



# **CHRISTCHURCH CITY COUNCIL AGENDA**

**THURSDAY 26 JULY 2007**

**AT 9.30AM**

**IN THE COUNCIL CHAMBER, CIVIC OFFICES**

**Council:** The Mayor, Garry Moore (Chairperson).  
Councillors Helen Broughton, Sally Buck, Graham Condon, Barry Corbett, David Cox, Anna Crighton,  
Carole Evans, Pat Harrow, Bob Parker, Bob Shearing, Gail Sheriff, Sue Wells and Norm Withers.

<b>ITEM NO</b>	<b>DESCRIPTION</b>
1.	<b>APOLOGIES</b>
2.	<b>CONFIRMATION OF MINUTES - COUNCIL MEETING OF 19.7.2007</b>
3.	<b>DEPUTATIONS BY APPOINTMENT</b>
4.	<b>PRESENTATION OF PETITIONS</b>
5.	<b>CORRESPONDENCE</b>
6.	<b>SUBMISSION: CENTRAL PLAINS WATER TRUST RESOURCE CONSENT APPLICATIONS TO SELWYN DISTRICT COUNCIL</b>
7.	<b>SUSTAINABLE ENERGY STRATEGY FOR CHRISTCHURCH 2008-18</b>
8.	<b>CENTRAL CITY LANES PLAN</b>
9.	<b>REMOVAL OF SPECIFIED STRUCTURES IN THE HIGH STREET PORTION OF THE CITY MALL</b>
10.	<b>REGIONAL POLICY STATEMENT - DEVELOPMENT OF GREATER CHRISTCHURCH</b>
11.	<b>NOTICES OF MOTION</b>
12.	<b>QUESTIONS</b>
13.	<b>RESOLUTION TO EXCLUDE THE PUBLIC</b>

26. 7. 2007

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1. **APOLOGIES**
  
2. **CONFIRMATION OF MINUTES - COUNCIL MEETING OF 19.7.2007**  
Attached.
  
3. **DEPUTATIONS BY APPOINTMENT**
  
4. **PRESENTATION OF PETITIONS**
  
5. **CORRESPONDENCE**

## 6. SUBMISSION: CENTRAL PLAINS WATER TRUST RESOURCE CONSENT APPLICATIONS TO SELWYN DISTRICT COUNCIL

<b>General Manager responsible:</b>	Strategy and Planning General Manager, DDI 941 8177
<b>Officer responsible:</b>	Programme Manager, Strategy and Planning
<b>Author:</b>	John McEwing, Programme Manager, Strategy and Planning

### PURPOSE OF REPORT

1. To inform the Council of the submission made to Selwyn District Council (SDC) in relation to the additional resource consent applications by Central Plains Water Trust (CPWT) for activities associated with a new tunnel proposal and associated new by-wash discharges.
2. For the Council to decide to either endorse or withdraw the submission.

### EXECUTIVE SUMMARY

3. CPWT has submitted additional resource consent applications to SDC in respect of the Central Plains Water Enhancement Scheme. These applications were publicly notified on 5 May 2007 and relate to a new tunnel proposal and associated by-wash discharges and a Notice of Requirement to allow the construction of the tunnel. Refer to Background (the issue) section for specific details.
4. New Tunnel Proposal - this application relates to the proposed construction, operation and maintenance of an approximately 10 kilometre long tunnel of approximately 4 metres diameter, and a minimum depth below ground level of 30 metres. The tunnel proposal replaces the original 15 kilometre open canal and three kilometre tunnel proposal. This proposal has been indicated in the related "Assessment of Effects on the Environment for Long Tunnel" to *"...eliminate all the above-ground environmental effects of a canal cut into the river terrace and traversing the plains."* 6.1 of the AEE states that, *"...the withdrawal of the canal and the shorter tunnel option will eliminate a significant area of actual and potential effects on the environment that could have otherwise been anticipated, including:*
  - All those construction related effects (noise, dust, landscape, ecology) relating to the bulk earthworks required to grade the canal over ~7km up to the 80m high Waimakariri River terrace, cut through the Plains at Gorge Hill, and traverse the Canterbury Plains over 5km.
  - Social and economic impacts stemming from displacement and dissection of farms and other property.
  - Social and economic impacts stemming from construction effects associated with crossings of State Highway 73, and the West Coast railway line, and several other local roads.
  - Instream effects associated with establishing embankments and a siphon in the bed of the Hawkins River."
5. New By-Wash Discharges - this application relates to the proposed discharge of by-wash water into the upstream reaches of the Hawkins and Selwyn Rivers as a consequence of changes to the scheme layout. The by-wash activity is described under 2.2 of the related "Assessment of Effects on the Environment: Additional Bywashes (Selwyn District Council Land Use Consent)" as being, *"Under normal operations it is necessary to discharge small volumes of surplus water at the end of the network branches. This is necessary to maintain flow past the last farmer taking Scheme water on each race. This bywash is minimised and discharged through ground soakage via constructed wetlands."*
6. A review of the CPWT applications was carried out by Pattle Delamore Partners (PDP). The review is set out in the PDP memorandum, dated 18 May 2007 and attached to this report.
7. The Central Plains Working Party, comprising Councillors Sally Buck, Helen Broughton and Norm Withers, subsequently met with John McEwing and the consultant, Peter Callender (PDP) to discuss the CPWT's applications and PDP's review.

**6 Cont'd**

8. The Working Party agreed that a submission be made to reflect the points raised in the PDP memorandum, dated 18 May 2007 and also decided that the legal opinion be sought on the submission. The legal review was done by Aidan Prebble, Goodman Steven Tavendall and Reid (GST&R).
9. A draft submission was then completed and forwarded to the Working Party members who approved the submission. Because of the time constraint to meet the submission closing date of 1 June 2007 the submission was made directly to SDC, for subsequent consideration by the Council after the submission date. In considering this report and the recommendation the Council has the option to either endorse or withdraw the submission.
10. The submission is aligned and consistent with the previous Council submissions related to CPWT applications. These submissions were respectively made on 17 August 2006 and 29 January 2007. The latest submission, dated 1 June 2007, is attached to this report.

**FINANCIAL IMPLICATIONS**

11. Direct costs relate to the cost of review of CPWT applications and future hearings attendance, these costs will be absorbed through existing budget.

**Do the Recommendations of this Report Align with 2006-16 LTCCP budgets?**

12. The 2006/07 financial year contains no budget for CPWL. A modest budget that will enable the Council to participate in the submission hearings has been provided for in 2007.

**LEGAL CONSIDERATIONS**

13. The draft submission has been reviewed by Aidan Prebble (GST&R) on behalf of the Legal Services Unit.

**Have you considered the legal implications of the issue under consideration?**

14. Yes.

**ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

15. N/A.

**Do the recommendations of this report support a level of service or project in the 2006-16 LTCCP?**

16. N/A.

**ALIGNMENT WITH STRATEGIES**

17. The submission would not be inconsistent with Council's strategies.

**Do the recommendations align with the Council's strategies?**

18. Yes.

**CONSULTATION FULFILMENT**

19. N/A.

**STAFF RECOMMENDATION**

It is recommended that the Council confirm and endorse the submission to made by the Chief Executive on behalf of the Christchurch City Council to the Selwyn District Council in respect of the application to construct a tunnel and bywash facility by Central Plains Water Ltd, as set out in the attachment.

6 Cont'd

**BACKGROUND (THE ISSUES)**

20. **New Tunnel** - the new CPWT resource consent applications relate to activities associated with the proposed construction, operation and maintenance of an approximately 10 kilometre long tunnel of approximately 4 metres diameter, and a minimum depth below ground level of 30 metres. The tunnel would carry water from the proposed upper intake on the Waimakariri River to the proposed Waianiwaniwa Reservoir, as part of the proposed Central Plains Water Enhancement Scheme.
21. The tunnel would incorporate two construction staging areas, each consisting of temporary buildings and construction facilities, at the Waimakariri portal and Waianiwaniwa portal. Approximately 130,000 cubic metres (solid measure) of material would be excavated from the tunnel, via a tunnel boring machine and drill and blasting methods, and disposed of in the Waianiwaniwa Valley. Construction is expected to take approximately three years.
22. The 10 kilometre tunnel proposal replaces the original 15 kilometre open canal and three kilometre tunnel proposal leading from the proposed upper intake on the Waimakariri River to the Waianiwaniwa Reservoir, via the Waimakariri River terrace and Canterbury Plains near Sheffield, as notified in the original applications in June 2006. The 15 kilometre open canal and 3 kilometre tunnel option is no longer being pursued by Central Plains Water Trust and has been eliminated from further consideration in the current resource consent process.
23. There is also a Notice of Requirement to designate land for the construction and operation of this new tunnel and part withdrawal of a previous Notice of Requirement.
24. **New By-wash** - an additional new application is to construct, operate and maintain a bywash discharge point consisting of a constructed wetland and discharge structures, and all associated excavation and disturbance of land, and removal and planting of vegetation at two locations:
  - the Selwyn River, 4 km east of Hororata, near Hawkins Road, and
  - the Hawkins River, 2 km upstream from Sheffield, near Bluff Road.
25. **Issues** - these include:
  - (a) The tunnel construction process will involve dewatering which could affect flows in the Waimakariri River, which is the major source of recharge to the Christchurch City aquifers.
  - (b) The use of hazardous substances and the generation of solid waste during the construction process.
  - (c) The tunnel construction may cause increased turbidity in the river.
  - (d) The discharge of by-wash, while recharging the underlying groundwater, may cause high water table problems for some land owners.

**THE OBJECTIVES**

26. To maintain a consistent position in relation to:
  - (a) Protection of the city's groundwater resources for drinking water supply and the associated infrastructure.
  - (b) Avoiding a worst case scenario of Christchurch City Council potentially being an "environmental underwriter" after the life of the Central Plains Water Enhancement Scheme.

## 6 Cont'd

**THE OPTIONS**

27. The Council can either endorse or withdraw the submission to the SDC.

**THE PREFERRED OPTION**

28. To endorse the submission to SDC, as set out in the attachment.

**ASSESSMENT OF OPTIONS****The Preferred Option**

29. To endorse the submission to SDC, as set out in the attachment.

	<b>Benefits (current and future)</b>	<b>Costs (current and future)</b>
<b>Social</b>	Helping protect the city's drinking water supply sources.	Associated cost of submission review of CPWT applications and future hearings attendance.
<b>Cultural</b>	Cultural benefits not identified.	
<b>Environmental</b>	Prevention of potential adverse impacts on the environment and surface and groundwater resources.	As above
<b>Economic</b>	Avoiding any costs associated with mitigation and provision of alternative drinking water supply costs that could result from contamination of drinking water sources.	As above
<p><b>Extent to which community outcomes are achieved:</b></p> <p>"A Well-Governed City" - helping plan for a sustainable Christchurch.  "A Healthy City" - helping ensure that the city's drinking water supply is protected to support the health of the community.</p> <p><b>Impact on the Council's capacity and responsibilities:</b></p> <p>Capacity - potential impact on the Council's capacity is minimised by maintaining a consistent submission position of protecting the city's groundwater resources for drinking water supply and from potentially being an "environmental underwriter."</p> <p>Responsibilities - The Council's responsibilities include avoiding potential adverse impacts on the environment and protecting the city's drinking water sources - Resource Management Act, Health Act and Drinking Water Standard New Zealand. The submission is consistent with these responsibilities.</p> <p><b>Effects on Maori:</b></p> <p>The submission will help ensure the proposals do not create adverse effects.</p> <p><b>Consistency with existing Council policies:</b></p> <p>No inconsistency with existing policies and the option is consistent with two previous submissions made in respect of CPWT applications - respectively submitted 17 August 2006 and 29 January 2007.</p> <p><b>Views and preferences of persons affected or likely to have an interest:</b></p> <p>Mainly of Christchurch community-wide interest.</p> <p><b>Other relevant matters:</b></p> <p>N/A.</p>		

## 6 Cont'd

**Maintain the Status Quo (if not preferred option)**

30. Not to submit - in short, to withdraw the submission

	<b>Benefits (current and future)</b>	<b>Costs (current and future)</b>
<b>Social</b>	No identified benefits with status quo option.	
<b>Cultural</b>	As above	
<b>Environmental</b>	As above	
<b>Economic</b>	As above	
<p><b>Extent to which community outcomes are achieved:</b></p> <p>Status quo is unlikely to contribute to the community outcomes.</p> <p><b>Impact on the Council's capacity and responsibilities:</b></p> <p>Status quo position would not likely be aligned to:</p> <ul style="list-style-type: none"> <li>- The Council's present capacity position related to protecting the city's groundwater resources or</li> <li>- The Council's statutory responsibilities related to protecting the city's drinking water sources.</li> </ul> <p><b>Effects on Maori:</b></p> <p>Status quo unlikely to provide certainty in terms of minimising effects.</p> <p><b>Consistency with existing Council policies:</b></p> <p>Status quo may be interpreted as being inconsistent with previous submissions on CPWT applications.</p> <p><b>Views and preferences of persons affected or likely to have an interest:</b></p> <p>The Central Plains Working Party has recommended the submission option, not the status quo option.</p> <p>The status quo option may signal to the community that the Council has shifted its position from that indicated in the two previous submissions.</p> <p><b>Other relevant matters:</b></p> <p>N/A.</p>		

## 7. SUSTAINABLE ENERGY STRATEGY FOR CHRISTCHURCH 2008-18

<b>General Manager responsible:</b>	General Manager Strategy and Planning, DDI 941-8281
<b>Officer responsible:</b>	Programme Manager - Healthy Environment
<b>Authors:</b>	Dr Leonid Itskovich, Energy Manager and John McEwing, Programme Manager Healthy Environment

### PURPOSE OF REPORT

1. The purpose of this report is to seek the adoption by the Council of the draft Sustainable Energy Strategy for Christchurch 2008-18, to be released for public consultation in August 2007. (Draft strategy separately enclosed - limited circulation.)

### EXECUTIVE SUMMARY

2. Having demonstrated considerable success in energy efficiency and renewable energy in its own operations, the Council now seeks to work with the people of Christchurch and other energy stakeholders to reach the vision of a sustainable energy future for the City. The Draft Sustainable Energy Strategy for Christchurch 2008-18 defines the steps required to achieve tangible progress in this particular area of sustainable development.
3. The purpose and key points of the Sustainable Energy Strategy for Christchurch were presented to and discussed at the Council Portfolio Group meetings on 21 June and 8 November 2006 and Council seminars on 31 October 2006 and 27 March 2007.
4. Preliminary discussions and consultations on key points of the Strategy were held with a number of stakeholders and community groups such as Orion NZ Ltd, EECA, Environment Canterbury, Canterbury Employers Chamber of Commerce, Canterbury Manufacturers Association, Sustainable Otago Christchurch, Community Energy Action, Meridian Energy, Windflow Technology Ltd, and NZ Green Building Council. The strategy issues were discussed at a public meeting on 6 November 2006 at the ChristChurch Cathedral. Ideas, concerns and challenges from this preliminary consultation were incorporated into the Draft Strategy.
5. The draft document was peer reviewed by two experts from Malmö City Council (Sweden), to ensure that it meets international best practice standards.
6. There has also been recent focus group work done around a range of environmental strategies including the Sustainable Energy Strategy. A key stakeholder workshop is also to be held on 9 August 2007. Both the focus group work and the stakeholder workshop will help inform the draft strategy.
7. Key timelines related to the strategy are:
  - 26 July 2007 - Council adoption of the draft Sustainable Energy Strategy for public consultation
  - 6 to 24 August 2007 - Public consultation
  - 27 September 2007 - Council adoption of strategy
8. The Council seminar on 27 March 2007 recommended that "as the next step the action plan would be completed and brought back to the Council for adoption, then for public consultation".

This work is now complete, and the costs for implementing various strategic initiatives estimated, prioritised and grouped into four options:

- Option 1 - "do nothing", at no cost
  - Option 2 - "light action" at \$3.135M over 10 years
  - Option 3 - "medium action" at \$5.43M over 10 years
  - Option 4 - "strong action" at \$6.57M over 10 years.
9. At this stage, a Council decision on a preferred option is not required. A separate report on this matter will be submitted in September 2007 following completion of public consultation.



## 7 Cont'd

**FINANCIAL IMPLICATIONS**

10. While there are no additional Financial commitments required at this stage outside of the \$150,000 already included in the 2007/08 Annual Plan, depending on what future option is considered there would be some significant ongoing costs associated with the strategy implementation. There will also be some significant saving for the community in relation to their personal and business energy bills resulting from the action plan. With a total annual energy cost of \$1.5 billion a 2% saving would result in \$30 million savings per year across the Christchurch community.
11. As per the Draft Strategy report attached, the estimated reduction in energy is in the table below.

Option	Estimated total saving accrued over 10-year period		Estimated 10-year accrued cost to CCC	Energy cost savings accrued over 10 years
	Energy saved	Reduction in CO <sub>2</sub> emissions, tonnes		
1 - Do Nothing	0	0	0	0
2 - Light Action	16,965 TJ	1.85 Million	\$3.135M	\$0.64 Billion
3 - Medium Action	29,800 TJ	3.10 Million	\$5.43 M	\$1.12 Billion
4 - Strong Action	39,425 TJ	4.15 Million	\$6.57 M	\$1.48 Billion

Note: Option 3 includes initiatives of Option 2, and Option 4 includes initiatives of Option 3.

12. The figures above are based on an average energy price of 13.5 cents per kilowatt-hour (including of GST) and taken as constant throughout the ten-year period. This is the average cost for all fuels in 2006.

**Do the Recommendations of this Report Align with 2006-16 LTCCP budgets?**

13. An initial sum of \$150,000 was allocated in the 2007/08 budget towards the implementation of the Sustainable Energy Strategy. No other funding has been allocated at this stage pending the adoption of the final strategy.

**LEGAL CONSIDERATIONS**

14. The Local Government Act 2002 requires local authorities to take a sustainable development approach by taking into account a range of factors that directly relate to the use of energy sources. The Resource Management Act 1991 has as its purpose to promote the sustainable management of natural and physical resources. In achieving this purpose, the Act states that all persons exercising functions and powers under it shall have, amongst other things, particular regard to the efficiency of the end use of energy. The Draft New Zealand Energy Strategy (released in December 2006, final document to be launched in late 2007) will place further requirements on local authorities to deliver a number of specific objectives.

**Have you considered the legal implications of the issue under consideration?**

15. As above.

**ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

16. Any future recommendation made to the September 2007 Council meeting will be aligned to the LTCCP and Activity Management Plans.

**Do the recommendations of this report support a level of service or project in the 2006-16 LTCCP?**

17. As above.

**7 Cont'd**

**ALIGNMENT WITH STRATEGIES**

18. Energy issues are included in the LTCCP under its two strategic directions: *Healthy Environment* and *Prosperous Economy*.

**Do the recommendations align with the Council's strategies?**

19. The Sustainable Energy Strategy defines the Council's role in achieving the Community Outcomes under the Strategic Directions, and a specific action plan of achieving its goals and objectives.

**CONSULTATION FULFILMENT**

20. There will be a key stakeholder consultation workshop on 9 August 2007 and general consultation will also be undertaken in August 2007 see 'executive summary' section.

**STAFF RECOMMENDATION**

It is recommended that the Council adopt the Draft Sustainable Energy Strategy for Christchurch 2008-18 for public consultation.

**8. CENTRAL CITY LANES PLAN**

<b>General Manager responsible:</b>	General Manager Strategy and Planning Group, DDI 941-8177
<b>Officer responsible:</b>	Liveable City Programme Manager
<b>Author:</b>	Miranda Charles, Policy Planner

**PURPOSE OF REPORT**

1. The purpose of this report is to present the results of public consultation regarding the proposed Central City Lanes Plan, and to recommend the Lanes Plan for adoption.

**EXECUTIVE SUMMARY**

2. The Central City Lanes Plan, hereafter referred to as 'the Plan', is a guiding document for the redevelopment and enhancement of Central City Lanes.
3. Following a Council seminar in August 2006 for approval to consult with affected property owners over the proposed Central City Lanes Plan, approximately 300 property owners were sent a letter and information brochure about the Plan and invited to comment over a four-week period (8 November 2006 - 8 December 2006).
4. Three written responses were received and three telephone queries were handled. Other than a minor amendment to the Lanes Plan based on feedback received from the Historic Places Trust, no changes are proposed to the Lanes Plan following stakeholder consultation.

**FINANCIAL IMPLICATIONS****Do the Recommendations of this Report Align with 2006-16 LTCCP budgets?**

5. The recommendations in this report are in line with the 2006-16 LTCCP budgets.
6. The Council's contribution to lanes redevelopments may also include the provision of physical materials, such as surplus pavers or other materials. Where possible and appropriate, contributions will also be sought from property owners that benefit from lanes redevelopment projects.

**LEGAL CONSIDERATIONS****Have you considered the legal implications of the issue under consideration?**

7. Legal considerations of the Central City Lanes Plan will arise as the Council enters public-private partnerships with property owners/developers on specific lanes projects, and legal agreements/contracts will be dealt with on a case by case basis. This will be done in conjunction with Legal Services unit staff.

**ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

8. The Lanes Plan is aligned with the 'Community Outcome of A Prosperous City' and 'An Attractive and Well Designed City' by:
  - Actively pursuing public-private partnerships for urban renewal and development
  - Improving pedestrian amenity and access
  - Using quality urban design principles to improve use of interaction between public-private spaces
  - Strengthening the character and identity of the Central City by highlighting its distinctive features, including historic features
  - Creating opportunities to increase diversity and intensity of land use and therefore promoting efficient resource use
9. Through these activities, the Lanes Plan will also contribute to the 'Community Outcome of A Safe City'.

8 Cont'd

**Do the recommendations of this report support a level of service or project in the 2006-16 LTCCP?**

10. In addition, the Lanes Plan aligns with the 'City Development Activity Management Plan' which sets out objectives regarding improving Christchurch's urban environment and revitalising the Central City.

**ALIGNMENT WITH STRATEGIES**

**Do the recommendations align with the Council's strategies?**

11. Alignment of the Central City Lanes Plan with relevant Council strategies is as follows:
  - Greater Christchurch Urban Development Strategy (UDS)

Lanes redevelopment projects that provide opportunities for increased residential activity in the Central City are consistent with the Strategy's urban consolidation objectives. The Central City has also been identified as the first intensification area to receive attention under the UDS.
  - Christchurch City Plan

Lanes redevelopment projects that improve pedestrian facilities and pedestrian safety are consistent with the transport and access provisions of the City Plan (see Objective 7.5, and Policy 7.5.1), and with objectives and policies for the Central City (see in particular, Policy 12.3.1 and 12.3.4).
  - Central City Revitalisation Strategy

Lanes redevelopment projects that improve the visual amenity, uniqueness, range of activities, and vitality of the Central City will enhance revitalisation objectives.
  - Central City Transport Concept

Lanes redevelopment projects that improve pedestrian activity and permeability (via mid-block linkages) will facilitate the implementation of the Central City Transport Concept
  - Safer Christchurch Strategy

Lanes redevelopment projects that increase natural surveillance in lanes areas and incorporate principles of Crime Prevention Through Environmental Design (CPTED) are consistent with the Safer Christchurch Strategy.
  - National Urban Design Protocol

Lanes redevelopment projects that improve quality and design of the urban environment and reflect urban sustainability principles will facilitate the implementation of the National Urban Design Protocol.

**CONSULTATION FULFILMENT**

12. The Council has consulted on the draft Central City Lanes Plan with affected property owners, as well as the New Zealand Historic Places Trust.

**STAFF RECOMMENDATION**

It is recommended that the Council adopt the Central City Lanes Plan with a minor wording amendment to reinforce the potential requirement for an archaeological authority from the Historic Places Trust where excavation works occur.

8 Cont'd

**BACKGROUND (THE ISSUES)**

13. The Central City Lanes Plan is an important component of the Central City Revitalisation Programme and is included in the Action Plan of the Central City Stage II Strategy, adopted by the Council in 2006.
14. The proposed Central City Lanes Plan (attached) was presented at a Council seminar in August 2006 (Central City Omnibus) and approved for consultation with affected property owners the following month, ie, owners of properties adjacent to lanes identified in the Plan.
15. Approximately 300 property owners were sent a letter and information brochure about the Lanes Plan and invited to comment over a four-week period (8 November 2006 - 8 December 2006). The information was also sent to the Historic Places Trust. A full copy of the proposed Lanes Plan was made available on the Council's Central City Revitalisation website.
16. Feedback received from the Historic Places Trust was to remind the Council of the archaeological provisions of the Historic Places Act 1993 which requires any development works which have the potential to affect pre-1900 archaeological remains to first obtain an archaeological authority. Based on that feedback, the following sentence is recommended for Section 5.5 under 'Project Management and Timing of Works':  
  
*"...Excavation work may need to be referred to the Historic Places Trust as an archaeological authority may be required".*
17. In addition to the Historic Places Trust, two other written submissions were received from property owners with interests at Cathedral Junction. One submitter commented that his only concern with the Plan would be if the Council intended to block access to his car park. If that was to be the case, this submitter would lodge his objection to the Plan.
18. In the second submission, the property owner queried if operational issues associated with the tram which runs through Cathedral Junction were part of the Lanes Plan. Her comments were that she "would not like to see the hours of the tram extended as that would negatively impact on the local residents/visitors staying in the Cathedral Junction complex".
19. As the Central City Lanes Plan does not specifically mention blocking access to car parking spaces in Cathedral Junction or elsewhere, or to make any operational changes associated with the tram, the Lanes Plan is not inconsistent with either submission. Should the Council become involved in a lanes redevelopment at Cathedral Junction in the future, however, individual property owners will need to be consulted over any specific changes.
20. In addition to the written comments, three telephone calls were received about the proposed Lanes Plan. The first was from a property owner in Gloucester Street who offered his support for improved pedestrian linkages and made general comments regarding improvements to the general Gloucester Street area.
21. A second telephone call was received from an adjacent property owner to Strand Lane who requested that Strand Lane be advanced up the priority list of lanes projects. He mentioned the construction of the new Ibis Hotel and expressed an interest in working with the Council to upgrade this lane in the short term. Staff are investigating opportunities to review priorities for lane upgrades.
22. A third telephone query for Strand Lane was received by a solicitor acting for another adjacent property owner to Strand Lane. The solicitor was advised that any changes to that lane in the future would be the subject of further consultation with affected property owners at that time.
23. No other comments were received in relation to the Lanes Plan.

**9. REMOVAL OF SPECIFIED STRUCTURES IN THE HIGH STREET PORTION OF THE CITY MALL**

<b>General Manager responsible:</b>	General Manager City Environment, DDI 941- 8656
<b>Officer responsible:</b>	Transport and Greenspace Unit Manager
<b>Author:</b>	Clarrie Pearce, Project Manager

**PURPOSE OF REPORT**

1. The purpose of this report is to seek Council approval for the removal of three structures in High Street between Hereford and Cashel streets during Phase I of the City Mall Renovation Project. The report also recommends approval of the surrender of the leases such that the removal of the Air Bridge for the City Mall Renovation Project can be effected.

**EXECUTIVE SUMMARY**

2. There are a number of structures whose removal were indicated and adopted in principle when the Council approved design documents for the City Mall Renovation Project. At its meeting on 14 December 2006 the Council resolved:

*“That the staff recommendations be adopted, subject to recommendation (a) being amended to read “That the Council adopt the overall concept design and grant approval for the project to proceed to the detailed design and construction phase.””*

3. The Council’s approval was for the renovation programme and related designs as a whole and did not identify specific design features or elements. As such, staff now seek explicit approval to remove three specific structures, the removal of which is necessary to deliver the project as designed and previously approved.
4. The specific structures affected in Phase I are:
  - (a) The Stewart Fountain,
  - (b) The High Street Airbridge
  - (c) The High Street/Cashel Street Amphitheatre.
5. All three structures have outlived their usefulness and are now considered to have detrimental impacts on the current function of the City Mall. Their removal is viewed as a vital component of the renovation project as their current location presents substantial barriers to the successful revitalisation of the area.
6. In a related action, this report also seeks approval for the Council to enter into negotiations with OLT Properties Limited and Seaview Road Limited for the surrender of the lease to facilitate the removal of the Airbridge in High Street.

**FINANCIAL IMPLICATIONS**

7. The cost of removing the airbridge and making good to the adjoining properties is provided in the budget allocated for Central City Projects, as is the cost for the replacement of the other two structures. (Page 83 LTCCP).

**Do the Recommendations of this Report Align with 2006-16 LTCCP budgets?**

8. In 2006 as part of the LTCCP process (Page 83 LTCCP), the Council agreed that the City Mall area was in need of revitalisation and allocated \$10.5 million for the renovation of this public space. Following on from that decision, Council staff and consultants developed a renovation plan for the City Mall.

**9 Cont'd**

**LEGAL CONSIDERATIONS**

9. The Legal Services Unit has advised that before a surrender of the airbridge lease in High Street can occur, the Council needs to make sure that as each property was sold the parties assigned their rights in the airbridge to the new owners of the property. Permission to update these assignments was given to staff by the Council on 10 May 2007.
10. The existing policy with regard to airspace use has been considered (refer Appendix A).

**Have you considered the legal implications of the issue under consideration?**

11. This report addresses the concerns of the Legal Services Unit.

**ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

12. Yes, the City Mall Renovation Project is identified as the LTCCP and aligns with City Environment and City Development Activity Management Plans.

**Do the recommendations of this report support a level of service or project in the 2006-16 LTCCP?**

13. Yes, as discussed in the "Background" section of this report, the three actions which are sought for approval in this report support the City Mall Renovation Project and Central City Revitalisation Project as identified in the "Capital Works" and "City Development" sections of Volume 1 of the 2006-16 LTCCP.

**ALIGNMENT WITH STRATEGIES**

14. The project aligns with Council's community outcomes for an attractive and well designed city. It also aligns with the Greater Christchurch Urban Development Strategy and the Central City Revitalisation Strategy (Refer p83 LTCCP).

**Do the recommendations align with the Council's strategies?**

15. As above.

**CONSULTATION FULFILMENT**

16. Extensive public consultation has been carried out on the Central City Mall Revitalisation. The most targeted effort was made in October 2006. During this consultation the majority of respondents favoured the removal of the Stewart Fountain and the airbridges in the City Mall. The Stewart family have publicly expressed their support for the removal of the Stewart Fountain and for it to be replaced with a plaza that contains a significant public art work. Discussions have been ongoing with the two property owners connected by the High Street air bridge and both are supportive of it's removal. As to opinion on the amphitheatre, the public was split as to its retention or removal. However, there was a clear public response that the current dynamic of the amphitheatre, i.e. how it is used, is not desirable and that the space should be improved. In summary, feedback from consultation to-date has generally supported the removal of these three structures.

**STAFF RECOMMENDATION**

It is recommended that the Council grant approval for:

- (a) The removal of the Stewart Fountain.
- (b) The amphitheatre on the corner of High and Cashel Streets.

**9 Cont'd**

- (c) The removal of the High Street airbridge.
- (d) That once the assignments have been finalised, negotiations between the Council, OLT Properties Ltd and Seaview Road Ltd commence for surrender of the leases to facilitate the removal of the airbridge for Stage 1 of the Central City Mall Revitalisation Project.
- (e) That the Corporate Support Manager and the Transport and Greenspace Unit Manager be given delegated authority to conclude the negotiations and subsequent lease surrenders to enable the removal of the airbridge.



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**BACKGROUND - RATIONALE FOR REMOVAL**

17. An initial and fundamental premise of the City Mall Renovation Project was the need to alter some of the underlying constraints that are causing the slow deterioration of this important public and commercial space. The renovation project was never intended to be a simple dressing up of the City Mall. Earlier proposals for minor improvements were shelved as a cosmetic fix for the area was deemed insufficient in the face of the broader challenges confronting the City Mall. The City Mall Renovation Project is about improving how the area functions and how it connects to the rest of the Central City.
18. After analysing the current performance of the City Mall, nine principles for the successful redevelopment of the City Mall were identified by the project team. Four of these principles are directly applicable to this report and the approval now sought. They are:
  - (a) Create strong links to the surrounding Central City;
  - (b) Create clear, direct links within the City Mall;
  - (c) Reduce clutter and create a clean environment and
  - (d) Improve climatic comfort.
19. To achieve these redevelopment objectives and to meet the more fundamental mandate of addressing the City Mall's current weaknesses, the project team recommended the removal of three structures on High Street: Stewart Fountain, The High Street Air Bridge and the High Street/Cashel Street Amphitheatre. The removal of these structures was shown in the design documents adopted by the Council in December 2006. The removal of each of these structures and the redevelopment of the spaces they now occupy are central to the wider City Mall Renovation Project. Retention of any one of these structures would substantially alter the redevelopment plan as developed to date. The rationale for the removal of each of these three structures is now detailed below.

**The Stewart Fountain**

20. The current Stewart Fountain represents the second attempt at creating a successful water feature on the High Street-Hereford Street triangle reserve. Like its predecessor, the current fountain has generally been viewed as less than successful. The fountain itself has never properly functioned as originally envisioned owing to problems with the pumps and jets. The maintenance of water features is generally difficult, but the design of the current Stewart Fountain is particularly problematic as rubbish is frequently deposited or blown into the fountain and represents an ongoing maintenance liability for the Council.
21. Beyond these operational issues the actual location of the fountain is fundamentally flawed. The fountain occupies virtually the whole of the sunniest, most sheltered spot in the City Mall. Consequently, people are excluded from an area that is best suited for seating and gathering because it is dominated by an object that is difficult to interact with. While the original intention of the fountain was to provide an interactive water feature for children, the combination of Christchurch's cool climate and aforementioned problems with trash mean that in practice the fountain is most commonly used by seagulls rather than children. Additionally, the arrangement of seating around the fountain sits directly in the middle of the preferred walking line on High Street, thereby interfering with pedestrian flow and impeding access.
22. As a piece of public sculpture, the Stewart Fountain has limited support. The majority of respondents to the October 06 consultation on City Mall favoured the removal of the Stewart Fountain. During this consultation, the Stewart Family also expressed their support for the removal of the fountain and its subsequent replacement with a plaza and major piece of public art. Since this time, the project team have continued their discussion with the Stewart family and Arts & Industry to progress the funding and location of a new art work in this location. Owing to its size, the retention of the current Stewart Fountain would likely preclude the installation of a new art work in this area.

**9 Cont'd**

23. Staff are aware of the concern around tiles that decorate the Stewart Fountain and are endeavouring to preserve them. Removal of the tiles has been tested by physical, heat and acid means on four of the black tiles with no success. The most likely scenario for the preservation of the tiles is remove the tiles and concrete in large pieces and allow those people who wish to keep the tiles to claim the tile and attached concrete. Specific tiles that are important to one family in particular have been identified and every effort will be made to remove them intact. All other large pieces of concrete with intact tiles still attached will be taken for storage for 12 months to give people a chance to reclaim them if they wish.

**High Street Airbridge**

24. There are multiple reasons supporting the removal of the High Street airbridge. First, whilst a popular architectural and planning phenomena in the 1960's and 70's, subsequent experience has shown that airbridges tend to be largely detrimental in urban settings. The theory behind their creation lies in the belief that there should be segregation between pedestrian and vehicular activity and a desire to free up the ground plane for vehicle access. Planners and urban designers have since learned that these ideas lead to auto-dominated, pedestrian unfriendly cities. From a pedestrian as well as retail perspective, contemporary urban design standards encourage as much pedestrian activity on the ground floor as possible. Apart from extremely cold northern hemisphere cities, most cities now restrict the development of pedestrian airbridges.
25. Second, the design of the High Street airbridge severely impacts sight lines in the City Mall and visual connections to Cathedral Square and lower High Street. The design intent of High Street is to re-establish this historic link between Cathedral Square and the Port Hills. Retention of the airbridge stands in direct contradiction to this design intent. Removal of the airbridge would allow for a better visual connection along High Street, thereby achieving the revitalisation objective of linking our various Central City precincts.
26. Third, the High Street airbridge has limited use. The airbridge connects to only a few upper story locations and is not the preferred route for City Mall users be they students or shoppers. Casual observation notes that, even on rainy days, the preferred method of access across High Street is at ground level and not via the airbridge. This will continue to be the case whether the Mall is opened to slow traffic or remains pedestrian only. There is also a perception of lack of pedestrian safety in this airbridge owing to the corners, low lighting, and low use.
27. Fourth, the retention of the airbridge would eliminate the future possibility of extending the tram down High Street as clearances below the bridge are insufficient to allow a tram to pass. Reconstruction of the airbridge with a higher clearance is impractical as it would no longer align with the necessary first floor connections. A key element in the redesign of High Street is to expose historical tram tracks under the current surface with perhaps the option in the future to run the tram along them again. The location and height of the airbridge means that if the airbridge remains the tram will not be able to run down High Street in the future. (Refer Appendix B).
28. Fifth, the retention of the airbridge would seriously complicate any future decision to establish a service lane, slow road or movement corridor on High Street as the present locations of the bridge's footings would require any travel lane to circumvent them, thereby impinging on, degrading and adversely affecting the safety of the pedestrian footpaths.
29. Sixth, the two properties owners whose buildings are linked by the airbridge support its removal owing to it being obsolete, unsightly and they consider it a deterrent to public accessing their sites. They have both provided written support for the removal.
30. Seventh, the majority of respondents to the October 2006 consultation (see Appendix C for description of consultation process) supported the removal of the airbridges with greater support specifically for the removal of the High Street airbridge.

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**Amphitheatre**

31. The removal of the High St-Cashel Street amphitheatre is an important part of the renovation project. Amphitheatres, by design, are inwardly focused. The effect of their location in public spaces is to orientate users inward and exclude interaction with peripheral events and activities. This is further exacerbated when they are centrally located in public spaces.
32. The current use of the City Mall amphitheatre perfectly illustrates this dynamic. The amphitheatre is typically dominated by one group of users which then have the effect of excluding City Mall patrons who are not in that group. Despite it's central location, the strong circular form of the amphitheatre discourages people from walking through the space as its arrangement signals to pedestrians that you are 'intruding on someone else's space'.
33. The high berms of the amphitheatre also obscure sightlines through the City Mall, particularly to retailers on the north-east side of High Street and may be a contributing factor to some of the illegal activity that occurs in the area and perceptions of an unsafe environment.
34. Recognising the importance of this space to area youth as well as to events such as the World Busker's Festival, the proposed renovation seeks to retain these performance space functions. The redeveloped space will still be a great spot for events and will remain an open gathering space for youth. The primary difference is that the new space will be arranged in a more open format with a defined edge, thereby preventing the area from being dominated by a single group of users. Plenty of seating and event space will be provided. In addition, current plans call for the location of a retail kiosk on the south-eastern side of the reserve triangle. This kiosk will have the twin benefit of mitigating the easterly wind while also providing passive surveillance of the area.

**26. 7. 2007**

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**10. REGIONAL POLICY STATEMENT - DEVELOPMENT OF GREATER CHRISTCHURCH**

To be separately circulated.

**11. NOTICES OF MOTION**

**12. QUESTIONS**

**13. RESOLUTION TO EXCLUDE THE PUBLIC**

Attached.