


9. HIGH STREET AIRBRIDGE LEASES



General Manager responsible:	General Manager City Environment DDI 941-8656
Officer responsible:	Transport & Greenspace Manager
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PURPOSE OF REPORT

1. The purpose of this report to the Council is to finalise the outstanding assignments of the airbridge leases over High Street, in order that the surrender of the leases will allow for the removal of the airbridge.

EXECUTIVE SUMMARY

2. Currently the airbridge lease over High Street is held by Glentree Properties Limited (on the Triangle Centre side) and R I Chan Investments (Pte) Limited (on the former National Mutual Arcade side).
3. On 23 February 2000 Glentree Properties Limited changed their name to Amtrust Pacific Properties Limited.
4. In April 2004 Amtrust Pacific Properties Limited sold their interest to OLT Properties Limited in the land and buildings known as the Triangle Centre.
5. However, the rights in the airbridge lease were not assigned by these parties and this report seeks to address this situation.
6. Likewise R I Chan Investments (Pte) Limited in October 2005 sold their interest in the land and buildings to Seaview Road Limited without assigning the rights in the airbridge on the former National Mutual Arcade side.
7. This report seeks to address this situation and to enable the Council, OLT Properties Limited and Seaview Road Limited to enter into negotiations for the surrender of the lease, to facilitate the removal of the airbridge in High Street.
8. The Council at its meeting on Thursday 14 December 2006 resolved that the information in the Central City Omnibus Report be received. During the discussion on the Christchurch City Mall renovation it was 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 construction phase.'"
9. In the refined Concept Plan put forward at the meeting, the airbridge in High Street had been removed whilst the airbridge in Cashel Street remained.

FINANCIAL IMPLICATIONS

10. The cost of removing the airbridge and making good the adjoining properties is provided in the budget allocated for Central City Projects. (Page 83 LTCCP)

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

11. As above.

LEGAL CONSIDERATIONS

12. The Legal Services Unit has advised that before a surrender of the airbridge leases 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.
13. These assignments cannot be made without the prior written consent of the Council. However, the Council cannot arbitrarily or unreasonably withhold its consent as per clause 8 of the lease document.

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

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

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

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

15. Refer 8 above.

ALIGNMENT WITH STRATEGIES

Do the recommendations align with the Council's strategies?

16. The project aligns with the Council's community outcomes for an attractive and well – designed city. It also aligns with the Central City Revitalisation strategy Stage 1 (Refer P 83 LTCCP).

CONSULTATION FULFILMENT

17. Extensive consultation has been carried out on the Central City Mall revitalisation.

STAFF RECOMMENDATION

It is recommended:

- (a) That the assignments of the airbridge leases over High Street be approved between Amtrust Pacific Properties and OLT Properties Ltd (Triangle Centre side) and R I Chan Investments and Seaview Road Ltd (former National Mutual side).
- (b) 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 allow the removal of the airbridge for Stage 1 of the Central City Mall Revitalisation Project.
- (c) That the Corporate Support Manager and the Transport and Greenspace Manager be given delegated authority to conclude the negotiations and subsequent lease surrenders to enable the removal of the airbridge should the Council decide to do so.