

21. CASINO OVERBUILDING AND PETERBOROUGH STREET POSSIBLE ROAD STOPPING

RR 10605

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Corporate Plan Output: City Planning and Development	

PURPOSE

This report follows up on the resolution of the Council meeting of 26 August 1999, which was to note the following Environment Committee recommendations:

- “1. That the Council as landowner, note the proposal to construct an overbuilding, as part of the Christchurch Casino extension, over that part of Peterborough Street, as shown on the attached plan.
2. That it be recommended to the City Services Committee that the section of Peterborough Street between Durham Street and Victoria Street be closed.”

It firstly explains the background to the development of a policy for the granting of rights to airspace over public roads and elaborates on the parts of that policy which are pertinent to the request from Christchurch Casino for rights to airspace. Copies of the draft policy are available from Janet Reeves, Senior Planner, Urban Design & Projects.

The report secondly seeks the Committee's views on the stopping of Peterborough Street. This is essentially the nature and extent of the City Services Committee's involvement in this process.

USE OF AIRSPACE

A report was presented to the Environment Committee on 10 June 1999, outlining the issues relating to the use of airspace over public streets. Subsequently a policy was prepared entitled 'Granting Rights to Airspace over Public Roads', which was put to the Environment Committee meeting of 7 July. It was resolved that the policy be approved in principle subject to public consultation, this decision was discussed and ratified by the Council on 22 July. The results of public consultation are reported to the 9 September meeting of the Environment Committee.

The request from the Casino for rights to airspace over Peterborough Street has been assessed against the Granting Rights to Airspace over Public Roads Policy. As discussed in the background report to the policy, using airspace above public space for creating additional commercial floorspace in the central area is not to be encouraged. Considerable additional development potential could be released by leasing the floorspace above streets or other public spaces. Given that there is already surplus floorspace within the City Centre and that a large range of redevelopment options remain available, it would be unwise to release further space. Furthermore, releasing public space for commercial use without good reason could set an undesirable precedent.

Because of these concerns, the proposed policy states that rights to airspace for the sole purpose of creating additional floorspace will only be granted in exceptional circumstances. The relevant extract from the draft policy is as follows:

The Council will not generally grant rights to space above roads for the sole purpose of creating additional floorspace (ie for an overbuilding) unless there are exceptional circumstances, such as where there is a clearly demonstrated need for increased floorspace that cannot be met in any other way, ie by expansion upwards, sideways or backwards or by moving to another site.

The applicant will therefore need to demonstrate firstly, that there is a clearly demonstrated need for additional floorspace and secondly that that need cannot be met in any other way than by an overbuilding. Leaving aside the question of whether there is a need or not, the additional floorspace could be met by siting the commercial floor in the proposed car parking building. Therefore, there would appear not to be exceptional circumstances in this case and the release of the airspace is contrary to the (agreed in principle) policy.

The proposal has also been assessed against Part 2 of the policy. Part 2 states that if the Council is satisfied that there is both a need and clear advantages of granting rights to airspace, then the request may be considered if it meets the requirements outlined in Part 2. An assessment of the proposal against these requirements finds that the following are not met:

- 2(a) The proposal could lead to a significant dilution of human activity at street level, particularly in the evenings.
- 2(b) The design and location of the structure could cause excessive shading at street level and obstruct footpaths.
- 2(c) Joining buildings across Peterborough Street will result in excessively bulky built form, particularly along Durham Street. The combined length of the frontage of the existing casino, the overbuilding and the proposed car parking building along Durham Street would be approximately 134 m (as a comparison, the frontage of the Civic Offices is approximately 55m).

Under Part 2(g) of the policy, Peterborough Street is classified as ‘a secondary street where airbridges may be allowed but overbuildings will only be considered in exceptional circumstances, where the relative merits of closing the street rather than building over it have been assessed’. As discussed above, there do not appear to be any exceptional circumstances.

PETERBOROUGH STREET - ROAD FUNCTION

Peterborough Street is classified as a local access street in the City Plan. Peterborough Street is similar to Chester Street in that there is limited traffic that travels more than one section. Its location between the one way pair of Salisbury Street and Kilmore Street reinforces its function as predominantly an access road and local circulation route.

Peterborough Street presently has a carriageway width of 13 metres and a widened footpath on the south side containing street trees and kerb extensions. On the north side there is a standard width footpath.

The traffic volumes on this street is less than 2,000 vehicles per day and a large proportion is generated by the Casino off street parking areas.

The shuttle bus uses Peterborough Street after 6.00 pm. It travels via Peterborough Street from Colombo Street to service the Casino. Peterborough Street was used as a bus route in the past to avoid using the Victoria Street approach to the traffic signals at Kilmore Street. Buses now use the one way system as it provides a quicker route into the city.

TRAFFIC ENVIRONMENT

The Casino presently occupies some 80% of the properties along Peterborough Street. The balance is occupied by a reserve on the south side and on the north two properties, one of which has two vehicle entrances.

At the eastern end of the street, at the intersection with Durham Street, there are traffic signals. These traffic signals are generally under utilised and consideration could be given to removing them. At the western end of the street there is a Give Way control on Peterborough Street at its intersection with Victoria Street. The two approaches of Peterborough Street have been off set to provide two separate "T" junctions.

There are 11 metered parking spaces along this section of Peterborough Street as well as some provision for cyclists and motorcyclists. In the past a taxi stand was provided adjacent to the Casino but as a result of the failure of a call system it has been necessary to relocate the taxis to Victoria Street.

ROAD STOPPING CONSIDERATIONS

There are no proposals to stop this section of Peterborough Street in the City Plan. The Council has the ability to stop this section of road under the Local Government Act, but its powers are limited if there are objections, which could reasonably be expected. Nevertheless, the Council does have the ability to create easements for structures to be erected over or on the road.

There are benefits to stopping this section of Peterborough Street as road as it would enable the Casino to provide a layout that can be tailored to more readily suit their requirements. There are also disbenefits, with the possible loss of use of this road as a local circulation road.

The Council's Property Projects Manager has also advised that the Casino's proposed use of Road Reserve would be in competition with the nearby Convention Centre and Town Hall.

CONCLUSION

This road serves an important local access function with the Casino playing an important part in the use of the street. There are benefits and disbenefits to stopping the road and making the land available to the Casino for development.

The Committee is asked for its views on road stopping so that the matter can be progressed.

Recommendation: That the Committee determine whether it supports the stopping of Peterborough Street, for the purposes of development of the Casino.

Deputy Chairman's

Recommendation: For discussion.