

**MINUTES OF A MEETING OF THE CHRISTCHURCH CITY COUNCIL
HELD AT 9.38AM ON THURSDAY 24 MAY 2012**

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

The Mayor introduced Rebecca Britten from Burnside High School and Kirsten McEwan from Riccarton High School, who noted a recycling project at Westfield Mall that they are involved in.

1. APOLOGIES

Nil.

2. DEPUTATIONS BY APPOINTMENT

Nil.

3. CONFIRMATION OF MINUTES

COUNCIL MEETINGS OF 26 APRIL 2012 AND 10 MAY 2012

It was **resolved** on the motion of Councillor Chen, seconded by Councillor Keown, that the open minutes of the Council meeting held on Thursday 26 April 2012 be confirmed

It was **resolved** on the motion of Councillor Beck, seconded by Councillor Button, that the open minutes of the Council meeting held on Thursday 10 May 2012 be confirmed.

4. CHAIRPERSON'S REPORT FROM A MEETING OF THE HAGLEY/FERRYMEAD COMMUNITY BOARD: MEETING OF 16 MAY 2012

1. SEWER CONSTRUCTION OVER 33 HEBERDEN AVENUE

It was **resolved** on the motion of Councillor Johanson, seconded by Councillor Carter:

- (a) That in respect of 33 Heberden Avenue the Corporate Support Manager be authorised and delegated authority to commence the process specified in Schedule 12 of the Local Government Act 2002 by:
 - (i) Depositing for public inspection at the Council offices at 53 Hereford Street, Christchurch, a description of the proposed works to be completed at 33 Heberden Avenue and a plan showing how they affect the land and buildings at 33 Heberden Avenue.
 - (ii) Giving notice in writing of the intention to construct the proposed works to the owner and occupier of 33 Heberden Avenue.
- (b) That a hearings panel be appointed comprising three Councillors with delegated authority to hear and determine in accordance with Schedule 12 of the Local Government Act 2002 any objection received by the Council from the owner and/or occupier of 33 Heberden Avenue in respect of the proposed works.
- (c) That in the event the owner and/or occupier of 33 Heberden Avenue shall appeal against any determination of the hearings panel referred to in paragraph (b) of this resolution that the Corporate Support Manager be authorised and delegated authority to conduct, manage and conclude those proceedings on behalf of the Council as they shall see fit.

5. ROADS OF NATIONAL SIGNIFICANCE THE COUNCIL POSITION ON REVISED WESTERN CORRIDOR

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

- (a) Confirm its acceptance of the proposed changes to the Western Corridor Roads of National Significance presented to them by New Zealand Transport Authority at its 20 April road trip, the confirmation letter received from Mr Jim Harland, the Regional Director, and as outlined in this report.
- (b) Confirm that on the basis of the proposal outlined, it affirms its support for the Western Corridor Roads of National Significance project by New Zealand Transport Authority.
- (c) Confirm its expectation that New Zealand Transport Authority and the Council staff will work closely and collaboratively on the detail of the changes proposed to ensure that final designs and solutions achieve the outcomes committed to by New Zealand Transport Authority.
- (d) Affirm that it reserves the right to withdraw its support for the Western Corridor Roads of National Significance programme, if New Zealand Transport Authority is unable to demonstrate that it can and will give effect to the commitments made at the 20 April bus trip, in a timely and appropriate manner.
- (e) Thank New Zealand Transport Authority, for its willingness to consider modifications to its design proposal for the Western Corridor Roads of National Significance.
- (f) Confirm that in the light of the changes proposed it does not seek a meeting with the Minister of Transport on this issue, but confirms its desire to ensure that New Zealand Transport Authority, its Board, and Minister continue to dialogue regularly and in good faith with the Council on transport issues as they affect the future of the city.

6. BROTHELS LOCATION AND SIGNAGE ADVERTISING COMMERCIAL SEXUAL SERVICES BYLAW

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

1. The proposed Christchurch City Council Brothels (Location and Commercial Sexual Services Signage) Bylaw 2012 is in an appropriate form and that it:
 - (a) Requires all brothels, other than small owner-operated brothels, to be located within specific areas indicated in Attachment 1 and placed in Schedule 1 of the Bylaw;
 - (b) Prohibits operator-run brothels in any building located on a property that shares a boundary with a school;
 - (c) Prohibits operator-run brothels in any building immediately adjacent to an area marked as important open space indicated in Attachment 1;
 - (d) Prohibits signage advertising commercial sexual services in all areas except those in (a) above;
 - (e) Regulates signage advertising commercial sexual services within the areas in (a) above 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.
 - not be illuminated by any flashing light.

6 Cont'd

- (f) Provides an exemption from the location provision for known existing operator-run brothels, that are not small owner-operated brothels, by listing them in Schedule 2 of the Bylaw;
 - (g) Adopt Schedule 2 of the Bylaw.
2. It notes 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.
3. A special consultative procedure be commenced to make the Bylaw and for that purpose the attached Statement of Proposal (which includes the proposed Christchurch City Council Brothels (Location and Commercial Sexual Services Signage) Bylaw 2012) and Summary of Information be adopted for consultation and made available for public inspection at Council Service Centres, Council libraries and on the Council's website, and that;
- (a) The period within which written submissions may be made to the Council be between 11 June 2012 and 5pm on 10 July 2012;
 - (b) Public notice of the proposal be given in "The Press" on 11 June 2012;
 - (c) The Summary of Information be distributed to the list of general stakeholders used for all bylaw reviews, as well as the following key stakeholders: known businesses of prostitution, the Christchurch Branch of the Prostitutes Collective, the Brothels Inspector Community and Public Health, Christchurch School of Medicine and Health Sciences, Central City Business Association and Youth and Cultural Development (YCD); and
 - (d) That the Chairperson of the Regulatory and Planning Committee in consultation with the Council Secretary appoint a hearings panel to consider submissions on the proposed Christchurch City Council Brothels (Location and Commercial Sexual Services Signage) Bylaw 2012 in July 2012.

7. **REPORT OF THE REGULATORY AND PLANNING COMMITTEE: MEETING OF 2 MAY 2012**

1. **REPORT ON FREEDOM CAMPING MONITORING 2011 TO 2012**

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

- (a) Note that the monitoring of selected sites has indicated that currently there is no significant problem to be addressed with respect to freedom camping.
- (b) Resolve that the Council direct staff to continue with the social marketing campaign on freedom camping and to continue to monitor the same sites for the next two summers, i.e. December 2012 and 2013 to March 2013 and 2014, and re-assess the situation each year, subject to staff advising Councillors on the ongoing cost and details of the social marketing campaign and ongoing monitoring.
- (c) Note that in the event of emergent nuisance issues the local Community Board would be able to trigger an earlier review of the need for regulatory response.

7 Cont'd

2. **REPORT ON A PROCESS FOR PREPARING OUTLINE DEVELOPMENT PLANS FOR CN3 (UPPER STYX) AND CSW3 (SPARKS ROAD)**

Councillor Carter withdrew and took no part in the discussion or voting on this item.

Councillor Wells asked that it be recorded in the minutes that at the Regulatory and Planning meeting Councillor Wells asked Councillor Carter if he had a conflict of interest and he did not declare one.

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

- (a) *Take a more proactive role in planning the development and sequencing of greenfields areas, by leading the preparation of Outline Development Plans (ODPs) for CN3 and CSW3.*
- (b) *In responding to private plan change requests to rezone land from rural to urban in the CN3 and CSW3 areas, where a rezoning plan change is for only part of CN3 or part of CSW3, a plan change to introduce an ODP into the City Plan should be notified ahead of notification of such requests for rezoning, to provide an overall framework for subsequent development, and to ensure integration across the area.*
- (c) *Note that the Strategy and Planning work programme will be before the Committee on 14 June.*

The clauses were put to the meeting separately.

Clause (a) was declared **carried** on electronic vote No. 1 by 11 votes to 1 with 1 abstention, the voting being as follows:

For (11): The Mayor and Councillors Beck, Broughton, Buck, Chen, Corbett, Gough, Keown, Livingstone, Reid and Wells.

Against (1): Councillor Johanson.

Abstain (1): Councillor Button.

Clause (b) was declared **carried** on electronic vote No. 2 by 12 votes with 1 abstention, the voting being as follows:

For (12): The Mayor and Councillors Beck, Broughton, Buck, Chen, Corbett, Gough, Johanson, Keown, Livingstone, Reid and Wells.

Abstain (1): Councillor Button.

Clause (c) was declared **carried** unanimously on electronic vote No. 3 by 13 votes, the voting being as follows:

For (13): The Mayor and Councillors Beck, Broughton, Buck, Button, Chen, Corbett, Gough, Johanson, Keown, Livingstone, Reid and Wells.

8. **REPORT OF THE HERITAGE AND ARTS COMMITTEE:
MEETING OF 4 MAY 2012**

It was **resolved** on the motion of Councillor Broughton, seconded by Councillor Corbett, the minutes of the Heritage and Arts Committee meeting on 4 May 2012 be confirmed.

9. & 13.

REPORT OF THE HOUSING AND COMMUNITY FACILITIES COMMITTEE: MEETING OF 11 MAY 2012

It was **resolved** on the motion of Councillor Livingstone, seconded by Councillor Beck, that the minutes of the Housing and Community Facilities Committee meeting on 11 May 2012 be confirmed.

10. **NOTICES OF MOTION**

Nil.

11. **RESOLUTION TO EXCLUDE THE PUBLIC**

At 11.16 am it was **resolved** on the motion of Councillor Wells, seconded by Councillor Reid, that the resolution to exclude the public set out on pages 131, 132 and 133 of the agenda be adopted for items 12, 16 and 17 be adopted.

Councillor Wells moved that the resolution to exclude the public set out on pages 131, 132 and 133 of the agenda be adopted for item 19 be adopted.

The motion was seconded by Councillor Reid and on being put to the meeting and was declared **carried** on electronic vote No. 4 by 10 votes to 4, the voting being as follows:

For (10): The Mayor and Councillors Broughton, Buck, Chen, Corbett, Gough, Keown, Reid and Wells.

Against (4): Councillor Beck, Carter, Johanson and Livingstone.

At 11.16 am it was **resolved** on the motion of Councillor Wells, seconded by Councillor Reid, that the resolution to exclude the public set out on pages 131, 132 and 133 of the agenda be adopted for items 14, 15 and 18 be adopted.

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

20. **CONCLUSION**

The meeting concluded at 12.33 pm.

CONFIRMED THIS 28TH DAY OF JUNE 2012

MAYOR