of the listed Monterey pines located on site.
 - (ii) Modify Appendix II of the Proposed Plan by:
 - (1) Merging the two separate listings so there is only one listing for the Akaroa Cemeteries.
 - (2) Amending the designation and purpose to read 'Akaroa Cemeteries'.
 - (3) Amending the legal description to read 'Res 4997, Res 56, Res 2546 and Res 116'.
 - (4) Amending the designation area to read '3.1449 ha'.

23. 7. 2010

- 10 -

- (iii) Correct Appendix II of the Proposed Plan in order to accurately describe the designation by amending the name of the Requiring Authority from 'BPDC' to 'CCC'.
- (b) Confirm the existing designation with modifications for the existing cemetery at Le Bons Bay.
 - (i) Correct Appendix II of the Proposed Plan in order to accurately describe the designation by:
 - (1) Amending the name of the Requiring Authority from 'BPDC' to 'CCC'.
 - (2) Replacing the site area '2.5571 ha' with '2.5 ha'.
 - (3) Amending the site address from 'Cemetery Road' to 'Le Bons Bay Cemetery Road'.
 - (c) Confirm the existing designation with modifications for the existing cemetery at Reserve Terrace, Lyttelton.
 - (i) Incorporate the new designation over the existing right of way immediately adjacent to the cemetery within the listing for the existing cemetery designation at Reserve Terrace.
 - (ii) Modify Appendix II of the Proposed Plan by:
 - (1) Merging the two separate listings so there is only one listing for the Lyttelton Cemetery.
 - (2) Amending the designation and purpose to read 'Cemetery and Right of Way (Lyttelton)'.
 - (3) Amending the legal description to read 'Res 45 & 46 and Lot 43 DP 9983'.
 - (4) Amending the designation area to read '0.8306 ha'.
 - (iii) Modify planning map S1 of the Proposed Plan by amending the planning map S1 to identify the extent of the designation over Res 45, & 46 and Lot 43 DP 9983.
 - (iv) Correct Appendix II of the Proposed Plan in order to accurately describe the designation by:
 - (1) Amending the name of the Requiring Authority from 'BPDC' to 'CCC'.
 - (2) Amending the underlying zoning to correctly identify the site as being within the Residential Zone.
 - (d) Confirm the Requirement to designate the existing cemetery on the site legally described as Lot 2 DP 10339, at Kaituna Valley Road, Kaituna Valley subject to modifications to planning map R7 of the Proposed Plan by amending planning map R7 to identify the location of the designation over Lot 2 DP 10339.
 - (i) Correct Appendix II of the Proposed Plan in order to accurately describe the designation by amending the name of the Requiring Authority from 'BPDC' to 'CCC'.
 - (e) Confirm the Requirement to designate the existing cemetery on the site legally described as Lot 1 DP 11713 at Oxford Street, Lyttelton.
 - (i) Correct Appendix II of the Proposed Plan in order to accurately describe the designation by:
 - (1) Amending the name of the Requiring Authority from 'BPDC' to 'CCC'.
 - (2) Amending the underlying zoning to correctly identify the site as being within the Residential Zone.
 - (f) Confirm the Requirement to designate the existing right of way on the site legally described as Lot 43 DP 9983, immediately adjacent to the exiting Lyttelton Cemetery at Reserve Terrace.
 - (i) Incorporate the new designation over the right of way within the listing for the existing cemetery designation at Reserve Terrace.

23. 7. 2010

- 11 -

- (ii) Modify Appendix II of the Proposed Plan by:
 - (1) Merging the two separate listings so there is only one listing for the Lyttelton Cemetery.
 - (2) Amending the designation and purpose to read 'Cemetery and Right of Way (Lyttelton)'.
 - (3) Amending the legal description to read 'Res 45 & 46 and Lot 43 DP 9983'.
 - (4) Amending the designation area to read '0.8306 ha'.
- (iii) Modify planning map S1 of the Proposed Plan by amending planning map S1 to identify the extent of the designation over Res 45, & 46 and Lot 43 DP 9983.
- (iv) Correct Appendix II of the Proposed Plan in order to accurately describe the designation by:
 - (1) Amending the name of the Requiring Authority from 'BPDC' to 'CCC'.
 - (2) Amending the underlying zoning to correctly identify the site as being within the Residential Zone.

BANKS PENINSULA DISTRICT COUNCIL WATER SUPPLY DESIGNATIONS

In accordance with clause 9(2) of Schedule 1 of the Resource Management Act 1991:

- (a) Confirm the existing designation with modifications at L'Aube Hill, Akaroa for the purpose of a water reservoir and treatment station.
 - (i) Correct Appendix II of the Proposed Plan in order to accurately describe the designation by:
 - (1) Amending the name of the Requiring Authority from 'BPDC' to 'CCC'.
 - (2) Replacing the underlying zoning 'Ru' (Rural) with 'RR' (Recreational Reserves).
- (b) Withdraw the designation for water supply (Diamond Harbour) at Bay View Road, Diamond Harbour from the Proposed Plan.
 - (i) Remove of all references to the designation from Appendix II and planning map S8 of the Proposed Plan.
 - (ii) Review the need to retain the existing gazette notice Water Works NZGZ 1915 p 953 that applies to the site.
- (c) Confirm the existing designation with modifications at Okains Bay Road, Duvauchelle for the purpose of a water treatment plant.
 - (i) Modify Appendix II of the Proposed Plan by:
 - (1) Replacing the address 'road reserve (off Okains Bay Road)' with '29 Okains Bay Road.;
 - (2) Replacing the designation and purpose 'water treatment plant' with 'water treatment plant and reservoir'.
 - (3) Replacing the legal description 'road reserve' with 'Sections 1, 3 and 5 SO 19957 including the intervening road reserve'.
 - (4) Including the site area of 0.1690 ha.
 - (ii) Amend planning map S14 to show the designation covering Sections 1, 3 and 5 SO 19957 as well as the intervening road reserve.
 - (iii) Correct Appendix II of the Proposed Plan in order to accurately describe the designation by amending the name of the Requiring Authority from 'BPDC' to 'CCC'.
- (d) Confirm the existing designation with modifications for the existing water reservoir at Dyers Pass Road, Governors Bay.

23. 7. 2010

- 12 -

- (i) Correct Appendix II of the Proposed Plan in order to accurately describe the designation by:
 - (1) Amending the name of the Requiring Authority from 'BPDC' to 'CCC'.
 - (2) Replacing the underlying zoning 'SS' (Small Settlement) with 'Ru' (Rural).
- (e) Confirm the existing designation with modifications for the existing water reservoir at Governors Bay Road, Governors Bay.
 - (i) Correct Appendix II of the Proposed Plan in order to accurately describe the designation by amending the name of the Requiring Authority from 'BPDC' to 'CCC'.
- (f) Confirm the existing designation with modifications for the existing water reservoir at Hays Rise, Governors Bay.
 - (i) Correct Appendix II of the Proposed Plan in order to accurately describe the designation by amending the name of the Requiring Authority from 'BPDC' to 'CCC'.
- (g) Confirm the existing designation with modifications for the existing water reservoir at Lachie Griffen Rise.
 - (i) Modify Appendix II of the Proposed Plan by:
 - (1) Replacing the legal description 'Lot 20 DP 57247' with 'Lot 17 DP 57247'.
 - (2) Replacing the site area '0.0288 ha' with '0.0592 ha'.
 - (ii) Correct Appendix II of the Proposed Plan in order to accurately describe the designation by amending the name of the Requiring Authority from 'BPDC' to 'CCC'.
- (h) Confirm the existing designation for the existing water pumping station and reservoir at 42 Exeter Street, Lyttelton.
 - (i) Not proceed with the proposed modification to increase the area of the designation and the original area as identified in the Transitional Plan be reinstated in the Proposed Plan.
 - (ii) Modify Appendix II of the Proposed Plan by replacing the site area '0.1012 ha' with '0.0400 ha'.
 - (iii) Amend planning map S2 to show the designation covering the rear half of Lot 1 DP 67378 only, as shown in the Transitional Plan.
 - (iv) Correct Appendix II of the Proposed Plan in order to accurately describe the designation by:
 - (1) Amending the name of the Requiring Authority from 'BPDC' to 'CCC'.
 - (2) Replacing the legal description 'Town Section 122' with 'Lot 1 DP 67378'.
- (i) Confirm the Requirement to designate the existing water reservoir and treatment station located on the site legally described as Pt RS 598, at Alymers Valley Road, Akaroa.
 - (i) Modify planning map R9 of the Proposed Plan by:
 - (1) Amending planning map R9 to show the designation over Pt RS 598 instead of over a portion of RS 5575.
 - (2) Amending planning map R9 by replacing the label 'WT' (Waste Transfer Station) next to the designation site with the label 'WS' (Water Supply).
 - (ii) Correct Appendix II of the Proposed Plan in order to accurately describe the designation by amending the name of the Requiring Authority from 'BPDC' to 'CCC'.

23. 7. 2010

- 13 -

- (j) Confirm the Requirement to designate the existing water pump located on the site legally described as Lot 1 DP 52754, at Koromiko Place, Church Bay subject to the following condition:
- All new activities shall be designed and operated such that the set noise limits are not exceeded at the boundary of any residential site. The set noise limits shall be 40 dBA (L_{10}) and 70 dBA (L_{max}) at night time (2200 hours to 0700 hours), and 50 dBA (L_{10}) at all other times (0700 hours to 2200 hours).*
- (i) Correct Appendix II of the Proposed Plan in order to accurately describe the designation by amending the name of the Requiring Authority from 'BPDC' to 'CCC'.
- (k) Confirm the Requirement to designate the existing water reservoir site located on the site legally described as Lot 20 DP 57247, at Clem Patterson Place, Governors Bay.
- (i) Modify Appendix II of the Proposed Plan by:
- (1) Replacing the legal description 'Lot 17 DP 57247' with 'Lot 20 DP 57247'.
 - (2) Replacing the site area '0.0592 ha' with '0.0288 ha'.
- (ii) Modify planning map S5 of the Proposed Plan by replacing the label 'ST' (Sewage Treatment) next to the designation site with the label 'WS' (Water Supply).
- (iii) Correct Appendix II of the Proposed Plan in order to accurately describe the designation by amending the name of the Requiring Authority from 'BPDC' to 'CCC';
- (l) Confirm the Requirement to designate the existing water reservoir and treatment station located on the site legally described as Lot 4 DP 54593, at Council Hill Road, Little River.
- (i) Correct Appendix II of the Proposed Plan in order to accurately describe the designation by:
- (1) Amending the name of the Requiring Authority from 'BPDC' to 'CCC'; and
 - (2) Replacing the address 'Council Road' with 'Council Hill Road'.
- (m) Withdraw the Requirement to designate the site legally described as Lot 9A DP 14974 at Cornwall Road, Lyttelton for the purpose of a Pump Station by removing all references to the designation from Appendix II and planning map S2 of the Proposed Plan.
- (n) Withdraw the Requirement to designate an area of road reserve in Cornwall Road for the purpose of an underground water reservoir by removing all references to the designation from Appendix II and planning map S2 of the Proposed Plan.
- (o) Confirm the Requirement to designate the existing water reservoir and pump station located in the road reserve at Somes Road, Lyttelton.
- (i) Correct Appendix II of the Proposed Plan in order to accurately describe the designation by:
- (1) Amending the name of the Requiring Authority from 'BPDC' to 'CCC'.
 - (2) Including the area of the designation, which is approximately 750 square metres in size.
- (p) Confirm the Requirement to designate the existing water reservoir and treatment station located on the site legally described as Pt RS 4122 at Takamatua Valley Road, Takamatua.
- (i) Correct Appendix II of the Proposed Plan in order to accurately describe the designation by:
- (1) Amending the name of the Requiring Authority from 'BPDC' to 'CCC'.
 - (2) Including the area of the designation, which is approximately 0.78 hectares in size.

23. 7. 2010

- 14 -

- (q) Reject submissions 766.196, F784, F949 and accept submission 1005.26.

BANKS PENINSULA DISTRICT COUNCIL WASTE MANAGEMENT, QUARRY AND PUBLIC TOILET DESIGNATIONS

WASTE MANAGEMENT

In accordance with clause 9(2) of Schedule 1 of the Resource Management Act 1991:

- (a) Withdraw the designation for refuse disposal at Gollans Bay, Lyttelton from the Proposed Plan and remove all references to the designation from Appendix II and planning map R1 of the Proposed Plan.
- (b) Withdraw the Requirement to designate the Akaroa landfill for the purpose of refuse disposal and remove all references to the designation from Appendix II and planning map R9 of the Proposed Plan.
- (c) Confirm the Requirement to designate the existing waste transfer station location on the site legally described as Lot 1 DP 73901, at Onawe Flat Road, Barrys Bay subject to the following conditions:
- (i) The facility being shall be operated in accordance with the 'Akaroa Transfer Station Draft Transfer Station Management Plan – Appendix D1, Volume 2 Environmental Assessment: Banks Peninsula Landfills and Transfer Station' Woodward-Clyde in January 1995, or subsequent revisions, except that:
- (1) Scrap metal for recycling shall be limited to that able to be transported by a standard single axle car trailer. No car bodies shall be accepted.
 - (2) No shredder, chainsaw or other noisy machinery shall be operated outside of the hours 0800-1800, Monday to Friday and 0800-1300 Saturdays.
- (ii) The site shall be developed and landscaped in accordance with the concept plans presented by Lucas Associates at the hearing for resource consent 95/0483 including the plant species specified, except to the extent that the concept plans were varied by resource consent LUC 96/090. All planting shall be undertaken and maintained in accordance with recognised standards and any deceased plantings replaced during the following planting season.
- (iii) Domestic and recycling skips, gatehouse, recycling bins and garage shall be painted colour 12b21 (flax) of the British Standard 5252 (1976) colour range.
- (iv) Modifying Appendix II of the Proposed Plan by:
- (1) Amending the purpose of the designation from 'Refuse Transfer Station & Disposal Area' to 'Waste Transfer Station'; and
 - (2) Including reference to the existence of conditions on this designation.
- (v) Correcting Appendix II of the Proposed Plan in order to accurately describe the designation by:
- (1) Amending the name of the Requiring Authority from 'BPDC' to 'CCC'.
 - (2) Amending the legal description of the designation from 'Pt RS 8449' to 'Lot 1 DP 73901'.
 - (3) Amending the size of the designation from '0.7 ha' to '0.8328 ha'.
- (d) Confirm the Requirement to designate the existing waste transfer station located on the site legally described as Res 800, at Le Bons Bay Cemetery Road, Le Bons Bay and undertake appropriate steps to change the specified 'Cemetery' purpose of the Local Purpose Reserve over the portion of the site that is subject to this Requirement.
- (i) Correct Appendix II of the Proposed Plan in order to accurately describe the designation by:
- (1) Amending the name of the Requiring Authority from 'BPDC' to 'CCC'.

23. 7. 2010

- 15 -

- (2) Including the area of the designation, which is approximately '0.0570 ha'.
 - (3) Amending the site address from 'Cemetery Road' to 'Le Bons Bay Cemetery Road'.
- (e) Confirm the Requirement to designate the existing waste transfer station located on legal road adjacent to Little Akaloa Road, Little Akaloa.
- (i) Correct Appendix II of the Proposed Plan in order to accurately describe the designation by:
 - (1) Amending the name of the Requiring Authority from 'BPDC' to 'CCC'.
 - (2) Including the area of the designation, which is approximately '0.0225 ha'.
- (f) Confirm the Requirement to designate the existing waste transfer station located on legal road adjacent to the intersection of Chorlton Road and Okains River Road, Okains Bay subject to amending the address of the designation from 'Okains Bay-Chorlton Road' to 'Chorlton Road-Okains River Road' in Appendix II of the Proposed Plan.
- (i) Correct Appendix II of the Proposed Plan in order to accurately describe the designation by:
 - (1) Amending the name of the Requiring Authority from 'BPDC' to 'CCC'.
 - (2) Including the area of the designation, which is approximately '0.0325 ha'.

PUBLIC TOILET DESIGNATIONS

- (d) Withdraw the Requirement to designate the site legally described as Lot 27 DP 26174 at Lake Terrace Road, Birdlings Flat for the purpose of public toilets and remove all references to the designation from Appendix II and planning map S29 of the Proposed Plan.
- (e) Reject submissions 9.01, 472.27, 1005.20, F140 and accept submission 1058.108 and F869.

WATER TANK

- (a) That staff investigate and report back to the Council on the opportunity to uplift the designation currently over the water tank site at Te Ra Crescent at Diamond Harbour.

Councillor Broughton requested that her vote against the resolution be recorded.

20. RECOMMENDATIONS FOR OTHER REQUIRING AUTHORITIES NEW DESIGNATIONS AND ROLLOVER OF EXISTING DESIGNATIONS PROPOSED BANKS PENINSULA DISTRICT PLAN

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

- (a) Recommend to each of the Requiring authorities specified in Appendix B confirmation of the designations as per the recommendations contained in Appendix B, and below as follows pursuant to section 171 of the Resource Management Act 1991.

METEOROLOGICAL SERVICE OF NEW ZEALAND LTD SERVICE DESIGNATION

Make the following recommendations in accordance with clause 9(2) of Schedule 1 of the Act:

- (a) Recommend to the Meteorological Service of New Zealand Ltd that it confirm the Requirement to designate the site at Dalglishs Road, Le Bons Bay for the purpose of Meteorological Activities (Automatic Weather Station) subject to the following condition:
 - (i) That the height of any buildings located on the designated site shall not exceed 7.5m except for any pole structure which shall not exceed 15m.

and further subject to the following further change:

23. 7. 2010

- 16 -

- (ii) Amend Appendix II of the Proposed Plan to include the area (0.04ha) of the designation.

RADIO NEW ZEALAND DESIGNATION:

Make the following recommendations in accordance with clause 9(2) of Schedule 1 of the Act:

- (a) Recommend to Radio New Zealand Limited that the existing designation with modifications at Gebbies Pass be confirmed subject to the following further modification to the planning map legend of the Proposed Plan:
 - (i) Amend the planning map legend by replacing the label 'RT – Radio Transmission (NZ Public Radio)' with the label 'RT – Radiocommunication, telecommunication and ancillary purposes and land uses (Radio New Zealand)'.
- (b) Include in Appendix II of the Proposed Plan the designation locality, address, purpose, name of designating authority, legal description, area, under-lying zone and map reference to accurately describe the designation as follows:

POLICE DESIGNATIONS

Make the following recommendations in accordance with clause 9(2) of Schedule 1 of the Act:

- (a) Recommend to the Minister of Police that the existing designation with modifications for the Police Station and Residence, Akaroa be confirmed subject to corrections being made to Appendix II of the Proposed Plan:
 - (i) Include the Residential Conservation Zone in the 'Underlying Zone' column; and
 - (ii) Amend the name of the Designating Authority from 'NZ Police' to 'Minister of Police'.
- (b) Recommend to the Minister of Police that the existing designation with modifications for the Police Station, Lyttelton be confirmed with the following corrections to Appendix II of the Proposed Plan:
 - (i) Replace the legal description 'Sec 356, SO 14205' with 'Sec 356, Town of Lyttelton';
 - (ii) Include the Town Centre Zone in the 'Underlying Zone' column;
 - (iii) Include planning map S2 in the 'Map No.' column, and delete the letters 'TC'; and
 - (iv) Amend the name of the Designating Authority from 'NZ Police' to 'Minister of Police'.
- (c) Change the designation code legend for the planning maps as follows:
 - (i) P - Police Station (NZ Police) (Minister of Police)

NEW ZEALAND RAILWAYS CORPORATION DESIGNATION (LYTTELTON – RAILWAY PURPOSES)

It is recommended that the Council make the following recommendations in accordance with clause 9(2) of Schedule 1 of the Act:

- (a) Recommend to New Zealand Railways Corporation that the existing designation with modifications be confirmed with the following further modifications and corrections to the Proposed Plan:
 - (i) Amend planning map S1 to adjust the boundary between the Railway Purposes designation and the Sewage Treatment designation;
 - (ii) Amend planning map S1 and S2 by replacing the label 'T' (Railway) on the designation site with the label 'R' (Railway);
 - (iii) Amend the planning map legend by replacing the label 'T – Railway (Tranz Rail)' with the label 'R – Railway (New Zealand Railways Corporation)';
 - (iv) Amend the name of the Requiring Authority from 'Tranz Rail' to 'New Zealand Railways Corporation';

23. 7. 2010

- 17 -

- (v) Include the legal description of the site, which is Pt Section 314 TN of Lyttelton, Pt Section 344 TN of Lyttelton, Lot 1 DP 76823 (CB41B/813), Section 1 SO 19973, Lot 1 DP 76824 (CB 41B/814);
- (vi) Include the area of the designation, which is approximately 3.6437 ha in area; and
- (vii) Replace the underlying zone 'PT' with 'LP' (Lyttelton Port).

(b) Accept submission 404.01.

NEW ZEALAND TRANSPORT AGENCY DESIGNATION:

It is recommended that the Council make the following recommendations in accordance with clause 9(2) of Schedule 1 of the Act:

- (a) Recommend to New Zealand Transport Agency that the existing designation District Wide – State Highway 75 be confirmed with a condition in relation to silent file areas along its route as follows:
 - (i) That iwi be consulted prior to any works to SH 75 that pass within Silent File Areas 026, 027 and 028.

The above recommendation is made subject to the following further changes to Appendix II:

- (ii) Amend the address of the designation to 'State Highway 75 (from the Motukarara culvert (RP14/9.52) to the 50 km/h sign at the northern entrance to Akaroa, 45m south of Old Coach Road (RP61/17.59))'.
 - (iii) The addition of a notation on planning maps R3, R7, R8, R9, S11, S12, S13, S14, S15, S16, S27 and S28 of the Proposed Plan to indicate the district wide designation over SH 75.
 - (iv) Corrections be made to Appendix II of the Proposed Plan by amending the name of the Designating Authority from 'Transit NZ' to 'NZTA' .
 - (v) Amend the 'Map No.' column to add planning maps R8, R9, S11, S12, S13, S14, S15, S16, S27, S28.
- (b) Recommend to New Zealand Transport Agency that the existing designation for Lyttelton – State Highway 74, from the Lyttelton Tunnel Roundabout up to and including the intersection with Cashin Quay be confirmed subject to:
 - (i) Modifying the address of the designation to 'State Highway 74 (From the Lyttelton Tunnel Roundabout up to and including the intersection with Cashin Quay (RP26/0.72))' in Appendix II of the Proposed Plan.
 - (ii) Replacing the designation and purpose 'Motorway – State Highway' with 'Road – State Highway' in Appendix II of the Proposed Plan.
 - (iii) The addition of a note on planning maps S1 and S2 to indicate the designation over SH 74.
 - (iv) Amending the name of the Designating Authority from 'Transit NZ' to 'NZTA' in Appendix II of the Proposed Plan.
 - (v) Including planning map S1 in the "Map No." column.
 - (c) Recommend to New Zealand Transport Agency that the existing designation for Lyttelton – State Highway 74, Motorway be confirmed subject to:
 - (i) Including the designation in Appendix II of the Proposed Plan with the purpose 'Motorway – State Highway'
 - (ii) The addition of a note on planning map S2 to indicate the designation over SH 74, Motorway, as per Appendix II of the Proposed Plan.
 - (iii) Amending the name of the Designating Authority from 'Transit NZ' to 'NZTA' in Appendix II of the Proposed Plan.
 - (iv) Amending the address of the designation to 'State Highway 74 Motorway (Tunnel Portal at the Lyttelton end to the Lyttelton Tunnel roundabout (RP26/0.00))' in Appendix II of the Proposed Plan.
 - (d) Accept submissions 432.26 and F641 and accept in part submission 432.24.

23. 7. 2010

- 18 -

- (e) Recommend to New Zealand Transport Agency that the legend for the planning maps should be updated to delete reference to Transit NZ and include reference to New Zealand Transport Agency as the Requiring Authority for the State Highway and Motorway designations.

MINISTER OF EDUCATION DESIGNATIONS:

Make the following recommendations in accordance with clause 9(2) of Schedule 1 of the Act:

- (a) Recommend to the Minister of Education that the existing designation with modifications for Area School, Akaroa be confirmed subject to "Secondary School" being deleted from the designation and purpose and retaining the notation "Area School" to Appendix II and the following corrections being made to Appendix II of the Proposed Plan:
- (i) Amend the legal description to add "... Lots 1-4, DP 6474, Secs 130, 130x, Town of Akaroa".
 - (ii) Amend the Map No. column to add planning map "S10.1".
 - (iii) Amend the underlying zone column to add the Town Centre Zone.
 - (iv) Amend the name of the Designating Authority from "Ministry of Education" to "Minister of Education".
- (b) Recommend to the Minister of Education that the existing designation with modifications for Primary School, Diamond Harbour be confirmed subject to modification of planning map S7 to show the designation over the access to the school site from Hunters Road and the following corrections being made to Appendix II of the Proposed Plan:
- (i) Amend the designation and purpose to delete "(Diamond Harbour School)".
 - (ii) Amend the legal description to "Pt Lot 1 DP 14050, Blk XV Halswell and Blk I Pigeon Bay".
 - (iii) Replace the site area "1.7275" ha "1.7958" ha.
 - (iv) Amend the name of the Designating Authority from "Ministry of Education" to "Minister of Education".
- (c) Recommend to the Minister of Education that the existing designation with modifications for Primary School, Duvauchelle be confirmed with a condition as follows:
- (i) That iwi be consulted prior to any works within Silent File Area 026 (located in the south western portion of the site).

The above recommendation is made subject to the following further changes to Appendix II being made to Appendix II of the Proposed Plan:

- (ii) Delete from the designation and purpose column "(Duvauchelle School)".
 - (iii) Amend the name of the Designating Authority from "Ministry of Education" to "Minister of Education".
- (d) Recommend to the Minister of Education that the existing designation with modifications for Primary School, Governors Bay be confirmed and the following corrections being made to Appendix II of the Proposed Plan:
- (i) Amend the address of the site from "Jetty Road and Cresswell Avenue" to "Merlincote Crescent".
 - (ii) Amend the designation and purpose to delete "(Governors Bay School)".
 - (iii) Amend the legal description to add "... Pt RS 126, Blk III, Halswell SD".
 - (iv) Amend the name of the Designating Authority from "Ministry of Education" to "Minister of Education".
- (e) Recommend to the Minister of Education that the existing designation with modifications for Primary School, Le Bons Bay be confirmed subject to the modification of planning map S20 to include the designation site over Pt RS 9329 and the following corrections being made to Appendix II of the Proposed Plan:
- (i) Amend the designation and purpose to delete "(Le Bons Bay School)".
 - (ii) Amend the legal description to add "... 9329, Blk VI, Okains SD".

23. 7. 2010

- 19 -

- (iii) Amend the name of the Designating Authority from “Ministry of Education” to “Minister of Education”.
- (f) Recommend to the Minister of Education that the existing designation with modifications for Primary School, Oxford Street, Lyttelton be confirmed subject to the modification of planning map S2 to include the designation over Pt Res 35 and Pt Res 36 and the following corrections being made to Appendix II of the Proposed Plan:
 - (i) Amend the designation and purpose to delete “(Lyttelton Main School)”.
 - (ii) Amend the legal description to add “... Pt Res 35, 36, Blk IV, Halswell SD”.
 - (iii) Replace the site area “0.4095 ha” with “0.886 ha”.
 - (iv) Amend the “Underlying Zone” column in Appendix II to include the Town Centre Zone.
- (v) Amend the name of the Designating Authority from “Ministry of Education” to “Minister of Education”.
- (g) Recommend to the Minister of Education that the existing designation with modifications for Primary School, Voelas Road, Lyttelton be confirmed with an appropriately worded condition relating to the protection of the listed pohutukawa located on site and the following corrections being made to Appendix II of the Proposed Plan (note wording of condition to be suggested by Minister of Education):
 - (i) Amend the designation and purpose to delete “(Lyttelton West School)”.
 - (ii) Amend the legal description to add “... Secs 247-249, Sec 348, Blk IV Halswell SD”.
 - (iii) Replace the site area “0.6066 ha” with “0.6092 ha”.
 - (iv) Amend the name of the Designating Authority from “Ministry of Education” to “Minister of Education”.
- (h) Recommend to the Minister of Education that the existing designation with modifications for Primary School, Okains Bay be confirmed with the following corrections also being made to Appendix II of the Proposed Plan:
 - (i) Amend the designation and purpose to delete “(Okains Bay School)”.
 - (ii) Amend the legal description to add “... SO 3091, Blk IV, Okains SD”.
 - (iii) Replace the site area “1.2141 ha” with “1.2428 ha”.
 - (iv) Amend the name of the Designating Authority from “Ministry of Education” to “Minister of Education”.
- (i) Recommend to the Minister of Education that it confirm the Requirement to designate the site of Primary School, Little River for the purpose of a Primary School with the following corrections also being made to Appendix II of the Proposed Plan:
 - (i) Amend the designation and purpose to delete “(Little River School)”.
 - (ii) Amend the legal description to add “... Blk XIII, Pigeon Bay SD”.
 - (iii) Amend the name of the Designating Authority from “Ministry of Education” to “Minister of Education”.
- (j) Acknowledges that the requirement for Primary School, Wainui has been withdrawn and the Council remove all references to the designation from Appendix II of the Proposed Plan.

ORION DESIGNATIONS:

Make the following recommendations in accordance with clause 9(2) of Schedule 1 of the Act:

- (a) Recommend to Orion that the existing designation with modifications for an Electrical Substation at Pawsons Valley Road, Duvauchelle be confirmed with a condition as follows:
 - (i) That the Electrical Substation at Pawsons Valley Road, Duvauchelle shall not create exposures to power frequency electric and magnetic fields in areas normally accessible to the public in excess of the International Commission on Non-Ionising Radiation Protection Guidelines.

23. 7. 2010

- 20 -

The above recommendation is made subject to the following further changes to Appendix II

- (ii) Amend the designation and purpose to "Electrical Storage Depot and Electrical Substation" in Appendix II of the Proposed Plan.
 - (iii) Modify the legal description of the designation in Appendix II of the Proposed Plan to "Lot 2 DP 30785 and Lot 4 DP 359112".
 - (iv) Modify the area of the designation in Appendix II of the Proposed Plan to "0.3938" ha.
 - (v) Amend the name of the Designating Authority from "Southpower" to "Orion" in Appendix II of the Proposed Plan.
 - (vi) Modify planning map S15 to show the designation over Lot 2 DP 30785 and Lot 4 DP 359112.
- (b) Recommend to Orion that the existing designation with modifications for an Electrical Substation at Purau Road, Teddington be confirmed with a condition as follows:
- (i) That the Electrical Substation at Teddington Purau Road, Teddington shall not create exposures to power frequency electric and magnetic fields in areas normally accessible to the public in excess of the International Commission on Non-Ionising Radiation Protection Guidelines.

The above recommendation is made subject to the following further change to Appendix II:

- (ii) Amend the name of the Designating Authority from "Southpower" to "Orion".
- (c) Recommend to Orion that it confirm the Requirement to designate the site at Old Coach Road and Old German Bay Road, Akaroa for the purpose of an Electrical Substation subject to the following conditions:
- (i) That the Electrical Substation at Old Coach Road and Old German Bay Road, Akaroa shall not create exposures to power frequency electro-magnetic fields in areas normally accessible to the public in excess of the International Commission on Non-Ionising Radiation Protection Guidelines.
 - (ii) The erection of any building on the site which is over 3m in height or 10m² in area shall be setback a minimum of 7.5m from all site boundaries.
 - (iii) A landscaping plan being presented to the Council for approval prior to the construction of an Electrical Substation at the site. The landscaping plan shall:
 - (1) Be prepared by a suitably qualified landscape architect; and
 - (2) Provide for the screening of the Substation and other on-site equipment from the adjoining properties and the Akaroa Harbour through appropriate planting and landscaping; and
 - (3) Include details of the size and species of plants and the location of plantings.
 - (iv) All landscaping works detailed in the approved landscaping plan being carried out immediately following completion of the site development and construction works, or if this is not practicable, in the next planting season. All planting shall be maintained by Orion on an ongoing basis. If any plant that is part of the landscape works is found to be diseased, dead or dying it shall be replaced with vegetation of similar species, no later than the next planting season.
 - (v) All activities shall be designed and operated so as to ensure that the set noise limits are not exceeded at any point within the notional boundary of any dwelling. The set noise limits shall be 40 dBA (L10) and 70 dBA (Lmax) at night time (2200 hours to 0700 hours), and 50 dBA (L10) at all other times (0700 hours to 2200 hours).

The above recommendation is made subject to the following further change to Appendix II:

- (vi) Amend the name of the Designating Authority from "Southpower" to "Orion".

23. 7. 2010

- 21 -

- (d) Recommend to Orion that it confirm the Requirement to designate the site at Bay View Road, Diamond Harbour for the purpose of an Electrical Substation subject to the following condition:
- (i) That the Electrical Substation at Bay View Road, Diamond Harbour, shall not create exposures to power frequency electro-magnetic fields in areas normally accessible to the public in excess of the International Commission on Non-Ionising Radiation Protection Guidelines

The above recommendation is made subject to the following further change to Appendix II:

- (ii) Amend the name of the Designating Authority from "Southpower" to "Orion".
- (e) Recommend to Orion that it confirm the Requirement to designate the site at Ernest Adams Drive, Governors Bay for the purpose of an Electrical Substation subject to the following conditions:
- (i) The proposed Electrical Substation at Ernest Adams Drive, Governors Bay shall not create exposures to power frequency electro-magnetic fields in areas normally accessible to the public in excess of the International Commission on Non-Ionising Radiation Protection Guidelines.
- (ii) The erection of any building on the site which is over 3m in height or 10m² in area shall be setback a minimum of 2m from all site boundaries.
- (iii) Landscaping shall be undertaken along the northern and eastern boundaries when an Electrical Substation is constructed at the site.
- (iv) That all activities on the site shall be designed and operated so as to ensure that the set noise limits are not exceeded at any point within the notional boundary of any dwelling. The set noise limits shall be 40 dBA (L10) and 70 dBA (Lmax) at night time (2200 hours to 0700 hours), and 50 dBA (L10) at all other times (0700 hours to 2200 hours).

The above recommendation is made subject to the following further change to Appendix II:

- (v) Amend the name of the Designating Authority from "Southpower" to "Orion".
- (f) Recommend to Orion that it confirm the Requirement to designate the site at Church Road, Little River for the purpose of an Electrical Substation subject to the following conditions:
- (i) That the Electrical Substation shall not create exposures to power frequency electric and magnetic fields in areas normally accessible to the public in excess of the International Commission on Non-Ionising Radiation Protection Guidelines.

The above recommendation is made subject to the following further changes to Appendix II:

- (ii) Amend the name of the Designating Authority from "Southpower" to "Orion".
- (g) Recommend to Orion that it confirm the Requirement to designate the site at Reserve Terrace, Lyttelton for the purpose of an Electrical Substation subject to the following condition:
- (i) The Substation at Reserve Terrace shall not create exposures to power frequency electric and magnetic fields in areas normally accessible to the public in excess of the International Commission on Non-Ionising Radiation Protection Guidelines.

The above recommendation is made subject to the following further changes to Appendix II:

- (ii) Amend Appendix II to include planning map S1 in the "Map No." column.
- (iii) Amending the name of the Designating Authority from "Southpower" to "Orion" in Appendix II.

23. 7. 2010

- 22 -

- (h) The site of the Electrical Substation, Simeon Quay, Lyttelton is erroneously listed as a designation in Appendix II of the Proposed Plan and this notation in its entirety should be deleted as soon as possible.
- (i) Accept submission 442.01 be accepted in part and submission 446.01 be rejected.
- (i) Amend the legend for the planning maps to include the name of the Requiring Authority Orion NZ Ltd in the designation codes.

TELECOM DESIGNATIONS:

Make the following recommendations in accordance with clause 9(2) of Schedule 1 of the Act:

- (a) Recommend to Telecom that the existing designation with modifications at L'Aube Hill, Akaroa be confirmed and Appendix II of the Proposed Plan be corrected by:
 - (i) Amending the designation and purpose to delete '(Akaroa Radio Station)'.
 - (ii) Amending the legal description to add 'CT 33B/504'.
- (b) Recommend to Telecom that the existing designation with modifications at Rue Jolie, Akaroa be confirmed and Appendix II of the Proposed Plan be corrected by:
 - (i) Amending the designation and purpose to delete '(Akaroa Exchange)'.
 - (ii) Replacing the legal description 'Lot 2 DP 72189' with 'Lot 1 DP 72189 (CB39D/549)'.
- (c) Recommend to Telecom that the existing designation with modifications at Whero Avenue, Diamond Harbour be confirmed and Appendix II of the Proposed Plan be corrected by:
 - (i) Amending the designation and purpose to delete '(Diamond Harbour)'.
 - (ii) Amending the legal description to add 'CT 33B/209'.
- (d) Recommend to Telecom that the existing designation with modifications at State Highway 75, Duvauchelle be confirmed and Appendix II of the Proposed Plan be corrected by:
 - (i) Amending the designation and purpose to delete '(Duvauchelle Exchange)'.
 - (ii) Amending the legal description to add 'Block XV Pigeon Bay SD (CT 36D/1082)'.
- (e) Recommend to Telecom that the existing designation with modifications at Main Road, Governors Bay be confirmed and Appendix II of the Proposed Plan be corrected by:
 - (i) Amending the designation and purpose to delete '(Governors Bay Exchange)'.
 - (ii) Amending the legal description to add 'CT 33A/1095'.
- (f) Recommend to Telecom that the existing designation with modifications at Le Bons Bay Road, Le Bons Bay be confirmed and Appendix II of the Proposed Plan be corrected by:
 - (i) Amending the designation and purpose to delete '(Le Bons Bay Exchange)' from the designation and purpose.
 - (ii) Amending the legal description to add 'CT 33A/1129'.
- (g) Recommend to Telecom that the existing designation with modifications at Little Akaloa Road, Little Akaloa be confirmed and Appendix II of the Proposed Plan be corrected by:
 - (i) Amending the designation and purpose to delete '(Little Akaloa SMA Radio Station)'.
 - (ii) Amending the legal description to add 'CT 29K/903'.
- (h) Recommend to Telecom that the existing designation with modifications at State Highway 75, Little River be confirmed and Appendix II of the Proposed Plan be corrected by:
 - (i) Amending the designation and purpose to delete '(Little River Exchange)'.
 - (ii) Amending the legal description to add 'CT 32K/5'.

23. 7. 2010

- 23 -

- (i) Recommend to Telecom that the existing designation at Broadleaf Lane, Mt Pleasant (off Summit Road) be confirmed subject to the following conditions:

- (i) That no building shall exceed a maximum height of 9m, except for a support structure up to a maximum height of 38m.
- (ii) That all future works involving new support structures shall require a visual effects assessment to be carried out by a suitably qualified professional and submitted as part of the Outline Plan.

The above recommendation is made subject to the following further modifications and amendments:

- (iii) Replacing the site area '0.2352 ha' with '2.9898 ha' in Appendix II of the Proposed Plan.
- (iv) Modifying planning map R1 to show the designation over Pt RS 500 & 34917, Pt Lot 1 DP 4018 & Pt Lots 1 & 2 DP 11832, Blk 1 Sumner SD, and Pt Res 3817 Blk XVI Christchurch (CT 33F/720).
- (v) Amending the location description 'Lyttelton' to 'Mt Pleasant' in Appendix II.
- (vi) Amending the address to add '(off Summit Road)' in Appendix II.
- (vii) Amending the designation and purpose to delete '(Mt Pleasant Radio Station)' in Appendix II.
- (viii) Amending the legal description to 'Freehold Area: Pt RS 500 & 34917, Pt Lot 1 DP 4018 & Pt Lots 1 & 2 DP 11832, Blk 1 Sumner SD; Ground Lease Area: Pt Res 3817 Blk XVI Christchurch (CT 33F/720)' in Appendix II.

- (j) Recommend to Telecom that the existing designation with modifications at Mt Pearce (off the Summit Road) be confirmed subject to the following conditions:

- (i) That no building shall exceed a maximum height of 7.5m, except for a support structure up to a maximum height of 35m.
- (ii) That all future works involving new support structures shall require a visual effects assessment to be carried out by a suitably qualified professional and submitted as part of the Outline Plan.

The above recommendation is made subject to the following amendments to Appendix II of the Proposed Plan:

- (iii) Amending the designation and purpose to delete '(Mt Pearce Radio Station)'.
- (iv) Amending the designating authority from 'Telecom NZ Ltd and Broadcast Communications Ltd' to 'Telecom NZ Ltd'.
- (v) Amending the legal description to add 'Akaroa SD (CT 481/171)'.

- (j) Recommend to Telecom that the existing designation with modifications at Okains Bay Road, Okains Bay be confirmed subject to:

- (i) Modifying planning map S22 to show the designation as 'TR', instead of 'WT' purposes.
- (ii) Amending the designation and purpose to delete '(Okains Bay SMA Radio Station)' in Appendix II of the Proposed Plan.
- (iii) Amending the legal description to add 'CT 33F/194' Appendix II of the Proposed Plan.

- (k) Recommend to Telecom that the existing designation with modifications at Pigeon Bay Road, Pigeon Bay be confirmed and Appendix II of the Proposed Plan be corrected by:

- (i) Amending the designation and purpose to delete "(Pigeon Bay Exchange)"
- (ii) Amending the legal description to add 'CT 33B/54'.

- (l) Recommend to Telecom that it confirm the Requirement to designate the site at State Highway 75, Ataahua for telecommunication and radiocommunication and ancillary purposes and that the following corrections be made to Appendix II of the Proposed Plan:

- (i) Amend the designation and purpose to delete '(Ataahua Exchange)'.
- (ii) Amend the legal description to add 'Blk III Ellesmere SD (CT 33A/1042)'.

23. 7. 2010

- 24 -

- (m) Recommend to Telecom that it confirm the Requirement to designate the site at Summit Road, Hilltop for telecommunication and radiocommunication and ancillary purposes subject to the following conditions:

- (i) That no building shall exceed a maximum height of 7.5m, except for a support structure up to a maximum height of 30m.
- (ii) That future works involving new support structures shall require a visual effects assessment to be carried out by a suitably qualified professional and submitted as part of the Outline Plan.

The above recommendation is made subject to the following amendments to the Proposed Plan:

- (iii) Modifying the planning map R4 of the Proposed Plan to accurately show the location of the facility adjacent to the eastern site boundary of Lot 5 DP 4902.
 - (iv) Amending the designation and purpose to delete '(Hilltop Land Mobile Station)' in Appendix II.
 - (v) Amending the legal description to add 'Block XIV Pigeon Bay SD (CT 16K/1154)' in Appendix II.
- (n) Recommend to Telecom that it confirm the Requirement to designate the site at Canterbury Street, Lyttelton for telecommunication and radiocommunication and ancillary purposes and the following corrections be made to Appendix II of the Proposed Plan:

- (i) Amend the designation and purpose to delete '(Lyttelton Exchange)'.
- (ii) Amend the legal description to add 'Block IV Halswell SD (CT 33F/89)'.
- (iii) Replace the site area '0.422 ha' with '0.442 ha'.

- (o) Recommend to Telecom that it confirm the Requirement to designate the site at Worsleys Road, Marleys Hill for telecommunication and radiocommunication and ancillary purposes subject to the following conditions:

- (i) No building shall exceed a maximum height of 9m, except a support structure up to a maximum height of 37m.
- (ii) That future works involving new support structures shall require a visual effects assessment to be carried out by a suitably qualified professional and submitted as part of the Outline Plan.

The above recommendation is made subject to the following amendments to Appendix II of the Proposed Plan:

- (iii) Amending the designation and purpose to delete 'Marleys Hill Land Mobile Station'.
- (iv) Amending the legal description to add 'Blk IV Halswell SD (CT 33B/208)'.

- (p) Accept in part submission 463.54 be accepted in part.

Councillor Broughton requested that her vote against the resolution be recorded.

21. JOINT CHRISTCHURCH CITY COUNCIL/CANTERBURY DISTRICT HEALTH BOARD HEARINGS PANEL REPORT

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

1. The Christchurch City Council and the Canterbury District Health Board note that consultation has been undertaken and that of the 248 submissions received from both groups and individuals, 233 submissions were in favour of the Christchurch Hospital Redevelopment Proposal and 15 against.
2. In order to facilitate the sustainable redevelopment of Christchurch Hospital, the Christchurch City Council and Canterbury District Health Board agree to proceed with the proposed land transfers between the two organisations and the steps necessary to implement this, on the following basis:

23. 7. 2010

- 25 -

- (a) The Christchurch City Council and Canterbury District Health Board will work together to promote the necessary local legislation to allow the transfers of land, including the transfer of the Nurses Memorial Chapel and the land which forms its setting to the Christchurch City Council (as detailed in recommendation 7 below), to proceed.
- (b) The Christchurch City Council and Canterbury District Health Board will work together in developing any necessary changes to the Christchurch City Plan or other district planning processes to allow the proposed Christchurch Hospital site redevelopment to proceed and recognise the intended future uses of the sites involved.
3. The Christchurch City Council and the Canterbury District Health Board note this is a one off land transfer and there is no precedent established, nor expectation of future expansion into Hagley Park. The Canterbury District Health Board has a conceptual 50 year site plan that anticipates development on the St Asaph Street block and expected reconstruction of its buildings within the proposed new boundary. This is a one off future proofing solution.
4. The Christchurch City Council and Canterbury District Health Board note that, in order to achieve optimal solutions, there remain a number of detailed issues that will need to be resolved collaboratively through the detailed design phase and other processes. These include for example, transport and roading in the surrounding area, public transport and associated facilities, car parking, access to and from Rolleston Avenue, cycle and pedestrian access, back-up helipad facilities in Hagley Park, wider precinct development, and landscape and amenity issues.
5. A joint Committee of the Christchurch City Council and Canterbury District Health Board (and potentially TRONT and Ngāi Tuahuriri) be established following the 2010 Local Body and District Health Board elections to monitor and further the aims of these recommendations.
6. Further discussions be held with Te Runanga O Ngāi Tahu (TRONT) to confirm its ongoing support for the redevelopment project and in particular its formal consent with respect to the Right of First Refusal provisions of the Ngāi Tahu Claims Settlement Act 1998 as they apply to this proposal.
7. The Christchurch City Council and Canterbury District Health Board explore in the detailed planning phase for the Christchurch Hospital redevelopment further opportunities for enhancing public riverside access and/or Council ownership from the Rolleston Avenue entrance, to Hagley Park land.
8. The Christchurch City Council and Canterbury District Health Board agree to the subdividing of an agreed land title containing the Nurses Memorial Chapel and the land which forms its setting, to vest at no cost in the Christchurch City Council to be included in the land transfer legislative process referred to above.
9. The Christchurch City Council and the Canterbury District Health Board note that whilst this proposal has significant community benefit, there are also losses which should be acknowledged and respected. These include the necessary demolition of the Hagley Hostel, and the need to remove a number of established trees.
10. The Canterbury District Health Board use reasonable endeavours to potentially reuse or display salvaged features of significance from the Hagley Hostel in the Christchurch Hospital Redevelopment where practicable.
11. The Christchurch City Council and the Canterbury District Health Board note that whilst the consultation and overall submissions were positive in respect of the proposed demolition of Hagley Hostel and the proposed buildings exceeding current Christchurch City Plan height and plot ratios, that these would be matters which will be subject to appropriate district planning processes.

Note that prior to the removal of any trees, the Council arborist assess them with a view to potential relocation.

23. 7. 2010

- 26 -

22. IMPLICATIONS FOR COUNCIL OF THE CHRISTCHURCH HOSPITAL REDEVELOPMENT

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

12. CHRISTCHURCH ECONOMIC DEVELOPMENT STRATEGY

It was **resolved** on the motion of Councillor Withers, seconded by Councillor Button, that the Council endorses the Christchurch Economic Development Strategy (CEDS).

25. OUTSIDE APPOINTMENTS - CONFLICT OF INTEREST

This item will be dealt with at a later date.

15. NOTICES OF MOTION

Nil.

16. RESOLUTION TO EXCLUDE THE PUBLIC

It was **resolved** on the motion of Councillor Withers, seconded by Councillor Sheriff, that the resolution to exclude the public set out on page 625 of the agenda be adopted.

28. RESOLUTION TO EXCLUDE THE PUBLIC (CONT'D)

It was **resolved** on the motion of Councillor Withers, seconded by Councillor Sheriff, that the resolution to exclude the public set out on page 191 of the agenda be adopted.

CONFIRMED THIS 26TH DAY OF AUGUST 2010

MAYOR