



**MINUTES OF A MEETING OF THE CHRISTCHURCH CITY COUNCIL
HELD AT 9.30AM ON THURSDAY 22 APRIL 2010**

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

PRESENTATIONS

The Mayor presented two awards.

A presentation of a certificate was made to Jenny Harper and team from the Art Gallery for winning the Exhibition Excellence category at the Museums Aotearoa awards for the *Exhibition Brought to Light*.

The New Zealand Institute of Landscape Architects awarded the City Mall Project A Gold Medal for rebuilding and revitalising the City Mall. The presentation was made to Jane Parfitt and staff of the City Environment Group.

1. APOLOGIES

Nil.

3. DEPUTATIONS BY APPOINTMENT

This item was taken at this stage of the meeting.

It was **resolved** on the motion of the Mayor, seconded by Councillor Withers, at 9.35 am to suspend Standing Orders to allow Mrs Ruby Fowler to make a deputation regarding item 23, a Notice of Motion.

Mrs Ruby Fowler made a deputation to the Council in relation to item 23 of the Agenda.

It was **resolved** on the motion of the Mayor, seconded by Councillor Withers, at 9.45 am that Standing Orders be resumed.

Brent Gilpin and Jim Turpin from the Taylors Mistake Association made a deputation to the Council regarding Item 8 – Report By the Chairperson from the Hagley Ferrymead Community Board: 31 March 2010 - Taylors Mistake and Boulder Bay Baches.

Rosalie Snoyink on behalf of the Malvern Hills Protection Society re Item 7 - Central Plains Water Trust 2010/11 Statement of Intent and Reappointment of 3 Trustees.

Peter Wakeman made a deputation regarding Item 6, Draft Statement of Intent for the Council's Subsidiary and Associated Companies for year Ending 30 June 2011 and Christchurch City Holdings Half year Report to December 2009.

34. SUPPLEMENTARY REPORT

It was **resolved** on the motion of the Mayor, seconded by Councillor Withers, to receive and consider the report on Land Acquisition at the meeting of the Council on 22 April 2010.

2. CONFIRMATION OF MINUTES

COUNCIL MEETING OF 25 MARCH 2010

It was **resolved** on the motion of Councillor Reid, seconded by Councillor Williams, that the report, decision and voting record of the item number 19, Lyttelton Marina Working Party Report, of the minutes of the meeting of 25 March be moved out of Public Excluded.

It was **resolved** on the motion of the Mayor, seconded by Councillor Withers, that the open minutes of the Council meeting held on Thursday 25 March 2010 be confirmed.

COUNCIL MEETING OF 8 APRIL 2010

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

4. PRESENTATION OF PETITIONS

Nil.

5. 2010 CHRISTCHURCH CITY ELECTIONS: EARLY PROCESSING AND ORDERING OF CANDIDATES' NAMES ON VOTING DOCUMENTS

Councillor Buck moved, seconded by Councillor Johanson,

- (a) *That the returned voting documents for the 2010 Christchurch City elections be processed during the voting period, such early processing to be undertaken in accordance with section 79 of the Local Electoral Act 2001; the Local Electoral Regulations 2001 and the Society of Local Government Managers' Code of Good Practice for the Management of Local Authority Elections and Polls.*
- (b) *That the names of the Mayoral, Council and Community Board candidates at the 2010 Christchurch City elections be arranged in random order.*

On being put to the meeting the clauses were put on a clause by clause basis.

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

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

For (12): Councillors Broughton, Buck, Button, Corbett, Johanson, Reid, Shearing, Wall, Wells, Williams, Withers and the Mayor.

Against (2): Councillors Cox and Sheriff.

6. DRAFT STATEMENT OF INTENT FOR THE COUNCIL'S SUBSIDIARY AND ASSOCIATED COMPANIES FOR YEAR ENDING 30 JUNE 2011 AND CHRISTCHURCH CITY HOLDINGS HALF YEAR REPORT TO DECEMBER 2009

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

1. (a) Receive the draft Statements of Intent for Christchurch City Holdings Limited and the subsidiary and associate companies.
(b) Receive the draft Statement of Intent for the Council owned subsidiaries.
2. (a) Decide whether or not to make any formal comments to Christchurch City Holdings Limited and associated companies regarding the draft Statements of Intent.
(b) Decide whether or not to make any formal comment on the Statement of Intent for the Council owned subsidiary companies.
3. Agree to the Statements of Intent if it does not wish to make any formal comment.
4. Receive, for information, the half year report and financial statements of the Christchurch City Holdings Limited parent company and group to 31 December 2009.

5. That the Christchurch International Airport Limited bring to the Council their Strategic plan for Council comment.

Note the following changes to the Christchurch International Airport Limited Statement of Intent

- (a) an additional bullet point is to be added to page 5 to read:
- Cooperate with the Council to clarify expectations around commercial uses appropriate for the airport.
- (b) under Consistency with wider objectives of Shareholder(s)
- Delete phrase "where appropriate to the business" and Change the Urban Development Strategy reference to ensure clarity that the Christchurch International Airport Limited supports the Urban Development Strategy, not the other way round.
- (c) Delete any reference to Key Activity Centre.

7. CENTRAL PLAINS WATER TRUST: 2010/11 STATEMENT OF INTENT AND RE-APPOINTMENT OF THREE TRUSTEES

Councillor Shearing moved, seconded by Councillor Sheriff, that:

1. *That staff recommendation (a) lay on the table*
2. *That the Council makes the following comment on the draft Statement of Intent:*
 - (i) *That the Council ask the Trust to remove the portion of the bracketed note in Objective 1 commencing after the word 2005, of the draft Statement of Intent.*
3. *That the Council, within the next month, looks forward to an update on the currently proposed scheme and the Trust's view of the Commissioner's minute that the scheme was not a community scheme.*
4. *Receive the Financial Statements for the six months ended 31 December 2009.*
5. *That the Council will not provide any further funding in any form to assist Central Plains Water in gaining resource consents in the Environment Court or the High Court.*

The motion was seconded by Councillor Sheriff and when put to the meeting on a clause by clause basis were decided upon as follows:

Clause 1 was declared **carried**.

Clause 2 was declared **carried**.

Clause 3 was declared **carried**.

Clause 4 was declared **carried** on division No. 2, by 11 votes to 3, the voting being as follows:

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

Against (3): Councillors Buck, Johanson and Williams

Clause 5 was declared **carried**.

8. **REPORT BY THE CHAIRPERSON OF THE HAGLEY/FERRYMEAD COMMUNITY BOARD:
31 MARCH 2010**

1. **TAYLORS MISTAKE AND BOULDER BAY BACHES**

Councillor Wells moved, seconded by Councillor Button, that the Council:

- (a) *Request the Taylors Mistake Association 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 (a)(i) – (iii) above, all unscheduled baches will be removed.*
- (b) *Authorise the General Manager Corporate Services to negotiate and to enter into licences to occupy with the owners of the baches scheduled to remain at Taylors Mistake and Boulder Bay, substantially on the terms and conditions set out in the draft form of licence, marked 2, prepared for the Council and circulated with the staff report (refer Attachment 3 under separate cover). If agreement cannot be reached with bach owners on suitable terms and conditions then the matter is to be brought back to the Council for a further decision.*
- (c) *Note that the Council's decision to grant licences in respect of baches at Taylors Mistake and Boulder 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.*

Councillor Broughton moved by way of amendment,

- (a) *That all baches be retained whilst*
- (b) *Council staff report back on planning procedures to effect (a).*

The amendment was seconded by Councillor Williams and when put to the meeting was declared **carried** on division No. 3 by 8 votes to 6, the voting being as follows:

For (8): Councillors Broughton, Corbett, Cox, Johanson, Reid, Sheriff, Wall and Williams.

Against (6): Councillors Buck, Button, Shearing, Wells, Withers and the Mayor.

The amendment was then put as the substantive motion and declared **carried** on division No. 4 by 8 votes to 6, the voting being as follows:

For (8): Councillors Broughton, Corbett, Cox, Johanson, Reid, Sheriff, Wall and Williams.

Against (6): Councillors Buck, Button, Shearing, Wells, Withers and the Mayor.

The meeting stood adjourned at 12.35pm and resumed at 1.15pm.

9. 166 GLOUCESTER STREET – PROPOSED P5 PARKING RESTRICTION

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

- (a) That any existing parking restrictions on the south side of Gloucester Street commencing 12 metres west of the intersection with Manchester Street and extending for 57 metres in a westerly direction be revoked.
- (b) That Parking Meters with a time limit of 60 minutes applying 9am to 5pm from Monday to Thursday, from 9am to 8.30pm on Friday, and from 9am to 1pm on Saturday be resolved to be installed on the south side of Gloucester Street commencing at a point 12 metres west from its intersection with Manchester Street and extending in a westerly direction for a distance of 18.5 metres.
- (c) That the parking of vehicles be restricted to a maximum period of five minutes on the south side of Gloucester Street commencing at a point 40.5 metres west from its intersection with Manchester Street and extending in a westerly direction for a distance of 16 metres. This restriction to apply at any time.

10. DUNDAS STREET – PROPOSED REMOVAL OF PARKING METERS

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

- (a) That the Parking Meters with a time limit of 120 minutes installed on the north side of Dundas Street that commence at a point 13.5 metres east from its intersection with Colombo Street and extending in a easterly direction for a distance of 182.5 metres be removed.
- (b) That the Parking Meters with a time limit of 120 minutes installed on the south side of Dundas Street that commence at a point 61.5 metres east from its intersection with Colombo Street and extending in a easterly direction for a distance of 139 metres be removed.
- (c) That the parking of vehicles be restricted to a maximum period of 120 minutes on the north side of Dundas Street commencing at a point 13.5 metres east from its intersection with Colombo Street and extending in a easterly direction for a distance of 182.5 metres. This restriction is to apply to from 8am to 6pm Monday to Friday.
- (d) That the parking of vehicles be restricted to a maximum period of 120 minutes on the south side of Dundas Street commencing at a point 61.5 metres east from its intersection with Colombo Street and extending in a easterly direction for a distance of 139 metres. This restriction is to apply to from 8am to 6pm Monday to Friday.

11. BUS PRIORITY PROJECT - BUS LANE OPERATIONAL TIMES

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

- (a) Ratify its resolutions made for the Papanui Road/Main North Road bus priority route on 15 May 2008 in relation to the Joint Report by the Chairpersons of the Fendalton/Waimairi Community Board and the Shirley/Papanui Community Board (Attachment 1 to the agenda), including the operational times for the bus lanes, subject to the following amendments, that:
 - (i) Staff Recommendation (b)(vii) be amended to:

“On Main North Road between the hours of 4pm to 6pm Monday to Friday adjacent to the kerbside on the west side of Main North Road in a section between Sawyers Arms Road and Vagues Road”
 - (ii) Staff Recommendation (b)(xii) be revoked.

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- (b) Ratify its resolutions made for the Queenspark bus priority route on 12 June 2008 in relation to the Joint Report by the Chairpersons of the Burwood/Pegasus Community Board, Hagley/Ferrymead Community Board, and the Shirley/Papanui Community Board (Attachment 2 to the agenda), including the operational times for the bus lanes, subject to the following amendments, that:
- (i) Staff Recommendation (c)(1) be amended to:

“On the north side of New Brighton Road operating between the hours of 7am to 9am and 3pm to 6pm Monday to Friday, in the section between the intersections of New Brighton Road / Marshland Road and New Brighton Road / Golf Links Road”.
 - (ii) Staff Recommendation (c)(2) be revoked.
 - (iii) Staff Recommendation (c)(4) be amended to:

“On the south side of New Brighton Road operating between the hours of 7am to 9am and 3pm to 6pm Monday to Friday, in the section between the intersections of New Brighton Road / Cresswell Avenue and New Brighton Road / Golf Links Road”.
 - (iv) Staff Recommendation (c)(7) be amended to:

“On the west side of Whitmore Street between the hours of 3pm to 6pm Monday to Friday, commencing at its intersection Bealey Avenue to the end of Whitmore Street at its intersection with Hills Road”.
 - (v) Staff Recommendation (c)(8) be revoked.
 - (vi) Staff Recommendation (c)(10) be revoked.
 - (vii) Staff Recommendation (c)(11) be revoked.
 - (viii) Staff Recommendation (c)(12) be revoked.
 - (ix) Staff Recommendation (c)(13) be amended to:

“On the North side of Shirley Road between the hours of 3pm to 6pm, Monday to Friday, commencing opposite the intersection of Petrie Street / Shirley Road to Quinns Road / Shirley Road”
- (c) Amend its resolution made on 11 February 2010, to change the reference in the resolution to the “Bus Exchange” to read “Moorhouse Avenue”, as follows:
- “That the times for the bus lanes on Colombo Street between Moorhouse Avenue and Brougham Street be changed to apply from 4pm to 6pm.”

12. PROHIBITED TIMES ON ROADS

Councillor Reid moved, seconded by Councillor Shearing, that the Council:

- (a) *That the following be added as a second and third paragraph of the Scope and Definitions section of the “Prohibited Times on Roads” policy (Attachment 2 to the agenda):*
- (i) *Where a “Prohibited Times on Roads” request is for well-defined industrial areas with no through function, the prohibition should be seven days a week, from 10pm to 5am the following morning.*
 - (ii) *Where a “Prohibited Times on Roads” request is for an area where people live or where the roads have a through function then the prohibition is to apply only during limited times, in particular: – Thursday to Friday 10pm-5am; Friday to Saturday 10pm-5am; Saturday to Sunday 10pm-5am; Sunday to Monday 10pm-5am; and from 10pm on the day preceding any public holiday until 5am on that statutory holiday; and from 10pm on the public holiday to 5am the following morning.*

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- (b) *That the issues to be considered section of the flowchart (Attachment 2 to the agenda) in the "Prohibited Times on Roads" policy be amended so that the second bullet point reads "The problem has persisted for a considerable period of time, (at least two years), even though other enforcement has been carried out."*
- (c) *That the issues to be considered section of the flowchart in the "Prohibited Times on Roads" policy be amended so that the fourth bullet point reads "No arterial roads, or collector roads, are included."*
- (d) *That the existing "Prohibited Times on Roads" be reassessed into the two categories and a report be presented to the Council to align the days and times of the prohibitions on the existing roads with (a)(i) and (ii) above.*

Councillor Broughton moved by way of amendment

That the words (at least two years) be removed from clause (b).

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

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

**13. REPORT BY THE CHAIRPERSON OF THE RICCARTON/WIGRAM COMMUNITY BOARD:
2 MARCH 2010**

1. SOCKBURN INDUSTRIAL AREA PROPOSED NIGHT-TIME VEHICLE RESTRICTIONS

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

- (a) That pursuant to the Christchurch City Council Traffic and Parking By Law 2008, Part 2, clause 15, motor vehicles weighing less than 3,500 kilograms are prohibited from being operated on Ballarat Way, Hammersmith Drive, Wigram Close, Kotzikas Place and Michelle Road from 10 pm to 5am the next morning seven days a week.
- (b) That the parking of vehicles be prohibited on Wigram Road between its intersection with Treffers Road, to its intersection with Hayton Road between the hours of 10pm to 5am seven days per week.
- (c) That the parking of vehicles be prohibited on the entire length of Treffers Road between the hours of 10 pm to 5am seven days per week.
- (d) That the parking of vehicles be prohibited on the Hayton Road commencing at its intersection with Wigram Road and extending to its intersection with Parkhouse Road between the hours of 10pm to 5am seven days per week.

14. CHRISTCHURCH CENTRAL CITY ELECTRIC SHUTTLE PASSENGER SERVICE CONTRACT

Councillor Williams took no part in this item

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

- (a) Authorise the General Manager City Environment to appoint a panel comprising Council staff members and an external industry expert to enter into negotiations with Red Bus Limited for a new Shuttle Bus contract.
- (b) Direct the panel to follow the Auditor - General's "Procurement Guidelines for Public Entities (June 2008).

- (c) Authorise the General Manager City Environment to sign either:
 - (i) A new Shuttle Bus contract with Red Bus Limited on terms recommended by the panel, if entering into a contract with Red Bus Limited is recommended by the panel;
 - (ii) To instigate a competitive tender process for the new Shuttle Bus contract, if this is recommended by the panel.
- (d) Authorise the General Manager City Environment to sign a new Shuttle Bus contract with the successful tenderer following completion of that process.

15. DRAFT STATEMENT OF INTENT FOR CCC TWO LIMITED

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

- 1. (a) Receive the CCC Two Ltd draft Statement of Intent for the year ending 30 June 2010.
 - (b) Receive the CCC Two Limited draft Statement of Intent for the year ending 30 June 2011.
- 2. Note that the Statements of Intent have been prepared on a going concern basis and Council will make a decision on the long-term options for the operation of the Materials Recovery Facility and transfer stations before the end of June 2010.
- 3. Not make any formal comments to CCC Two Ltd regarding the draft Statements of Intent.
- 4. Agree to the Statements of Intent if it does not wish to make any formal comment.

16. STRENGTHENING COMMUNITIES GRANTS FUNDING PROGRAMME – SMALL GRANTS FUND METROPOLITAN

Councillor Corbett moved, seconded by Councillor Wall, that the Council:

Disestablish the current Metropolitan Small Grants subcommittee and appoint a new subcommittee comprising of all of the Community Board Chairs (or their delegate) from 1 June 2010 to allocate the Metropolitan Small Grants Fund, to eligible applicants whose projects are consistent with the Council's Strengthening Communities Strategy and LTCCP (2009-19).

Councillor Broughton moved by way of amendment

That the Council disestablish the current Metropolitan Small Grants subcommittee and appoint a new subcommittee comprising four to six Councillors from 1 June 2010 to allocate the Metropolitan Small Grants Fund, to eligible applicants whose projects are consistent with the Council's Strengthening Communities Strategy and LTCCP (2009-19).

The amendment was seconded by Councillor Johanson and when put to the meeting was declared **lost** on Division No. 5 by 4 votes to 10, the voting being as follows:

For (4): Councillors Broughton, Cox, Johanson and Williams.

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

The motion was then put to the meeting and declared **carried** on division No. 6 by 11 votes to 3, the voting being as follows:

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

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

17. STRENGTHENING COMMUNITIES GRANTS FUNDING PROGRAMME – OPERATION OF LOCAL DISCRETIONARY RESPONSE FUND

Councillor Corbett moved, seconded by Councillor Wall, that the Council:

1. *Adopt Option A, that the Council change the current criteria of the local Discretionary Response Fund, limiting the items that the Fund does not cover to:*
 - (a) *Legal challenges or Environment Court challenges against the Council, Council Controlled Organisations or Community Boards decisions.*
 - (b) *Projects or initiatives that change the scope of a Council project.*
 - (c) *Projects or initiatives that will lead to ongoing operational costs to the Council.*
2. *Note that Community Boards can recommend to the Council for consideration grants under 1(b) and 1(c).*
3. *That the Council amend the delegations register to give effect to this resolution.*

Councillor Shearing moved by way of amendment:

That the Council support Option D – that the status quo remain.

The amendment was seconded by Councillor Broughton and when put to the meeting was declared **lost** on division No. 7 by 3 votes to 11, the voting being as follows:

For (3): Councillors Broughton, Johanson and Shearing.

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

The motion was put to the meeting and was declared **carried** on division No. 8 by 11 votes to 3, the voting being as follows:

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

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

18. COMMUNITY ORGANISATIONS LOAN FUND – 2009/10 FUNDING ROUND

Councillor Withers moved, seconded by Councillor Button:

1. (a) *That the Metropolitan Funding Committee approve a loan of \$300,000 to the Papanui Returned Services Association over a 10 year term for the facility redevelopment project as described to the Council. Period for the recommendations contained in the attached Community Organisations Loans Scheme Decision Matrix.*
 - (b) *That the loan to the Papanui Returned Services Association only be able to be drawn down when:*
 - *All of the required consents have been approved*
 - *All of the required fundraising to complete the project has been raised*
 - *A mortgage has been secured over the Papanui Returned Services Association land and building at 55 Bellvue Avenue, Papanui (PT Lot 8, DP 16730), subject to legal advice.*
2. (a) *That the Metropolitan Funding Committee approve a loan of \$70,000 to the Arawa Canoe Club over a five year period for the construction of the ground floor extension to the Arawa Canoe Club facility situated in Porritt Park*
 - (b) *That the loan to the Arawa Canoe Club only be drawn down following advice to the Community Development Manager that they have completed the conditions as set by the Council at its 14 May 2009 meeting as they relate to the Arawa Canoe Club building extensions.*

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3. (a) *That the Metropolitan Funding Committee approve a loan of \$20,000 to the Southern DC3 Charitable Trust over a four year term for the purchase and installation of communication and avionics equipment in the DC3 airliner.*
(b) *That the loan to the Southern DC3 Charitable Trust be drawn down upon the presentation of procurement documentation for the equipment purchase*
4. *That the Metropolitan Funding Committee decline the loan application of \$250,000 from New Frontiers Church , trading as Kings' Church.*

The clauses were put to the meeting on a clause by clause basis.

Clause 1 was declared **carried**.

Clause 2 was declared **carried**.

Councillor Shearing took no part in Clause 3. Clause 3 was declared **carried**.

Clause 4 was declared **carried**.

19. HERITAGE GRANTS AND COVENANTS COMMITTEE SIX MONTHLY REPORT

It was **resolved** on the motion of Councillor Broughton, seconded by Councillor Corbett, that the Council receive the six monthly grants and covenants report for the period 1 July to 31 December 2009.

20. URBAN DESIGN PANEL INTERIM REPORT

Councillor Shearing moved, seconded by Councillor Broughton, that:

- (a) *The Council receives this Interim Report on the Urban Design Panel effectiveness.*
- (b) *The Council notes that new Urban Design Panel members will be agreed by the Mayor and CEO to extend the range of skills and broaden the pool of members in the areas of planning, surveying and heritage.*

Councillor Cox moved by way of amendment *that clause (b) be deleted.*

The amendment was seconded by Councillor Sheriff and when put to the meeting was declared **lost**.

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

21. CANTERBURY ECONOMIC DEVELOPMENT COMPANY LIMITED'S (CED CO. LTD.) DRAFT STATEMENT OF INTENT FOR 2011

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

- (a) Receive the draft Statement of Intent for 2011.
- (b) Advise the Canterbury Economic Development Company Board that it has no comment to make on the Proposed Statement of Intent.

22. REPORT OF THE REGULATORY AND PLANNING COMMITTEE: MEETING OF 1 APRIL 2010

1. WEATHERTIGHT HOMES

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

- (a) Supports the Local Government New Zealand 2008 model regarding the Weathertight Homes situation on the basis that the Council advises the Government that it wishes to be formally consulted in advance of any proposals on this issue.
- (b) And that in any negotiations with the Government on proposals to resolve Weathertight Homes claims the following matters are taken into account:
 - That the proposal reflects a level of contribution that is a fair and affordable contribution by parties including the Government, Councils and the homeowner.
 - That the scale and nature of the issue in particular areas and exposure by individual Territorial Authorities is taken into account.
 - That the proposal generally follows the position paper prepared by LGNZ and attached to this report as **Attachment A**.
- (c) That staff report to the Committee once the Minister has made an announcement regarding a revised Government Scheme.
- (d) That the Council submission on proposed changes to the Building Act 2004 consider support for a home warranty scheme for new building works, registered and licensed builders and building products, approval of fully compliant design solutions and compulsory pre-purchase inspections and surveys.

2. CONSULTATION ON DRAFT REGIONAL POLICY STATEMENT CHAPTERS ON WATER

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

- (1) Provides feedback to Environment Canterbury on the draft chapter as set out in Attachment 1 and;
- (2) In particular requests that Environment Canterbury provide a more robust explanation of how the Canterbury Regional Policy Statement Water Chapter relates to the Canterbury Water Management Strategy.
- (3) And include the following additional comments in the draft chapter.

The document should:

- Place highest priority on drinking water and recognise the Christchurch-West Melton aquifer system as a regionally significant source of untreated drinking water
- Add a new Issue stating that water is a finite resource
- Amend Issue 2 so that it is stated in a more neutral manner e.g. "... additional water ~~needed~~ *sought* for the expansion of the area irrigated"
- Replace the reference to "the Intergovernmental Panel on Climate Change" with "the National Institute of Water and Atmospheric Research (NIWA)"
- Make it clear that "water banking" (i.e. accumulating consents to take surplus water for trading purposes) is to be avoided
- Amend the explanation for Methods (Policy 1) so that it clearly relates to resolving issues concerning the management of water resources.

3. BANKS PENINSULA DISTRICT COUNCIL PUBLIC PLACES BYLAW REVIEW HOLDOVER

It was **resolved** on the motion of Councillor Wells, seconded by Councillor Reid, that the Council resolve that consideration of the review of the Banks Peninsula District Council Public Places and Signs Bylaw 2004 be held over for consideration at a later date once the operational policies in relation to signboards in public places have been considered.

4. APPROVAL OF CHANGES TO PROVISIONS IN THE CITY PLAN

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

- (a) Approve, pursuant to Clause 17(2) of the Resource Management Act 1991, the changes to the District Plan introduced by its decision on Plan Change 25.
- (b) Authorise the General Manager, Strategy and Planning to determine the date on which the changes introduced by Plan Change 25 become operative.

5. PROPOSED PLAN CHANGE 61 GENERAL LIVING G OBJECTIVES AND POLICIES

It was **resolved** on the motion of Councillor Wells, seconded by Councillor Withers, that the Council refer the matter to a Regulatory & Planning Committee workshop in April and that the report come back to the May Regulatory and Planning Committee meeting.

6. PROPOSED PRIVATE PLAN CHANGE 62 WIGRAM (PPC 62)

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

- (a) Revoke the following resolution that it made on 25 February 2010:
 - “That the Council:
 - (i) Accept the Section 32 Assessment for the Plan Change
 - (ii) Accept Plan Change 24 for public notification pursuant to Clause 25(2)(b) of the first schedule of the Resource Management Act 1991.
 - (iii) Note that all associated costs will be borne by the applicant.”
- (b) Accept the Section 32 Assessment for the Proposed Private Plan Change 62 Wigram
- (c) Accept Proposed Private Plan Change 62 Wigram for public notification pursuant to Clause 25(2)(b) of the first schedule of the Resource Management Act 1991.
- (d) Note that all associated costs will be borne by the applicant.
- (e) Noting minor technical amendments including updating the status of Plan Change 46.

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

**27. REPORT BY THE CHAIRMAN OF THE BURWOOD/PEGASUS COMMUNITY BOARD:
12 APRIL 2010**

1. BOWER AVENUE – STREET RENEWAL PROJECT AND TRAFFIC AND PARKING AMENDMENT (BOWER AVENUE) BYLAW 2010

Dave East, Chairman, joined the table for the discussion on this item.

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

- (a) Resolve that the proposed Traffic and Parking Amendment (Bower Avenue) Bylaw 2010, amending the Christchurch City Council Traffic and Parking Bylaw 2008 and providing for

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special vehicle lanes (Cycle Lanes) on Bower Avenue between New Brighton Road and Marriotts Road, is the most appropriate way to address the objectives stated in paragraph four of this report.

- (b) Resolve that there are no inconsistencies between the amendments and the New Zealand Bill of Rights Act 1990, and that the draft amendments to the Bylaw are in the most appropriate form.
- (c) Resolve that Council commence a Special Consultative Procedure to make the Bylaw and that the attached Statement of Proposal (which includes the proposed Traffic and Parking Amendment (Bower Avenue) Bylaw 2010 and proposed plan) and the Summary of Information be adopted for consultation and made available for public inspection at selected Council service centres, Council libraries and on the Council's website.
- (d) Determine that the Summary of Information be distributed to all properties and businesses along the route and nearby properties in adjacent streets, and any absentee owners identified within the distribution area, as well as to other relevant stakeholder groups, including Spokes, Taxi Federation, Transport Groups, and any residents groups in the distribution area.
- (e) Resolve that public notice of the proposal be published in a newspaper having a wide circulation in the Council's district.
- (f) Appoint a hearings panel to consider submissions on the proposed Traffic and Parking Amendment (Bower Avenue) Bylaw 2010.
- (g) Note that this report is to be included in the Council meeting agenda of 22 April 2010.

28. **JOINT REPORT BY THE CHAIRPERSONS OF THE FENDALTON/WAIMAIRI AND SHIRLEY/PAPANUI COMMUNITY BOARDS: 14 APRIL 2010**

1. **PROPOSED CONDELL AVENUE STREET RENEWAL PROJECT AND TRAFFIC AND PARKING AMENDMENT (CONDELL AVENUE) BYLAW 2010**

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

- (a) That the proposed Traffic and Parking Amendment (Condell Avenue) Bylaw 2010, amending the Christchurch City Council Traffic and Parking Bylaw 2008 and providing for special vehicle lanes (Cycle Lanes) on Condell Avenue between Blighs Road and Matsons Avenue, is the most appropriate way to address the objectives stated in paragraph 4 of this report.
- (b) That there are no inconsistencies between the amendments and the New Zealand Bill of Rights Act 1990, and that the draft amendments to the Bylaw are in the most appropriate form.
- (c) That the Council commence a special consultative procedure to make the Bylaw and that the attached Statement of Proposal (which includes the proposed Traffic and Parking Amendment (Condell Avenue) Bylaw 2010) and the Summary of Information be adopted for consultation and made available for public inspection at selected Council Service Centres, Council libraries and on the Council's website.
- (d) To determine that the Summary of Information be distributed to all properties and businesses along the route and nearby properties in adjacent streets, and any absentee owners identified within the distribution area, as well as to other relevant stakeholder groups, including Spokes, Taxi Federation, Transport Groups, and any resident groups in the distribution area.
- (e) That public notice of the proposal be published in a newspaper having a wide circulation in the Council's district.
- (f) To appoint a hearings panel to consider submissions on the proposed Traffic and Parking Amendment (Condell Avenue) Bylaw 2010. The Fendalton/Waimairi and Shirley/Papanui

Community Boards recommend that the Hearing Panel includes one member from each of the Fendalton/Waimairi and Shirley/Papanui Community Boards.

29. CANTERBURY MUSEUM - DRAFT ANNUAL PLAN 2010/11

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

- (a) That the Council consider what submissions it wishes to make on the Canterbury Museum Trust Board's draft 2010/11 Annual Plan.
- (b) If objections are received from other Councils, the Council then need to appoint a Councillor to represent the Council at the Hearing.

23. NOTICES OF MOTION

Councillor Williams moved, seconded by Councillor Johanson,

23.1 That the Council:

- 1. (a) *Note that in the recent decision to appoint Commissioners to replace the ECan Council the Ministers for the Environment and for Local Government stated that the city and district councils agreed that the 'Government's intervention was required to address the important issue of water management in Canterbury' and 'requested a rapid response on the grounds that it is important to minimise disruption and uncertainty, first and foremost to the staff of Environment Canterbury but also to the community'.*
- (b) *Note that the Christchurch City Council has not debated these matters or arrived at a view on these matters and that therefore the Minister's statement is not applicable in the case of the Christchurch City Council.*
- (c) *Resolve to write to the Ministers informing them of this.*
- 2. (a) *Note that Canterbury Local Authorities Triennial Agreement has a 'no surprises' policy whereby early notice will be given of potential disagreements between local authorities.*
- (b) *Note that when the Canterbury Mayors wrote their letter dated 19 September 2009 to the Minister of Local Government that the chair of ECan was not give a copy of the letter.*
- (c) *Note that this appears to be a breach of the Triennial Agreement by the Mayors toward another equal member of the Canterbury Mayoral Forum.*

The clauses were put to the meeting on a clause by clause basis.

Clause 1 was declared **carried** on division No. 9 by 8 votes to 6, the voting being as follows:

For (8): Councillors Broughton, Buck, Johanson, Reid, Shearing, Williams, Withers and the Mayor.

Against (6): Councillors Button, Corbett, Cox, Sheriff, Wall and Wells.

Clause 2 was declared **lost** on division No. 10 by 3 votes to 11, the voting being as follows:

For (3): Councillors Buck, Johanson and Williams.

Against (11): Councillors Broughton, Button, Corbett, Cox, Reid, Shearing, Sheriff, Wall, Wells, Withers and the Mayor.

23.2 Councillor Williams moved, seconded by Councillor Johanson,

That the Council resolves:

1. *That under Clause 21 of the Environment Canterbury (Temporary Commissioners and Improved Water Management) Act when the commissioners appointed to ECan seek advice from the Mayor of Christchurch the Mayor supplies such advice only when there is a Christchurch City Council resolution supporting such.*
2. *That the Council review the Canterbury Local Authorities Triennial Agreement and Canterbury Mayoral Forum Charter of Purpose to ensure they are adequate in the new circumstances.*

Note: *Environment Canterbury (Temporary Commissioners and Improved Water Management) Act Clause 21 states:*

Commissioners must establish advice process.

The commissioners must as soon as practicable establish a process for seeking advice from the mayors of the territorial authorities in the Canterbury region on local issues that affect the exercise of the powers, and the performance of the functions, of ECan.

The clauses were put to the meeting on a clause by clause basis.

Clause 1 was declared **lost** on division No. 11 by 3 votes to 11, the voting being as follows:

For (3): Councillors Buck, Johanson, and Williams.

Against (11): Councillors Broughton, Button, Corbett, Cox, Reid, Shearing, Sheriff, Wall, Wells, Withers and the Mayor.

Clause 2 was declared **lost** on division No. 12 by 5 votes to 9, the voting being as follows:

For (5): Councillors Broughton, Buck, Johanson, Reid and Williams.

Against (9): Councillors Button, Corbett, Cox, Shearing, Sheriff, Wall, Wells, Withers and the Mayor.

It was **resolved** on the motion of the Mayor, seconded by Councillor Withers that the time limit of the meeting be extended beyond eight hours.

24. RESOLUTION TO EXCLUDE THE PUBLIC

At 5.23pm it was **resolved** on the motion of the Mayor, seconded by Councillor Withers, that the resolution to exclude the public set out on page 403 of the agenda be adopted.

30. RESOLUTION TO EXCLUDE THE PUBLIC

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

34. RESOLUTION TO EXCLUDE THE PUBLIC

It was **resolved** on the motion of the Mayor, seconded by Councillor Withers, that the resolution to exclude the public set out on page 3 of the supplementary agenda be adopted.

CONFIRMED THIS 27TH DAY OF MAY 2010

MAYOR