

**MINUTES OF A MEETING OF THE CHRISTCHURCH CITY COUNCIL  
HELD AT 9.30AM ON THURSDAY 26 JULY 2012**

**PRESENT:** The Mayor, Bob Parker (Chairperson).  
Councillors Peter Beck, Helen Broughton, Ngaire Button, Tim Carter, Jimmy Chen, Barry Corbett, Aaron Keown, Glenn Livingstone, Yani Johanson, Claudia Reid and Sue Wells.

**1. APOLOGIES**

Apologies for absence were received from Councillors Sally Buck and Jamie Gough.

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

**2. CONFIRMATION OF MINUTES**

**COUNCIL MEETINGS OF 28 JUNE 2012 AND 12 JULY 2012**

It was **resolved** on the motion of Councillor Button, seconded by Councillor Keown, that the open minutes of the Council meetings held on Thursday 28 June 2012 and Thursday 12 July 2012 be confirmed.

**3. DEPUTATIONS BY APPOINTMENT**

3.1 Lindsay O'Donnell and Ken Jones addressed the Council regarding item 9 on the recommendation on the request by Amherst Properties Limited to the Earthquake Recovery Minister to Use Section 27 of the Canterbury Earthquake Recovery Act to amend the City Plan to enable Office Development at the corner of Riccarton Road and Deans Avenue.

3.2 Mike Mora, Chairperson of the Riccarton Wigram Community Board addressed the Council regarding item 9.

3.3 Jarrod True from the New Zealand Racing Board addressed the Council regarding item 6.2, the review of the Totalisator Agency Board Venue Policy.

**4. PRESENTATION OF PETITIONS**

Nil.

Item 9 was taken at this stage of the meeting.

**9. RECOMMENDATION ON REQUEST BY AMHERST PROPERTIES LIMITED TO THE EARTHQUAKE RECOVERY MINISTER TO USE SECTION 27 OF THE CANTERBURY EARTHQUAKE RECOVERY ACT TO AMEND THE CITY PLAN TO ENABLE OFFICE DEVELOPMENT AT THE CORNER OF RICCARTON ROAD AND DEANS AVENUE**

Councillor Wells moved, that the Council:

- (a) *Advise Amherst Properties Limited that the Christchurch City Council's position is that it will not consider asking the Minister for Earthquake Recovery to use Section 27 of the Canterbury Earthquake Recovery Act to amend the Christchurch City Plan to enable an office development at 4 Riccarton Road and 159 Deans Avenue, or support the use of Section 27 of the Canterbury Earthquake Recovery Act to amend the District Plan in this instance.*

9 Cont'd

(b) Notes:

- (i) *that Amherst Properties Limited is entitled in law to request a Privately Initiated Plan Change in respect of the site*
- (ii) *that Amherst Properties Limited is entitled to submit a revised Resource Consent for the site and proposed development*
- (iii) *that the Minister is able to direct to Council to amend its District Plan, irrespective of the Council's position on such action.*

The motion was seconded by Councillor Reid.

Councillor Broughton moved by way of amendment:

1. *That the Council advise Amherst Properties and the Minister that the Council does not oppose the Minister using Section 27 of the Canterbury Earthquake Recovery Act 2011 to enable office development on the subject with the conditions **attached**, recommendations by the Planner at the original hearing.*
2. *That the second condition regarding the Deans Avenue/Riccarton Road signalisation is removed.*

The motion was seconded by Councillor Keown.

The amendments were put to the meeting separately.

Clause 1 when put to the meeting was declared **carried** on electronic vote No. 1 by 10 votes to 2, the voting being as follows:

**For (10):** The Mayor and Councillors Beck, Broughton, Button, Carter, Chen, Corbett, Johanson, Keown and Livingstone.

**Against (2):** Councillors Reid and Wells.

Clause 2 when put to the meeting was declared carried on electronic vote No. 2 by 8 votes to 4, the voting being as follows:

**For (8):** Councillors Beck, Broughton, Button, Carter, Chen, Corbett, Keown and Livingstone.

**Against (4):** The Mayor and Councillors Johanson, Reid and Wells.

The substantive motion was then put and declared **carried**.

Item 6 was taken at this stage of the meeting.

**6. REPORT OF THE REGULATORY AND PLANNING COMMITTEE: MEETING OF 4 JULY 2012**

**1. WEATHERTIGHT HOMES CLAIMS IN CHRISTCHURCH**

It was **resolved** on the motion of Councillor Wells, seconded by the Mayor, that the Council receive this report.

**2. REVIEW OF THE 2009 TOTALISATOR AGENCY BOARD (TAB) VENUE POLICY**

It was **resolved** on the motion of Councillor Wells, seconded by Councillor Button, that the Council retain the current Totalisator Agency Board Venues Policy without amendment.

### 3. STRATEGY AND PLANNING 2012/13 WORK PROGRAMME

It was **resolved** on the motion of Councillor Wells, seconded by Councillor Beck, that the Council:

1.
  - (a) Adopt the 2012-2013 work programme outlined in this report for the District Plan and City and Community Long Term Policy and Planning Activities.
  - (b) Ask staff to present to the Planning Committee a proposed scoping paper for a Revitalisation Plan for the eastern part of the city at the end of August Planning meeting and the implications thereof.
  - (c) Receive from the General Manager Strategy and Planning report bi-monthly on the time, cost, and staff allocation of Strategy and Planning requirements supporting the Canterbury Earthquake Recovery Authority (CERA) work programme, including any implications on approved Christchurch City Council work programmes.
  - (d) Note the work done by this, or other Committees, may necessitate a review of prioritisation of this work programme by the Planning Committee.
  - (e) Ask staff to present to the Planning Committee as a matter of urgency the scope and implications of a revision of Chapter 8 of the Infrastructure Design Standard.
  - (f) Confirm that the timetable and sequence of the review of the District Plan will be considered as part of the 2013/22 Long Term Plan.
  - (g) Ask the General Manager City Environment to discuss with the Planning Committee the overarching planning framework, and implementation of open space in the City.
2. Extend an invitation, via the Planning Committee to Diane Turner (CERA) to discuss Canterbury Earthquake Recovery Authority/Christchurch City Council planning issues, including future Red Zone issues at an upcoming Planning Committee meeting.

It was **resolved** on the motion of Councillor Wells, seconded by Councillor Beck, that the report as a whole be accepted.

### 5. LOCAL GOVERNMENT ACT 2002 AMENDMENT BILL - CHRISTCHURCH CITY COUNCIL SUBMISSION

It was **resolved** on the motion of Councillor Button, seconded by Councillor Wells, that the Council:

- (a) Adopt the draft submission as amended.
- (b) Nominate the Mayor and Councillor Wells to present the Council's submissions to the Local Government and Environment Select Committee.
- (c) Ask staff to notify the Councillors of the date and venue of the hearing of the Council's submission on the bill.

Councillor Keown asked that this vote against the resolution be recorded.

The meeting adjourned at 12.30 and resumed at 1pm.

### 7. PLAN CHANGE 58 WRIGHTS ROAD – FINAL APPROVAL

It was **resolved** on the motion of Councillor Wells, seconded by Councillor Broughton, that the Council:

**7 Cont'd**

- (a) Approve, pursuant to clause 17(2) of the Resource Management Act 1991, the changes to the District Plan introduced by its decision on Plan Change 58 Wrights Road.
- (b) Authorise the General Manager, Strategy and Planning to determine the date on which the changes introduced by Plan Change 58 become operative.

**8. SELWYN STREET SHOPS MASTER PLAN – ADDINGTON**

It was **resolved** on the motion of Councillor Corbett, seconded by Councillor Wells, that the Council adopt the Selwyn Street Shops Master Plan.

**10. INFRASTRUCTURE REBUILD MONTHLY REPORT**

It was **resolved** on the motion of Councillor Corbett, seconded by Councillor Button, that the Council receive the Infrastructure Rebuild Monthly Report for July 2012.

**11. 69 ARMAGH STREET – PROPOSED OFF STREET COUNCIL OPERATED PARKING FACILITY**

It was **resolved** on the motion of Councillor Broughton, seconded by Councillor Reid:

- (a) That, in accordance with clause 5(1) of the Christchurch City Council Traffic and Parking Bylaw 2008, Lot 1 DP 413237 at 69 Armagh Street be approved as a restricted parking area and be a Council operated car parking facility.
- (b) That, in accordance with clause 5(2) of the Christchurch City Council Traffic and Parking Bylaw 2008:
  - (i) Two parking spaces restricted for the use of disabled motorists be installed at the car parking facility; and
  - (ii) The remaining parking spaces be divided between casual and long term (monthly) parking with the ratio of each to be determined and adjusted by the Parking Business Manager according to demand;
  - (iii) This is a Pay and Display area.

**12. REPORT OF A MEETING OF THE METROPOLITAN FUNDING COMMITTEE: MEETING OF 13 JULY 2012**

It was **resolved** on the motion of Councillor Corbett, seconded by Councillor Button, that the amended minutes of the meeting be received.

**13. HERITAGE REINSTATEMENT PROGRAMME – JUBILEE CLOCK TOWER**

It was **resolved** on the motion of Councillor Broughton, seconded by Councillor Chen, that the Council:

- (a) Approve the reinstatement / repairs for Victoria Clock Tower with a total budget of \$741,086.
- (b) Approve the option for repairing the Clock Tower to a 67 per cent New Building Standards.
- (c) Review at a later date the option of one face of the clock being permanently set at 12.51 pm.

**19. REPORT OF THE HEARINGS PANEL ON THE ALCOHOL RESTRICTIONS IN PUBLIC PLACES AMENDMENT BYLAW 2012**

Councillor Corbett moved, that the Council:

1. (a) *Resolve to adopt the Christchurch City Council Alcohol Restrictions in Public Places Amendment Bylaw 2012 with the changes noted below to come into effect on 9 September 2012.*
  - (b) *Amend the table describing the Papanui Alcohol Ban Area (in Schedule 1 of the Bylaw) by inserting the words "the cycle-walkway and" immediately after the words "inclusive of all, or the relevant parts of,".*
  - (c) *Move the phrase "Schedule 1" to immediately above the two tables detailing the Merivale Alcohol Ban Area and the Papanui Alcohol Ban Area.*
  - (d) *Make the following change to the table describing the times, days or dates during which alcohol restrictions apply in Schedule 1 of the Bylaw by replacing the words "Wednesday, Thursday, Friday and Saturday nights" with the words "seven nights a week" where they occur in both the Papanui and Merivale Alcohol Ban Areas.*
  - (e) *Give public notice as soon as practicable, that the Christchurch City Council Alcohol in Public Places Amendment Bylaw 2012 has been made by the Council, that it comes into effect on (9 September 2012) and that copies of the bylaw may be inspected and obtained at the Council's offices or on its website, without payment.*
2. *Resolve to undertake an additional piece of work to impose temporary liquor bans on Christmas Eve, New Year's Eve, New Year's Day, Cup Day and St Patrick's Day in each of those areas which have liquor bans not currently covering those days and times.*

The motion was seconded by Councillor Keown and on being put to the meeting was declared **carried** on electronic vote No. 3 by 10 votes to 2, the voting being as follows:

**For (10):** The Mayor and Councillors Beck, Broughton, Button, Carter, Chen, Corbett, Keown, Livingstone and Reid.

**Against (2):** Councillors Johanson and Wells.

**14. NOTICES OF MOTION**

Nil.

**15. RESOLUTION TO EXCLUDE THE PUBLIC**

At 1.25pm it was **resolved** on the motion of the Mayor, seconded by Councillor Button, that the resolution to exclude the public set out on pages 263 and 264 of the agenda be adopted.

**20. CONCLUSION**

The meeting concluded at 2.25pm.

**CONFIRMED THIS 23<sup>RD</sup> DAY OF AUGUST 2012**

**MAYOR**

ATTACHMENT 1 TO CLAUSE 9

CONDITIONS

1. Except as modified by the following conditions, the development shall proceed in accordance with the information submitted with the application on 21 July 2011, additional information submitted on 25 August 2011 and 27 October 2011, and the plans (including landscape plan and site plan showing signalisation of the intersection) entered into Council records as RMA92018510 (154 pages).
- ~~2. Activities on site shall not commence until the Deans Avenue / Riccarton Road intersection is signalised. **[Deleted by Council Resolution - 26 July 2012.]**~~
3. The proposed landscaping shall be established in accordance with the landscaping plans submitted and now labelled RMA92014430/10-11 in Council records.
4. In the future the landscaping on the corner of Riccarton Road and Deans Avenue may need to change subject to the future signalisation and layout design of the intersection. At that time a further landscape plan shall be submitted to the Council for the approval of Council's Senior Landscape Architect to establish similar landscaping to that shown on the landscape plan by Goom Landscapes approved in this consent.
5. Proposed planting of specimen trees and large shrub species shall be as per the landscape plan submitted and now labelled RMA92018510/approved plan 13 and once established must be allowed to grow to their full natural height.
6. Low level planting near the intersection of Riccarton Road and Deans Avenue is to be maintained at a max height of 1m to maintain visibility for motorists at the intersection.
7. An additional Fastigated Tulip Tree shall be provided along the northern boundary adjacent the Deans Avenue access along the common boundary with 161 Deans Avenue. The Fastigated Tulip Trees in this location shall number three in total and shall be planted at 4 metres spacings. Shrubs capable of growing to 2.5m in height at maturity shall be interplanted between the trees along the length of this boundary.
8. All required landscaping shall be provided on site within 6 months of the construction work being completed on site.
9. All landscaping required for this consent shall be maintained. Any dead, diseased, or damaged landscaping is to be replaced immediately with plants of a similar species.
10. Landscaping strips or planting protection areas adjacent to or within a car parking area shall be provided with wheel stop barriers to prevent damage from vehicles. Such wheel stop barriers shall be located at least 1 metre from any tree.
11. The car parking on the site shall be marked out as per the site plan numbered RMA92018510/approved plan 13 and in full accordance with Standard AS/NZS2890:1:2004.
12. Car parking spaces for the exclusive use of staff employed on the site are to be permanently marked and signed on site for staff use only. Tandem spaces on site are to be marked out for staff use only and associated with the same site occupant.
13. The disabled parking as shown on the site plan numbered RMA92018510/approved plan 10 shall be permanently marked and signed on site for disabled use only.
14. Two cycle parking spaces should be provided adjacent to the café.
15. The two car parking spaces towards the northwest corner of the site adjacent the entrance from Darvel Street shall be removed in order to provide increased queuing space and shall be marked out on site as no parking areas or alternatively additional landscaping can be provided in space of these two car spaces.

**COUNCIL 26. 7. 2012**

- 7 -

16. An easement shall be created in favour of Council for rights of access by public on foot and network utilities, including street lights, as a result of the footpath alignment being located on private property.
17. The café shall operate only between the hours of 0700 to 2300 Monday to Friday and 0800 to 2300 Saturday, Sunday and public holidays, with the exception of after hours cleaning and maintenance.
18. There shall be no sale of liquor from the café unless further resource consent is granted for the sale of liquor from the café.
19. Deliveries and rubbish removal from the site shall be restricted to the hours of 0700 to 2200.
20. All security lights shall be directed into the site and away from neighbouring properties, and shall comply with the Council's City Plan glare standards Volume 3, Part 11, Section 2.3.2.
21. A 2 metre high acoustic fence of solid construction is to be constructed along the full length of the northern boundary of the properties at 4 Riccarton Road and 159 Deans Avenue prior to occupation of any of the buildings.
22. All construction work on the site shall be designed and conducted to ensure that construction noise from the site does not exceed the noise limits in the following table. Sound levels shall be measured and assessed in accordance with the provisions of NZS 6803:1999 Acoustics – Construction noise.

Time Period	Weekdays (dBA)		Saturdays (dBA)		Sundays and Public Holidays (dBA)	
	L <sub>eq</sub>	L <sub>max</sub>	L <sub>eq</sub>	L <sub>max</sub>	L <sub>eq</sub>	L <sub>max</sub>
0630 – 0730	60	75	45	75	45	75
0730 – 1800	75	90	75	90	55	85
1800 – 2000	70	85	45	75	45	75
2000 – 0630	45	75	45	75	45	75

**Advice Notes:**

(i) Monitoring

- The Council will require payment of its administrative charges in relation to monitoring, as authorised by the provisions of section 36 of the Resource Management Act 1991. At present the monitoring charges include:
- A monitoring fee of \$137.00 to cover the cost of setting up a monitoring programme and carrying out two site inspections to ensure compliance with the conditions of this consent; and
- Time charged at an hourly rate where additional monitoring is required.

(ii) Development Contribution

Please note that a development contribution will be required under the Development Contributions Policy 2009-19 (DCP). The Council requires Development Contributions to be paid prior to the issue of the Code Compliance Certificate for a building consent, the commencement of a resource consent, the issue of a section 224 certificate for a subdivision consent, or authorisation of a service connection. The contributions are defined in the **Council's Development Contributions Policy 2009-19**, which has been established under the Local Government Act 2002, and is included in the Long Term Council Community Plan (LTCCP). If you have any queries in relation to this matter, please contact one of our Development Contribution Assessors: Emily Taylor on 941-8158 or Tracey Atherton on 941-6272.

**COUNCIL 26. 7. 2012**

- 8 -

- (iii) The proposal shall comply with the Council's Proposed City Plan noise standards Volume 3, Part 11, Section 1.3 in relation to any air-conditioners and associated equipment on site.