

MINUTES**MINUTES OF AN EXTRAORDINARY MEETING OF THE CHRISTCHURCH CITY COUNCIL
HELD AT 10AM ON THURSDAY 31 MARCH 2011**

PRESENT: The Mayor, Bob Parker (Chairperson).
Councillors Helen Broughton, Sally Buck, Ngaire Button, Tim Carter, Jimmy Chen,
Barry Corbett, Jamie Gough, Glenn Livingstone, Yani Johanson, Claudia Reid, Sue Wells,
and Chrissie Williams.

The Mayor acknowledged that this was the first Council meeting since the earthquake on 22 February 2011. The Council stood and observed a moments silence for those who lost their lives as a result of the earthquake. The Mayor acknowledged the tremendous efforts made by the people of the city following the earthquake and the support Christchurch and Canterbury has received from New Zealand and internationally.

1. APOLOGIES

An apology from Councillor Keown was received and accepted.

2. CONFIRMATION OF MINUTES**(a) COUNCIL MEETING OF 16 DECEMBER 2010**

It was **resolved** on the motion of Councillor Carter, seconded by Councillor Livingstone, that the open minutes of the Council meeting held on Thursday 16 December 2011 be confirmed subject to the deletion of item 5.

(b) COUNCIL RECESS COMMITTEE MEETING OF 17 JANUARY 2011

It was **resolved** on the motion of Councillor Carter, seconded by Councillor Livingstone, that the open minutes of the Council meeting held on Monday 17 January 2011 be confirmed.

(c) COUNCIL MEETING OF 10 FEBRUARY 2011

It was **resolved** on the motion of Councillor Carter, seconded by Councillor Livingstone, that the open minutes of the Council meeting held on Thursday 10 February 2011 be confirmed.

3. DEPUTATIONS BY APPOINTMENT

Nil.

4. PRESENTATION OF PETITIONS

Nil.

5. REPORT OF THE HERITAGE AND ARTS COMMITTEE: MEETING OF 4 FEBRUARY 2011**1. REVISED HERITAGE GRANT APPROVAL – ‘ST. JOSEPHS’, 18 WINCHESTER STREET, LYTTELTON**

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

- (a) Revoke a decision of the Heritage Grants and Covenants Committee of 3 August 2009, condition part (b), to enter into a Full Conservation Covenant as a condition of grant approval for 18 Winchester Street, Lyttelton.

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- (b) Approve that as a condition of grant approval for 18 Winchester Street, Lyttelton, the Council enters into a 15-year Limited Conservation Covenant under section 77 of the Reserves Act, with the signed covenant having the Council seal affixed prior to registration on the property title in accordance with the Heritage Incentives Grants Policy.
- (c) That in light of the events of 22 February 2011 the Council expects and would welcome further discussions around grant applications for this property.

**6. REPORT OF THE REGULATORY AND PLANNING COMMITTEE:
MEETING OF 2 FEBRUARY 2011**

1. COUNCIL SUBMISSION ON THE BUILDING AMENDMENT BILL (NO 3)

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

- (a) Approve the draft submission on the Building Amendment Bill (No 3).
- (b) That Councillor Wells, if available, present the Council submission to the Select Committee.
- (c) That the submission be forwarded to local Members of Parliament to highlight the Council's concerns.

2. PROPOSED PRIVATE PLAN CHANGE 59 – REZONING OF 21A - 23 BECKFORD ROAD AND 22 WADES AVENUE, ST MARTINS, FROM LIVING 1 TO BUSINESS 2P

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

- (a) Accept the attached Section 32 assessment for public notification.
- (b) Accept Private Plan Change 59 – Rezoning Living 1 land to Business 2P, St Martins pursuant to Schedule 1, Clause 25(2)(b) of the Resource Management Act 1991 for public notification.
- (c) Note that in accordance with Council policy, the cost of processing the private plan change are to be borne by the applicant.

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

**7. REPORT BY THE CHAIRPERSON OF THE WASTE AND WASTEWATER COMMITTEE:
4 FEBRUARY 2011**

1. CANTERBURY WATER MANAGEMENT STRATEGY: OVERVIEW, ESTABLISHMENT OF TWO ZONE COMMITTEES, AND CHANGE IN COUNCIL REPRESENTATION ON THE SELWYN-WAIHORA ZONE COMMITTEE

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

- (a) Appoint Mr Stewart Miller as the Council representative on the Selwyn-Waihora Zone Committee to replace Councillor Claudia Reid.
- (b) Confirm the appointment of Councillor Chrissie Williams to represent the Council on the Regional Committee.
- (c) Appoint Councillor Claudia Reid to represent the Council on the Banks-Peninsula Zone Committee
- (d) Appoint Councillor Sally Buck to represent the Council on the Christchurch-West Melton Zone Committee.

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8. 47 DUBLIN STREET, LYTTELTON – SUPPLEMENTARY INFORMATION REPORT ACQUISITION FOR RECREATION RESERVE

It was **resolved** on the motion of Councillor Reid, seconded by Councillor Carter, that the Council defer making a decision to purchase 47 Dublin Street, Lyttelton and ask staff to re-evaluate this proposal following the 22 February 2011 earthquake.

9. REPORT BY THE CHAIRPERSON OF THE LYTTELTON/MT HERBERT COMMUNITY BOARD: 28 SEPTEMBER 2010

1. 47 DUBLIN STREET, LYTTELTON – ADDITIONAL INFORMATION REPORT ACQUISITION FOR RECREATION RESERVE

It was **resolved** on the motion of Councillor Reid, seconded by Councillor Carter, that the Council defer making a decision to purchase 47 Dublin Street, Lyttelton and ask staff to re-evaluate this proposal following the 22 February 2011 earthquake.

10. CHRISTCHURCH AGENCY FOR ENERGY STATEMENT OF INTENT, 2011

It was **resolved** on the motion of Councillor Williams, seconded by Councillor Buck, that the Council approve the Christchurch Agency for Energy Statement of Intent as presented for the year ending 30 June 2011 acknowledging that the agency's budget may need to be adjusted to respond to earthquake related heating and energy issues this winter.

11. PERFORMANCE REPORT FOR THE SIX MONTHS TO 31 DECEMBER 2010

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

- (a) Receives the report.
- (b) Delegates to the General Manager Corporate Services authority to approve the operating budget changes shown in paragraph 45 of this report to reflect the impact of the earthquake on Council's operating budget.
- (c) Approves bringing forward \$554,000 from the 2012/13 Capital Works Programme to 2010/11 for the Council's contribution towards the creation of an artificial Hockey Pitch at Nunweek Park.

12. LOCAL GOVERNMENT FUNDING AGENCY

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

- (a) Approve for distribution and consultation the statement of proposal for:
 - (i) The establishment of a New Zealand Local Government Funding Agency.
- (b) Adopt the following timetable for consultation:
 - (i) Public notification ("The Star", "The Press" and the Council's website) by Monday 11 April 2011.
 - (ii) Closing date for submissions is 5pm on Thursday 12 May 2011.
 - (iii) Hearing of submissions will be held on Monday 30 May 2011.
 - (iv) The Council meeting to formally adopt the proposal will be on Tuesday 21 June 2011.
- (c) Authorise the General Manager Corporate Services to make any necessary amendments to the documents referred to in this resolution.

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13. ESTABLISHMENT OF NEW COUNCIL-CONTROLLED ORGANISATIONS

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

- (a) Approve for distribution and consultation the statement of proposal for:
 - (i) The establishment of two new companies and one trust as Council-Controlled Organisations.
- (b) Adopt the following timetable for consultation:
 - (i) Public notification ("The Star", "The Press" and the Council's website) by Monday 11 April 2011.
 - (ii) Closing date for submissions is 5pm on Thursday 12 May 2011.
 - (iii) Hearing of submissions will be held on Monday 30 May 2011.
 - (iv) Council meeting to formally adopt the proposal on Tuesday 21 June and Wednesday 22 June 2011.
- (c) Authorise the General Manager Corporate Services to make any necessary amendments to the documents referred to in this resolution.

14. TRIENNIAL AGREEMENT BETWEEN LOCAL AUTHORITIES IN THE CANTERBURY REGION

It was **resolved** on the motion of the Mayor, seconded by Councillor Button, that the report be deferred.

15. CHRISTCHURCH CITY HOLDINGS LTD HALF YEAR REPORT

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

- (a) Receive the half year report of the Christchurch City Holdings Ltd (CCHL) parent and Group.
- (b) Acknowledge the exemplary work carried out by the companies within the CCHL group since the 22 February 2011 earthquake.

Councillor Corbett left the meeting at 11.25am.

16. 2011/12 STATEMENTS OF INTENT

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

- (a) Because of the effect of the 22 February 2011 earthquake, it is impracticable to expect Council Controlled Organisations to deliver meaningful statements of intent for the 2011/12 year by 30 June 2011.
- (b) The 2010/2011 statement of intent for each Council Controlled Organisation (CCO) is accepted as being the most recent statement of the activities, intentions and objectives of that CCO.
- (c) All Council Controlled Organisations are required to deliver draft statements of intent to their shareholders on or before 31 July 2011.
- (d) Any comments made in respect of the drafts are to be considered by the board of each Council Controlled Organisation by 30 September 2011.
- (e) Completed statements of intent are to be delivered to shareholders on or before 31 December 2011.

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- (f) The General Manager Regulation and Democracy Services be authorised to take the necessary steps to include in an Local Government Act 2002 Order in Council provision for the extensions of time referred to in this resolution.

17. BURWOOD RESOURCE RECOVERY PARK

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

- (a) *Approve the use of Areas A, B, C and D as shown on the plan attached to the report in the agenda for the operation of the Burwood Resource Recovery Park to receive, process, sort, recycle and remove demolition material sourced from buildings demolished and silt caused by liquefaction as a result of the 4 September 2010 and 22 February 2011 earthquakes and related aftershocks.*
- (b) *Delegate authority to the General Manager Corporate Services to take all steps that he considers necessary to continue the operation of the Burwood Resource Recovery Park, including (but not limited to):*
- (i) *Promoting and recommending to the Council appropriate Order-in-Council in relation to the Resource Management Act 1991, the Reserves Act 1977, the Public Works Act 1981, or any other statute, under the Canterbury Earthquake Response and Recovery Act 2010 containing such provisions and powers as he shall consider necessary; and*
 - (ii) *Exercising on behalf of the Council any power given to the Council under any such Order-in-Council; and*
 - (iii) *Negotiating and entering into such agreement with the Licensee under the forest licence of the Bottle Lake Forest Park (or the Licensee's purchaser) as he shall consider necessary on terms and conditions acceptable to him; and*
 - (iv) *Negotiating and entering into a lease or similar arrangement of the Burwood Resource Recovery Park on terms and conditions acceptable to him (and the power to administer, enforce as required the terms and conditions of such lease or similar arrangement once granted).*
- (c) *Delegate authority to the General Manager Corporate Services to issue a public notice under clause 8 (3) (a) of the Canterbury Earthquake (Resource Management Act Permitted Activities) Order 2011 permitting the use of the Areas B, C and D as shown on the plan attached to the report in the agenda to receive, process, sort, recycle and remove demolition material sourced from buildings demolished as a result of the 4 September 2010 and 22 February 2011 earthquakes and its related aftershocks.*

The Clauses were put to the meeting separately.

Clauses (a) and (c) when put to the meeting were declared **carried**.

Clause (b) when put to the meeting was declared **carried**. Councillor Johanson asked that his vote against clause (b) be recorded.

18. CHANGES TO 2011/12 ANNUAL PLAN PROCESS

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

- (a) Seek an Order in Council to modify the Annual Plan, Annual Report and Long Term Plan Processes as follows:

Annual Plan 2011/12

- (i) Public disclosure of the recommended Annual Plan 2011/12 in June 2011.
- (ii) Written feedback invited from the public and community boards, which would be collated and provided to Councillors before final annual plan deliberations are made.

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- (iii) Annual Plan 2011/12 would be adopted by the Council before the end of June.
- (iv) The Council will have the ability to set and assess a rate for each rating unit within the city for 2011/12 as a uniform percentage variation from the rates for 2010/11 year.

Annual Report 2010/11

- (v) For the 20/10/11 Annual Report an exemption is sought from the requirement to report on levels of service.

Long Term Plan 2013-22

- (vi) A one-year deferral on the preparation of the Long Term Plan (LTP).

- (b) As a result of recommendation (a)(ii) the Council indicates that at the meeting at which adopts the Annual Plan 2011/12 it intends to resolve to suspend Standing Orders in respect of hearing deputations at this meeting on this topic from the general public. Community Boards will be invited to speak at this meeting.

Councillor Corbett resumed at 1.30pm.

The meeting adjourned for lunch at 12.40pm and resumed at 1.30pm.

29. RESOLUTION TO BE PASSED - SUPPLEMENTARY REPORT

It was **resolved** on the motion of the Mayor, seconded by Councillor Button, that the report on the Delegations and Standards for Public Notices Permitting Temporary Accommodation Under the Canterbury Earthquake (Resource Management Act Permitted Activities) Order 2011 be received and considered at the meeting of the Council on Thursday 31 March 2011.

30. DELEGATIONS AND STANDARDS FOR PUBLIC NOTICES PERMITTING TEMPORARY ACCOMMODATION UNDER THE CANTERBURY EARTHQUAKE (RESOURCE MANAGEMENT ACT PERMITTED ACTIVITIES) ORDER 2011

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

- (a) *Approve the publication of public notices under clauses 7(3)(a) and 8(3)(a) of the Canterbury Earthquake (Resource Management Act Permitted Activities) Order 2011 to permit temporary accommodation, depots and storage facilities in general accordance with the standards set out in the attachments to this report, in the zones identified in those standards.*
- (b) *Delegate to the Resource Consent Manager and the Planning Administration Manager the discretion to impose further requirements on temporary accommodation, depot and storage facility activity after it has commenced under clause 7(3)(b) and 8(3)(b) of the Canterbury Earthquake (Resource Management Act Permitted Activities) Order 2011.*
- (c) *Delegate to a Commissioner to be appointed from an approved list by the Resource Consent Manager or the Planning Administration Manager the discretion to permit, by public notice under clause 7(3)(a) and 8(3)(a) of the Canterbury Earthquake (Resource Management Act Permitted Activities) Order 2011, temporary accommodation, depots and storage facilities that do not meet the standards approved by the Council under recommendation (a) above.*
- (d) *That the use of Commissioners is made due to the current workload of Councillors, and that this will be reviewed at three and six months.*
- (e) *That the confirmation of the Commissioners to be used to administer applications under this process be considered and confirmed at a future meeting of the Council.*
- (f) *Resolve that the discretions delegated by the Council pursuant to recommendations (b) and (c) above must be exercised in a manner that is consistent with the document entitled Policy for Permitting Temporary Accommodation attached to this report.*

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(g) *That an additional note be added to each public notice as follows:*

Any temporary activity established under these provisions shall not create or give rise to any existing use right in respect of any land, activity, or structure refer clause 5/3 Canterbury Earthquake (Resource Management Act permitted Activities) Order 2011.

The Clauses were put to the meeting separately.

Clauses (a) and (c) to (g) when put to the meeting were declared **carried**.

Clause (b) when put to the meeting was declared **carried**. Councillors Carter and Johanson asked that their votes against clause (b) be recorded.

19. NOTICES OF MOTION

Nil.

20. RESOLUTION TO EXCLUDE THE PUBLIC

At 2.25pm it was **resolved** on the motion of the Mayor, seconded by Councillor Button, that the resolution to exclude the public set out on page 241 of the agenda be adopted.

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

At 2.25pm it was **resolved** on the motion of the Mayor, seconded by Councillor Button, that the resolution to exclude the public set out on page 12 of the agenda (cont'd) be adopted.

CONFIRMED THIS 28TH DAY OF APRIL 2011

MAYOR