

6. STRUCTURES ON STREETS REVIEW

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The purpose of this report is to outline the proposed scope and process of a review of structures on or above streets dealing with existing and proposed policy, guidelines, City Plan Rules, bylaws and licensing.

CONTEXT

The initiative for the proposed review was a Reference to the Environment Court regarding the City Plan rules relating to structures in Special Purpose (Pedestrian Precincts) Zones. After consideration by the City Plan References Subcommittee and subsequently by the Central City Streets Subcommittee in October 2002, it was agreed that a review would assist in the resolution of the Reference and also provide a basis for determining a transparent, consistent approach to Council decision making for structures on streets. This approach was confirmed by the Sustainable Transport and Utilities Committee and Council in November 2002.

CURRENT POLICY

The Council Policy Register identifies a number of current Policies which potentially could relate to the environmental, physical and visual effects of structures on or above streets and should therefore be considered in terms of this review:

- Advertising on Bus Shelters (November 1999/August 2000),
- Airspace over Public Roads - Granting Rights (July 1999),
- Artworks in Public Places (February 2002),
- Bus Passenger Shelters and Seats (May 1993),
- Bus Stop Location Policy (December 1999),
- Equity and Access for People with Disabilities (July 2001),
- Footpath Extensions to Expand Cafes onto the Roadway (March 1998),
- Heritage Conservation Policy (September 1998),
- Public Amenity Signing Policy (May 1992),
- Signboards in Public Places (July 1998),
- Stall Site Licensing Policy (September 1995),
- Stalls in Cathedral Square and City Mall (September/December 1991),
- Tree Planting in Streets (December 1993),
- Structures on Streets (Ramp, Retaining Walls, Garage, Parking Platform Etc) (March 1998).

PROPOSED POLICY

Further policy issues relating to structures on, or above streets are currently proposed, or in draft form:

- Verandas in Central Christchurch (Draft review of roles and current issues, March 2002),
- Street Furniture (Proposed),
- Street Lighting of Pedestrian Areas (Proposed),
- Central City Street Signage (Proposed, including directional, identification and promotional signage structures).

CURRENT BYLAWS

- The Christchurch City General Bylaw (1990, updated 1992)
- The Christchurch City Public Places and Signs Bylaw (1992)

GUIDELINES

- Central City 'Design Opportunities - Designing within the Urban and Architectural Context of the Central City' (2002) - provides a general guide to urban design issues,
- Outdoor Advertising Guidelines (Proposed),
- Commercial Veranda Guidelines (Proposed),
- Street Furniture Guidelines (Proposed).

CHRISTCHURCH CITY PLAN (1995)

Objectives, Policies and Rules relating to:

- Special Purpose (Road) Zones,
- Special Purpose (Pedestrian Precincts) Zones,
- Outdoor Advertising.

PROPOSED SCOPE OF REVIEW

The review should address the issues of structures on streets across the range of current policy, bylaws, guidelines and the City Plan as detailed above, to determine and recommend a consistent, transparent framework for Council decision making. The legal, planning and administrative benefits and dis-benefits of each type of mechanism should be determined so that the most appropriate process is provided for dealing with any specific issue. Duplication and the potential contradiction of policies, controls and decision making mechanisms should be avoided.

ISSUES

- Structures in or above streets - potential range of types of structures to be included.
- Environmental, social and economic effects - range of potential effects including positive and adverse effects with particular consideration of areas of high pedestrian usage.
- Range of controls - to mitigate adverse effects while maintaining activities and initiatives with positive benefits.
- Decision-making processes - types of mechanisms and their legal, planning and administrative effectiveness.

PROCESS

- Implementation - Staging of review by subject, identification and control of effects, determination of decision making methodology, reconciliation of existing controls.
- Public consultation and submissions.
- Review and recommendations.

CONCLUSIONS

The Council has a wide range of powers and processes for decisions regarding structures on streets both as a local territorial authority and as a land owner. These processes have been instigated over time with, in many cases, a lack of consistency in policies, an overlap in the type and extent of control and the mechanisms used to give effect to these controls. A comprehensive review based on a sound policy framework and with public consultation will provide benefits to both the Council and the community.

Staff

- Recommendation:**
1. That the scope of the review of structures on streets include consideration of the objectives, policies, guidelines, bylaws and the City Plan detailed in this report.
 2. That the review give consideration to:
 - (a) The scale and types of structures,
 - (b) The environmental, social and economic effects of the structures and associated activities,
 - (c) The range of appropriate controls.
 3. That the review process includes public consultation.
 4. That the review be staged to consider sets of related structures/activities.
 5. That the review identifies a comprehensive policy framework and provides recommendations on existing and proposed measures that will result in a fair and transparent Council decision process for structures on, or above city streets.

Chairman's

Recommendation:

That the above recommendation be adopted and the review be reported initially to the Central City Streets Subcommittee for subsequent recommendation to the Sustainable Transport and Utilities Committee.