

Christchurch City Council
MINUTES

Date: Thursday 9 June 2022
Time: 9.36am
Venue: Council Chambers, Civic Offices,
53 Hereford Street, Christchurch

Present

Chairperson	Mayor Lianne Dalziel
Deputy Chairperson	Deputy Mayor Andrew Turner
Members	Councillor Jimmy Chen
	Councillor Catherine Chu
	Councillor Melanie Coker
	Councillor Pauline Cotter
	Councillor Mike Davidson
	Councillor Celeste Donovan – via audio/visual link
	Councillor Anne Galloway
	Councillor James Gough – via audio/visual link
	Councillor Yani Johanson
	Councillor Aaron Keown
	Councillor Sam MacDonald
	Councillor Phil Mauger
	Councillor Jake McLellan
	Councillor Tim Scandrett
	Councillor Sara Templeton

Principal Advisor

Dawn Baxendale
Chief Executive
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Karakia Tīmatanga: Given by the Mayor.

The agenda was dealt with in the following order.

1. Apologies Ngā Whakapāha

Council Resolved CNCL/2022/00027

That the apologies received from Councillor Chu for partial absence be accepted.

Mayor/Councillor Keown

Carried

2. Declarations of Interest Ngā Whakapuaki Aronga

There were no declarations of interest recorded.

3. Public Participation Te Huinga Tūmatanui

3.1 Public Forum Te Huinga Whānui

3.1.1 Gus McPherson

Gus McPherson was the Mayor's assistant for the day and gave a presentation to introduce himself and his school and explain why he wanted to be the Mayor's assistant for the day and what he likes about Christchurch.

3.2 Deputations by Appointment Ngā Huinga Whakaritenga

3.2.1 Te Pātaka o Rākaihautū Banks Peninsula Community Board

Tori Peden, Chairperson of the Te Pātaka o Rākaihautū Banks Peninsula Community Board, provided a deputation to the Council regarding item 11.27 Hunters Road and 42 Whero Avenue Consultation Outcome.

3.2.2 Richard Suggate

Richard Suggate provided a deputation to the Council regarding item 11.27 Hunters Road and 42 Whero Avenue Consultation Outcome.

4. Presentation of Petitions Ngā Pākikitanga

There was no presentation of petitions.

Councillor MacDonald left the meeting at 9.45am and returned at 9.49am during consideration of item 22.

22. Resolution to Include Supplementary Reports

Council Resolved CNCL/2022/00028

That the reports be received and considered at the Council meeting on Thursday, 9 June 2022.

Open Items

23. Consultation on Te Kaha

Mayor/Councillor Chen

Carried

5. Council Minutes - 12 May 2022

Council Resolved CNCL/2022/00029

That the Council Confirm the Minutes from the Council meeting held 12 May 2022.

AND

That the Council confirms the Minutes from the Council - Annual Plan meeting held 4 May 2022.

AND

That the Council receives the Open and Public Excluded Minutes from the Health, Safety and Wellbeing Committee meeting held 6 May 2022.

Mayor/Councillor Keown

Carried

6. Council - Annual Plan Minutes - 4 May 2022

Council Decision

Refer to item 5.

8. Health, Safety and Wellbeing Committee Minutes - 6 May 2022

Council Decision

Refer to item 5.

9. Urban Development and Transport Committee Minutes - 31 March 2022

The final meeting of the Urban Development and Transport Committee was held on 31 March 2022. Councillor Davidson, Chairperson of the Committee noted work programme highlights and acknowledged the work and support from the Principal Advisor, Deputy Chairs of the Committee, Elected Members and technical staff involved.

Council Resolved CNCL/2022/00030

That the Council receives the Minutes from the Urban Development and Transport Committee meeting held 31 March 2022.

Councillor Davidson/Councillor Scandrett

Carried

Councillor Templeton left the meeting at 10.33am and returned at 10.39am during consideration of item 7.

Councillor MacDonald left the meeting at 10.33am and returned at 10.43am during consideration of item 7.

7. Monthly Report from the Community Boards - May 2022

Karolin Potter, Chairperson and Lee Sampson, Deputy Chairperson joined the meeting for presentation of the **Waihoru Spreydon-Cashmere Community Board Report**.

Jason Middlemiss, Board Member joined the meeting for presentation of the **Waimāero Fendalton-Waimairi-Harewood Community Board Report**.

Mike Mora, Chairperson joined the meeting via audio/visual link for presentation of the **Waipuna Halswell-Hornby-Riccarton Community Board Report**. As part of the presentation the Community Board Chairperson also provided the Board's comments in relation to item 16. Halswell Junction Road Extension project - Request for additional funds.

Alexandra Davids, Chairperson joined the meeting for presentation of the **Waikura Linwood-Central-Heathcote Community Board Report**.

Emma Norrish, Chairperson and Simon Britten, Deputy Chairperson joined the meeting for presentation of the **Waipapa Papanui-Innes Community Board Report**.

Tori Peden, Chairperson joined the meeting for presentation of the **Te Pātaka o Rākaihautū Banks Peninsula Community Board Report**.

Kelly Barber, Chairperson joined the meeting for presentation of the **Waitai Coastal-Burwood Community Board Report**.

Council Resolved CNCL/2022/00031








That the Council:

1. Receive the Monthly Report from the Community Boards May 2022.

Councillor Cotter/Councillor Coker

Carried

Attachments

- A Council 9 June 2022 - Spreydon-Cashmere Community Board Presentation to Council [⇨](#) 
- B Council 9 June 2022 - Fendalton-Waimairi-Harewood Presentation to Council [⇨](#) 
- C Council 9 June 2022 - Halswell-Hornby-Riccarton Community Board Presentation to Council [⇨](#) 
- D Council 9 June 2022 - Waikura Linwood-Central-Heathcote Community Board Presentation to Council [⇨](#) 
- E Council 9 June 2022 - Papanui-Innes Community Board Presentation to Council [⇨](#) 
- F Council 9 June 2022 - Banks Peninsula Community Board Presentation to Council [⇨](#) 
- G Council 9 June 2022 - Waitai Coastal-Burwood Community Board Presentation to Council [⇨](#) 

11. 27 Hunters Road and 42 Whero Avenue Consultation Outcome

The Council received two deputations in relation to this item.

The Council accepted the Officer Recommendations and included an additional resolution (refer to resolution 6).

Council Resolved CNCL/2022/00032

That the Council:

1. Acknowledges the views of the submitters from the Council's targeted consultation process including the Banks Peninsula Community Board's submission from its meeting on 14 February 2022.
2. Note there is community support for the sale of the land for residential and other purposes subject to the development reflecting community aspirations.
3. Notes that the recommended paths forward is to:
 - a. Develop an Outline Development Plan for the properties collectively known as 27 Hunters Road and 42 Whero Avenue;
 - b. Protect the revegetated gullies and access tracks;
 - c. Subdivide the site and place covenants on the property titles that requires development to be in accordance with the Outline Development Plan; and
 - d. Dispose of the balance of the site not required for Council purposes.
4. Refers the matter to the 2023/24 Annual Plan for prioritisation and funding;
5. Defers any decision to declare 27 Hunters Road and 42 Whero Avenue surplus to operational requirement until such time as an Outline Development Plan is completed.
6. Request that the outline development plan prioritise climate change adaptation and the ability for local residents to age in place in the considerations as far as possible.

Deputy Mayor/Councillor Keown

Carried

Councillors Gough, MacDonald and Mauger requested their votes against resolution 6 be recorded.

The meeting adjourned at 11.18am and reconvened at 11.40am.

10. Christchurch Wastewater Treatment Plant Recovery Update

The purpose of this staff presentation is to provide fortnightly updates to the Council and the public.

Council Resolved CNCL/2022/00033

That the Council:

1. Receive the information in the presentation.

Mayor/Councillor Templeton

Carried

Attachments

- A Item 10. Staff Presentation 

16. Halswell Junction Road Extension project - Request for additional funds

The Council accepted the Officer recommendations and included an additional resolution, (refer to resolution 3).

The Amendment Moved by Councillor MacDonald and Seconded by Councillor Keown was declared lost.

Council Resolved CNCL/2022/00034

That the Council:

1. Endorse the inclusion of additional capital funds of \$5,500,000 in FY24, to allow completion of the Halswell Junction Road Extension project, as part of the FY23 Annual Plan process.

Councillor Chen/Councillor McLellan

Carried

Councillor Johanson abstained from voting on resolution 1.

Council Resolved CNCL/2022/00035

That the Council:

2. Request staff to initiate Governance level talks between the Council and KiwiRail with a view to finding solutions to address programme and cost escalation concerns.
3. Notes that staff will be raising this project with Waka Kotahi and will look for additional funding sources.

Councillor Chen/Councillor McLellan

Carried

Amendment Moved by Councillor MacDonald and Seconded by Councillor Keown

4. Request for staff to work towards reprioritising 5.5m of the Transport Capital Programme in consideration for the FY 24 draft annual plan.

Councillor MacDonald/Councillor Keown

Lost

The meeting adjourned at 1.09pm and reconvened at 2.04pm. Councillors Chu, MacDonald and Templeton were not present at this time.

Councillor MacDonald returned to the meeting at 2.10pm during consideration of item 23.
Councillor Templeton returned to the meeting at 2.14pm during consideration of item 23.
Councillor Chu returned to the meeting at 2.35pm via audio/visual link during consideration of item 23.

23. Consultation on Te Kaha

Council Officers provided a presentation which contained updated consultation options.

Council Resolved CNCL/2022/00036

Officer recommendations accepted without change

That the Council:

1. Agrees that staff proceed with the proposed process to seek community views on whether or not Council should invest additional money into Te Kaha: the Canterbury multi-use arena.
2. Resolves to lodge an outline plan for Te Kaha under section 176A of the Resource Management Act 1991.
3. Delegates to the Chief Executive authority to seek an alteration to the conditions for Te Kaha in the District Plan.
4. Delegates authority to officers in the Te Kaha Project Team to withdraw or amend the outline plan consistent with the Council decision on the Te Kaha project in July 2022.

Councillor Mauger/Councillor Scandrett

Carried

Attachments

- A Item 23. Staff Presentation 

18. Electricity Procurement

Council Resolved CNCL/2022/00037

Officer recommendations accepted without change

That the Council:

1. Award the MBIE All-of-Government (AoG) electricity agreements to: Meridian Energy Limited for Time of Use (ToU), Non-Half Hourly (NHH) and Unmetered (UNM) connections of electricity to the Council's facilities for a term of 36 months and a predicted value of \$36.7 million excluding line charges (based on the Council's projected demand profile).
2. Authorise the General Manager Resources to sign agreements with Meridian Energy Limited for the supply of electricity to new Council facilities as they open under the terms and conditions similar to the above.
3. Authorise the General Manager Resources to undertake contract variations and renewals for regular business activity, within the terms and conditions of the electricity agreements.
4. Note the financial impact on the financial year (2022/23) is in line with previous estimates and budgets.

Councillor MacDonald/Councillor Keown

Carried

19. Mayor's Monthly Report - May 2022

Council Resolved CNCL/2022/00038

Officer recommendations accepted without change

That the Council:

1. Receive the information in this Report.
2. Approves the travel of the Mayor and Councillor Galloway to Adelaide to lead the Christchurch - Adelaide sister city 50th anniversary commemorations, recommitment, and engagements to further the objectives of the International Relations Policy.

Councillor MacDonald/Councillor Scandrett

Carried

Councillor Cotter left at 3.20pm for the remainder of the meeting during consideration of item 14.

14. Plan Change 6 (Homebase Extension) Decision Recommendation

Comment

1. The Officer recommendations were Moved by Councillor McLellan and Seconded by Councillor Mauger.
2. The Council requested further advice on the following matters before making a decision:
 - a. Further clarity from the Panel regarding its rationale and recommendation to reject the recommendation of a shared pedestrian/cycle path from the site to QEII Drive. The Council noted that the Panel's report (paragraph 313) does not refer to the existing pedestrian /cycle path as a shared path, which is physically separated from the road.
 - b. Legal advice regarding the threshold for returning the recommendations back to the Panel for reconsideration.
3. The item was adjourned and deferred to an Extraordinary Council meeting to be held at 2pm, 30 June 2022, Council Chambers, Civic Offices.

Officer Recommendations

That the Council:

1. Receives the report and recommendations of the Hearings Panel on Plan Change 6 (Homebase extension);
2. Accepts, accepts in part or rejects the submissions on PC6 as recommended by the Hearings Panel and attached to their report for the reasons set out in the Hearing Panel's report in Attachment 1.
3. Adopts, as the decision of the Council, the recommendations of the Hearings Panel that Plan Change 6 be approved as per the Hearing Panel's report as Attachment 1, under clause 10 of Schedule 1 of the Resource Management Act 1991.

Council Decision

That the Council:

1. Receives the report and recommendations of the Hearings Panel on Plan Change 6 (Homebase extension);
2. Accepts, accepts in part or rejects the submissions on PC6 as recommended by the Hearings Panel and attached to their report for the reasons set out in the Hearing Panel's report in Attachment 1.
3. Adopts, as the decision of the Council, the recommendations of the Hearings Panel that Plan Change 6 be approved as per the Hearing Panel's report as Attachment 1, under clause 10 of Schedule 1 of the Resource Management Act 1991.

Councillor McLellan/Councillor Mauger
Council Resolved CNCL/2022/00039

Carried/Lost

It was resolved on the motion of the Mayor and Seconded by Councillor MacDonald that the item be adjourned and deferred to the next meeting of the Finance and Performance Committee and delegates the Committee the authority to make a decision on this matter.

Mayor/Councillor MacDonald

Carried

Secretarial Note: Further in the meeting Officers advised that the decision to adopt a Plan Change cannot be sub-delegated. Subsequent to Standing Order 19.5, with the agreement of the meeting, the resolution was altered and resolved as detailed below.

It was resolved on the motion of the Mayor and Seconded by Councillor Templeton that the item be adjourned and deferred to an Extraordinary Council meeting to be held on 30 June 2022 at 2pm.

12. Ihutai-Estuary and Coastal Stormwater Management Plan

The Council accepted the Officer recommendations and included an additional resolution, (refer to resolution 3).

Council Resolved CNCL/2022/00040

That the Council:

1. Receive the attached Ihutai-Estuary and Coastal Stormwater Management Plan (Attachment A).
2. Adopt the Ihutai-Estuary and Coastal Stormwater Management Plan (Attachment A).
3. Requests for the Avon-Heathcote Estuary Trust and Te Ihutai Atuwheua Trust to meet with the Ōtākaro Avon River Corridor co-governance group with a view to developing a joined up approach to the management of the catchment as a whole.

Mayor/Councillor Templeton

Carried

13. Hearings Panel Report to the Council on the Water Supply, Wastewater and Stormwater Bylaw Review

Council Resolved CNCL/2022/00041

Hearings Panel recommendations accepted without change

That the Council:

Water Supply and Wastewater Bylaw 2022

1. Adopt the Christchurch City Council Water Supply and Wastewater Bylaw 2022, in its final form (**Attachment A**).
2. Note the following changes to the clauses of the Christchurch City Council Water Supply and Wastewater Bylaw 2022, as a result of the consultation and hearings process (as so shown in **Attachment A**):
 - a. Insert a new definition of **Council water supply** in clause 3(1) as follows:
 - b. **Council water supply** means a public water supply system owned and managed by the Christchurch City Council.

- c. Replace the definition of **private drainage system** with a definition of **private wastewater drains** in clause 3(1) as follows:
 - d. **Private wastewater drains** means the system of pipes and fittings installed on the customer's side of the point of discharge to convey wastewater off the property to the public wastewater system.
 - e. Amend the definition of prohibited waste in clause 3(1) so that it refers to prohibited wastes instead of prohibited substances.
 - f. Amend clause 7(4) (restricted activities within maintenance access corridors) so that it refers to the water supply system instead of the stormwater network.
 - g. Amend clause 9(6)(b) (protection of source water and the water supply system) so that it refers to chemical or agricultural applications.
 - h. Amend clause 17(1) (supplementary water storage for Banks Peninsula water supply areas) to update the specified water supply areas by including Takamatua within the Akaroa supply, as well as clarifying that the clause applies where connection to the Council water supply is sought.
 - i. Replace the references in clause 29 (restricted activities within maintenance access corridors) to the water supply system with references to the wastewater system.
 - j. Amend clause 18(2)(c) (backflow prevention) to refer to the Water Services Act 2021 instead of the Health Act 1956.
3. Note that a number of additions and improvements are made to the preamble and explanatory notes contained in the Christchurch City Council Water Supply and Wastewater Bylaw 2022 as a result of the consultation and hearings process (as so shown in **Attachment A**).
 4. Determine, in accordance with section 155(2) and (3) of the Local Government Act 2002, that the Christchurch City Council Water Supply and Wastewater Bylaw 2022 is the most appropriate form of bylaw, and that it is not inconsistent with the New Zealand Bill of Rights Act 1990.
 5. Approve the Christchurch City Council Water Supply and Wastewater Bylaw 2022 coming into force on 1 July 2022.
 6. Approve that staff are otherwise authorised to make any typographical changes or correct minor errors as the case may be before the Christchurch City Council Water Supply and Wastewater Bylaw 2022 comes into force.
 7. Give public notice as soon as practicable that the Christchurch City Council Water Supply and Wastewater Bylaw 2022 has been made by the Council, that it comes into effect on 1 July 2022 and that copies of the Christchurch City Council Water Supply and Wastewater Bylaw 2022 may be inspected and obtained at the Council's offices or on its website, without payment.
 8. Revoke from 1 July 2022 the Council's Policy on Water Supply Pipes Installed in Private Land 2001, noting that the terms of the Policy have been included in the Christchurch City Council Water Supply and Wastewater Bylaw 2022.

9. Delegate to the Chief Executive the authority to amend any explanatory notes in the Christchurch City Council Water Supply and Wastewater Bylaw 2022 as the case may be, and that this power may be sub-delegated.

Stormwater and Land Drainage Bylaw 2022

10. Adopt the Christchurch City Council Stormwater and Land Drainage Bylaw 2022, in its final form (**Attachment B**).
11. Note the following changes to the clauses of the Christchurch City Council Stormwater and Land Drainage Bylaw 2022, as a result of the consultation and hearings process (as so shown in **Attachment B**):
 - a. Delete clause 10 relating to the requirement for on-site stormwater management, as the requirement is provided by clause 7 of the bylaw and a new explanatory note.
 - b. Amend clause 11 (managing drainage from artesian springs and wells on private land) so that it applies in a more limited way and now refers to preventing nuisance and damage from unmanaged artesian water.
 - c. Amend clause 13 (restricted activities related to discharge of water other than stormwater) so that it more clearly states the types of water (other than stormwater) referred to.
 - d. Amend clause 15(1) (restricted activities related to waterways) so that it allows a person with written authority from the Council or an authorised agent of the regional council to carry out certain activities in a waterway.
 - e. Insert a new clause 15(2) so that clause 15(1)(restricted activities related to waterways) does not apply to fencing near waterways in rural zones, which is regulated by the District Plan.
 - f. Amend clause 15(3) (restricted activities related to waterways) to allow certain actions by the regional council or where a person is undertaking temporary erosion and sediment control measures under an approved Erosion and Sediment Control Plan.
 - g. Amend clause 22(1) (erosion and sediment control plans) so that it specifically refers to any person intending to undertake earthworks where there is any risk that sediment generated by the works could become entrained in stormwater.
 - h. Amend clause 32(1)(b) (industrial stormwater audit programme) to refer to further information being provided on request.
 - i. Amend clause 35(2) (transitional arrangements for industrial stormwater dischargers with individual consents with Canterbury Regional Council) to clarify that an occupier needs to apply for a licence under this bylaw prior to surrendering a stormwater discharge resource consent held with the regional council.
12. Note that a number of additions and improvements are made to the explanatory notes contained in the Christchurch City Council Stormwater and Land Drainage Bylaw 2022 as a result of the consultation and hearings process (as so shown in **Attachment B**).
13. Determine, in accordance with section 155(2) and (3) of the Local Government Act 2002, that the Christchurch City Council Stormwater and Land Drainage Bylaw 2022 is the most appropriate form of bylaw, and that it is not inconsistent with the New Zealand Bill of Rights Act 1990.

14. Approve the Christchurch City Council Stormwater and Land Drainage Bylaw 2022 coming into force on 1 July 2022.
15. Approves that staff are otherwise authorised to make any typographical changes or correct minor errors as the case may be before the Christchurch City Council Stormwater and Land Drainage Bylaw 2022 comes into force.
16. Give public notice as soon as practicable that the Christchurch City Council Stormwater and Land Drainage Bylaw 2022 has been made by the Council, that it comes into effect on 1 July 2022 and that copies of the Christchurch City Council Stormwater and Land Drainage Bylaw 2022 may be inspected and obtained at the Council's offices or on its website, without payment.
17. Delegate to the Chief Executive the authority to amend any explanatory notes in the Christchurch City Council Stormwater and Land Drainage Bylaw 2022 as the case may be, and that this power may be sub-delegated.
18. Resolve under clause 27 of the Christchurch City Council Stormwater and Land Drainage Bylaw 2022, to adopt the Register of Industrial and Trade Activities (to come into force on 1 July 2022), as set out in **Attachment C** in its final form, and noting the following changes as a result of the consultation and hearings process:
 - a. Adding two footnotes to the bottom of the first page of the Register which confirm that properties not meeting the thresholds in the Register are not required to apply for an industrial stormwater discharge licence; and the date the Register comes into force.
 - b. Making a clarification to the hydrocarbon entry under the heading "Bulk storage and handling centres" for the exclusion of service stations, truck stops and commercial refuelling facilities.
 - c. Making a clarification to the entry under the heading waste management and resource recovery industries by deleting the reference to chemical containers.
 - d. Amend the compliance timeframe from 6 months (1 January 2022), to 7 months (1 February 2022) to avoid it falling on a public holiday.

Councillor Mauger/Councillor Scandrett

Carried

Deferral of Item

Council Resolved CNCL/2022/00042

Secretarial Note: *In relation to item 14, Officers advised that the decision to adopt a Plan Change cannot be sub-delegated. Subsequent to Standing Order 19.5, with the agreement of the meeting, the previous resolution made during the meeting was altered and resolved as below.*

It was resolved on the motion of the Mayor and Seconded by Councillor Templeton that item 14 be adjourned and deferred to an Extraordinary Council meeting to be held on 30 June 2022 at 2pm.

Mayor/Councillor Templeton

Carried

15. 210 Armagh Street - Proposed Lease over Rauora Park

Council Resolved CNCL/2022/00043

Officer recommendations accepted without change

That the Council:

1. Approve the granting of a ground lease to Armagh Wells Limited, 210 Armagh Street, over a 277m² area of Rauora Park, for a period of up to 15 years total, on terms consistent with this report.
2. Authorise the Manager Property Consultancy to conclude all documentation as required to implement the proposed lease.

Councillor Keown/Councillor MacDonald

Carried

17. Residents Survey Results 2021 - 2022

Council Officers provided an updated Attachment B *General Service Satisfaction Survey Report 2022*.

The Council accepted the Officer recommendation and included an additional resolution, (refer to resolution 2).

Council Resolved CNCL/2022/00044

That the Council:

1. Receive the information in the surveys as well as the Heads of Service advice on next steps and remedial actions.
2. Request staff report back to the Finance and Performance Committee on the Heads of Service action plans in six months.

Councillor Chen/Deputy Mayor

Carried

Attachments

A Item 17. Staff Presentation [⇨](#) 

B Updated Attachment B - General Service Satisfaction Survey Report 2022 [⇨](#) 

The meeting did not go into Public Excluded.

Karakia Whakamutunga: Given by the Mayor.

Meeting concluded at 4.30pm.

CONFIRMED THIS 14TH DAY OF JULY 2022

**MAYOR LIANNE DALZIEL
CHAIRPERSON**