

**MINUTES OF A MEETING OF THE CHRISTCHURCH CITY COUNCIL
HELD AT 9.30AM ON THURSDAY 17 AUGUST 2006**

PRESENT: The Mayor, Garry Moore (Chairperson).
Councillors Helen Broughton, Sally Buck, Graham Condon, Barry Corbett, David Cox,
Anna Crighton, Carole Evans, Bob Parker, Gail Sheriff, Sue Wells and Norm Withers.

1. APOLOGIES

Apologies for absence were received from Councillors Pat Harrow and Bob Shearing.

It was **resolved** that the apologies be accepted.

2. CONFIRMATION OF MINUTES

COUNCIL MEETING OF 10 AUGUST 2006

Resolved: That the open and public excluded minutes of the Council meeting held on Thursday 10 August 2006 be confirmed, subject to the reference in clause 7 to wastewater collection, treatment and disposal being amended to read "That staff be requested to report back giving further details of recent overflows of sewage into rivers, specifying the number of such incidents in relation to the target".

3. DEPUTATIONS BY APPOINTMENT

6. PUBLIC STREETS ENCLOSURES POLICY AND FEES CHARGED

Mr Tony Hughes-Johnson QC made further submissions on behalf of building owners and restaurant operators along the Oxford Terrace strip. Mr Hughes-Johnson also presented:

- A further statement by Mr G R Sellars of Fright Aubrey in relation to the evidence presented by Mr Richard Chapman to the Council at its meeting on 17 August 2006.
- A schedule comparing licence agreement conditions in a number of other New Zealand towns and cities.
- A statement from Mr Harry Kain, owner/manager of the Barcelona Restaurant on the ground floor of the Clarendon Tower.
- A statement by Mr Glyn Kininmonth, the financial controller of three sites along the Oxford Terrace strip.
- An additional statement by Mr G R Sellars dated 15 August 2006.

Councillors then asked a number of questions of Mr Hughes-Johnson, Mr Angus Smith (Property Consultancy Team Leader) and Mr Richard Chapman (the registered valuer engaged by the Council).

Councillor Sheriff moved "*That the Council adopt recommendations 1-6 inclusive contained in the staff report*". The motion was seconded by Councillor Condon.

Councillor Parker moved by way of amendment "*That further consideration of the staff report and the submissions be deferred to enable Mr Chapman to meet with Mr Sellars for the purpose of discussing their respective valuations, and that a further report on the outcome of these discussions be submitted to the Council within the next fortnight*". The amendment was seconded by the Mayor and when put to the meeting was declared **carried** as the substantive motion.

4. PRESENTATION OF PETITIONS

Nil.

5. CORRESPONDENCE

Nil.

7. SUBMISSION ON THE WASTE MINIMISATION (SOLIDS) BILL

Resolved: That the Council:

- (a) Endorse the submission prepared for the Parliamentary Select Committee on the proposed Waste Minimisation (Solids) Bill set out in the attachments to the report, subject to the amendment of those parts of the submission relating to a uniform national waste minimisation levy to read:

In Attachment 1 page 11, Part 5, bullet 1:

The Council supports the establishment of a uniform national levy on all waste (without exception) disposed of in landfills and cleanfills either on the basis of volume or tonnes, provided the revenue is held in a national hypothecated fund (not in the consolidated fund) and that a minimum of 50% is returned to the place of origin, which must also be held in a hypothecated fund for the purposes of waste minimisation. Consequently, the Council supports the proposed National Waste Minimisation Levy as put forward by the Waste Working Group facilitated by the Ministry for the Environment (MFE) from March to May 2006.

In Attachment 2, bullet 1:

The funds are hypothecated (not placed into the national consolidated fund) and at least half is returned to the place of origin, again hypothecated for waste minimisation purposes.

- (b) Authorise the Mayor and Councillor Buck to represent the Council at the Select Committee hearings.

8. LOCAL GOVERNMENT NEW ZEALAND: LOCAL GOVERNMENT ACT ROAD SHOW

It was **resolved:**

- (a) That a seminar be arranged to enable Councillors and staff to identify the topics which they wished to raise with Local Government New Zealand.
- (b) That the Mayor and all Councillors attend the meeting with Local Government New Zealand to be held at the Beckenham Service Centre on Thursday 21 September 2006, for the purpose of presenting submissions on the topics identified at the preceding seminar.

9. SPENCER BEACH HOLIDAY CAMP: PROPOSED INCREASE IN CAMP CHARGES

Resolved: That the staff recommendation be adopted.

10. EXTENSION OF WATER & SEWER OPERATION AND MAINTENANCE CONTRACT: CONTRACT 2004.02 – BANKS PENINSULA

Resolved: That the staff recommendations be adopted.

11. CENTRAL PLAINS WATER TRUST RESOURCE CONSENT APPLICATIONS AND ASSESSMENT OF ENVIRONMENTAL EFFECTS REPORT

The Mayor moved *“That the staff recommendation be adopted”*. The motion was seconded by Councillor Evans.

Councillor Buck moved by way of amendment *“That the Council adopt Option 3”*. The amendment was seconded by Councillor Corbett and when put to the meeting was declared **lost** on division no 1 by 6 votes to 7, the voting being as follows:

Against (7): Councillors Condon, Cox, Evans, Parker, Wells, the Mayor and the Mayor’s casting vote.

For (6): Councillors Broughton, Buck, Corbett, Crighton, Sheriff and Withers.

Councillor Wells moved by way of further amendment *“That the Christchurch City Council adopt the following position on the CPWT application:*

1. *It has serious concerns, including the environmental effects which may arise from the CPWT scheme, which are outlined in the Council’s submission.*
2. *It does not at this stage have sufficient information to state categorically whether those effects are able to be avoided, remedied or mitigated.*
3. *If those effects cannot be avoided, remedied or mitigated, the application should be declined.*
4. *Given the enormous potential environmental impacts, the Council asks that a very cautious approach be taken.”*

The further amendment was seconded by Councillor Broughton and when put to the meeting was declared **carried** as the substantive motion on division no 2 by 12 votes to nil, the voting being as follows:

For (12): Councillors Broughton, Buck, Condon, Cox, Corbett, Crighton, Evans, Parker, Sheriff, Wells, Withers and the Mayor.

Against (Nil).

12. COUNCIL SUBMISSION ON PROPOSED AMENDMENTS TO NZS 8500: 2007 – SAFETY BARRIERS FOR YOUNG CHILDREN AROUND SWIMMING POOLS

It was **resolved:**

- (a) That the Council endorse the officer comments as a formal Council submission.
- (b) That staff be requested to review the Council’s present policy relating to the fencing of swimming pools, and report back to the Council on any changes recommended.
- (c) That the Council note that the comments contained on page 473 of the agenda are staff comments, and that the issues alluded to in this part of the submission will be revisited by the Council after staff have reported back to the Council on any possible changes to the Council’s existing policy.

13. CITY PLAN CHANGE - THE FERRYMEAD BUSINESS 4 ZONE

Resolved: That the staff recommendation be adopted.

**14. REPORT OF THE AKAROA/WAIREWA COMMUNITY BOARD:
MEETING OF 28 JUNE 2006**

Resolved: That the Board's report be received.

**15. REPORT OF THE BURWOOD/PEGASUS COMMUNITY BOARD:
MEETING OF 19 JULY 2006**

Resolved: That the Board's report be received.

**16. REPORT OF THE HAGLEY/FERRYMEAD COMMUNITY BOARD:
MEETING OF 12 JULY 2006**

Moved: That the Board's report be adopted.

(2) Charleston Cluster Kerb and Channel Renewal

It was **resolved** that the Board's comments be noted, and that staff be requested to report back to the Council on the possible continuation of undergrounding in the Charleston Street cluster, in accordance with an earlier undertaking previously given by the Council.

Report adopted as amended.

17. REPORT BY THE CHAIRPERSON OF THE RICCARTON/WIGRAM COMMUNITY BOARD

Resolved: That the staff recommendations be adopted.

**18. REPORT OF THE RICCARTON/WIGRAM COMMUNITY BOARD:
MEETING OF 11 JULY 2006**

Resolved: That the Board's report be adopted.

**19. REPORT OF THE SHIRLEY/PAPANUI COMMUNITY BOARD:
MEETING OF 19 JULY 2006**

Resolved: That the Board's report be received.

**20. REPORT OF THE SPREYDON/HEATHCOTE COMMUNITY BOARD:
MEETING OF 18 JULY 2006**

Resolved: That the Board's report be received.

21. NOTICES OF MOTION

Nil.

22. QUESTIONS

Nil.

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28. SUPPLEMENTARY REPORT

The Mayor referred to the supplementary report relating to the provisional report of the Coroner concerning a truck accident on Banks Peninsula on 11 August 2004. He advised that it had not been possible to include this report with the agenda, as the required information was not available at the time the agenda had been circulated, but that it was essential for the report to be dealt with at the present Council meeting.

It was **resolved** that the report be received and considered at the present Council meeting with the public excluded.

23. RESOLUTION TO EXCLUDE THE PUBLIC

It was **resolved** that the resolution to exclude the public set out on page 521 of the agenda be adopted, subject to:

- The inclusion therein of an additional reference to the supplementary report regarding the Coroner's report on the truck accident on Banks Peninsula, such report to be considered with the public excluded pursuant to section 48(1)(b)(ii) (Contempt of Court) of the Local Government Official Information and Meetings Act 1987.
- That Mr Willie Palmer be permitted to remain at the meeting following the exclusion of the public, in his capacity as the Council's legal adviser regarding the foregoing issue.

CONFIRMED THIS 24TH DAY OF AUGUST 2006

MAYOR