

Report from Finance and Performance Committee of the Whole - 4 April 2019

32. Facilities Maintenance Contract Options

Council Resolved CNCL/2019/00048

That the Council:

1. Note that there are some risk with proceeding to market at this time.
2. Approve the direct negotiation with City Care Limited of a new 2 year plus 1 head contract for Facilities Maintenance Services.
3. Note that the results of the negotiation will be reported back to the Finance and Performance Committee of the Whole.
4. Agrees the report can be released when the Chief Executive determines there are no longer any reasons to withhold the information under the Act.

Deputy Mayor/Councillor Keown

Carried

RELEASED FROM PUBLIC EXCLUDED

Councillor Templeton left the meeting at 3.59pm and returned at 4.01pm during discussion on item 33.

Report from Innovation and Sustainable Development Committee - 27 March 2019

33. Innovation and Sustainability Fund

Council Resolved CNCL/2019/00049

That the Council:

1. Amend the Innovation and Sustainability Fund's Terms of Reference as follows:
 - a. Applications up to and including \$10,000 can be made by an individual, however applications from legal entities are preferred.
 - b. Applicants seeking more than \$10,001 must be a legal entity registered in New Zealand.
2. Delegate to the Head of Urban Design, Regeneration and Heritage the decision to publicly release this report and decision following this meeting and/or when no commercial sensitivity exists.

Councillor Buck/Councillor Cotter

Carried

44. Christchurch Adventure Park Update April 2019

Rob Hall and Joel Lieschke from Development Christchurch Ltd, and Paul Munro from Christchurch City Holdings Ltd joined the meeting for consideration of item 44.

Council Resolved CNCL/2019/00001

That the Council:

1. 
2. Agrees to give Development Christchurch Ltd a mandate to work with other investors to either:
 - a. seek to keep the Christchurch Adventure Park operating recognising that there are improvements required in the business model, or
 - b. purchase the Christchurch Adventure Park business

Note: The option must be within the following parameters ensuring the Council's:

 - i. shortfall guarantee is removed and no further Council guarantee given
 - ii. capital contribution is limited to \$5 million.
3. Requests Development Christchurch Ltd to work with Council staff on negotiations.
4. Requests Development Christchurch Ltd to report back immediately it becomes aware that negotiations are unlikely to succeed and to provide advice on the pathway forward;
5. 
6. Agrees to release this report publicly when there are no longer grounds to withhold the information under the Local Government Official Information and Meetings Act 1987 and with the approval of the Chief Executives of the Council and Development Christchurch Ltd.

Councillor Manji/Deputy Mayor

Carried

Councillors Scandrett and Templeton abstained from voting on this item.

Councillor Swiggs requested that his vote against the resolutions be recorded.

36. Involvement in Aotearoa Water Action Judicial Review

Council Resolved CNCL/2019/00001

That the Council:

1. Receive the information in this report.
2. Provide \$50,000 from the Capital Endowment Fund for the legal expenses of Aotearoa Water Action's judicial review proceedings against the Environment Canterbury resource consent decisions for Cloud Ocean Ltd and Rapaki Natural Resources Ltd;
3. Request that the Chief Executive make this resolution public as soon as practical;
4. Release this report when the Aotearoa Water Action proceedings are complete.

37. 2018/19 Capital Endowment Fund Application

Council Resolved CNCL/2019/00002

That the Council:

1. Noting its resolution to provide \$50,000 toward the legal costs of the Aotearoa Water Action (AWA) in respect of judicial review proceedings in the High Court against the Environment Canterbury (ECan) resource consent decisions over Cloud Ocean Water Ltd and Rapaki Natural Resources Ltd resource consents, from the 2018/19 Capital Endowment Fund and managed by the Legal Services Unit, resolves the conditions that:
 - a. The funds are spent solely on the legal fees incurred by AWA for the substantive hearing and dispersed solely in payment of invoices as approved by the Legal Services Unit.
 - b. Final reporting to be submitted 12 months following final instalment or at the conclusion of the project, whichever is sooner.
2. Request that the Chief Executive make this report and resolution public as soon as practical.

43. 15 March 2019 Incident Response

Council Resolved CNCL/2019/00050

That the Council:

1. Receive the information in the report, noting that:
 - a. many of these costs are estimates and are still to be finalised
 - b. costs are on-going
 - c. any recoveries from the Department of Internal Affairs and other agencies are still to be discussed and agreed
2. Note that this report must remain public excluded until all costs and recoveries have been agreed and finalised, at which stage a joint announcement may be made by Council and the Crown.

Councillor Cotter/Councillor Buck

Carried

RELEASED FROM PUBLIC EXCLUDED