

### 13. DRAFT CENTRAL CITY PLAN

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#### PURPOSE OF REPORT

1. The purpose of this report is to recommend the draft Central City Plan to Council for adoption for consultation.

#### EXECUTIVE SUMMARY

##### Why prepare a Central City Plan?

2. The Canterbury Earthquake Recovery Act 2011 (CERA 2011) was enacted on 18 April 2011 and is the Government's response to a series of devastating earthquakes which hit Christchurch over the period 4 September 2010 through to 13 June 2011 (post enactment). The most devastating, on 22 February 2011, resulted in 181 deaths, many serious injuries, significant building and infrastructure damage in the central city, the declaration of a state of national emergency for over 2 months and the cordoning of much of the Central City from public access.
3. The Act requires that a recovery plan is developed for the central city. The act refers to this as the CBD Masterplan and defines the area as that bounded by Deans, Moorhouse, Fitzgerald, Bealey and Harper Avenues. Residents of Christchurch know the CBD more colloquially as the Central City and this is the name used – the Central City Plan.
4. The Central City Plan has been developed during the four months from April-July 2011. There was a body of existing information which Christchurch City Council had already accumulated in developing the implementing the Central City Revitalisation Strategy.
5. The Act requires that Council consult with affected communities as part of plan development. From the outset, given that the Central City is part of all of the city, it was important to engage with the widest community possible. Council launched Share an Idea, a public engagement campaign to get the community involved in how they would like the Central City rebuilt. Share an Idea included:
  - A website where ideas could be shared and displayed online ([www.shareanidea.org.nz](http://www.shareanidea.org.nz))
  - A tabloid circulated to all Christchurch households outlining the process and inviting the community to a Community Expo weekend;
  - A Community Expo weekend attended by over 10,000 people. The Expo included displays and speakers to prompt ideas and thoughts on the Central City, several methods for people to leave ideas (YouTube video booth, computer stations and post-it notes to share ideas) and also before/after photographs of some parts of the central city;
  - The Share an Idea website posed questions back to the community on emerging themes to elicit further responses;
  - Public communication which included press, radio, Facebook, YouTube, Twitter and weekly e-newsletters.
6. In addition there were a number of groups of key stakeholders representing landowners, business and community groups, key agencies, professional institutes, arts and sporting groups and residents association whose input to the plan was necessary to ensure a plan that was achievable and realistic. Over 100 key stakeholder meetings were held to help shape the plan. Community workshops were held within each of the wards of the city; information packs were sent to schools; drop boxes were placed at the University of Canterbury and the Christchurch Polytechnic (CPIT).

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7. The act also identifies that the plan must provide the Canterbury Earthquake Recovery Authority (CERA), Environment Canterbury (ECan) and Te Runanga O Ngai Tahu (TRONT) the opportunity to input to the development of the plan. Early meetings were held with representatives from all three agencies to seek how they wished to be involved. As a ECan and CERA staff have been members of project operations and steering groups as well as taking part in workshops relevant to their areas of responsibility, such as public transport for ECan. TRONT staff, including staff from Mahaanui Kurataiao Limited, have provided text and information to input into the document.
8. Development of the plan was lead by Councillors via weekly workshops. The workshops commenced on the 19 April and were completed on 4 August. Initially the workshops focussed on consultation and issue development, then plan development and finally the plan itself.
9. A total of 105,991 ideas were shared during the six week campaign. These ideas were analysed to identify emerging themes for the plan. 130 themes emerged and these have formed the basis of the projects which appear in the draft plan.
10. The plan must provide a clear path for the recovery of the Central City. To this end it is an action-oriented document, setting out aspirations to be delivered through a set of projects to be achieved over the next 10-20 years.
11. The plan is in two volumes – Volume 1 is an action-oriented spatial plan and Volume 2 is a proposed new regulatory framework for the Central City to support recovery.
12. The essence of the plan is captured in The Big Picture which describes the Vision for the Central City, the community input and key changes or big moves the community will see as the plan unfolds. These significant changes are also supported and complemented by a programme of other hard and soft interventions. An implementation plan and funding analysis complete the plan for consultation.
13. In detail Volume 1 is divided into seven chapters: Remembering, Green City, Distinctive City, City Life, Transport Choice, Market City, Transitional City and Implementation. Each chapter sets out a vision for a recovered central city and a series of short, medium and long-term projects to catalyse that recovery. Each chapter also has one or two 'hero' projects which have been chosen because they will provide a significant lead in recovery. At the beginning of each chapter is a summary of the projects, list of targets and a map which shows the projects spatially across the central city.
14. Each project in the plan includes project information setting out when, where and how the project will be implemented, who will be responsible for implementing the plan (not all projects are the responsibility of Christchurch City Council) and the estimated cost of the project. The project costs a collated in the implementation chapter which sets out the staging and cost for the projects. These implementation plans will need to be fully developed once the final plan is adopted; at this stage the costings provide sufficient information for the scale and impact of each project to be broadly understood.
15. The draft plan includes Volume 2 which is a proposed series of changes to the Christchurch City Plan. The CER Act 2011 provides powers to the Minister to amend any existing Council plan. The changes to the City Plan will enable Council to give early effect to the objectives of the Central City Plan as rebuilding the Central City commences. Without such changes the ability of the City to give effect to, or advance its vision for the future will be severely compromised.
16. The regulatory changes will impose some additional requirement or constraints on development but will also empower opportunity to develop land in new and creative ways. The regulatory section also needs to be considered in conjunction with the range of incentives and other programmes included in the first volume of the Central City Plan.

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17. Following adoption of the plan consultation will commence on 16 August and close on 16 September. Hearings are proposed for 3-7 October 2011. It is proposed that Council adopt the final plan in December 2011. Once adopted the plan will be forwarded to the Minister for Earthquake Recovery for approval. The Minister has the absolute discretion to approve the plan in whole or in part. Following its approval the Council and various other agencies will begin the intense process of detailed planning, funding and implementation.

#### FINANCIAL IMPLICATIONS

18. See below

#### Do the Recommendations of this Report Align with 2009-19 LTCCP budgets?

19. The preparation of the plan commenced under urgency with the 2010/11 Annual Plan, under the Central City Revitalisation work area. The completion of the plan has been approved as part of the 2011/12 Annual Plan. There are a wide range of projects contained in the plan. Some have previously been included in the Council's LTCCP. However the scale, timing and scope of many of these have changed. These will need to be addressed as part of the 2012/13 Annual Plan and the 2012-2020 LTP. In particular there are a number of short term Transitional City measures which Council may wish to address within the current financial year and which can be addressed through normal reporting mechanisms.

#### LEGAL CONSIDERATIONS

19. Development of a Central Plan City is a requirement of the Canterbury Earthquake Recovery Act 2011. There are several requirements in the legislation. The development of the Plan, the only recovery plan specified in the legislation, must be lead by Christchurch City Council [add in lan's info]

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

20. The Canterbury Earthquake Recovery Act 2011 came into force on 19 April 2011 (CER Act). One of its objectives is to provide appropriate measures to ensure that Christchurch and the Council, including its communities, respond to and recover from the impacts of the Canterbury earthquakes. The Act also enables community participation in the planning of the recovery.
21. The Minister for Canterbury Earthquake Recovery (the Minister) has been appointed to give effect to the CER Act. This includes directing the developing of, and matters to be covered by, recovery plans.
22. Section 17 of the CER Act requires the Council to lead the development, in consultation with the affected communities, of a Recovery Plan for the whole or part of the Central Business District (CBD) . The Central City Plan is a Recovery Plan for the purposes of the Act.
23. Section 17 sets out a process to be adopted for development of the Central City Plan. The essential elements are:
  - (a) CERA, Environment Canterbury and Te Runanga o Ngai Tahu must have the opportunity to provide an input into the development of the Central City Plan;
  - (b) the Minister may require the Christchurch City Council to enable other specified persons or organisations to have the opportunity to provide an input into the development of the plan;
  - (c) a draft plan must be developed within 9 months of the date on which the Act came into force;
  - (d) the process for the development of the proposed plan must include one or more public hearings, as determined by the Council, at which members of the public may appear and be heard.
  - (e) the Council must have regard to section 77 of the Local Government Act 2002 (LGA 2002).

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24. From an early stage, CERA has been involved in the development of the Central City Plan. Both CERA and Environment Canterbury have been represented on a steering group that meets fortnightly and a management group that currently meets on a weekly basis.

As stated in the plan, the redevelopment of central Christchurch reflects some important Ngai Tahu values, focusing on people and place, community aspirations, sustainability and the environment.

25. To date the Minister has not required the Council to enable other specified persons or organisations to have the opportunity to provide an input into the development of the Central City Plan.

26. The Council intends to complete development of its draft plan by mid December 2011. It is hoped that the draft will be approved by the Minister before 19 January 2012, which is 9 months from the date the CER Act came into force.

27. As indicated in the draft Central City Plan and elsewhere in this report, a great deal of consultation has been undertaken with the community. It is proposed that members of the public may appear and be heard at public hearings in early October 2011.

28. Section 17(6) of the CER Act requires the Council to have regard to section 77 of the LGA 2002 in the development of its Central City Plan. Section 77 states that a local authority must, in the course of its decision-making process:

- (a) seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
- (b) assess those options by considering;
  - (i) the benefits and costs of each option in terms of the present and future social, economic, environmental, and cultural wellbeing of the district or regions; and
  - (ii) the extent to which community outcomes would be promoted or achieved in an integrated and efficient by each options; and
  - (iii) the impact of each option on the local authority's capacity to meet present and future needs in relation to any statutory responsibility of the local authority; and
  - (iv) any other matters that, in the opinion of the local authority, are relevant; and
- (c) if any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Maori and their culture and traditions with their ancestral land, water, sights, waahi tapu, valued flora and fauna, and other taonga.

29. The provisions in section 77 are subject to section 79 of the LGA 2002.

30. The objective of section 17 of the CER Act is the development of a Recovery Plan for the whole or part of the CBD. The section also requires the Council to develop its plan by 19 January 2012. There is no other reasonably practicable option available.

31. The Council has, either directly or indirectly, had regard to the matters set out in section 77(b). It has assessed the more than 106,000 ideas contributed by the greater Christchurch community and used this process to help inform the direction for the draft Central City Plan. A range of possible interventions or actions to help support the recovery of the central city were grouped around 5 themes and these form the basis for the 5 key chapters in the Central City Plan. As noted in the draft (p.11) the projects outlined in the chapters are both affordable and deliverable. Each has an indicative budget, timeframe for implementation and identifies a lead agency responsible for delivering the project. The implementation details of these projects will be further developed before the draft plan goes to the Minister in December 2011.

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32. At p.171 the Central City Plan lists a range of targets or outcomes. These reflect the desired result of implementing the plan. A monitoring programme will focus on the key outcomes across all of the chapters and this will be complemented by the Council's Community Outcomes monitoring programme.
33. Taking an overall view, the criteria contained in section 77(b) of the Local Government Act 2002 are reflected throughout the draft Central City Plan.
34. So far as section 77(c) is concerned, Ngai Tahu has been recognised as a key organisation to have input into the Central City Plan. At page (ix), it is stated that the concepts of greening the city, embracing and improving the health of the water and the river, and a strong sustainability focus to the redevelopment and commercial spaces make this an important plan for Ngai Tahu aspirations for their culture, values and identity.
35. The draft Central City Plan has therefore been developed in accordance with the requirements of the CER Act.
36. Section 77 is subject to section 79 of the LGA 2002. That states that it is the responsibility of the Council to make, in its discretion, judgements about how to achieve compliance with section 77 and 78 that is largely in proportion to the significance of the matters affected by a decision. In particular, the extent to which the different options are to be identified and assessed and the degree to which benefits and costs are to be quantified. Section 78 of the Act requires the Council to give consideration to the views and preferences of persons likely to be affected by, or to have an interest in, its decision.
37. Clearly, developing the Central City Plan is a significant issue for the Council. As a result, a high degree of attention has been given to the options that can be identified and assessed and a degree to which benefits and costs are to be quantified. For example, supplementary economics studies will be undertaken based on any market feedback during the consultation phase, peer reviews of retail, tourism and transportation strategies will be undertaken along with high-level cost-benefit assessments of all significant projects in the plan. An integrated sustainability assessment will consider the plan's likely impact on a set of measures for sustainability, health and social wellbeing.
38. In the process undertaken for the development of the draft Central City Plan the Council has not only had regard to section 77 of the Local Government Act 2002, it has also met the standards required by sections 78 and 79 of that Act.

#### **ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

39. See below.

#### **Do the recommendations of this report support a level of service or project in the 2009-19 LTCCP?**

40. The requirement for the plan and its genesis in the CER Act 2011 were unanticipated by the LTCCP. The direction of the plan is consistent with the Council's LTCCP and the Central City Activity Management Plan, but has been shaped by the outcome of the 2010/2011 earthquakes..

#### **ALIGNMENT WITH STRATEGIES**

41. The draft Central City Plan is consistent with a range of Councils existing strategy documents, notably the Central City Revitalisation Strategy and the Greater Christchurch Urban Development Strategy. It is also required under the CER Act 2011 to be consistent with the Greater Christchurch Recovery Strategy, to be prepared by CERA. The Strategy is currently in preparation.

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

42. See above.

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### CONSULTATION FULFILMENT

43. The consultation on the Central City Plan commenced with Share an Idea and key stakeholder meetings as described in paragraphs 5,6 and 7 above. Following adoption of the draft plan there will be a 20-working day consultation period followed by hearings and deliberations.

The ideas that have been contributed to the development of the Central City Plan were generated from the Share an Idea Community Expo, the Share an Idea website, public workshops, interest groups, stakeholder meetings, professional bodies and various conversations within the greater Christchurch community. The Council has clearly given consideration to the views and preferences of persons likely to be affected by, or likely to have an interest in the plan (section 78 LGA 2002).

44. Section 17(5) of the CER Act states that the process for the development of the Central City Plan must include one or more public hearings, as determined by the Council, at which members of the public may appear and be heard.
45. Once the plan is adopted Council will commence on the consultation phase the will engage the community ,stakeholders and the media. Unlike the project commencement the management of the engagement will be delivered in the community. An international speaker series is however planned on 27-28 August which will be companioned with a consultation expo. Consultation and submissions will close on 16 September and be followed by hearings and deliberations. The exact timing and scale of the exercise will depend on the volume of submissions received.

### STAFF RECOMMENDATION

It is recommended that the Council:

- (a) adopt the draft Central City Plan (**Attachment 1** - Volume 1 and Volume 2) for consultation
- (b) Authorise the General Manager Strategy and Planning, to amend the draft Central City Plan where necessary, provided such amendments are not material.
- (c) Adopt the public consultation period as the 16 August to 16 September 2011
- (d) Note the proposed Consultation scheduled attached as **Attachment 2** to the report.