

**MINUTES OF A MEETING OF THE CHRISTCHURCH CITY COUNCIL
HELD AT 9.30AM ON THURSDAY 26 APRIL 2012**

PRESENT: The Mayor, Bob Parker (Chairperson).
Councillors Peter Beck, Helen Broughton, Sally Buck, Tim Carter, Jimmy Chen,
Barry Corbett, Aaron Keown, Glenn Livingstone, Yani Johanson, Claudia Reid and
Sue Wells.

The Mayor acknowledged the various services held throughout Christchurch to mark ANZAC Day.

1. APOLOGIES

Apologies for absence were received from Councillors Button and Gough.

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

2. CONFIRMATION OF MINUTES

COUNCIL MEETINGS OF 22.3.2012, 10-11.4.2012 AND 12.4.2012

It was **resolved** on the motion of Councillor Keown, seconded by Councillor Beck, that the open minutes of the Council meetings held on Thursday 22 March 2012 and Tuesday 10 and Wednesday 11 April 2012 and Thursday 12 April 2012 be confirmed.

3. DEPUTATIONS BY APPOINTMENT

Nil.

4. PRESENTATION OF PETITIONS

Nil.

5. ELECTION OF ONE MEMBER OF THE RICCARTON/WIGRAM COMMUNITY BOARD

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

- (a) The returned voting documents for the election of one member of the Riccarton/Wigram Community Board be processed during the voting period 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) The names of the candidates for the election be arranged in random order.

6. CANTERBURY MUSEUM – DRAFT ANNUAL PLAN 2012/13

It was **resolved** on the motion of Councillor Johanson, seconded by Councillor Livingstone, that

- (a) The Council receive the Canterbury Museum Trust Board's draft 2012/13 Annual Plan.
- (b) The Councillor representative supports the Museum's 2012/13 operating levies.
- (c) The Canterbury Museum Trust Board report back to the Council through the Annual Plan process on an update of the operation of their facilities.

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7. DRAFT STATEMENT OF INTENT FOR THE COUNCILS SUBSIDIARY AND ASSOCIATED COMPANIES FOR YEAR ENDING 30 JUNE 2012 AND CHRISTCHURCH CITY HOLDINGS HALF YEAR REPORT TO DECEMBER 2011

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

- (a) Agree to the Statements of Intent with the following comment that the Lyttelton Port Company take into account relevant Council plans including the Lyttelton Master Plan in its port recovery and rebuild planning.
- (b) Receive, for information, the half year report and financial statements of the Christchurch City Holdings Limited parent company and group to 31 December 2011.

8. APPOINTMENT OF PRINCIPAL RURAL FIRE OFFICER

It was **resolved** on the motion of the Mayor, seconded by Councillor Corbett, that the Council in accordance with the Forest and Rural Fires Act 1977 and the Forest and Rural Fires Regulations 2005, agree to the appointment of Mr Darrin Woods as Principal Rural Fire Officer.

9. PROTOCOL AGREEMENT TO LICENCE SITES FOR TELECOMMUNICATION PURPOSES

This item was withdrawn.

10. HEARINGS PANEL REPORT ON THE PROPOSED CHRISTCHURCH CITY COUNCIL TRAFFIC AND PARKING AMENDMENT BYLAW 2012

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

- (a) Resolve to adopt the new Christchurch City Council Traffic and Parking Amendment Bylaw 2012 to come into effect on 1 July 2012.
- (b) Give public notice as soon as practicable, that the Christchurch City Council Traffic and Parking Amendment Bylaw 2012 has been made by the Council, that it comes into effect on 1 July 2012 and that copies of the bylaw may be inspected and obtained at the Council's offices or on its website, without payment.
- (c) Make the following minor changes to clause 5 of the Christchurch City Council Traffic and Parking Amendment Bylaw 2012:
 - (i) In new clause 13(1)(a) (which is contained in clause 5) delete the word "cycle" and substitute the word "cycles".
 - (ii) In new clause 13(2)9a) (which is contained in clause 5) insert, after the phrase "taxis" the phrase "cycles".
- (d) Makes the following minor changes to clause 6 of the Christchurch City Council Traffic and Parking Amendment Bylaw 2012:
 - (i) In clause 6(4) delete the words "those bylaws and "the bylaws and substitute the words as highlighted in bold below so that the clause reads as follows:

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- (4) The substitution of clauses 12 and 13 and the revocation of the First and Second Schedules do not prevent any legal proceedings, criminal or civil, being taken to enforce **that Bylaw**, and such proceedings continue to be dealt with and completed as if **those clauses or Schedules** had not been substituted or revoked as the case may be.

**11. REPORT FROM REGULATORY AND PLANNING MEETING OF 20 APRIL 2012:
PLAN CHANGE 66 – TEMPLETON SPECIAL RURAL ZONE**

It was **resolved** on the motion of Councillor Wells, seconded by Councillor Buck, that the Council adopts proposed Plan Change 66 (Templeton Special Rural Zone) and assessment under Section 32 of the Resource Management Act 1991 and proceed to publicly notify it in accordance with clause 5 of Schedule 1 of Act.

**12. REPORT FROM REGULATORY AND PLANNING MEETING OF 20 APRIL 2012:
PRIVATE PLAN CHANGE 67 – HIGHFIELD**

Councillors Carter and Livingstone took no part in this item.

It was **resolved** on the motion of Councillor Wells, seconded by Councillor Keown, that the Council accepts the request for Plan Change 67 and Section 32 evaluation (rezoning of Rural 3 (Styx – Marshland) to Living G (Highfield) and Business 1 (Local Centre/District Centre Fringe)) in whole in accordance with clause 25(2)(b) of Schedule 1 of the Resource Management Act 1991 and proceed to publicly notify it.

13. LIVING G (NORTH WEST BELFAST) – FINAL APPROVAL

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

- (a) Approve, pursuant to clause 17(2) of the Resource Management Act 1991, the changes to the District Plan introduced by the Environment Court in its decision No [2012] NZEnvC 49.
- (b) Authorise the General Manager, Strategy and Planning to determine the date on which the changes introduced by Environment Court decision No [2012] NZEnvC 49 become operative.

14. PLAN CHANGE 53: DESIGN AND AMENITY IN LIVING 3 AND 4 ZONES – FINAL APPROVAL

Councillor Carter took no part in this item.

Councillor Wells moved that the Council:

- (a) *Approve, pursuant to clause 17(2) of the Resource Management Act 1991, the changes to the District Plan introduced by the decision of the Council (as amended by the Environment Court) on Plan Change 53 Living 3 and 4 zones Design and Amenity*
- (b) *Authorise the General Manager, Strategy and Planning to determine the date on which the changes introduced by PC 53 become operative.*

The motion was seconded by Councillor Buck and when put to the meeting was declared **carried** on Electronic Vote No. 1 by 10 votes to 1, the voting being as follows:

For (10): The Mayor and Councillors Beck, Buck, Chen, Corbett, Johanson, Keown, Livingstone, Reid and Wells.

Against (1): Councillor Broughton.

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15. REGULATION OF SIGNAGE ADVERTISING COMMERCIAL SEXUAL SERVICES

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

1. Direct staff to prepare a proposed bylaw that:
 - (a) prohibits signage advertising commercial sexual services in all areas of the district except the areas where brothels are permitted:
 - (b) regulates signage advertising commercial sexual services by requiring that only one sign be displayed and that signs:
 - be attached to the premises at which the commercial sexual services are provided;
 - clearly display the number of the premises to which the sign relates;
 - not be offensive;
 - not display any pictorial image;
 - not exceed 0.3 square metres in surface area;
 - and not be illuminated by any flashing light; and
2. Note that the proposed signage provisions may give rise to implications under section 14 of the New Zealand Bill of Rights Act 1990, but that the Bylaw can still be made, pursuant to section 13 of the Prostitution Reform Act 2003.

16. PROPOSED AMENDMENTS TO ALCOHOL RESTRICTIONS IN PUBLIC PLACES BYLAW (2009) TO CREATE PERMANENT ALCOHOL BANS FOR MERIVALE AND PAPANUI

It was **resolved** on the motion of Councillor Wells, seconded by Councillor Keown, that the Council, in relation to the proposed Christchurch City Council Alcohol Restrictions in Public Places Amendment Bylaw 2012:

- (a) Determine that there is sufficient evidence to support the proposal for permanent alcohol bans in the Papanui and Merivale areas and for commencing a special consultative procedure (as outlined below).
- (b) Resolve that the proposed Christchurch City Council Alcohol Restrictions in Public Places Amendment Bylaw 2012 meets the requirements of section 155 of the Local Government Act 2002, in that:
 - (i) the Council determines an amendment bylaw is the most appropriate way of addressing the perceived problem; and
 - (ii) the Council determines the proposed amendment bylaw is the most appropriate form of bylaw; and
 - (iii) the Council determines the proposed amendment bylaw gives rise to some implications under the New Zealand Bill of Rights Act 1990 but that the proposed amendment bylaw is not inconsistent with that Act.
- (c) Resolve that the Statement of Proposal including the proposed Bylaw [Attachment 2 of the report] and Summary of Information [Attachment 3 of the report] be adopted for consultation.

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- (d) Resolve that public notice of the consultation be given in The Press and Christchurch Star newspapers and on the Council's website at the start of the consultation period, and that public notice of the proposal be given in community newspapers distributed in the Christchurch district area, as close as possible to the start of the consultation period.
- (e) Resolve that the consultation documents be made available for public inspection at Council Service Centres, Council Libraries and on the Council's website during the consultation period.
- (f) Resolve that the consultation period be from Friday 4 May 2012 to Wednesday 6 June 2012.
- (g) Resolve that a hearings panel comprising Councillors Wells (Chair), Beck, Corbett, Keown and Reid, with Councillor Buck as a replacement be appointed to hear submissions, deliberate on those submissions and to report back to the Council on the final form of the Bylaw in August 2012.

17. NOTICES OF MOTION

Nil.

18. RESOLUTION TO EXCLUDE THE PUBLIC

At 10.44 am it was **resolved** on the motion of the Mayor, seconded by Councillor Buck, that the resolution to exclude the public set out on page 183 of the agenda be adopted for items 19, 20, 21 and 23.

Councillor Carter took no part in the following resolution.

At 10.44 am it was **resolved** on the motion of the mayor, seconded by Councillor Buck, that the resolution to exclude the public set out on page 183 of the agenda be adopted for item 22.

At 11.35 am it was **resolved** on the motion of Councillor Keown, seconded by Councillor Buck, that the public be readmitted.

24. CONCLUSION

The meeting concluded at 11.35 am.

CONFIRMED THIS 24TH DAY OF MAY 2012

MAYOR