

25. 3. 98

**CENTRAL CITY COMMITTEE  
5 MARCH 1998**

**A meeting of the Central City Committee  
was held on Thursday 5 March 1998 at 4 pm**

**PRESENT:** Councillor Margaret Murray (Chairman),  
The Mayor,  
Councillors Graham Berry, Anna Crighton,  
Newton Dodge, Morgan Fahey, Alister James,  
Charles Manning and Barbara Stewart.

**APOLOGIES:** An apology for lateness was received and accepted  
from Councillor Charles Manning.

The Mayor and Councillor Anna Crighton left at  
4.35 pm and were not present for clauses 3 and 4.

Councillor Graham Berry left at 4.50 pm and was  
not present for clause 4.

Councillor Morgan Fahey left at 5.12 pm and was  
not present for part clause 4.

Councillor Alister James arrived at 4.38 pm and  
was not present for clause 2.

Councillor Charles Manning arrived at 4.54 pm and  
was not present for clauses 2 and 3.

The Committee reports that:

**PART A - MATTERS REQUIRING A COUNCIL DECISION**

- 1. PROPOSED FOOTPATH EXTENSIONS TO EXPAND  
CAFES ONTO THE ROADWAY  
(Item held over from February Council meeting)**

RR 7009

|  |                                 |
|--|---------------------------------|
| <b>Officer responsible</b><br>City Streets Manager | <b>Author</b><br>Peter Atkinson |
| Corporate Plan Output: Customer Services           |                                 |

Central City 5.3.98

- 2 -

**1 Cont'd**

The purpose of this report is to establish a set of criteria to deal with applications to use part of the road carriageway for extensions to the footpath permitting additional outdoor tables and seating in conjunction with open air cafes. A number of applications have been or are about to be received and it is desirable that these applications are treated in a similar manner.

**INTRODUCTION**

A continuing development in the character of the Central City has been the expansion of outdoor dining areas on the footpath. This development started in the City Mall and has extended to Colombo Street ,Oxford Terrace, High Street, Cathedral Square and Hereford Street as businesses have sought to take advantage of the good weather patterns in the City. The scale of these activities ranges from a single table and two chairs to over twenty tables and chairs. The activity on the pavement is generally proportional to the amount of available footpath area.

With the exception of Oxford Terrace, High Street and Colombo Street the width of most of the footpaths, in the areas being used, is approximately 3 metres. In some locations there is additional width in the footpath as a result of the building being set back from the property boundary.

In general a 2 metre wide path is required for the free movement of pedestrians and this leaves limited room for the placement of tables and chairs. The most practical way to extend the area is to use part of the carriageway. In most situations the extension will utilise that part of the road carriageway which is used for parking.

In considering these applications the following matters are to be considered:

- The function of the footpath
- The function of the adjacent roadway
- The character of the street
- Footpath surfacing
- Property zoning
- The loss of on street parking
- Road safety
- The loss of income from parking meters
- The cost of new construction
- Liquor licensing
- Removal costs with changes to the building activity
- Resource consent matters
- Charges for use of the area
- Enforcement and monitoring
- Toilet and other facilities
- Hours of use

Central City 5.3.98

**1 Cont'd**

**THE STREET SCENE**

Streets within the city serve a wide range of functions. While many of the streets serve a local traffic function there are those that act as major traffic corridors. The traffic conditions on the major routes may not provide an environment suitable for outdoor seating because of the speed and volume of traffic. Similar comments will also apply to footpaths. Pedestrians are likely to be inconvenienced by the introduction of outdoor seating areas and disabled persons can experience problems with abrupt changes to their path.

The orientation of the street plays an important part in the consideration of suitable sites. Those which face to the north and west are favoured because of the sunny orientation and shelter from the wind.

An important element in the street scene is the use of the adjacent kerb space. Some uses are more important than others, for example, if the adjacent kerb space is used as a traffic lane there is no opportunity to extend the kerb line. Other activities that fall into this category include bus stops, taxis stands, loading zone and short term parking areas. This generally leaves only the longer term parking areas as being suitable to permit an extension. Typically in the central area these locations are controlled by parking meters.

The visual impact that the kerb extension has on the character of the street, its influence on adjacent land uses and the type of footpath surface, are also matters that require careful consideration. A kerb extension on a continuous street without any other features can appear out of character with the street appearance. For example, a cafe isolated in the middle of a bulk retail store or a motor vehicle type of business. A number of the footpaths in the inner city are planned to have a coordinated surface treatment. This differs according to the type of street. In order to avoid a patch work quilt appearance to the street any proposed kerb extensions would be required to have a similar surface treatment to the adjoining footpath.

**SAFETY ISSUES**

In considering extensions to the kerb there are road safety implications to be taken into account. These not only include obstructions to pedestrians on the footpath but also the safety to other road users such as cyclists running into the extensions and vehicles colliding with umbrellas. Public liability and Health and Safety matters all need to be identified and taken into account.

**Central City 5.3.98**

- 4 -

**1 Cont'd**

**COSTS**

There are a number of costs that need to be identified if the Council is to approve this type of activity on the street. These costs include the following:

- The cost of the physical works associated with the kerb extension.
- The loss of income from metered parking spaces.
- The cost of the use of the footpath area.
- A bond for the removal of the kerb extension if the business closes.
- Public liability insurance.
- The added value to the property.
- Health and safety.
- Increased maintenance costs as a result of additional cleaning.

The cost of physical works will vary from \$5,000 to over \$30,000 depending on the area, type of surface and drainage requirements. The normal cost to hire a parking space is presently \$220 (inc GST) per month, although the actual loss of income from a metered space is less than this. A typical kerb extension would cover two parking spaces. The present hire of footpath area is dependant upon size and currently ranges from \$10 per square metre to \$20 per square metre (inc GST). There are questions of whether the rental should include both the parking cost and a rental, whether there is a separate winter or summer charge and if additional cleaning costs are also included.

Other considerations include whether a bond is included to cover reinstatement of the kerb if the business ceases to exist.

**AVAILABLE OPTIONS**

There are three options to consider:

- Do not allow any kerb extensions for out door seating.
- Permit all applications for kerb extensions for out door seating.
- Permit all applications for kerb extensions for outdoor seating that meet selected criteria.

**COMMENT**

The Council has already allowed two kerb extensions to be use for cafes and other purposes. These include:

- The proposed extension on the corner of Manchester Street and Bedford Row. This is a special case to encourage new residential development in the inner city, in a street, which is a local road with a

Central City 5.3.98

- 5 -

**1 Cont'd**

northerly aspect and with readily available parking in a nearby parking building and while the use is isolated, it is compatible with the proposed residential activity.

- The temporary extension to 136 Oxford Terrace. This was an interim measure to widen the footpath due to the delay with the Oxford Terrace development. Oxford Terrace is a local road, the site has a north westerly aspect and the use is compatible with the activities adjacent to it.

**CONCLUSION**

The first matter to consider is why tables and chairs cannot be placed within the property itself. The second matter would be to consider whether they could be located on footpaths directly adjoining the premises. Only then if these are not practical or desirable then consideration can be given to the use of the roadway.

In considering any requests to extend the kerb alignment for the purposes of tables and seating in association with a café or licensed premises it is recommended that the following matters should be considered to determine if a particular application is appropriate:

- (i) The site not being on an arterial road.
- (ii) That there be no stopping, taxi stands, or short term parking restrictions at the site.
- (iii) It should be directly related to the activity carried out in the adjacent business.
- (iv) There is no conflict with the immediate neighbouring land uses or with the historical character of the building or area.
- (v) That the site is suitable climatically (has a northerly or westerly orientation).
- (vi) That there will be no interference with the safe movement of pedestrians.
- (vii) The development is not one that would detract from the immediate streetscape of that section of road.
- (viii) The building associated with the extension has appropriate facilities including toilets to handle the increased ability to cater for the extra customers.
- (ix) A bond be paid to allow for the future removal of the extension.
- (x) The rental be based on a market value of each square metre and paid on a quarterly bases in advance.
- (xi) The works associated with the extension be designed to meet the requirement of the City Streets Unit.

Central City 5.3.98

- 6 -

**1 Cont'd**

- (xii) If a liquor licence is to be issued then the Council reserves the right the right to withdraw the licence to occupy road space on the basis of non compliance of the conditions. This power be delegated to either the Environmental Services or City Streets Manager.
- (xiii) The conditions of the licence will vary according to the size, the sale of liquor and location.
- (xiv) Construction costs met by the owner, unless incorporated as part of an approved Council project.

The Committee when considering the report of the Area Traffic Engineer (Central) was of the view that the matters listed above {(i) to (xiv)} may be regarded as a set of criteria and become rigidly enforced when a less restrictive approach was sought. The issues listed were to be taken into account by officers.

- Recommendation:**
1. That the Council adopt the view that in the Central City maximum use of extension of outdoor seating and tables onto the footpath/roadway be encouraged unless there are identifiable safety issues which cannot be resolved.
  2. That where officers cannot resolve these issues and the applicant still seeks to proceed with the application, the request be referred to the Central City Committee.

**PART B - REPORTS FOR INFORMATION**

**2. ART GALLERY PARKING**

The report included in the report of the Strategy and Resources Committee discussing the provision for parking associated with the impending development of the Art Gallery site was considered by the Committee.

The Committee **resolved** to recommend:

1. That 320 car parking spaces (costing \$6.5 million) be provided on the Art Gallery site.
2. That the site be designated and known in future as the Art Gallery Car Park.

25. 3. 98

**Central City 5.3.98**

- 7 -

**3. CITY CENTRE CHRISTMAS OPENING HOURS  
AND FREE BUS DAY REPORT**

A promotional campaign was produced this year to inform the public of the city centre Christmas shopping hours.

This proved to be a great success in raising customer awareness. A survey of city centre retailers showed that 86% of retailers felt the campaign helped make the city centre Christmas retailing more successful.

A 'free bus day' was promoted on 20 December 1997 from 10 am to 6 pm. Although it rained heavily on that day, numbers of passengers were still significantly higher than usual.

**4. CORPORATE PLAN MONITOR REPORTS 1997/98**

The Committee **received** reports from the Parking Operations Manager and the City Centre Marketing Co-ordinator.

The Committee expressed appreciation of the achievements of the Communications and Promotions Unit in bringing together the promotional programme for the city centre and of the programme's success to date.

The meeting concluded at 5.18 pm.

**CONSIDERED THIS 25TH DAY OF MARCH 1998**

**MAYOR**