
Christchurch City Council

MINUTES

Date: Tuesday 12 December 2023
Time: 9.33 am
Venue: Council Chambers, Civic Offices,
53 Hereford Street, Christchurch

Present

Chairperson	Mayor Phil Mauger
Deputy Chairperson	Deputy Mayor Pauline Cotter
Members	Councillor Kelly Barber
	Councillor Melanie Coker
	Councillor Celeste Donovan – via audio/visual link
	Councillor Tyrone Fields
	Councillor James Gough
	Councillor Tyla Harrison-Hunt
	Councillor Victoria Henstock
	Councillor Yani Johanson
	Councillor Aaron Keown
	Councillor Sam MacDonald
	Councillor Jake McLellan
	Councillor Andrei Moore
	Councillor Mark Peters
	Councillor Tim Scandrett
	Councillor Sara Templeton

Principal Advisor

Mary Richardson
Interim Chief Executive
Tel: 941 8999

Samantha Kelly
Team Leader Hearings & Committee Support
941 6227
Samantha.Kelly@ccc.govt.nz
www.ccc.govt.nz

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Karakia Tīmatanga: The Mayor and all Councillors.

Councillor Johanson joined the meeting at 9.35am.

Councillor Donovan joined the meeting at 9.38am via audio/visual link.

Mayoral apology: The Mayor read the following apology speech.

I have received an email from David East, Darrell Latham, Kim Money and Tim Sintes that requested an apology be read out at a full Council meeting following the findings of the Ombudsman's 2022 investigation into the handling of Code of Conduct complaints raised against them.

A code of conduct complaint was made against the four former members after they said that staff had removed a section of the District Plan related to flooding. Professor Peter Skelton was appointed to investigate the complaint.

It was found that they had breached the code of conduct. This finding was subsequently referred to the Ombudsman who reviewed the investigation process.

The Ombudsman's investigation related to how the Code of Conduct proceedings were handled, it does not relate to the reason for the Code of Conduct investigation nor the findings of that investigation.

The Ombudsman reached the following five findings in relation to their investigation into the code of conduct complaint:

- *The decision of the Council to commence and to continue Code of Conduct proceedings against the Complainants was not unreasonable or wrong;*
- *The Council has not acted unreasonably in the course of these Code of Conduct proceedings;*
- *The process that the Council followed to appoint Professor Skelton was not unreasonable;*
- *The Council acted unreasonably by not properly addressing the procedural fairness concerns raised by the Community Board members; and*
- *The decision to publish Professor Skelton's report was unreasonable.*

In relation to findings four and five, the Ombudsman recommended that the Council apologise to the Complainants for its lack of engagement with them to address the concerns they had raised about Professor Skelton's report and Council's decision to publish the report without that engagement.

This was followed a letter apologising to the four former members from the Chief Executive 9 August 2022. These four citizens were all elected office holders of the Christchurch City Council.

Former Councillor David East represented the Coastal ward from 2013 to 2019, and was previously a member of the Burwood-Pegasus Community Board from 2007 to 2013.

Former Community Board Chair Kim Money represented the Coastal ward from 2016 to 2019.

Former Community Board member Tim Sintes represented the Coastal ward from 2007 to 2019.

All three are longstanding residents of the wider New Brighton area, actively involved in many different community projects, events and groups.

Similarly, former Community Board member Darrell Latham has been actively involved in many different community projects, events and groups in the wider Sumner area. He represented the Heathcote ward on the community board from 2016 to 2022.

All are tireless advocates for the residents of Christchurch's coastal communities – and they continue to do so today.

I have reviewed the Ombudsman's opinion and acknowledge these shortcomings in the Council process related to:

- *Not properly addressing the procedural fairness concerns raised by the community board members; and*
- *The decision to publish Professor Skelton's report after the code of conduct proceedings were concluded.*

The Council should have engaged with you to discuss your concerns about Professor Skelton's report and before our decision to publish the report. On behalf of the Council, I apologise for this and any concerns these decisions may have raised for you.

External Recognition for Council Services

The Mayor, on behalf of the Council, acknowledged the following external award for Council services:

- The Council's Regional Parks Ranger Project Manager was awarded the Ian Galloway Memorial Cup at Aotearoa's 2023 Recreation Awards.
- The Council received the following silver awards at the 2023 IAB New Zealand Digital Advertising Awards, for the Trash Talking kerbside campaign they developed with our partner media agency OMD:
 - The best multi-channel integration campaign.
 - The best use of programmatic.

The agenda was dealt with in the following order.

1. Apologies Ngā Whakapāha

Council Resolved CNCL/2023/00173

That the apologies received from Councillors Gough and McLellan for lateness be accepted.

Mayor/Councillor Peters

Carried

2. Declarations of Interest Ngā Whakapuaki Aronga

Councillor Keown declared an interest in Item 9 - Better Off Funding - Ferrymead Heritage Park Second Tranche.

Councillor Gough declared an interest in item 17 - Notice of Motion - Live music venue acoustic assessments in the Central City.


3. Public Participation Te Huinga Tūmatanui

3.1 Public Forum Te Huinga Whānui

3.1.1 Christchurch City Mission

Melissa McCreanor and Josh Gardiner spoke on behalf of the Christchurch City Mission to provide an update on the Inner-City Street Project – The City Mission Outreach Service, including relationships, themes and next steps.

Attachments


A Christchurch City Mission - Presentation to Council [⇨](#) 

Councillor Barber left the meeting at 9.56am and returned to the meeting at 9.57am during consideration of item 3.1.2.

3.1.2 Community Energy Action

Robert Linterman, Chief Executive Officer of Community Energy Action (CEA) spoke to provide an overview of the various activities and community contributions of CEA and the outcomes achieved.

Attachments

A Community Energy Action - Presentation to Council [⇨](#) 

Councillor McLellan joined the meeting at 10.17am during consideration of item 3.1.3.

3.1.3 Central City Business Association

Annabel Turley and Nicki Carter spoke on behalf of the Central City Business Association (CCBA) to provide an update on the CCBA's work and progress this year and regarding the value of tourism, cruise and events to the businesses within the city.

Attachments

A Central City Business Association - Presentation to Council [⇨](#) 

Councillor Barber left the meeting at 10.21am and returned at 10.27am during consideration of item 3.1.4.

3.1.4 Toi Ōtautahi Advisory Group

Audrey Baldwin and Josaih Morgan spoke on behalf of Toi Ōtautahi Advisory Group regarding:

- Why continued investment in arts and creativity has broad community benefits.
- Events, projects and work achieved with supported by the Council and partners in delivery of the strategy. A celebration and acknowledgement of a busy and productive year across the sector.

Attachments

A Toi Ōtautahi Advisory Group - Presentation to Council [⇨](#) 

Councillor McDonald left the meeting at 10.32am during consideration of item 3.1.5.

3.1.5 New Zealand Opera

Annabel Holland (in person) and Brad Cohen (via audio/visual link) spoke on behalf of New Zealand Opera to provide an update on the launch of the 2024 season.

Attachments

A New Zealand Opera - Presentation to Council [⇒](#) 

3.2 Deputations by Appointment Ngā Huinga Whakaritenga

Councillor McDonald returned to the meeting at 10.41am during consideration of item 3.2.1.

Councillor Scandrett left at 10.38am and returned at 10.39am during consideration of item 3.2.1.

3.2.1 Christchurch International Airport Limited


Jess Aimer and Nancy Vance spoke on behalf of the Christchurch International Airport Limited regarding Item 6 - Pūharakekenui Styx Stormwater Management Plan.

Councillor Cotter left the meeting at 10.43am and returned at 10.44am during consideration of item 3.2.2.

3.2.3 Styx Living Laboratory Trust

Selena Coombe and Jackie Howard spoke on behalf of the Styx Living Laboratory Trust regarding Item 6 - Pūharakekenui Styx Stormwater Management Plan.

Attachments

A Styx Living Laboratory Trust - Presentation to Council [⇒](#) 

3.2.6 Pillaiyar Kovil Trust

Sandheep Kumar spoke on behalf of the Pillaiyar Kovil Trust regarding item 12 – Potential Sale of 14 Hasketts Road to Pillaiyar Kovil Trust.

Attachments

A Pillaiyar Kovil Trust - Presentation to Council [⇒](#) 

4. Presentation of Petitions Ngā Pākikitanga

There was no presentation of petitions.

The meeting adjourned at 10.56am and reconvened at 11.22am. Councillor Barber was not present at this time.

Councillor Barber returned to the meeting at 11.25am during consideration of item 5.
Councillor Peters left the meeting at 11.34am during consideration of item 5.

5. Triannual Water Management Zone Committee Update

The Chairs and Deputy Chairs of each of the Water Management Zone Committees joined the table to present.

Council Resolved CNCL/2023/00174

Officer recommendation accepted without change

That the Council:



1. Receive the information in the Banks Peninsula, Christchurch West Melton, and Selwyn Waihora Triannual Reports and note the work of each Water Management Zone Committee.

Councillor Scandrett/Deputy Mayor

Carried

Secretarial Note: In relation the Canterbury Water Management Strategy targets, the meeting requested an update as to when the 2023 monitoring on those targets is due to be completed.

Attachments

- A Christchurch West Melton - Presentation to Council 
- B Selwyn Waihora - Presentation to Council 

Councillor Gough joined the meeting at 11.48am during consideration of item 9.
Councillor Peters returned to the meeting at 11.50am during consideration of item 9.

9. Better Off Funding - Ferrymead Heritage Park Second Tranche

Council Resolved CNCL/2023/00175

Officer recommendations accepted without change

That the Council:

1. Approve a second tranche payment of \$140,000 from the Metropolitan Better Off Fund to The Ferrymead Trust towards business plan implementation.
2. Provide the following advice to the Ferrymead Trust on their business planning process to date:
 - a. Any expectation of future financial support from the Council should be limited to an application to the contestable Strengthening Communities Fund for an amount no greater than historical norms.
 - b. The Ferrymead Trust should consider the impacts of climate change in their future planning primarily their response to adverse events, sea level rise and emissions.

- c. The business plan should contemplate how the Ferrymead Trust will work with its stakeholder organisations to secure the future of vulnerable buildings on site, be this repair, removal, or demolition.
3. Request that staff bring a report to the Council for consideration of a third tranche payment in 2024 for allocation of the remaining \$148,300. Noting that Council will take into consideration the degree to which the Ferrymead Trust has incorporated the advice provided in resolutions 2.a, 2.b and 2.c. (above) into its business planning process.

Councillor MacDonald/Mayor

Carried

Councillor Keown declared an interest in Item 9 – Ferrymead Heritage Park Second Tranche and sat back from the table during discussion and voting.

14. Youth Portfolio Lead Report

Council Resolved CNCL/2023/00176

Youth Portfolio Lead recommendations accepted without change

That the Council:

1. Receives the information in the Youth Sector Portfolio Report.
2. Approves the renewal of the Memorandum of Understanding with the Christchurch Youth Council as detailed in Attachment A of the report.
3. Resolves to write to Central Government in support of maintaining the Smokefree Environments and Regulated Products Act amendments currently planned for repeal. Noting that this is in line with Canterbury Mayoral Forum submission which Christchurch City Council supported.
4. Notes that the Council will work in partnership with the Christchurch Youth Council on the arrangements, terms, and future of Te Pae Pikari and its standing membership, with the final and amended terms to come to Council in 2024.
5. Notes that the youth sector support future initiatives that promote safer environments, reliable transport infrastructure and public transport shelters that are inclusive and welcoming.

Councillor Harrison-Hunt/Councillor Coker

Carried

Secretarial Notes:

1. *In relation to the barriers for rangatahi/youth participating and accessing sport, the meeting requested staff undertake an audit on the condition of equipment at youth facilities across the city, to be broken down into wards (such as sports equipment e.g. basketball hoops, football posts without nets).*
2. *The meeting requested staff undertake a review of the Portfolio reports that have been presented to the Council, to identify any next steps that might be considered for the Long Term Plan process. It was noted that Councillors should put forward amendments if they have particular points they wish to raise.*

Councillors Harrison-Hunt and Templeton left the meeting at 12.09pm during consideration of item 6 and did not return.

Councillor McLellan left the meeting at 12.09pm and returned at 12.12pm during consideration of item 6.

6. Pūharakekenui-Styx Stormwater Management Plan

Council Resolved CNCL/2023/00177

Officer recommendation accepted without change

That the Council:

1. Adopt the Pūharakekenui-Styx Stormwater Management Plan (Attachment A to this report).

Deputy Mayor/Councillor Keown

Carried

7. New Large-Scale Event Alcohol Ban Area - QEII Park

Council Resolved CNCL/2023/00178

Officer recommendations accepted without change

That the Council:

1. Agree that there is sufficient support for including QEII as an alcohol ban area for large events.
2. Amend Schedule 2 (Large-Scale Event Alcohol Ban Areas) of the Christchurch City Council Alcohol Restrictions in Public Places Bylaw 2018, as set out in **Attachment A**, to include QEII as an area to which a large-scale event alcohol ban can apply under clause 6 of the bylaw, noting that the ban will only apply to specific events, nominated on a case-by-case basis.
3. Agree, as set out in **Attachment A**, that the QEII large-scale event alcohol ban will apply to the area bounded by both sides of the roads: Frosts Road, Beach Road, Ascot Avenue, Bower Avenue, Travis Road and back to Frosts Road as Large-Scale Event Alcohol Ban Area, for 24 hours on specified event days.
4. Determine, in accordance with section 155 of the Local Government Act 2002, that the amendment is the most appropriate way of addressing the problem; the most appropriate form of bylaw; and that it is not inconsistent with the New Zealand Bill of Rights Act 1990.
5. Determine, in accordance with section 147A (1)(a) of the Local Government Act 2002 that the amendment can be justified as reasonable limitation on people's rights and freedoms.
6. Approve the amendment coming into force on 18 December 2023.
7. Approve that staff are otherwise authorised to make any typographical changes or correct minor errors before the amendment comes into force.
8. Give public notice as soon as practicable that the Alcohol Restrictions in Public Places Bylaw 2018 has been amended, that it comes into effect on 18 December 2023, and that copies of the bylaw may be inspected and obtained at the Council's offices, or on its website, without payment.

Mayor/Councillor Barber

Carried

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

Councillor Gough left the meeting at 12.21pm and returned at 12.25pm during consideration of item 8.

8. Suburban Regeneration Biannual Report - April to September 2023
Council Resolved CNCL/2023/00179

Officer recommendation accepted without change


That the Council:

1. Receive the information in the Suburban Regeneration Biannual Report for April to September 2023.

Deputy Mayor/Councillor Scandrett

Carried

Attachments

- A Suburban Regeneration Biannual Report - Presentation to Council 

Councillor McDonald left the meeting at 12.33pm during consideration of item 10.

10. 2023-24 Metropolitan Discretionary Response Fund - Tenant Protection Service Collaboration, Kingdom Resources Ltd.
Council Resolved CNCL/2023/00180

Officer recommendations accepted without change

That the Council:

1. Makes a grant of \$40,000 to the Social Service Council of the Dioceses of Christchurch from its 2023/24 Metropolitan Discretionary Response Fund towards the Tenant Protection Service Collaboration.
2. Makes a grant of \$30,000 to Kingdom Resources from its 2023/24 Metropolitan Discretionary Response Fund towards their Equipping Those in Need project.

Councillor Peters/Councillor Barber

Carried

11. Plan Change 5 - Final Approval

Council Resolved CNCL/2023/00181

Officer recommendation accepted without change

That the Council:

1. Approve the changes to the District Plan as set out in the attached Plan Change 5 decision reports, Consent Orders of the Environment Court dated 1 February 2023 and 15 May 2023 and supplementary reports, pursuant to Clause 17(2) of Schedule 1 to the Resource Management Act, to become operative on 19 December 2023.

Councillor Keown/Councillor Scandrett

Carried

Councillor MacDonald returned to the meeting at 12.35pm during consideration of item 12 .

12. Potential Sale of 14 Hasketts Road, Templeton to Pillaiyar Kovil Trust

Council Resolved CNCL/2023/00182

Officer recommendations accepted without change

That the Council:

1. Approves a departure from the Disposal of Council Property Policy 2000 and the normal practice of an open, market process for 14 Hasketts Road, Templeton and notes that;
 - a. The inconsistency with policy is that Council is not proposing to publicly tender the disposal of this property.
 - b. The reason for the inconsistency is that dealing directly allows for achievements of Council's strategic aims and allows for consideration of the impacts of use restrictions on value.
 - c. The Council has no intention to change the policy.
2. Approves unilateral dealings with Pillaiyar Kovil Trust for 14 Hasketts Road, Templeton.

Mayor/Councillor Keown

Carried

13. Appointment of Recess Committee 2023/2024

The Council accepted the Officer Recommendations, with the addition of appointing Councillors Gough and Keown as members of the Recess Committee (refer to resolution 1).

Council Resolved CNCL/2023/00183

That the Council:

1. Appoints a Recess Committee comprising of the Mayor or Deputy Mayor and Councillors Gough and Keown and a minimum of any three Councillors (quorum to include Mayor or Deputy Mayor and Councillors Gough and Keown, to be authorised to make any urgent decisions of the Council required during the period 16 December 2023 and 14 January 2024 (both days inclusive).
2. Notes that any meeting of the Recess Committee will be publicly notified, and the details forwarded to all Councillors, all of whom can participate.
3. Notes that any decisions made will be reported to the Council for record purposes.

Mayor/Deputy Mayor

Carried

16. Resolution to Include Supplementary Report

Council Resolved CNCL/2023/00184

That the reports be received and considered at the Council meeting on Tuesday, 12 December 2023.

Open Items

17. Notice of Motion - Live music venue acoustic assessments in the Central City

Mayor/Councillor Scandrett

Carried

17. Notice of Motion - Live music venue acoustic assessments in the Central City

Councillor Moore tabled a set of updated recommendations, which were agreed to by the majority of the members consistent with Standing Orders. The Notice of Motion as amended, was Seconded by Councillor Scandrett and, following debate, declared carried.

Councillor Moore's Recommendations

That the Council:

1. Request staff to investigate, and report back to the Council for consideration as part of the 2024-2034 Long Term Plan, on funding options for live music venue acoustic assessments in the Central City, which aligns with the Council resolution on 5 April 2023:

“Notes that additional non-regulatory mechanisms may be identified in due course, including through the engagement processes, and may be subject to further approval processes.”

Councillor Moore's Updated Recommendations

Council Resolved CNCL/2023/00185

That the Council:

1. Notes its interest in ensuring that the Central City remains a vibrant location that allows for both live music and residential opportunities;
2. Notes that funding for live music venue acoustic assessments may be a useful non-statutory tool to help achieve this goal;
3. Notes that a trial acoustic assessment has occurred, but that this is incomplete partially due to uncertainty created by a District Plan change process regarding future noise rules in the Central City; and
4. Requests staff provide advice about funding for live music acoustic assessments as part of an update report on the ongoing live music programme in early 2024.

Councillor Moore/Councillor Scandrett

Carried

Councillor Gough declared an interest in Item 17 – Notice of Motion - Live music venue acoustic assessments in the Central City and sat back from the table during discussion and voting.

Karakia Whakamutunga: The Mayor and all Councillors.

Meeting concluded at 12.41pm.

CONFIRMED THIS 7th DAY OF FEBRUARY 2024

**MAYOR PHIL MAUGER
CHAIRPERSON**