

1. CENTRAL CITY PRODUCE MARKET

Officer responsible	Author
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The purpose of this report is to give feedback on the consultation process so far relating to the declaring of Cambridge Terrace between Colombo Street and Manchester Street a part-time pedestrian mall by Special Order under Section 336 of the Local Government Act, and to suggest delaying the process to allow more time for consultation.

Following a meeting on 17 May 2002 between the Central City Streets Subcommittee and Christchurch Market Ltd, the Subcommittee endorsed the proposal for a fresh produce market to operate in Cambridge Terrace at weekends and recommended to the May meeting of the Council that Special Order (pedestrian mall) procedures be undertaken. At the meeting the company indicated that it was undertaking a consultation process and "the only concern seemed to be from those who utilised their premises at the weekend and would require weekend access..."

The Council adopted the recommendation of the Subcommittee and passed the necessary resolution to commence the Special Order process. This was on the understanding that Council staff would also undertake consultation with affected parties. The only formal notification required under the Local Government Act is a newspaper advertisement advising a 14 day objection period, but it is Council practice to consult far more widely. However, because the advertisement was placed within a few days of the Council meeting, the actual time available for consultation became very limited. Consultation nevertheless commenced with a letter being sent to all directly affected property owners, plus delivery to all tenants, together with properties in nearby parts of Kilmore, Manchester and Colombo Streets. This advised of a meeting to be held on Monday 10 June to explain the proposal. Some 30 persons attended the independently facilitated meeting where presentations were made by both Council staff and Christchurch Market Ltd, and people were given the opportunity to ask questions and make comments. It became very evident at the meeting that there was considerable concern about the consultation process, including the form of and amount undertaken by CML, and the very short time frame still remaining for the lodging of objections (two days beyond the meeting). There was a strong view expressed that the Council had been misinformed about the CML consultation and that there were many other issues needing resolution.

Legal advice had been received that it was not possible to extend the closing date for formal objections, and accordingly people at the meeting were advised to lodge objections should they have concerns, which could be withdrawn later should the issues be able to be resolved. There was a strong feeling at the meeting that more time was needed to work through the issues, and while there would be some who would probably always be opposed to the market on this site, for others, issues were resolvable.

Since the meeting further legal advice has been obtained indicating that a possible way forward would be to abandon the current procedure and start again. This could be done at the June Council meeting. The 14 day period does not have to start immediately, although the total procedure including Council hearing must be accomplished within 70 days of the Council resolution. Objections already received can be rolled over. CML are comfortable with stopping the present procedure and starting again, allowing a more robust Council-led consultation procedure to take place. They are still keen to pursue this site. It is proposed to use independent facilitators Jan Francis and Mike Inder to assist this process.

"Slowing down" the process would seem to be the sensible thing to do, and is supported by the Central City Mayoral Forum. The process so far has identified a range of issues which should be worked through ahead of the formal hearing process.

Subcommittee**Recommendation:**

1. That the Special Order procedures adopted by the Council on 23 May 2002 be discontinued.
2. That fresh Special Order proceedings be initiated at the 27 June Council meeting, with the confirming resolution (following the giving of the required public notifications on Wednesday 24 July and Saturday 10 August and consideration of the objections by the Council Hearings Panel) to be submitted to the 22 August Council meeting for possible confirmation.
3. That in the meantime comprehensive Council-led consultation be carried out with all interested parties.
4. That the final wording of any necessary resolutions be discussed with the Legal Services Manager.

An appropriately worded notice of motion is included in the supplementary Council papers.