

Christchurch City Council
MINUTES

Date: Thursday 13 December 2018
Time: 9.38am
Venue: Council Chambers, Civic Offices,
53 Hereford Street, Christchurch

Present

Chairperson Mayor Lianne Dalziel
Members Councillor Vicki Buck
Councillor Jimmy Chen
Councillor Phil Clearwater
Councillor Pauline Cotter
Councillor Mike Davidson
Councillor David East
Councillor Anne Galloway
Councillor Jamie Gough
Councillor Yani Johanson
Councillor Aaron Keown
Councillor Glenn Livingstone
Councillor Raf Manji
Councillor Tim Scandrett
Councillor Deon Swiggs
Councillor Sara Templeton

13 December 2018

Principal Advisor
Dr Karleen Edwards
Chief Executive
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The agenda was dealt with in the following order.

1. Apologies

Council Resolved CNCL/2018/00318

That the apology from Deputy Mayor Turner for absence and the apologies from Councillor Keown and Councillor Manji for lateness be accepted.

Councillor Galloway/Councillor Templeton

Carried

2. Declarations of Interest

The following declarations of interest were recorded:

- Councillor Scandrett declared an interest in Items 8. and 9. and public excluded items 37., 39. and 48.
- Councillors Davidson, East and Gough declared an interest in item 9. as appointees to Civic Building Ltd.
- The Mayor and Councillors Buck and Gough declared an interest in public excluded item 38.

3. Public Participation

3.1 Public Forum

There were no public forum presentations.

3.2 Deputations by Appointment

3.2.1 Aotearoa Water Action

Peter Richardson Co-convenor Aotearoa Water Action supported by Liana Kelly presented a deputation to the Council on item 29. Water bottling public health and environmental issues.

Councillor Manji joined the meeting at 9.55am during debate on item 31.

31. Chief Executive's Report - November 2018

Council Resolved CNCL/2018/00319

That the Council:

1. Receive the report.
2. Acknowledges the Council staff submission made to the draft Waimakariri Zone Implementation Plan addendum (ZIPA) and requests that, after reflecting on the long term wellbeing and possible future needs of the people of Christchurch, the Council withdraw from its submission point 3 as it refers to section 3.2 and its proposal for a limit of 3.8 mg/l for guiding nitrate reductions on the source area.
3. Advise Environment Canterbury that the Council remains totally committed to the long term security of the city's drinking water supply.
4. Agree that the Council will make a submission to any proposed change to the Canterbury Land and Water Management Plan outlining the Council's support for measures to reduce the likelihood of nitrates entering the aquifers that supply Christchurch with its water.
5. Requests staff notify Environment Canterbury of this decision immediately, noting that the item is scheduled to be considered at an Environment Canterbury meeting starting at 11am today.

Councillor Buck/Councillor Scandrett

Carried

29. Water bottling public health and environmental issues

Council Resolved CNCL/2018/00320

That the Council:

1. Receive the information in this report.
2. Note that the sub regional chapter of the Land and Water Regional Plan for Christchurch West Melton is scheduled for a plan change in 2022 and that the omnibus review is due to be considered in 2019.
3. Request Environment Canterbury to have aquifers considered as individual water bodies with urgency by including this in the omnibus review or bringing forward the Christchurch West Melton plan change.
4. Request Environment Canterbury remove the requirement to undertake a well interference assessment for group and community water supplies from groundwater.
5. Note with concern the 12 December 2018 decision of the Independent Hearing Commissioner not to seek the public's views or even the Christchurch City Council views on Cloud Ocean Water Ltd's application, and granting the company's application to take water from the deeper bore; and ask staff to report to the Council on options available to the Council for challenging the decisions.
6. *Seek further advice on the matters raised by Aotearoa Water Action in the deputation, including the applicability of a water conservation order or any other Government action.*

Councillor Buck/Councillor Cotter

Carried

4. Presentation of Petitions

There was no presentation of petitions.

47. Resolution to Include Supplementary Reports

Council Resolved CNCL/2018/00321

That the reports be received and considered at the Council meeting on Thursday, 13 December 2018.

Public Excluded Item

48. Vbase Ltd Restructuring - 2-Step Process

Mayor/Councillor Chen

Carried

5. Council Minutes - 22 November 2018

Council Resolved CNCL/2018/00322

That the Council confirm the Minutes from the Council meeting held 22 November 2018.

AND

That the Council receives the Minutes from the Finance and Performance Committee meeting held 5 December 2018.

AND

That the Council receives the Minutes from the Social, Community Development and Housing Committee meeting held 5 December 2018.

AND

That the Council receives the Minutes from the Audit and Risk Management Committee meeting held 12 November 2018.

AND

That the Council receives the Minutes from the Te Hononga Council – Papatipu Rūnanga Committee meeting held 4 December 2018.

AND

That the Council receives the Minutes from the Innovation and Sustainable Development Committee meeting held 21 November 2018.

AND

That the Council receives the Minutes from the Strategic Capability Committee meeting held 5 December 2018.

Mayor/Councillor East

Carried

11. Finance and Performance Committee Minutes - 5 December 2018

Council Decision

Refer to Item 5.

15. Social, Community Development and Housing Committee Minutes - 5 December 2018

Council Decision

Refer to Item 5.

17. Audit and Risk Management Committee Minutes - 12 November 2018

Council Decision

Refer to Item 5.

18. Te Hononga Council – Papatipu Rūnanga Committee Minutes - 4 December 2018

Council Decision

Refer to Item 5.

19. Innovation and Sustainable Development Committee Minutes - 21 November 2018

Council Decision

Refer to Item 5.

22. Strategic Capability Committee Minutes - 5 December 2018

Council Decision

Refer to Item 5.

Councillor Keown joined the meeting at 10.52am during debate on item 6.

Report from Halswell-Hornby-Riccarton Community Board - 5 December 2018

6. Hornby Library, Customer Services, and South West Leisure Centre - Site Location

Paul Walker of Tonkin & Taylor Limited joined Council staff at the table for discussion on this item.

Council Resolved CNCL/2018/00323

That the Council:

1. Approve Kyle Park (Option 1) as the preferred location for the new Hornby Library, Customer Services, and the South West Leisure Centre.
2. Note its previous resolution, CNCL/2017/00213 (24 August 2017) approving a co-located configuration for the facility.
3. Note that the costs to resolve landfill issues at the project site on Kyle Park will be covered by the existing project budget.
4. Note the proposed use of Kyle Park is inconsistent with the current reserve classification and the Kyle Park Management Plan 1993; and in order to be implemented, will first require a partial change in reserve classification to (Local Purpose (Community Buildings) Reserve) and a change to the Management Plan.
5. Note the proposed use of Kyle Park is inconsistent with the District Plan zoning of Open Space Community Parks; and in order to be implemented, will first require Resource Consent.

Councillor Chen/Councillor Galloway

Carried

Councillors Cotter, Keown and Manji abstained from voting on this item.

The meeting adjourned at 11.15am and reconvened at 11.34am. Councillors Galloway, Gough, Livingstone and Templeton were not present at this time.

Councillors Galloway and Livingstone returned to the meeting at 11.35am during discussion on item 7.

Report from Finance and Performance Committee - 5 December 2018

7. Regenerate Christchurch - Progress report for quarter ending 30 September 2018

Council Resolved CNCL/2018/00324

That the Council:

1. Notes Regenerate Christchurch's Quarter 1, 2018/19 performance at Attachment A;
2. Notes that staff from the Council and the Department of the Prime Minister and Cabinet will report to shareholders in early 2019 with funding recommendations for Regenerate Christchurch's future operations; and
3. Notes that staff have consulted with Regenerate Christchurch Ltd in the preparation of this report.

Councillor Manji/Councillor Chen

Carried

Report from Finance and Performance Committee - 5 December 2018

8. Amalgamation of Tuam Limited and Vbase Limited

Council Resolved CNCL/2018/00325

That the Council:

1. Notes that three options were considered in dealing with the remaining assets and obligations of Tuam Limited
2. Notes that the directors of Tuam Limited and Vbase Limited have agreed to the amalgamation of both Council-controlled organisations; and
3. Notes that shareholder approval is not required for a short form amalgamation under the Companies Act 1993 when the Directors of both companies agree to the amalgamation.

Councillor Manji/Councillor Swiggs

Carried

Councillor Scandrett declared an interest and took no part in the discussion or voting on this item.

Report from Finance and Performance Committee - 5 December 2018

9. Annual General Meetings for wholly owned subsidiary companies of the Council 2017/18

Council Resolved CNCL/2018/00326

That the Council:

1. Note the contents of this report;
2. Note that no physical annual general meeting (AGM) will be held for wholly owned subsidiary companies of the Council as listed in paragraph 5.8 of the report, and that the business normally conducted at the AGM will be replaced by a resolution in lieu of meeting; and
3. Authorise Councillor Manji and Councillor Keown to sign the required shareholder resolutions on behalf of the Council, as set out in Attachments A-J, in lieu of a meeting for each company.

Councillor Manji/Councillor East

Carried

Councillors Davidson, East, Gough and Scandrett declared an interest and took no part in the discussion or voting on aspects of this item.

Report from Finance and Performance Committee - 5 December 2018

10. Development Christchurch Ltd - Performance Report for Quarter 1 2018/19

Council Resolved CNCL/2018/00327

That the Council:

1. Receives Development Christchurch Limited's Quarter 1, 2018/19 performance report.

Councillor Manji/Councillor Chen

Carried

Councillor Gough returned to the meeting at 11.37am during consideration of item 13.

Councillor Templeton returned to the meeting at 11.38am during consideration of item 13.

Report from Social, Community Development and Housing Committee - 5 December 2018

13. Performing Arts Precinct - Status Report

Council Resolved CNCL/2018/00328

That the Council:

1. Receives the information contained within this report.

Councillor Clearwater/Councillor Swiggs

Carried

Report from Social, Community Development and Housing Committee - 5 December 2018

12. Art in Public Places : Installation of artwork in Victoria Square

Council Resolved CNCL/2018/00329

That Council:

1. Agree to the permanent installation of Mana Motuhake subject to the following:
 - a. All necessary consents and approvals are obtained and provided by Ōtākaro.
 - b. Ōtākaro confirms that all funding is in place, including funding for the first 12 months maintenance period.
 - c. A condition report and long term maintenance and engineering plans are provided.
 - d. As per legal advice, copyright and related intellectual property rights in the artwork need to be transferred (assigned) to Council as part of the gifting process.

Councillor Templeton/Councillor Clearwater

Carried

Report from Social, Community Development and Housing Committee - 5 December 2018

14. Healthy Food and Drink Policy

Council Resolved CNCL/2018/00330

That the Council:

1. Note the September 2016 direction of Council for staff to develop a healthy food and drink policy.
2. Note that staff have worked collaboratively since this date with public and community health, and across key Council units, to draft a policy – cognisant of parallel policy developments, especially at the Canterbury District Health Board (who adopted a policy in November 2017), and the Local Government New Zealand remit in 2017.
3. Adopt a Healthy Food and Drink Policy at its facilities and events, noting:
 - a. An implementation date at Council facilities of 1 April 2019
 - b. A staged implementation at Council events following a trial at Children's Day on 3 March 2019.
4. Note that staff will provide an update on the current Action Plan to the Social, Community Development and Housing Committee by March 2019 and will include an update on advertising on public infrastructure.

Councillor Clearwater/Councillor Livingstone

Carried

Councillors Keown and Swiggs requested their votes against resolutions 1, 2 and 3 be recorded.

Report from Audit and Risk Management Committee - 12 November 2018

16. Asset Management Maturity Assessment 2018 Report - Executive Summary

Council Resolved CNCL/2018/00331

That the Council:

1. Receive the information in this report.

Councillor Manji/Mayor

Carried

The meeting adjourned at 12.28pm and reconvened at 2.02pm. Councillors Chen and Scandrett were not present at this time.

Councillor Chen returned to the meeting at 2.04pm during consideration of item 20.

Report from Strategic Capability Committee - 5 December 2018

20. Strategy and policy forward work programme: first report

Council Resolved CNCL/2018/00332

That the Council:

1. Receive the update on the Council strategy and policy forward work programme.
2. Requests staff to reformat the reporting framework to:
 - a. Align with the Council's strategic directions.
 - b. Separate the current work programme from the forward work programme proposed and yet to be commenced, identifying the origin/mandate for each item.
 - c. Ensure that the status tracks the original timeframe, and where the timeframe is not on track identify why in the progress part of the schedule.

Mayor/Councillor Clearwater

Carried

Report from Strategic Capability Committee - 5 December 2018

21. Communications Protocol

Council Resolved CNCL/2018/00333

That the Council:

1. Receives the draft Communications protocol [no surprises] between the Council organisation and the Elected Council.
2. Approves the protocol between the Council organisation and the elected Council as amended, set out in Attachment A.

Mayor/Councillor Cotter

Carried

23. Notice of Motion

Council Resolved CNCL/2018/00334

That the Council:

1. Accepts the Notice of Motion from Councillor Swiggs regarding road operations on Manchester Street.
2. Resolve that given concerns expressed about road operations on Manchester Street, that the Council request staff to provide a report to a meeting of the Infrastructure, Transport and Environment Committee on whether or not Manchester Street is achieving the objectives sought and whether any improvements are recommended.

Councillor Swiggs/Mayor

Carried

24. Regenerate Christchurch - Final Statement of Performance Expectations for 2018/19

Council Resolved CNCL/2018/00335

That the Council:

1. Notes Regenerate Christchurch's final Statement of Performance Expectations for 2018/19; and
2. Notes that the draft Regeneration Plan for the Ōtākaro Avon River Corridor is expected to be completed in Quarter 3 (by 31 March 2019).

Councillor Livingstone/Councillor Gough

Carried

25. Lancaster Park Future Use

Council Resolved CNCL/2018/00336

That the Council:

1. Receives the information on discussions around the future use of Lancaster Park.
2. Notes the comments and feedback provided by Ngāi Tahu, the Linwood-Central-Heathcote Community Board and Department of Prime Minister and Cabinet.
3. Resolves that Council retain Lancaster Park for the purposes specified in the Christchurch City Council (Lancaster Park) Land Vesting Act 2008.
4. Requests staff to hold a workshop with the Community Board to establish a workable timetable and report back to the Council by the end of March 2019 on a proposed decision making process, with an engagement plan to involve the community, local sports groups and other community stakeholders in the future development of the park.

Councillor Johanson/Councillor Templeton

Carried

Councillor Gough left the meeting at 3.01pm and returned at 3.03pm during consideration of item 26.

Councillor Scandrett returned to the meeting at 3.19pm during consideration of item 26.

26. Funding Review

Council Resolved CNCL/2018/00337

That the Council:

1. Approve a management process for distributing the proceeds of the Capital Endowment Fund in a manner consistent with Council's decisions on 12 April 2018 (CNCL/2018/00057) and detailed in the flow-chart and eligibility criteria document attached to this report in Attachment A, namely;
 - a. An eligible application to the Capital Endowment Fund is required; it will include all information necessary to allow Council to make an informed decision on the extent to which the application satisfies Council's Capital Endowment Fund criteria.
 - b. The application will be processed through Council's Fund Force system producing a matrix document and an assessment-panel recommendation to Council.

- c. Twice yearly, with the Annual Plan (June) and after six months (being the first Council meeting of the following calendar year), all the assessed applications will be presented to Council (together) with a covering report detailing the Capital Endowment Fund current and future balance, for a decision.
 - d. Council's decisions and the resulting agreements with applicants will be detailed in the Fund Force system and administered in a manner consistent with Council policy.
 2. Noting that nine of the city's community owned early learning centres are located on Council property (two on reserves), and that for several years these centres have been paying full rental to the Council as opposed to the peppercorn rental previously paid, and that this rental is reimbursed through an annual application to the Strengthening Communities Funding, request staff:
 - a. To engage with each of the early learning centres to establish their situation and to discuss a range of possibilities, including the amount of rent they pay and the potential to transfer ownership of the property.
 - b. To fully involve the Ministry of Education in these discussions
 - c. To report back to the Council with options regarding the ongoing support for early learning centres.
 3. Approve the limited trial of a three category funding framework for the 2019 Strengthening Communities Fund allocation process, with up to three current partner organisations from the proposed "Christchurch Organisation" category and up to two from the "Umbrella Organisation" category to be selected by the Funding Review Working Group. The trial process will include;
 - a. The development of a prototype application, assessment, decision-making and reporting process, and engagement with other funding organisations.
 - b. A trial over the 2019 funding round.
 - c. Consideration of feedback by Council which will be incorporated into a wider sector and community consultation process. This will inform ongoing decision making and a wider roll-out of changes (if any), over the 2020 and 2021 funding rounds overseen by the Funding Review Working Group and approved by Council.
 4. Request that officers engage representatives of other funding organisations to identify and explore opportunities to work together. Engagement will include discussing the proposed three category funding framework in recommendation 5.
 5. Note that the 2019 round of the Strengthening Communities Fund opens for applications on 4 March 2019 and closes on 9 April 2019, to allow for Council decision making in August 2019, and distribution from 1 September 2019.
 6. Refer decisions regarding Strengthening Communities Funding for Community Boards (staff recommendations 3 and 4) back to the Funding Review Working Group for further consideration in early 2019.

Mayor/Councillor Keown

Carried

Councillor Keown requested his vote against resolution 6 be recorded.

27. Central City Transport Hereford Street (Manchester - Oxford) - Appointment of Hearings Panel

Council Resolved CNCL/2018/00338

That the Council:

1. Appoint a Hearings Panel to receive deputations, consider public submissions, and make a recommendation to the Council on the Hereford Street (Manchester – Oxford) upgrade project.
2. Suspends the Parking Restrictions Subcommittee’s delegations on Hereford Street between Manchester Street and Oxford Terrace as necessary, to allow for the Hearings Panel to consider and recommend that the Council to resolve any parking and stopping restrictions related to any of the options associated with the Hereford Street (Manchester – Oxford) upgrade project.

Councillor Cotter/Councillor Livingstone

Carried

28. Hearings Panel report to the Council on the Dangerous and Insanitary Buildings Policy

Council Resolved CNCL/2018/00339

That the Council:

1. Adopts the Dangerous and Insanitary Buildings Policy as set out in Attachment A.
2. Note the following material changes (included in Attachment A) have been incorporated into the policy as a result of the consultation and hearings processes:
 - a. In paragraph 1.4 after the words health of, adding the words building users.
 - b. In paragraph 1.5 adding the phrase that may at some point trigger the provisions of this policy.
 - c. In paragraph 8.2.1 adding a note regarding the Council seeking advice from Heritage New Zealand Pouhere Taonga.
 - d. In paragraph 8.3.2 after the words building work, adding the phrase under section 126 of the Act or under a warrant issued under Section 129.
 - e. Inserting additional subparagraphs under paragraph 9.4 regarding when the Council will liaise with Fire and Emergency New Zealand, and when to take into account heritage values.
 - f. Inserting a new paragraph 9.5 regarding the Council's approach to undertaking its monitoring and enforcement functions under the Building Act.
 - g. Inserting a new paragraph 10 which notes relevant legislation the Council is likely to need to be mindful of when addressing non-compliance.
 - h. Moving the note which was previously under paragraph 9.7.3 and placing it under the new paragraph 10.
3. Authorises the Chief Executive, or her delegate, to make any typographical changes or to correct minor errors or omissions as may be the case before the new Policy is published.
4. Resolve that the new Dangerous and Insanitary Buildings Policy comes into force on the day of the Council's decision to adopt the policy.

Councillor Manji/Councillor Scandrett

Carried

30. Appointment of Recess Committee 2018/19

Council Resolved CNCL/2018/00340

That the Council:

1. Appoint a Recess Committee comprising of the Mayor or Deputy Mayor or if they are both unavailable another Councillor delegated by the Mayor, and a minimum of any three Councillors to be authorised to make any urgent decisions of the Council required during the period 20 December 2018 to 23 January 2019 (both days inclusive).
2. Note that notice of any meeting of the Recess Committee will be publicised and forwarded to all Councillors, all of whom can participate.
3. Note that any decisions made will be reported to the Council for record purposes.

Mayor/Councillor Buck

Carried

32. Resolution to Exclude the Public

Council Resolved CNCL/2018/00341

That Joel Lieschke and Steve Clarke from Development Christchurch Limited, and Leah Scales and Paul Munro from Christchurch City Holdings Ltd remain after the public have been excluded for Item 36. Development Christchurch Ltd – Performance Report for Quarter 1 2018/19 of the public excluded agenda as they have knowledge that is relevant to that item and will assist the Council.

AND

That Robyn Andrews*, Corporate Serves Manager of ChristchurchNZ, remain after the public have been excluded for Item 37. ChristchurchNZ Ltd – Quarter 1 2018/19 Performance Report of the public excluded agenda as they have knowledge that is relevant to that item and will assist the Council.

AND

That Leah Scales, and Paul Munro* Chief Financial Officer of Christchurch City Holdings Limited, remain after the public have been excluded for Item 38. Christchurch City Holdings Ltd –Quarter 1 2018/19 Performance Report of the public excluded agenda as she has knowledge that is relevant to that item and will assist the Council.

AND

That Richard Hall and Steve Clarke of Development Christchurch Limited, remain after the public have been excluded for Item 45. Global Settlement Negotiating Parameters of the public excluded agenda as they have knowledge that is relevant to that item and will assist the Council.

AND

That at 3.32pm the resolution to exclude the public set out on pages 547 to 550 of the agenda and pages 5 to 6 of the supplementary agenda be adopted.

Mayor/Councillor Buck

Carried

Councillors Johanson and Swiggs requested that their votes against going into public excluded for consideration of item 45. be recorded.

Councillor Davidson requested that his vote against going into public excluded for consideration of item 46. be recorded.

Secretarial Note: Robyn Andrews of Christchurch NZ and Paul Munro of Christchurch City Holdings Ltd did not attend the meeting.

The public were re-admitted to the meeting at 4.21.

Meeting concluded at 4.21pm.

CONFIRMED THIS 24TH DAY OF JANUARY 2018.

**MAYOR LIANNE DALZIEL
CHAIRPERSON**