

Christchurch City Council
MINUTES

Date: Thursday 11 April 2019
Time: 9.33am
Venue: Council Chambers, Civic Offices,
53 Hereford Street, Christchurch

Present

Chairperson	Mayor Lianne Dalziel
Deputy Chairperson	Deputy Mayor Andrew Turner
Members	Councillor Vicki Buck
	Councillor Jimmy Chen
	Councillor Phil Clearwater
	Councillor Pauline Cotter
	Councillor Mike Davidson
	Councillor David East
	Councillor Jamie Gough
	Councillor Yani Johanson
	Councillor Aaron Keown
	Councillor Glenn Livingstone
	Councillor Raf Manji
	Councillor Tim Scandrett
	Councillor Deon Swiggs
	Councillor Sara Templeton

11 April 2019

Principal Advisor

Brendan Anstiss
General Manager Strategy and Transformation
Tel: 941 8999

Jo Daly
Council Secretary
941 8581
jo.daly@ccc.govt.nz
www.ccc.govt.nz

The agenda was dealt with in the following order.

1. Apologies

Council Resolved CNCL/2019/00047

That the apology received from Councillor Galloway for absence, the apology from Councillor Gough for lateness, the apologies for early departure from the Mayor and Councillor Davidson and the apology for temporary absence from Councillor Manji be accepted.

Councillor Chen/Councillor East

Carried

2. Declarations of Interest

- Councillor Manji declared an interest in item 18.
- Councillor Davidson declared an interest in Item 28.

The meeting acknowledged that the Council is a joint winner of the New Zealand Panning Institute Best Practice Consultation and Participation Strategies and Processes Award for the Whaka-Ora Healthy Harbour, Whakaraupō Catchment Management Plan.

3. Public Participation

3.1 Public Forum

3.1.1 Seafarers' Welfare Board for New Zealand

Reverend John McLister, Chairperson and Reverend Lance Lukin representing the Seafarers' Welfare Board for New Zealand presented to the Council.

Councillor Manji left the meeting at 9.38am during item 3.1.1 and returned to the meeting at 9.45am during item 3.2.1.

Councillor Gough joined the meeting at 9.47am during item 3.2.1.

3.2 Deputations by Appointment

3.2.1 Extinction Rebellion Ōtautahi Christchurch

Julie Downard from Extinction Rebellion Ōtautahi Christchurch presented a deputation to the Council on item 21. Climate Change Programme Update.

3.2.2 Christchurch School Strike 4 Climate Team

Mia Sutherland and Ciara Foley from the Christchurch School Strike 4 Climate Team presented a deputation to the Council on item 21. Climate Change Programme Update.

3.2.3 Community Action on Youth and Drugs

Paul McMahon and Claire Rumba from Community Action on Youth and Drugs presented a deputation to the Council on item 17. Proposed Temporary Alcohol Bans at Rugby League Playing Fields for the 2019 season.

4. Presentation of Petitions

There was no presentation of petitions.

38. Resolution to Include Supplementary Reports

Council Resolved CNCL/2019/00048

That the reports be received and considered at the Council meeting on Thursday 11 April 2019.

Open Items

39. Lyttelton Seafarers Welfare
40. Mayor's Monthly Report - March 2019
41. Tuam Street at Justice Precinct Entrance
42. Local Government New Zealand 2019 Remits

Public Excluded Items

43. 15 March 2019 Incident Response
44. Christchurch Adventure Park Update March 2019

Mayor/Deputy Mayor

Carried

5. Council Minutes - 28 March 2019

Council Resolved CNCL/2019/00049

That the Council confirm the Minutes from the Council meeting held 28 March 2019.

AND

That the Council receives the Minutes from the Social, Community Development and Housing Committee meeting held 3 April 2019.

AND

That the Council receives the Minutes from the Regulatory Performance Committee meeting held 3 April 2019.

AND

That the Council receives the Minutes from the Health, Safety and Wellbeing Committee meeting held 15 March 2019.

AND

That the Council receives the Minutes from the Innovation and Sustainable Development Committee meeting held 27 March 2019.

Mayor/Deputy Mayor

Carried

**16. Social, Community Development and Housing Committee Minutes -
3 April 2019**

Council Decision

Refer to item 5.

19. Regulatory Performance Committee Minutes - 3 April 2019

Council Decision

Refer to item 5.

20. Health, Safety and Wellbeing Committee Minutes - 15 March 2019

Council Decision

Refer to item 5.

**22. Innovation and Sustainable Development Committee Minutes - 27 March
2019**

Council Decision

Refer to item 5.

Councillor Buck left the meeting at 10.11am during discussion on item 6.

David Cartwright, Deputy Chairperson and Maryanne Lomax, Community Governance Manager joined the table for item 6.

**6. Waimāero/Fendalton-Waimairi-Harewood Community Board Report to
Council - March 2019**

Council Resolved CNCL/2019/00050

That the Council:

1. Receive the Waimāero/Fendalton-Waimairi-Harewood Community Board report for March 2019.

Councillor Gough/Councillor Keown

Carried

Councillor Buck returned to the meeting at 10.26am during discussion on item 7.

Helen Broughton, Deputy Chairperson and Matthew Pratt, Community Governance Manager joined the table for item 7.

7. Waipuna/Halswell-Hornby-Riccarton Community Board Report to Council
Council Resolved CNCL/2019/00051

That the Council:

1. Receive the Waipuna/Halswell-Hornby-Riccarton Community Board report for March 2019.

Councillor Chen/Councillor Johanson

Carried

Councillor Manji left the meeting at 10.30am during discussion on item 8.

Councillor Gough left the meeting at 10.33am and returned at 10.37am during discussion on item 8.

Sally Buck, Chairperson and Jo Wells, Community Governance Manager joined the table for item 8.

8. Waikura/Linwood-Central-Heathcote Community Board Report to Council
- March 2019

Council Resolved CNCL/2019/00052

That the Council:

1. Receive the Community Board report for March 2019.

Councillor Johanson/Councillor Templeton

Carried

Ali Jones, Chairperson and Christine Lane, Community Governance Manager joined the table for item 9.

9. Waipapa/Papanui-Innes Community Board Report to Council
Council Resolved CNCL/2019/00053

That the Council:

1. Receive the Community Board report for March 2019.

Councillor Davidson/Councillor Cotter

Carried

Councillor Cotter left the meeting at 10.56am and returned at 10.58am during discussion on item 10.

Karolin Potter, Chairperson, Melanie Coker, Deputy Chairperson and Chris Turner-Bullock, Community Governance Manager joined the table for item 10.

10. Waihoru/Spreydon-Cashmere Community Board Report to Council

Council Resolved CNCL/2019/00054

That the Council:

1. Receive the Community Board report for March 2019.

Councillor Clearwater/Councillor Scandrett

Carried

Councillor Keown left the meeting 11.02am and returned at 11.05am during discussion on item 11.

Pam Richardson, Chairperson, Tyrone Fields, Deputy Chairperson and Joan Blatchford, Community Governance Manager joined the table for item 11.

11. Te Pātaka o Rākaihautū/Banks Peninsula Community Board Report to Council

Council Resolved CNCL/2019/00055

That the Council:

1. Receive the Community Board report for February and March 2019.

Deputy Mayor/Councillor Keown

Carried

Councillor Manji returned to the meeting at 11.12am during discussion on item 12.

Kim Money, Chairperson and Jo Wells, Community Governance Manager joined the table for item 12.

12. Waitai/Coastal-Burwood Community Board Report to Council

Council Resolved CNCL/2019/00056

That the Council:

1. Receive the Community Board report for March 2019.

Councillor Livingstone/Councillor East

Carried

The meeting adjourned at 11.21am and reconvened at 11.35am. Councillors Gough and Turner were not present at this time.

Report from Linwood-Central-Heathcote Community Board - 20 March 2019

13. 140 Main Road, Redcliffs - Name and Landscape Plan for New Park

Council Resolved CNCL/2019/00057

That Council:

1. Adopt the name Te Papa Kura Redcliffs Park for the new park on the site of the former Redcliffs School, 140 Main Road, Redcliffs.
2. Liaise with Land Information New Zealand regarding the potential of residential red zone" land in Raekura Place with the view of providing vehicle access to the community building in the southern part of the new park.

Councillor Templeton/Councillor Swiggs

Carried

Councillors Gough and Turner returned to the meeting at 11.37am during discussion on item 14.

Report from Coastal-Burwood Community Board - 4 March 2019

14. Recently vested reserves through subdivisions - names and classifications

Council Resolved CNCL/2019/00058

That the Council:

1. Approve the proposed names as listed below

Proposed Name	Legal Description	Reserve Classification
Aopori 1 Drainage Reserve	Lot 3002 DP 486184	Local Purpose (Utility) Reserve
	Lot 3503 DP 495865	Local Purpose (Utility) Reserve
Aopori 2 Drainage Reserve	Lot 3086 DP 520200	Local Purpose (Utility) Reserve
	Lot 3032 DP 494177	Local Purpose (Utility) Reserve
Aopori Reserve	Lot 3105 DP 520200	Recreation Reserve
Arokehe Reserve	Lot 3106 DP 520200	Recreation Reserve
Georgina 1 Drainage Reserve	Lot 3031 DP 500584	Local Purpose (Utility) Reserve
Georgina 2 Drainage Reserve	Lot 3008 DP 500854	Local Purpose (Utility) Reserve
Goodmans Drain	Lot 3 DP 488684	
Inanga 1 Drainage Reserve	Lot 3097 DP 520200	Local Purpose (Utility) Reserve
Inanga 2 Drainage Reserve	Lot 3080 DP 520200	Local Purpose (Utility) Reserve
Karere Drainage Reserve	Lot 101 DP 509577	Local Purpose (Utility) Reserve
Kowaro Drainage Reserve	Lot 3098 DP 520200	Local Purpose (Utility) Reserve

	Lot 3087 DP 520200	Local Purpose (Utility) Reserve
Kowaro Reserve	Lot 3081 DP 520200	Recreation Reserve
	Lot 3107 DP 520200	Recreation Reserve
Leader Drainage Reserve	Lot 3071 DP 512762	Local Purpose (Utility) Reserve
Mara Drainage Reserve	Lot 3092 DP 509330	Local Purpose (Utility) Reserve
	Lot 3095 DP 512762	Local Purpose (Utility) Reserve
	Lot 3093 DP 509330	Local Purpose (Utility) Reserve
Mara Reserve	Lot 3096 DP 512762	Recreation Reserve
Marshland Domain (extension)	Lot 3502 DP 495865	Recreation Reserve

2. Approve the proposed classification of the reserves in accordance with the Reserves Act 1977 section 16(2A), as specified above.

Councillor Livingstone/Councillor Scandrett

Carried

Councillor East left the meeting at 12 noon during discussion on item 39.

Report from Banks Peninsula Community Board - 4 February 2019

39. Lyttelton Seafarers Welfare

Council Resolved CNCL/2019/00059

That the Council:

1. Formally request that the Lyttelton Port Company fund the Lyttelton Seafarers' Centre.
2. Request that the Mayor meet with the Chair of Lyttelton Port Company to discuss ongoing options for the funding of the Lyttelton Seafarers' Centre.
3. Request Christchurch City Holdings Limited to engage with Lyttelton Port Company on options for the ongoing financial support of the Lyttelton Seafarers' Centre and report back to the Banks Peninsula Community Board and Council.

Mayor/Deputy Mayor

Carried

Report from Social, Community Development and Housing Committee - 3 April 2019

15. Art in Public Places : Installation of artwork in Rauora Park

Council Resolved CNCL/2019/00060

That Council:

1. Agree to the permanent installation of *Vaka 'A Ahina* subject to the following:
 - a. All necessary consents and approvals are obtained and provided by SCAPE Public Art.
 - b. SCAPE Public Art confirms that all funding is in place, including funding for the first 12 months maintenance period.
 - c. Future maintenance costs for *Vaka 'A Ahina* are included for consideration in the draft 2019/20 Annual Plan
 - d. A condition report and long term maintenance and engineering plans are provided.
 - e. As part of the gifting process, Council's requirements shall be addressed in a 3 way contract agreement between SCAPE, the Artist and Council.
 - f. Note that the Tongan Community were involved at the launch.

Councillor Clearwater/Councillor Keown

Carried

Report from Regulatory Performance Committee - 3 April 2019

17. Proposed Temporary Alcohol Bans at Rugby League Playing Fields for the 2019 Season

Council Resolved CNCL/2019/00061

That the Council:

1. Notes that the temporary ban will complement the local clubs non-regulatory alcohol management measures designed to ensure the safety of park users including spectators, players, and volunteer officials during rugby league games and training.
2. Resolves to impose under clause 5 of the Christchurch City Council Alcohol Restrictions in Public Places Bylaw 2018 temporary alcohol ban areas for designated playing fields and associated car parks, changing sheds, and playground areas (**see Attachment 2 - List of proposed ban areas**) as follows:
 - a. The temporary alcohol ban areas will apply during the periods that the fields are being used for rugby league training and games.
 - b. Between 3pm to 8.30pm Monday to Friday and between 9am to 6pm on Saturday and Sunday of each week from the date of the decision of Council to 31st August 2019.
3. Resolves that it is satisfied that:
 - a. With respect to the areas to which the proposed temporary alcohol ban will apply, there is a high level of crime or disorder that has been caused or made worse by alcohol consumption; and
 - b. the alcohol ban areas:
 - i. Are appropriate and proportionate in the light of the evidence; and
 - ii. Can be justified as a reasonable limitation on people's rights and freedoms.
4. Requests that Sports and Recreation staff work with Canterbury Rugby League to ensure that the conditions on alcohol-free playing fields referred to in Council and CRL agreements are communicated to all member clubs.
5. Requests policy staff review the effectiveness of the temporary alcohol ban area and to report back to the Council by December 2019 with recommendations as to whether (or not) the Alcohol Restrictions in Public Places Bylaw 2018 should be amended to include a permanent ban area for designated fields during the rugby league season.

Councillor Gough/Councillor Scandrett

Carried

Report from Regulatory Performance Committee - 3 April 2019

18. Potential Changes to the District Plan - Section 71 Opportunities

Council Resolved CNCL/2019/00062

That the Council:

1. Agree to initiate a process to request the Minister to use section 71 of the Greater Christchurch Regeneration Act 2016 to amend the Christchurch District Plan for the two issues discussed in this report.
2. Request the Chief Executive to prepare draft proposals for the Minister's use of section 71 to amend the District Plan, and report directly to Council prior to engagement with strategic partners.
3. Note that staff will engage with the relevant Community Boards and affected stakeholders in developing the proposals.

Councillor Gough/Councillor Templeton

Carried

Councillors Manji, Swiggs and Turner declared an interest and took no part in the discussion or voting on this item.

Report from Innovation and Sustainable Development Committee - 27 March 2019

21. Climate Change Programme Update

Council Resolved CNCL/2019/00063

That the Council:

1. Receive and note the information in the report
2. Form a working group of Councillors Buck, Chen, Cotter, Davidson, Livingstone and Templeton, to be chaired by Councillor Templeton, to support the climate change strategy and action plans reporting back to the Innovation and Sustainable Development Committee.
3. Recognising the urgency of the climate crisis, establish by September 2019 a net carbon neutral target for Christchurch as a whole.

Councillor Buck/Councillor Davidson

Carried

Councillor Gough left the meeting at 12.33pm and returned at 12.34pm during discussion on item 24.

24. Water Supply Improvement Programme - update

Council Resolved CNCL/2019/00064

That the Council:

1. Notes the progress with the well head security improvement programme.

Mayor/Councillor Livingstone

Carried

23. Options for addressing water quantity and quality for Christchurch groundwater

Council Resolved CNCL/2019/00065

That the Council:

1. Receive the information in this report and notes the options available to Council.
2. Invite the Minister for the Environment, Hon. David Parker, for a discussion on water issues as a follow up to the Water Forum discussions held 15 February 2019.
3. Write to the Minister for the Environment, Hon. David Parker, to request that work on the National Environmental Standard for Sources of Human Drinking Water, be hastened and broadened to include both the quality and quantity of drinking water, particularly for groundwater sources.
4. Continue to engage with Environment Canterbury Councillors on an urgent plan change to a more clearly defined groundwater allocation regime for Christchurch West-Melton as soon as possible.

Councillor Buck/Councillor Cotter

Carried

Council Resolved CNCL/2019/00066

5. Requests staff to further investigate the merits of a Water Conservation Order for the preservation of deep aquifer(s) and report to Council by September 2019 with options for an application for a Water Conservation Order and assessment of the technical and planning pros and cons of those options, including any impacts on water extraction for community purposes.

Councillor Buck/Councillor Cotter

Carried

Councillors Davidson, Gough, Keown, Manji, Scandrett and Templeton requested that their votes against resolution 5. be recorded.

The meeting adjourned at 1.16pm and reconvened at 2.02pm. Councillor Gough was not present at this time.

Councillor Gough returned to the meeting at 2.03pm during discussion on item 25.

25. Community Resilience Partnership Fund

Council Resolved CNCL/2019/00067

That the Council:

1. Makes a grant of \$31,000 to Heathcote Valley Community Association from the Community Resilience Partnership Fund for Year One of the Community Centre Activator initiative.
2. Subject to the return of a satisfactory monitoring report, the Council makes a grant of \$31,000 to Heathcote Valley Community Association from the Community Resilience Partnership Fund for Year Two of the Community Centre Activation initiative.

Councillor Templeton/Councillor Scandrett

Carried

26. 2018/19 Metropolitan Discretionary Response Fund

Council Resolved CNCL/2019/00068

That the Council:

1. Approves a grant of \$13,500 from its 2018/19 Metropolitan Discretionary Response Fund to Aviva Charitable Trust towards Creating Child Protection Champions in our Local Communities for wages and operational costs.

Councillor Keown/Councillor Clearwater

Carried

27. Local Government New Zealand 2019 Conference and Awards

Council Resolved CNCL/2019/00069

That the Council:

1. Agree that the Deputy Mayor, and other elected members as agreed by the Mayor and Deputy Mayor after consultation with other elected members, attend the Local Government New Zealand 2019 Conference and Awards in Wellington from 7 July to 9 July 2019.
2. Appoint the Deputy Mayor as the presiding voting delegate, and delegate to the Mayor and Deputy Mayor to appoint the alternative delegate and other delegates to attend the Annual General Meeting on 7 July 2019.
3. Authorise Alexandra Davids, the Zone 5 Community Board representative on the Community Board Executive Committee and the Zone 5 Young Elected Member, to attend the Local Government New Zealand 2019 conference and that the Council pay her registration and associated attendance costs.

Councillor Gough/Councillor East

Carried

42. Local Government New Zealand 2019 Remits

Council Resolved CNCL/2019/00070

That the Council:

1. Confirms that it wishes to submit remits to the Local Government New Zealand Annual General Meeting on 7 July 2019 on:
 - a. The regulation of short-term guest accommodation
 - b. The drinking water standard for nitrate
 - d. A beverage and/or container deposit scheme.
2. Requests staff to provide additional advice as required to support the above remits
3. Delegates to the Mayor and Deputy Mayor the decisions about the finalisation and submission of the proposed remits to Local Government New Zealand.
4. Requests that the Mayor write to the Minister of Transport expressing the Council's view on the introduction of a 30km school speed zone for national implementation.

Councillor Swiggs/Councillor Cotter

Carried

29. Chief Executive's Report - March 2019

Council Resolved CNCL/2019/00071

That the Council:

1. Receive the report.
2. Write to the Associate Minister for the Environment in order to promote a container deposit scheme in line with our remit to the Local Government New Zealand Conference.

Councillor Chen/Councillor Keown

Carried

40. Mayor's Monthly Report - March 2019

Council Resolved CNCL/2019/00072

That the Council:

1. Receive the information in this report.
2. Agree that the delegations to the Finance and Performance Committee of the Whole be kept under review to reflect that it is now a committee of the whole, and make the following changes:
 - a. Delegates to the Finance and Performance Committee of the Whole authority to exercise all of the Council's powers under section 17A of the Local Government Act 2002, relating to service delivery reviews and decisions not to undertake a review.
 - b. Delegates to the Finance and Performance Committee of the Whole authority to exercise all of the Council's powers in relation to development contributions, other than those delegated to the Chief Executive and Council officers as set out in the Council's Delegations Register.
 - i. Any single development contribution rebate in excess of \$1,000,000
 - ii. Any application for a remission of development contribution charges as provided for in the Council's Development Contributions Policy in effect at the time
 - iii. Any increase in development contributions charges as provided for under section 106 (2A - C) of the Local Government Act 2002
 - iv. Any change to the schedule of assets for which development contributions are charged as provided for under section 201A(5) of the Local Government Act 2002.
3. Refer the open letter from the Youth of Aotearoa to the Innovation and Sustainability Committee and ask staff to provide a background information to support the Committee's consideration of the letter from the Youth.

Councillor Davidson/Councillor Gough

Carried

28. Hearings Panel Report on the Proposal for the Baches on Unformed Legal Road at Taylors Mistake, Boulder Bay and Hobsons Bay

Council Resolved CNCL/2019/00073

That the Council:

1. Notes:
 - a. The public submissions received and heard on the proposal for baches on unformed legal road at Taylors Mistake, Boulder Bay and Hobsons Bay (the “baches”); and
 - b. The desire to enable retention of the baches of heritage value; and
 - c. The affected land is publicly owned legal road; and
 - d. The staff advice concerning the appropriateness of granting licences on legal road relative to the right of the public to access the legal road; and
 - e. The staff advice on natural hazards and mitigation; and
 - f. The grant of licences transfers an interest in public land to private individuals; and
 - g. That in the absence of appropriate licence terms, the grant of a licence for a structure on public land may significantly increase the market value of the licensees’ occupation of public land; and
 - h. Any new process for a further licensing term will require subsequent Council decision. There is no delegation to staff to surrender and grant new licences or issue any extension of licence term; and
 - i. That under the Christchurch District Plan the total number of baches must not exceed 45 at any time.
2. Approves, in respect of baches currently assessed by the Council’s geotechnical experts as being subject to low risks from slope instability hazard, that a ground licence to occupy the unformed road be offered to the individual bach-owners as soon as practically possible following the date of this resolution.
3. Approves, in respect of baches where there is a moderate to high slope instability hazard present , being bach numbers 1, 2, 4, 8, 9, 10, 30, 31, 32, 62, 63, 64, 67 and 68, that a ground licence to occupy the unformed road be offered to the individual bach-owners as soon as practically possible following the date that the bach-owner affected satisfies the Council that the relevant natural hazards have been reassessed or mitigated in accordance with the following standards:
 - a. The risk is certified as being acceptable in the manner required by rule 5.6.1.2 of the District Plan; or
 - b. Hazard mitigation works are consented under the District Plan and implemented.
4. Approves in respect of the baches referred to in resolution 3, where such bach-owner intends to either seek certification of acceptability (i.e. refer resolution 3(a)) or to mitigate the natural hazards affecting their bach (i.e. refer resolution 3(b)), the grant of a temporary ground licence to occupy the unformed road on the following basis:
 - a. it be for a term expiring on that date being 2 years from the date this resolution is adopted by the Council (or such extended date as referred to in resolution 6); and

- b. such licence to permit the location and maintenance of the bach on legal road pending completion of the mitigation works or reassessment; and
 - c. no residential occupation be permitted in respect of baches where there is a high slope instability hazard present, being bach numbers 1, 2, 10, 31, 32, 62, 63, 64, 67 and 68; and
 - d. temporary residential holiday occupation on a casual (non-permanent) basis be permitted (that prohibits use as a principal place of residence) in respect of baches where there is a moderate slope instability hazard present, being bach numbers 4, 8, 9 and 30, subject to the further limitations that the bach:
 - i. may only be occupied for a maximum of 10 nights per annum; and
 - ii. may not be let; and
 - e. the applicable licence fee shall be nil; and
 - f. the other terms of resolution 7 not covered above to apply to such licences.
5. Approves, where the mitigation works referred to in resolution 4 involves Council-owned land, the grant of a licence to allow those mitigation works to be situated on that Council land subject to:
- a. where the affected land is legal road, the Council being satisfied that such works would not unreasonably interfere with the public's right to use the road; and
 - b. all other legal obligations being complied with; and
 - c. the Council being satisfied as a landowner (not as a regulator) that the proposed works are appropriate or acceptable; and
 - d. the term to be 35 years; and
 - e. the applicable licence fee to be nil; and
 - f. such other terms to apply as determined by the Chief Executive.
6. Resolves that the owners of baches 1, 2, 4, 8, 9, 10, 30, 31, 32, 62, 63, 64, 67 and 68, where there is a moderate to high slope instability hazard present, must satisfy the Council as landowner under resolution 3 within 2 years of the date this resolution is adopted by the Council (or such later date as the Chief Executive shall determine if the bach owner has made reasonable progress towards completing the mitigation work).
7. Resolves that the terms and conditions to apply to licences issued as a result of resolutions 2 or 3 above shall be as follows:
- a. Term - for a single fixed term of 35 years.
 - b. Permitted Use - temporary residential holiday occupation on a casual (non-permanent) basis, and not as a principal place of residence. Casual holiday letting for a maximum of 20 nights per annum is permitted.
 - c. Licence Area - the footprint only of the bach building and any deck or ancillary structure (excluding fences) existing as at 1 January 2019.
 - d. Licence Rent Formula - based on market rent as assessed by registered valuers Telfer Young (based on the principles specified in their report). This is a "gross" rent i.e. all inclusive, there are no other costs or outgoings that are recoverable in addition to the rent. Rents are to be reviewed 5 yearly to market as assessed by an independent registered valuer appointed by the Council.

- e. Transferable Ownership Rights - that the following controls on transferability of the licence shall apply:
 - i. That the Licensee (from time to time) may not transfer the licence to any person other than a member of the Licensee's family;
 - ii. That the written consent of the Council as licensor will be required to every transfer, such consent not to be unreasonably withheld;
 - iii. If the Licensee shall have no family, or no family who wish to accept a transfer of the licence, then the Licensee shall be required to offer to surrender the licence to the Council. If the Council accepts such surrender then it will pay to the outgoing Licensee a sum equal to the replacement cost less depreciation of the bach and associated structures at the point in time of transfer as determined by a registered valuer appointed by the Council. No other sum shall be payable to the Licensee;
 - iv. For the purposes of this resolution:
 - (A) "family" means the Licensee's-
 - (I) spouse or partner;
 - (II) children;
 - (III) grandchildren;
 - (IV) siblings; and
 - (V) if the Licensee at the commencement of the Licence is a trust, then any spouse, partner, child, grandchild or sibling of the person(s) who originally established the trust.
 - (B) "transfer" means - any transaction that has the intention or effect of transferring either the beneficial or legal ownership of the bach or the right to occupy the bach to a person other than the Licensee, including, but not limited to, any assignment or sublicense. "Transfer" does not include casual holiday letting in accordance with Resolution 7(b).
- f. Maintenance Obligations - that the Licensee be required to maintain the bach, other structures and immediate surrounds in good condition, in keeping with the heritage values present and in compliance with the District Plan.
- g. Additions and Alterations - any additions and alterations must be in keeping with the heritage values present and will require Council consent as landowner in addition to the obtaining of any regulatory consents.
- h. Destruction or Damage - where this occurs that causes the heritage values to be substantially lost or renders the bach to be uninhabitable the licence shall be automatically cancelled and the Licensee shall remove the remains of the bach at the Licensee's expense (if required by the Council).
- i. Public Liability Insurance - The licence contains an obligation to hold public liability insurance policy for not less than \$2million on terms and conditions acceptable to the Council.
- j. Hazards - The licence to include the provisions recording:
 - i. the provision by the Council to the bach-owner of the available information relating to the natural hazards affecting their bach;

- ii. an acknowledgment by the bach-owner that they have entered into the licence having received that information and based on their own enquiries;
 - iii. to the maximum extent permitted by law, the bach-owner is not to be entitled to make any claims against the Council arising in respect of any matter relating to such natural hazards affecting their bach (including, but not limited to, the presence of such natural hazards or any damage or harm caused to the bach-owner's bach or other property by such natural hazards);
 - iv. allowing the Council to cancel the licence if the Council forms the view, acting reasonably, that the natural hazards affecting the bach discontinue at any time to be mitigated in accordance with the standards referred to in resolution 4 above or the risk increases.
 - k. Other standard provisions - such other standard provisions as the Chief Executive shall consider appropriate or necessary in their discretion.
8. Approves, where a licence referred to in resolution 3 or 4 (as applicable) is not granted or accepted, and the affected bach is of high heritage value, the grant of a ground licence to occupy the unformed legal road to such person, trust or entity as the Chief Executive shall approve on the following basis:
 - a. It be for a term of 35 years;
 - b. Permitted Use - such licence to permit the location, restoration and maintenance of the bach on legal road and the use of the bach for Museum purposes;
 - c. No residential or overnight occupation to be permitted;
 - d. The applicable licence fee to be nil; and
 - e. The other terms of resolution 7 not covered above shall apply to such licences, with the exception of 7(e) (with full uncontrolled transferability being applicable) and 7(g) (with no alterations or additions permitted).
9. Approves that the rent received from the licensing of the baches be managed as a special fund to provide for amenity, environmental and heritage enhancements in the local area including potential purchase of baches, a public toilet at Boulder Bay, track signage and interpretation boards, predator control and native plantings - staff to work through proposals to use the funds with the local Community Board and stakeholders.
10. Requests that staff investigate track signage in the area and opportunities for improvement of this, including for the high tide track to Hobsons Bay and the track in front of Rotten Row, as a matter of priority.
11. Delegates the Chief Executive authority to implement the above resolutions and to do all things necessary and take such steps as they shall consider appropriate in their discretion to give effect to the same, including entering into licences on behalf of the Council, with the exception of the matter referred to in resolution 5(c), which shall be referred to the Rockfall Protection Structures Committee of Council for decision.
12. Delegates and requests that the Chief Executive take enforcement action to require removal of any bach, and to bring an end to residential use of any bach, that is not authorised by a licence issued pursuant to the above resolutions.
13. That the Council discharge the Taylors Mistake Baches Working Party, acknowledging that its work has been completed.

Councillor Johanson requested that his votes against resolutions 7.a. and 7.e. be recorded.

Councillor East requested that his votes against resolutions 3., 4.b., 4.c., 6 and 7.h be recorded.

Councillor Davidson declared an interest and took no part in the discussion or voting on this item.

Councillor Chen left the meeting at 3.17pm and returned at 3.20pm during discussion on item 41.

Councillor Gough left the meeting at 3.30pm and returned ay 3.35pm during discussion on item 41.

Report from Infrastructure, Transport and Environment Committee - 13 March 2019

41. Tuam Street at Justice Precinct Entrance

Council Resolved CNCL/2019/00074

That the Council:

1. Approves the installation of the detector activated illuminated warning signage on Tuam Street at the accessway to the Justice and Emergency Services Precinct.
2. Approves the improvement of the existing advance signage on the cycleway that warns cyclists of turning vehicles.
3. Approves the installation of supplementary signage to the existing Give Way sign for vehicles that states “turning traffic give way to cyclists” in accordance with clause 4.1 of the Land Transport (Road User) rule 2004.

Councillor Cotter/Councillor Davidson

Carried

Councillors East, Keown, Manji, Scandrett and Swiggs requested that their votes against the resolutions be recorded.

Councillor East left the meeting at 3.51pm during item 30 and returned at 3.53pm in public excluded session.

Councillor Manji left the meeting at 3.51pm during item 30 and returned 3.59pm in public excluded session.

30. Resolution to Exclude the Public

Council Resolved CNCL/2019/00075

That Peter Callander, Technical Director Water Resources at Pattle Delamore Partners Ltd remain after the public have been excluded for item 36. Funding Issues of the public excluded agenda as he has knowledge that is relevant to that item and will assist the Council.

AND

That Rob Hall, Chief Executive and Joel Lieschke from Development Christchurch Ltd and Paul Munro and Leah Scales from Christchurch City Holdings Ltd remain after the public have been excluded for Item 44. Christchurch Adventure Park Update March 2019 of the public excluded agenda as they have knowledge that is relevant to that item and will assist the Council.

AND

That at 3.52pm the resolution to exclude the public set out on pages 451 to 453 of the agenda and pages 20 to 21 of the supplementary agenda No 2. be adopted.

Mayor/Deputy Mayor

Carried

45. Procedural Motion

Council Resolved CNCL/2019/00076

At 4.51pm, in public excluded session, the Council resolved to suspend standing order 4.2 relating to the meeting duration to enable the meeting to continue for more than eight hours.

Deputy Mayor/Councillor Scandrett

Carried

The public were re-admitted to the meeting at 5.47pm.

Meeting concluded at 5.48pm.

CONFIRMED THIS 23RD DAY OF MAY 2019

**MAYOR LIANNE DALZIEL
CHAIRPERSON**