

## 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.

### 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.
- (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.

## **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.

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.

## **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 its 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.