



**MINUTES OF A EXTRAORDINARY MEETING OF THE CHRISTCHURCH CITY COUNCIL
HELD AT 9.30AM ON MONDAY 4 OCTOBER AND WEDNESDAY 6 OCTOBER 2010**

PRESENT: The Mayor, Bob Parker (Chairperson).
Councillors Helen Broughton, Sally Buck, Ngaire Button, Barry Corbett, David Cox,
Yani Johanson, Claudia Reid, Gail Sheriff, Mike Wall, Sue Wells, Chrissie Williams and
Norm Withers.

Peter Mitchell, General Manager, Regulation and Democracy Services, briefed the Council on the procedure and legal processes for demolition consents and heritage funding following the 4 September 2010 Christchurch Earthquake.

1. APOLOGIES

An apology for absence was received from Councillor Shearing for Monday 4 October 2010 and Wednesday 6 October 2010.

An apology for absence was received from Councillor Button for Wednesday 6 October 2010.

It was **resolved** on the motion of the Mayor, seconded by Councillor Withers, that the apologies be accepted.

Councillor Withers was absent between 9.46am to 10.25am.

2. DEPUTATIONS BY APPOINTMENT

- 2.1 Phil Stanley, Chris Meyer and Emily Branthwaite and Angela Hunt (Businesses within the cordon in the vicinity of 160 Manchester Street) in respect of item 4 – Proposed demolition of 160 Manchester Street.
- 2.2 Richard Peebles and Richard Leggatt in respect of item 4 – Proposed demolition of 160 Manchester Street.
- 2.3 Neil Roberts (Christchurch Civic Trust) in respect of item 4 – Proposed demolition of 160 Manchester Street.
- 2.4 Warren Lewis (Lewis and Barrow Engineers) and Richard Leggatt in respect of item 5 – Proposed demolition of 192 Madras Street.
- 2.5 Robert and Jeanene Marchand in respect of item 6 – Proposed demolition of 461a-469a Colombo Street.
- 2.6 Murray Lapworth and Richard Leggatt in respect of item 7 – Proposed demolition of 456 Colombo Street.
- 2.7 Dorothy Haywood (Sydenham Heritage Trust) in respect of items 6 and 7 – Proposed demolition of 456 and 461-469 Colombo Street.
- 2.8 Gavin Ryan in respect of item 8 – Proposed demolition of 580 Ferry Road.
- 2.9 Sir Miles Warren and John Hare (Holmes Consultants Group) in respect of item 9 – Proposed demolition of Ohinetahi Governors Bay.

The Council **resolved** on the motion of the Mayor, seconded by Councillor Withers that the meeting stand adjourned at 1.10pm, to reconvene at 9.30am Wednesday 6 October 2010.

11. RESOLUTION TO BE PASSED – SUPPLEMENTARY REPORT

This item was taken at this stage of the meeting.

It was **resolved** on the motion of the Mayor, seconded by Councillor Withers, that the Council receive and consider the report Exercise of Powers under Section 129 of the Building Act 2004 (immediate danger) and Other Options, at the meeting of the Council on Wednesday 6 September 2010.

Councillor Wall joined the meeting at 9.46am.

2. DEPUTATIONS BY APPOINTMENT (CONTINUED)

2.10 Anna Crichton in respect of item 11 - Exercise of Powers under Section 129 of the Building Act 2004 (Immediate Danger) and Other Options.

2.11 Trev Barnett in respect of item 11 - Exercise of Powers under Section 129 of the Building Act 2004 (Immediate Danger) and Other Options.

12. EXERCISE OF POWERS UNDER SECTION 129 OF THE BUILDING ACT 2004 (IMMEDIATE DANGER) AND OTHER OPTIONS

This item was taken at this stage of the meeting.

The Mayor moved:

(aa) *That any warrant for 160 Manchester Street only provide for demolition to the first two storeys of the building.*

That the Council:

(a) *Endorse the acting Chief Executive's opinion that the following buildings are an immediate danger and that he will issue a warrant under section 129 of the Building Act 2004 for the demolition of these buildings:*

- (i) 160 Manchester Street.*
- (ii) 461A-469A Colombo Street.*

(b) *Endorse the acting Chief Executive's opinion that the following buildings are not an immediate danger under section 129 of the Building Act 2004 and that no warrant be issued on this ground be issued:*

- (i) 192 Madras Street.*
- (ii) 456 Colombo Street.*
- (iii) 580 Ferry Road.*
- (iv) Ohinetahi Homestead.*

(c) *Endorse the acting Chief Executive's opinion that with regard to the Ohinetahi Homestead it is necessary to fix the insanitary conditions by requiring the owners of Ohinetahi to take all steps necessary to ensure provision against moisture penetration which may cause dampness in the building*

(d) *Approve that officers work with the relevant government departments to seek discuss an Order in Council from the Government to address the streamlining of the resource consent process for heritage buildings, as outlined in paragraph 46 of this report as a starting point for discussion.*

(e) *That officers report back to the Council with the outcome of discussions resulting from recommendation (d) before a final recommendation is made to the Canterbury Earthquake Recovery Commission.*

4. 10. 2010

- 3 -

(f) *Note that any order in Council only apply to resource consent applications for change to heritage buildings resulting from earthquake damage.*

The motion was seconded by Councillor Wells, and on being put to the meeting:

Recommendation (aa) was declared **lost**.

Recommendation (a)(i) was declared **carried** on Division No. 1 by 10 votes to 2, the voting being as follows:

For (10): Councillors Broughton, Buck, Corbett, Cox, Reid, Sheriff, Wall, Wells, Withers and the Mayor.

Against (2): Councillors Johanson and Williams.

Recommendation (a) (ii) was declared **carried**.

Recommendation (b) (i) was declared **carried** on Division No. 2 by 10 votes to 2, the voting being as follows:

For (10): Councillors Broughton, Buck, Corbett, Cox, Reid, Sheriff, Wall, Wells, Williams and the Mayor.

Against (2): Councillors Johanson and Withers.

Recommendation (b) (ii) was declared **carried** on Division No. 3 by 11 votes to 1, the voting being as follows:

For (11): Councillors Broughton, Buck, Corbett, Cox, Reid, Sheriff, Wall, Wells, Williams, Withers and the Mayor.

Against (1): Councillor Johanson.

Recommendation (b) (iii) was declared **carried** on Division No. 4 by 10 votes to 2, the voting being as follows:

For (10): Councillors Broughton, Buck, Corbett, Johanson, Reid, Sheriff, Wells, Williams, Withers and the Mayor.

Against (2): Councillors Cox and Wall.

Recommendation (b) (iv) was declared **carried**.

Recommendation (c) was declared **carried**.

Recommendation (d) was declared **carried** on Division No. 5 by 10 votes to 2, the voting being as follows:

For (10): Councillors Buck, Corbett, Cox, Johanson, Reid, Sheriff, Wall, Wells, Withers and the Mayor.

Against (2): Councillors Broughton and Williams.

Recommendations (e) and (f) were declared **carried**.

The Council agreed that paragraph 46.1 of the staff report should be amended to read:

Enabling the Council to establish an independent panel of experts/Councillors/Commissioners to decide all matters concerning resource consent applications for change to heritage buildings resulting from earthquake damage.

10. CANTERBURY EARTHQUAKE HERITAGE AND CHARACTER BUILDING FUND POLICY

This item was taken at this stage of the meeting.

The Mayor moved:

That the Council:

- (a) *Endorse the draft policy for submission to and approval of the Minister of Arts, Culture and Heritage; and*
- (b) *Note that staff will report to the Council in the new term on the final policy, guidelines and fund management.*
- (c) *Agree the following be considered in discussions on the draft policy (with any dissenting Councillor opinion noted):*
 - (i) *That the fund should have full charitable status for tax purposes for those giving donations.*
 - (ii) *That the Christchurch City Council should have at least two Councillor representatives.*
 - (iii) *That consideration be given to funding allocations based on a precinct as well as a building by building basis.*
 - (iv) *That consideration be given to funding the retention of facades, ICOMOS charter notwithstanding. (One Councillor disagreed).*
 - (v) *That all affected Councils contribute financially to the fund. (One Councillor favoured a pro-rata approach).*
 - (vi) *That consideration be given to how the Council can apply in cases where it may need to purchase buildings to protect them from demolition.*
 - (vii) *That consideration be given for funding to be made available for retention of 'character housing' that has suffered as a result of the earthquake. (Two Councillors did not support such a broad approach)*
 - (viii) *That consideration be given to getting a comprehensive list of the buildings that may need funding assistance prior to any funding, so that the situation of "first come first served" granting of money does not arise. (The Council was divided on this issue)*
 - (ix) *That with reference to clause 2.3 it be noted that the Christchurch City Council Earthquake Prone Buildings Policy now sets a target of strengthening buildings to 67 per cent of code.*

The motion was seconded by Councillor Withers, and on being put to the meeting was declared **carried**.

3. PRESENTATION OF PETITIONS

Nil.

4. PROPOSED DEMOLITION OF 160 MANCHESTER STREET

It was **resolved** on the motion of the Mayor, seconded by Councillor Withers, that this item lie on the table until the new Council term.

5. PROPOSED DEMOLITION OF 192 MADRAS STREET

It was **resolved** on the motion of the Mayor, seconded by Councillor Withers, that this item lie on the table until the new Council term.

6. PROPOSED DEMOLITION OF 461-469 COLOMBO STREET

It was **resolved** on the motion of the Mayor, seconded by Councillor Withers, that this item lie on the table until the new Council term.

7. PROPOSED DEMOLITION OF 456 COLOMBO STREET

It was **resolved** on the motion of the Mayor, seconded by Councillor Withers, that this item lie on the table until the new Council term.

8. PROPOSED DEMOLITION OF 580 FERRY ROAD

It was **resolved** on the motion of the Mayor, seconded by Councillor Withers, that this item lie on the table until the new Council term.

9. PROPOSED PARTIAL DEMOLITION OF "OHINETAHI' GOVERNORS BAY

It was **resolved** on the motion of the Mayor, seconded by Councillor Withers, that this item lie on the table until the new Council term.

13. CONCLUSION

The meeting concluded at 12.31pm.

**SIGNED BY THE MAYOR AND CHIEF EXECUTIVE OFFICER PURSUANT TO STANDING ORDER
3.18.2**

MAYOR

CHIEF EXECUTIVE OFFICER