

CHRISTCHURCH CITY COUNCIL AGENDA

THURSDAY 15 DECEMBER 2011

9.30AM

**COUNCIL CHAMBER, CIVIC OFFICES,
53 HEREFORD STREET**

CHRISTCHURCH CITY COUNCIL

**Thursday 15 December 2011 at 9.30am
in the Council Chamber, Civic Offices, 53 Hereford Street**

Council: The Mayor, Bob Parker (Chairperson).
Councillors Helen Broughton, Sally Buck, Ngaire Button, Tim Carter, Jimmy Chen, Barry Corbett,
Jamie Gough, Yani Johanson, Aaron Keown, Glenn Livingstone, Claudia Reid and Sue Wells.

ITEM NO	DESCRIPTION	PAGE NO
1.	APOLOGIES	
2.	CONFIRMATION OF MINUTES - COUNCIL MEETING OF 1.12.2011, 8.12.2011 AND CENTRAL CITY PLAN MEETINGS	
3.	DEPUTATIONS BY APPOINTMENT	
4.	PRESENTATION OF PETITIONS	
31.	FACILITIES REBUILD PLAN (REFER TO ITEM 31 COUNCIL AGENDA 8 DECEMBER 2011)	8.12.2011 AGENDA 235
32.	DRAFT STATEMENT OF INTENT FOR THE COUNCIL'S SUBSIDIARY AND ASSOCIATED COMPANIES FOR YEAR ENDING 30 JUNE 2012 (REFER TO ITEM 32 OF COUNCIL AGENDA 8 DECEMBER 2011)	8.12.2011 AGENDA 257
33.	PERFORMANCE REPORT FOR THE FOUR MONTHS TO 31 OCTOBER 2011 (REFER TO ITEM 33 OF COUNCIL AGENDA 8 DECEMBER 2011)	8.12.2011 AGENDA 349
37.	STREET LIGHTING MAINTENANCE AND RENEWALS CONTRACT (REFER TO ITEM 37 OF COUNCIL AGENDA 8 DECEMBER 2011)	8.12.2011 AGENDA 411
38.	TRAFFIC AND PARKING BYLAW AMENDMENT 2012 (REFER TO ITEM 38 OF COUNCIL AGENDA 8 DECEMBER 2011)	8.12.2011 AGENDA 413
39.	RECOVERY STRATEGY – CONSULTATION CONFIRMATION (REFER TO ITEM 39 OF COUNCIL AGENDA 8 DECEMBER 2011)	8.12.2011 AGENDA 439
40.	COUNCIL'S FURTHER SUBMISSION ON THE PROPOSED CANTERBURY REGIONAL POLICY STATEMENT (REFER TO ITEM 40 OF COUNCIL AGENDA 8 DECEMBER 2011)	8.12.2011 AGENDA 443
52.	REPORT OF A MEETING OF THE HERITAGE AND ARTS COMMITTEE: MEETING OF 2 DECEMBER 2011 (REFER TO ITEM 52 OF SUPPLEMENTARY COUNCIL AGENDA 8 DECEMBER 2011)	8.12.2011 AGENDA 589
5.	ADDITIONAL EARTHQUAKE RELATED RATES RELIEF FOR OWNERS OF PROPERTIES AT RISK OF ROCK-FALL	
6.	REDCLIFFS – TEMPORARY FACILITY REQUEST	
7.	DRAFT CENTRAL CITY PLAN	
8.	NOTICES OF MOTION	
9.	RESOLUTION TO EXCLUDE THE PUBLIC	

COUNCIL 15. 12. 2011

- 1. APOLOGIES**

- 2. CONFIRMATION OF MINUTES - COUNCIL MEETING OF 1.12.2011, 8.12.2011 AND CENTRAL CITY PLAN MEETINGS**

Separately circulated.

- 3. DEPUTATIONS BY APPOINTMENT**

- 4. PRESENTATION OF PETITIONS**

COUNCIL 15. 12. 2011

**52. ATTACHMENT TO REPORT OF A MEETING OF THE HERITAGE AND ARTS COMMITTEE:
MEETING OF 2 DECEMBER 2011**

Attached.

COUNCIL 15. 12. 2011

5. ADDITIONAL EARTHQUAKE RELATED RATES RELIEF FOR OWNERS OF PROPERTIES AT RISK OF ROCK-FALL

General Manager responsible:	General Manager Corporate Services, DDI 941-8528
Officer responsible:	Corporate Finance Manager
Author:	Funds and Financial Policy Manager

PURPOSE OF REPORT

1. As part of the 2011/12 Annual Report the Council adopted a range of rates remissions to provide some financial relief for the owners of property damaged by the series of Canterbury earthquakes. The purpose of this report is to recommend to the Council the extension of that rates remission policy to provide relief for those residential ratepayers required to vacate their property due to s.124 notices being issued as a result of the risk of rock-fall or cliff collapse, unsafe access, or retaining wall issues. In this report these four risks together are referred to as "rockfall".

EXECUTIVE SUMMARY

2. Civil Defence red placards issued to properties at risk of rock-fall in the Port Hills, Lyttelton, and Sumner/Redcliffs/Mount Pleasant area expired on 12 July 2011. Following inspection by geotechnical contractors 525 properties have been issued with notices prohibiting entry under section 124(1)(b) of the Building Act 2004 (s.124 notice) because of the significant risk of rock-fall that remains. These notices have not been issued because of structural issues with the residences, but for geotechnical reasons. As further geotechnical testing is carried out more s.124 notices may be issued.
3. Where property owners are unwilling to observe the s.124 notice Council will initiate enforcement action by serving the property owners with a notice to fix under s.164 of the Building Act 2004 (effectively an immediate order to vacate the property). If necessary, this notice will then be enforced by way of an injunction application to the District Court.
4. The earthquake related rates remission adopted by the Council for 2011/12 provides 40 per cent rates remission for residential and non-rateable properties that are unable to be occupied. Under this policy properties at risk of rock-fall that have been issued with a s.124 notice are eligible for a 40 per cent rates remission.
5. While the Council is not responsible for creating the rock-fall risk, because of its role in issuing the s.124 notices, its intent to enforce those notices, and its ongoing work in rock-fall mitigation it is appropriate to consider the full remission of rates on affected properties.
6. The 525 affected properties are eligible for a 40 per cent rates remission under the existing Rates Remission Policy. The estimated 2011/12 cost of \$0.299 million was included in the Annual Plan budget as part of the number of properties expected to receive remission because they were unable to be occupied. Increasing the remission to 100 per cent would increase this cost by a further (approximately) \$0.449 million.
7. There is a risk to the Council that other ratepayers who are unable to occupy their properties will consider that the proposed 100 per cent remission for properties at risk of rock-fall should be extended to cover all properties that are unable to be occupied. While this perception is understandable, Council's use of s.124 notices for properties at risk of rock-fall but not, generally, for properties with structural damage, plus Council's ongoing work in rock-fall mitigation clearly distinguishes the two categories of ratepayers.

5 Cont'd

FINANCIAL IMPLICATIONS

8. The 2011/12 Annual Plan budget includes \$1.687 million for earthquake related rates remissions plus \$1.700 million for rates revenue expected to be lost on demolished buildings (the Council has requested an Order in Council that would permit it to reduce the rates on a demolished building with effect from the date of demolition and to begin rating a new building from the date of completion). From a financial management perspective staff have considered these budgets to be effectively interchangeable because as an unsafe building is demolished it will transition from qualifying for rates remission to qualifying for land value based rates. The date of transition will determine the eventual split between rates remissions and reduced rates revenue. The total 2011/12 budget for both these items \$3.387 million.
9. Over the financial year to 30 November 2011 the \$3.387 million budget for rates remissions and lost rates revenue on demolished buildings has been overspent by \$1.498 million. This is partly due to an under estimation of the number of residential properties that would qualify for remission (3575 budgeted and 4411 actual). However, \$1 million of the variance relates to anticipated increases in rates revenue on new builds and subdivisions within the year which cannot be collected unless the Government passes the requested Order in Council. Current forecasts are that this overspend will increase slightly to \$1.6 million by the end of the financial year, although this is dependent on Government passing the requested Order.
10. The 525 affected Port Hills properties are currently eligible for a 40 per cent rates remission. As noted above the Annual Plan budget did not include a specific allowance for these properties. Increasing the remission to 100 per cent would increase the full year cost of \$0.299 million to approximately \$0.748 million, an increase of \$0.449 million.
11. The budgeted cost of the existing remissions policy formed part of the estimated \$73.8 million in operating deficits Council resolved to fund by way of an additional special earthquake charge of 1.76 per cent for five years. If agreed by Council, the recommendation in this report would be unbudgeted and would therefore increase the Council's operating deficits. Recommendations on how to fund the additional deficit for 2011/12 and 2012/13 & beyond will be made to Council during the Annual Plan 2012/13 deliberations.

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

12. No.

LEGAL CONSIDERATIONS

13. Section 102(4)(b) of the Local Government Act 2002 enables a Rates Remission Policy to be amended at any time using the special consultative procedure. The Canterbury Earthquake (Local Government Act 2002) Order 2010 exempts the Council from this provision in certain circumstances.
14. One of the purposes of the Canterbury Earthquake Recovery Act 2011 is to provide appropriate measures to ensure that the Council responds to, and that Christchurch and its community recover from, the impact of the Canterbury Earthquakes.
15. The Canterbury Earthquake Recovery Act 2011 repeals the Canterbury Earthquake Response and Recovery Act 2010. However section 88 of the new Act states that every Order in Council made under the 2010 Act, and still in force, is to be treated as having been made under the new Act. This includes the Canterbury Earthquake (LGA 2002) Order 2010.
16. Should the Council resolve to amend its Rates Remissions Policy as recommended in this report that decision would fall within the purposes of the Canterbury Earthquake Recovery Act 2011. The Council is therefore entitled to rely on the exemption from compliance with section 102(4)(b) of the Local Government Act 2002 provided for in the Canterbury Earthquake (LGA 2002) Order 2010.

5 Cont'd

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

17. Not applicable.

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

18. No.

ALIGNMENT WITH STRATEGIES

19. Not applicable.

CONSULTATION FULFILMENT

20. Council staff have discussed this issue and the staff recommendation with Environment Canterbury staff. Environment Canterbury staff have indicated that Commissioners are likely to consider whether to offer an equivalent remission at their meeting on 15 December 2011.

STAFF RECOMMENDATION

It is recommended that the Council resolve to amend its Rates Remission Policy to enable the provision of rates relief to the owners of earthquake-damaged properties as follows:

100 per cent rates remission for residential and non-rateable properties that are considered by the Council to be at risk of rock-fall, cliff collapse, unsafe access or retaining wall issues, and where the occupant has been instructed by the Council to vacate the property and issued with a notice under section 124(1)(b) of the Building Act 2004. Qualifying properties would be eligible for the remission from the date on which the section 124(1)(b) notice was issued or the date the property is vacated, which ever is the earlier, until the earlier of 30 June 2012 or the date on which the notice is withdrawn.

COUNCIL 15. 12. 2011

6. REDCLIFFS – TEMPORARY FACILITY REQUEST

General Manager responsible:	General Manager – Community Services, DDI 941-8607
Officer responsible:	Places and Spaces Manager – Libraries and Information Unit
Author:	Sally Thompson

PURPOSE OF REPORT

1. To seek a resolution from the Council to approve the use of the Redcliffs Library site 91 Main Road, Redcliffs for the erection of a temporary facility to provide a voluntary library service.

EXECUTIVE SUMMARY

2. Following the demolition of the Redcliffs volunteer library The Redcliffs Voluntary Library Committee made a deputation to the Council requesting permission to place a temporary facility on the site so that the volunteer library service to the community can continue.
3. This request has been considered and this report recommends that a temporary arrangement be entered into with the volunteer library group, pending the longer term planning under the Facilities Rebuild Project.

FINANCIAL IMPLICATIONS

4. There are no financial implications arising from this proposal. The Council's financial obligations as property owner will not be altered as a result of this proposal. Council obligations to maintain the site approximately \$2,000 per annum as per Levels of Service provided in pre-earthquake period.

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

5. Yes.

LEGAL CONSIDERATIONS

6. It would appear that the property was transferred to the Council by way of a Deed of Gift in about 1950 from an incorporated society established for the purpose of providing a volunteer library service to the community. A copy of the Deed has not been found due to the unavailability of archival records as a result of the earthquake. There is however sufficient evidence to establish that the property was transferred to the Council with the intent that it be held and operated for this purpose. In particular the Memorandum of Transfer states that the land is to be used for the 'health, amusement and instruction of the public' This is supported by the Library minutes of the time.

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

7. Yes.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

8. Yes - Residents have access to a physical library relevant to local community need.

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

9. Yes.

ALIGNMENT WITH STRATEGIES

10. Libraries 2025 Facilities Plan

6 Cont'd

Do the recommendations align with the Council's strategies?

11. Yes

CONSULTATION FULFILMENT

12. N/A

STAFF RECOMMENDATION

It is recommended that the Council:

- (a) Supports the placement of a temporary volunteer library facility on the site at 91 Main Rd, Redcliffs..
- (b) That the Corporate Support Unit Manager is delegated authority to enter into a lease with the volunteer Library Group subject to the following terms and conditions:
 - (i) The costs to Council are restricted to those that would normally occur and be expected as a land owner and are provided for in the Council's budgeted levels of service.
 - (ii) The lease is temporary pending the outcomes of the Facilities Rebuild Project.
 - (iii) The Redcliffs Voluntary Library is responsible for all of the set up and ongoing costs related to the improvements on the site. along with provision and operation of the service.

7. DRAFT CENTRAL CITY PLAN

General Manager responsible:	General Manager Strategy & Planning, DDI 941-8281
Officer responsible:	Programme Manager Liveable City
Author:	Carolyn Ingles

PURPOSE OF REPORT

1. The purpose of this report is to recommend:
 - (a) a series of resolutions to complete the decision-making process on the proposed Central City Plan,
 - (b) the adoption of the draft Central City Plan and approval to send it to the Minister of Earthquake Recovery for his approval,
 - (c) adoption of a timetable for the first phase investigations into the Christchurch Convention Centre, and Christchurch Metro Sports Facility, as outlined in the Draft Central City Plan.

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 a corner stone of 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 182 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. Under the CER Act preparation of the draft Central City Plan is the responsibility of the Christchurch City Council. The final approval of the plan is the responsibility of the Minister for Earthquake Recovery.

Plan Development, Consultation and Key Stakeholder Engagement

4. The development of the draft Central City Plan commenced in April 2011. The Act requires that Council consult with affected communities as part of plan development. From the outset, given that the Central City is a key 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)
 - 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.

COUNCIL 15. 12. 2011

7 Cont'd

5. In addition there were a number of key stakeholder groups representing landowners, business and community interests, key agencies, professional institutes, arts and sporting groups and residents associations 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).
6. The act also requires 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. ECan and CERA staff were 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.
7. 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.
8. A total of 105,991 ideas were shared during the six week Share an Idea 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.
9. The draft plan was adopted by Council for public consultation on 11 August 2011. The plan was available for public written comments from 16 August to 16 September 2011. Copies of the plan were made available on the Council's website, at service centres and libraries. A copy of the summary document was delivered to Christchurch households. More than 100 briefings and meeting were held with a variety of stakeholders, interest groups and professional bodies (set out in Appendix B to the plan).
10. 4707 comments were received on the plan with 427 individuals and organisations asking to speak to their comments. Broken down these comments addressed more than 10,000 matters for Council to consider. Nearly 4000 comments were received on the Transport Choice chapter, nearly 2500 on Green City, about 2000 on City Life, just over 1500 on Distinctive City and just under 1500 on Market City. The remaining comments were spread across other chapters in the plan.
11. Council hearings were held over 8 days and following hearings the Council spent 11 days deliberating on all of the comments (written and presented at hearings).
12. Following deliberations both volumes of the plan were peer reviewed and as a result further amendments were identified to ensure that the plan remained internally consistent, and in particular that Volumes 1 and 2 were fully aligned. These were canvassed with Council at workshops on the 18 and 29 November 2011. This report presents a number of recommendations to formally adopt these final agreed points. Those resolutions are set out in table 1 attached to this report.

What will the Plan achieve?

13. The Draft Central City Plan is a visionary document that builds a strong case for a modern, vibrant and resilient Central City, which will emerge from the rubble of the earthquakes. In doing so the plan embraces the opportunity to both recover, and develop a modern 21st Century urban centre. While it sets out a strong future the plan is not prescriptive in its outcomes, but creates a framework for both public and individual decision-making. The plan addresses all spheres of the community engagement with the Central City: as a physical centre, and place of employment, retail, recreation and residential activity. The plan also canvasses those elements that support the creation of a vital new centre, such as access and transport, public spaces and linkages, infrastructure, and communication.

7 Cont'd

14. In terms of the private sector the plan seeks to establish a context, (building on the historic fabric of the city), that creates an positive environment for investment. In addition to this the plan seeks to identify those barriers to investment that the community can address. This includes changes in costs, regulatory processes, as well as a variety of tools and interventions to stimulate activity. Other significant barriers to investment, such as finance, and insurance are not directly addressed by the plan, though the relevance of these factors are identified as key components in peoples decision-making process.
15. Above all else the plan is about Recovery; the plan is explicit that Recovery is not simply about putting back or repairing it is about creating a compelling future that re-attracts what was lost, by offering a better, strong and more vital future. In that sense the plan is visionary. In the case of the Central City Plan it is a vision built upon the most extensive public consultation exercise ever undertaken in the city, and with a strong mandate from the community of Christchurch.
16. While Volume 1 outlines the vision, and key initiatives, Volume 2 provides the key tool that translates that vision into the language of the RMA, and directly into the City Plan. Achieving the vision of the plan requires a deliberate shift in the future physical form of the city, but also in the way built form and activity in the city are managed. Volume 2 introduces a raft of regulatory changes to the City Plan. The intention of these is two fold, firstly to create a framework that reflects the built form aspirations of the community, and secondly to streamline, and enhance the opportunities for development to happen easily, quickly and flexibly within these broad parameters. Volume 2 is the section of the plan that will enable the rapid translation of the vision into reality. The two volumes are presented for adoption as co-elements in the achievement of the plan, and the plan invites the Minister to utilize the powers in the Act to both adopt the plan and to implement the regulatory improvements. Unless both elements are implemented the ability to achieve the vision of facilitating an improved environment for the market to operate in and so achieve some of the aspirational recovery goals, will be significantly compromised.
17. Volume 2, (the Regulatory Framework) was hotly debated through the plan preparation process, and has been subject to significant scrutiny. The changes that resulted as an outcome of the community comments demonstrated Council's commitment to listen and respond to the ideas and concerns of the community.
18. The plan is the result of an extensive engagement and review process; and achieves a balanced direction. It's outcomes are not guaranteed; there is a large degree of uncertainty about the future, and there are significant market, government and natural forces that are beyond the control of the Council or the plan. That is why the plan seeks to enable, rather than to prescribe, and to be flexible in its application. As part of the implementation of the plan, there is a commitment by Council to regularly monitor and review all parts of the plan, and if necessary seek modification of the plan through the Minister, or through the normal processes of local government. It is intended that the plan be a living document that offers, tests and modifies its ideas to reflect the needs and opportunities presented by the circumstances it encounters, in order to achieve the vision it has set.

Implementation

19. The Central City Plan sets out a timeline, and preliminary cost framework for the delivery of the plan. The Central City Plan identified a range of funding agents, including the Council, government, and other institutions, and the private sector. Overseas evidence suggests that 70-80% of all recovery investment is led by the private sector, from developers through to the individual spending choices of countless individuals. However, it is also well documented that private investment does not occur early in the recovery cycle. Early recovery and the pace of recovery are significantly influenced by the investment of local and central government. Such investment is necessary to stimulate the market response needed to advance sustainable recovery.
20. Accordingly the plan presents a large series of projects, initiatives, and process improvements in Volume 1, which provides a catalyst for investment. These include new investments into the public realm, the repair and development of local infrastructure, and establishing the conditions and frameworks to stimulate and support private investment.

7 Cont'd

21. The Implementation Chapter of the plan outlines a preferred profile for investment into the Central city. However, the plan acknowledges that the Central City Plan projects will need to be scoped, costed, and tested as to their priority and affordability, particularly against competing projects within and beyond the Central City. The Council envisages that it will do this through its Annual Plan and Long Term Plan (LTP) process. The first of these will be conducted in 2012.
22. A significant portion of the plans implementation will be funded by the Council, though it is acknowledged that Government and the private sector can through their actions accelerate, or slow recovery. Accordingly the plan does not fix a prescriptive timeline for action, but will do so through the processes described above, while remaining flexible to respond to those initiatives in the market place that may encourage Council to alter its priorities.
23. In addition to this the plan specifically recognises the period of rebuild called Transition. While not a defined period, Transition recognises that the rebuild of the centre, will be a long and deliberate process. Transition identifies the need to stimulate early interest in the Central City, support earlier starters in the recovery process, and keep a focus on the centre as the heart of the city. It is a key element of the Central City Plan, and is underway.
24. During the development of the plan three key areas of endeavour emerged as critical to the success of the centre. One was the rebuild of the Central City infrastructure. This is being addressed by the Stronger Christchurch Infrastructure Rebuild Project (SCIRT). Its work is referenced in the plan. The other two are key projects that will re-stimulate investment, and contribute to creating a new and different Central City are the rebuilding of the Christchurch Convention Centre, and the development of a Metro Sports Facility..
25. The Convention Centre has consistently been identified as key element of the Central City rebuild, as both a key stimulus to the Visitor/Tourism industry, and to development interests that will make investment decisions based on its future. There is also an established time horizon to secure conventions and conferences, and the early commitment to a Convention Centre rebuild will assist this.
26. As a base point the current building has been highlighted for demolition. Council has signalled its intention to rebuild a Christchurch Convention Centre. The location, timing, scale (including possible recommitment of earlier government funding) and associated developments need to be determined. It is proposed that Council and CERA jointly develop a brief and programme to commence this project as follows.

Christchurch City Convention Project

Stage 1: Preliminary Scoping and Investigation

Due Date: 31 March 2012

Sponsors: Christchurch City Council: CERA

Tasks.

- (a) Confirmation of the economic drivers/benefits supporting Convention Centre project.*
- (b) Define the physical and spatial requirements of the Convention Centre project (eg. Convention centre GFA, plenary area, land area, hotel development GFA)*
- (c) Define the selection criteria that could be used to identify the appropriate location for the Convention Centre.*
- (d) Develop detailed project plan/milestones leading through to implementation.*
- (e) Develop indicative costings.*
- (f) Review funding and delivery options.*

7 Cont'd

(g) *Develop formal business case.*

Consultation: during this phase the project will consult with Government (MED), key industry partners, and stakeholders.

27. The second priority project which Council should commence investigation on is the Metro Sports Facility. This has the opportunity to significantly enhance the role of the Central City. While the future of AMI Stadium is as yet unknown it is appropriate that Council begin to scope the role, function and scale of such a facility in depth. This needs to be reviewed alongside the work being undertaken as part of the post quake sport and aquatic facilities review. Establishing a clear picture of the future will also assist those sports codes endeavouring to identify their short term and long term redevelopment actions.

28. *Christchurch City Metro Sports Project*

Stage 1: Preliminary Investigations and Scoping

Due Date: 30 June 2012

Sponsor: Christchurch City Council

Key Linkages: Sports and Aquatic Facility Review

Tasks:

(a) *Confirm the economic drivers/benefits supporting the Metro Sports Facility project.*

(b) *Confirmation of scope facilities, industry standards (for completion) and code requirements.*

(c) *Define the physical and spatial requirements of the Metro Sports Facility.*

(d) *Define the selection criteria that could be used to identify the appropriate location for the Metro Sports Facility.*

(e) *Develop detailed project/plan milestones leading through to implementation.*

(f) *Develop indicative costings.*

(g) *Review funding and delivery options.*

(h) *Develop formal business case.*

Consultation: During this phase the project will consult with Government (SPARC), key industry partners, relevant sports codes, CERA and other stakeholders.

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

29. 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.

30. 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. Those projects which commence in 2012/13 will need to be addressed as part of the 2012/13 Annual Plan and the 2013-2022 LTP.

7 Cont'd

LEGAL CONSIDERATIONS

31. One of the objectives of the Canterbury Earthquake Recovery Act 2011 (CER Act) 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.
32. 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 CBD . The Central City Plan is a Recovery Plan for the purposes of the Act.
33. From an early stage, CERA has been involved in the development of the draft Central City Plan. Both CERA and Environment Canterbury have been represented on a steering group and a management group that met regularly.
34. The draft plan reflects some important Ngai Tahu values, focusing on people and place, community aspirations, sustainability and the environment.
35. A great deal of consultation has been undertaken in the development of the draft Central City Plan. The Council has complied with its obligation to have regard to the decision-making requirements of the LGA 2002, referred to in section 77.
36. The Council has also complied with its obligation to have the draft Plan completed by 19 January 2012.
37. The draft Central City Plan contains 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.

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

38. Yes.

ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS

See below.

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

39. 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 earthquakes in 2010 and 2011. The adoption of the plan and its presentation to the Minister within timeframe set in the CER legislation is a significant achievement for the city.

ALIGNMENT WITH STRATEGIES

40. 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.

7 Cont'd

WHAT HAPPENS NEXT?

41. While the Council has been given responsibility for the preparation of the Central City (Recovery) Plan, all recovery plans are "owned" by the Minister for Earthquake Recovery. Council is obliged to adopt (if it chooses to) the plan (Vols 1 & 2) and its attendant Appendices as its final draft, and submit this to the Minister for his approval. That approval may take whatever form the Minister chooses.
42. While at the time of preparing this paper no official advice had been received, discussions with CERA staff have indicated the following:
 - That Council must publicly notify the Draft final Central City Plan for comment, and that such comment be directed to the Minister.
 - That the closing date for such comment be 10 February 2012 or some similar date as finally determined by the Minister.
 - That the Council must make copies available at the City Council's offices and libraries, but that it need not be made as extensively as previously.
 - That once it has completed these steps it has no further statutorily prescribed steps, and that any future steps are the Minister's.
43. Discussions with CERA staff have indicated that they do not envisage the Council conducting any active promotion or consultation on the plan, and that once notified the decision or any further public engagement on the plan will be determined by the Minister.
44. However it is anticipated that Council will continue to undertake actions to complete the plan. Specifically they will include
 - (i) undertaking a Peer Review of the Geotech report prepared by Tonkin and Taylor for the Central City,
 - (ii) continue to undertake financial analysis on key projects to address government enquiries, and to prepare for the 2012 Annual Plan,
 - (iii) undertake the specific project studies to be resolved at this meeting;
 - (iv) work on a range of transitional projects to support early rebuilding efforts,
 - (v) work with the private sector, and government to support and facilitate the re-investment and rebuilding of the Central City.
45. CERA has also requested that Council staff be available to answer any queries that the government may have of it. It is understood that a number of peer reviews of various parts of the plan are intended to be carried out by CERA ahead of the Minister's formal consideration of the plan.

Do the recommendations align with the Council's strategies?

46. See above.

CONSULTATION FULFILMENT

47. The Council has met the consultation requirements of the CER Act and the LGA 2002

7 Cont'd

STAFF RECOMMENDATION

The recommendation for Council is divided into three groups. The first group relate to those matters discussed by Council at its workshops of 18 November, and 29 November 2011, and relate to final amendments to Volume 2. These should be addressed first by Council. The second group of recommendations relate (subject to Group 1) to the adoption of the Central City Plan, and approval of its notification, and transmission to the Minister for his/her consideration. The third group relates to decisions to formally begin to investigate two of the key "Council led" projects identified in the CCP.

It is recommended that the Council resolves to:

Group 1:

1. Amend the (Proposed) Changes to the Operative District Plan and Global Stormwater Consent (contained in Central City Plan Volume 2) as follows:
 - (a) that the road hierarchy is amended so that main streets are a separate category.
 - (b) that the parking standards are removed and the application of the rule requiring consent for a parking area to be greater than 50% of the floor area applies to all zones in the Central City (except for residential activities in the Living Zones)
 - (c) that the requirement that parking spaces over 1/75m² have a standard commercial floor to floor height is removed.
 - (d) that the activity status for commercial car parking in the Mixed-Use Zone is discretionary.
 - (e) that the minimum residential parking standards in the Fringe Zone are removed.
 - (f) that the proposed B3B zoning on the Peterborough and Madras corner is re-zoned to Mixed-Use Zone.
 - (g) that the Central City Business 1 Zone at the corner of Manchester and Salisbury Street is rezoned to Mixed-Use Zone.
 - (h) that Policy 12.8.15(c) and rules for the B1 Zone require an outline development plan for the 'Wards Brewery' site (Fitzgerald, Chester Street, Kilmore Street) prior to building being undertaken.
 - (i) that the office provisions are amended to allow 1000m² as of right stand alone offices, and larger offices if they include residential development in the Mixed Use Zone.
 - (j) that the Council introduce a new CPTED Policy (Policy 12.4.11) and assessment matters (assessment matters in Part 16).
 - (k) that the Council introduce comprehensive development provisions to apply to sites greater than 4000m² in the Core and 7500m² in the Fringe. Land must also be contiguous or on directly opposite sides of the same street
 - (l) that noise attenuation for residential units in the Central City Core and Central City Fringe zones in the Noise and Entertainment Chapter are amended to be commensurate with the Central City Business 1 and Central City Mixed Use Zone rules
 - (m) that the height of the L4B zone on corner of Hagley Ave-Moorhouse Ave is reduced to 16m (from 30m).
 - (n) that the application of the height provisions in the Core and Fringe is clarified so the rule provides for a maximum permitted height of 31m in the Core and 21m in the Fringe and introduce policy support for these heights.

COUNCIL 15. 12. 2011

7 Cont'd

- (o) that the minimum heights in the Core and Fringe Zones are removed. It is recommended that a minimum of 2 floors applies in the Core
- (p) to extend the areas subject to Urban Design provisions in accordance with Planning Map 4
- (q) that the urban design provisions are located in one place and that a new policy is introduced
- (r) that the minimum heights and floors in the CCB1 Zones are removed
- (s) that the temporary activities provisions are extended to all business zones
- (t) that the outdoor living space requirements are amended to provide 10m² of outdoor living space (a minimum of 5m² and dimension of 1.5m per unit with the balance being able to include communal space
- (u) that the Green Build tool be renamed BASE and that the tool itself is no longer contained within Vol 2 (or the District Plan).
- (v) that the minimum residential unit size provisions in the core, Fringe and Living Zones be introduced into the Mixed-Use Zone
- (w) that the lanes provision is amended to ensure it only applies to legal roads and that balconies are exempted

Group 2

- 2. Adopt the draft Central City Plan and proposed regulatory changes to the Operative District Plan and Global Stormwater Consent as amended by resolution above ("The Draft Plan").
- 3. Authorise the Chief Executive to:
 - (a) provide a copy of the Draft Plan to the Minister for Canterbury Earthquake Recovery;
 - (b) seek the Minister's approval of the Draft Plan;
 - (c) give public notice of the Draft Plan and invite written comments to be made to the Minister;
 - (d) provide copies of the Draft Plan to CERA, Environment Canterbury and Te Runanga o Ngai Tahu.
- 4. That the General Manager Strategy and Planning be authorised to make any minor editorial amendments to the plan that are consistent with its current intent, prior to the plan being presented to the Minister.

Group 3

- 5. Instruct the Chief Executive to undertake the investigations outlined in this report for the Christchurch Convention Centre, and the Christchurch Metro Sports Facility and to report back to Council by the dates outlined (31 March 2012 for the Convention Centre and 30 June 2012 for the Metro Sports Facility).

COUNCIL 15. 12. 2011

Vol 2 Reg Framework Matters Still to be Resolved

Topic	Matter	Resolution
Transport -Road Hierarchy	For clarity in application, it is proposed to amend the road hierarchy so that Main Streets are a new separate category which is distinct from People Streets. This clarifies that vehicles can still easily access Main Streets.	It is recommended that the road hierarchy is amended so that main streets are a separate category.
Transport -Carparking Maximums	Upon further analysis and in response to stakeholder feedback it is proposed to remove maximum parking standards from all zones in the Central City and clarify that the rule requiring consent for a parking area to be greater than 50% of the floor area applies to all zones in the Central City (except for residential activities in the Living Zones).	It is recommended that the parking standards are removed and the application of the rule clarified.
Transport -Carpark Convertibility	Council proposed that parking spaces over 1/75m ² have a standard commercial floor to floor height and are flat to allow for conversion. Upon further assessment it has been determined that this provision is unworkable.	It is recommended that the requirement that parking spaces over 1/75m ² have a standard commercial floor to floor height is removed.
Transport -Commercial Carparking in Mixed - Use Zone	In order to be consistent with other CCP parking provisions it is proposed to change the activity status for commercial car parking in the Mixed Use Zone from non-complying to discretionary.	It is recommended that the activity status for commercial car parking in the Mixed-Use Zone is discretionary.
Transport -Carparking Minimums in Fringe Zone	In order to be consistent with other parking provisions in the CCP it is proposed to remove the minimum residential parking standards in the Fringe Zone.	It is recommended that the minimum residential parking standards in the Fringe Zone are removed.
Rezoning - Corner of Peterborough and Madras	In order to better provide for the existing and anticipated uses on this site it is proposed that the B3B zoning on the Peterborough and Madras corner is re-zoned to Mixed-Use Zone.	It is recommended that the proposed B3B zoning on the Peterborough and Madras corner is re-zoned to Mixed-Use Zone.
Re-Zoning - CCB1 - Corner of Salisbury and Manchester Street	A supermarket was originally provided for in this location but, as a result of Council decisions, is now able to locate in the adjacent Mixed-Use Zone. It is therefore proposed to re-zone the Central City Business 1 Zone at the corner of Manchester and Salisbury Street to Mixed-Use Zone.	It is recommended to re-zone the Central City Business 1 Zone at the corner of Manchester and Salisbury Street to Mixed-Use Zone.
O.D.P. for Former Wards Brewery Site (Fitzgerald, Chester Street, Kilmore Street)	In order to manage access and heritage, it is proposed that Policy 12.8.15(c) and rules for the B1 Zone require an outline development plan for the 'Wards Brewery' site (Fitzgerald, Chester Street, Kilmore Street) prior to building being undertaken.	It is recommended that Policy 12.8.15(c) and rules for the B1 Zone require an outline development plan for the 'Wards Brewery' site (Fitzgerald, Chester Street, Kilmore Street) prior to building being undertaken.
M.U. Zone - Offices	In order to provide for offices in the Mixed-Use Zone and to incentivise residential activity it is proposed that the office provisions are amended to allow 1000m ² as of right standalone offices, and larger offices if they include residential development.	It is recommended that the office provisions in the Mixed-Use Zone are amended to allow 1000m ² as of right standalone offices, and larger offices if they include residential development.

COUNCIL 15. 12. 2011

CPTED provisions	Umbrella support is needed for the existing CPTED assessment matters. It is therefore proposed that the Council introduce a new CPTED Policy (Policy 12.4.11) and assessment matters (assessment matters in Part 16).	It is recommended that the Council introduce a new CPTED Policy (Policy 12.4.11) and assessment matters (assessment matters in Part 16).
Comprehensive development provisions	In order to facilitate and incentivise comprehensive development it is proposed to introduce comprehensive development provisions (Policy 12.4.12 and Community standard comprehensive development rule 2.3.2). These will apply to sites greater than 4000m ² in the Core and 7500m ² in the Fringe. Land must also be contiguous or on directly opposite sides of the same street.	It is recommended that the Council introduce comprehensive development provisions to apply to sites greater than 4000m ² in the Core and 7500m ² in the Fringe. Land must also be contiguous or on directly opposite sides of the same street.
Core and Fringe – Noise Provisions	It is proposed that noise attenuation for residential units in the Central City Core and Central City Fringe zones in the Noise and Entertainment Chapter are amended to be commensurate with the Central City Business 1 and Central City Mixed Use Zone rules.	It is recommended that noise attenuation for residential units in the Central City Core and Central City Fringe zones in the Noise and Entertainment Chapter are amended to be commensurate with the Central City Business 1 and Central City Mixed Use Zone rules.
Heights – Living Zone	In order to be consistent with the overall Central City heights, it is proposed to reduce the height of the L4B zone on corner of Hagley Ave-Moorhouse Ave to 16m (from 30m) consistent with the height changes made throughout the Central City.	It is recommended that the height of the L4B zone on corner of Hagley Ave-Moorhouse Ave is reduced to 16m (from 30m).
Heights in Core and Fringe	It has become apparent that the application of the height provisions need clarifying so they are easier to apply. In addition, policy support is required for the height rules. It is therefore proposed to clarify the application of the height provisions in the Core and Fringe so the rule provides for a maximum permitted height of 31m in the Core and 21m in the Fringe and introduce policy support (policy 12.4.6(b)) for these heights.	It is recommended that the application of the height provisions in the Core and Fringe is clarified so the rule provides for a maximum permitted height (as of right) of 31m in the Core and 21m in the Fringe and introduce policy support for these heights.
Heights in Core and Fringe	In order to be consistent with other CCP provisions it is proposed to remove the <u>minimum</u> heights from the Core and Fringe Zone. Correspondingly, it is proposed to introduce a minimum of 2 floors to the Core Zone (i.e. instead of the minimum height).	It is recommended that the minimum heights in the Core and Fringe Zones are removed and replace with a minimum of 2 floors in the Core.
Extension of urban design rule to additional parts of the Fringe and Cultural 3	In order to be consistent in their application and better achieve the desired environmental outcomes it is proposed to extend the areas subject to Urban Design provisions in accordance with Planning Map 4.	It is recommended to extend the areas subject to Urban Design provisions in accordance with Planning Map 4.
Extension of M.U. U.D. trigger provision to parts of the Fringe	In order to be consistent in their application and better achieve the desired environmental outcomes it is proposed to extend the areas subject to the Mixed-Use Urban Design provisions.	It is recommended to extend the areas subject to Urban Design provisions in accordance with Planning Map 4.

COUNCIL 15. 12. 2011

Urban Design Policy	A new urban design policy (policy 12.4.6(c)) is needed to give context to the urban design rules and assessment matters. On the basis of the peer review it is also recommended that the urban design rules are located collectively in one place (e.g. Part 16 of Volume 3).	It is recommended that the urban design provisions are located in one place and that a new policy is introduced.
CCB1 – Minimum and Maximum Floors	In order to be consistent with other CCP provisions, it is proposed to remove the minimum heights and floors from the CCB1 zones.	It is recommended that the minimum heights and floors in the CCB1 Zones are removed.
Temporary Activities	On the basis of further analysis it is recommended that the temporary activities provisions are extended to all business zones.	It is recommended that the temporary activities provisions are extended to all business zones.
Core and Fringe Zones	In order to provide an acceptable level of amenity and clarity, it is proposed to amend the proposed outdoor living space requirements for residential activities in the Core and Fringe Zone to provide 10m ² of outdoor living space (a minimum of 5m ² and dimension of 1.5m per unit with the balance being able to include communal space).	It is recommended that the outdoor living space requirements are amended to provide 10m ² of outdoor living space (a minimum of 5m ² and dimension of 1.5m per unit with the balance being able to include communal space).
Build Green	The tool has now been renamed BASE and as such needs to be referred as this in Vol 2. On the basis of legal advice it is apparent that the District Plan should not contain the BASE tool. Rather, it should be a separate tool outside of Vol 2 and the District Plan.	It is recommended that the Green Build tool be renamed BASE and that the tool itself is no longer contained within Vol 2 (or the District Plan).
Lanes	Upon further analysis of the CCP provisions it has become apparent that the building over lanes provision should only apply to legal roads, and not private lanes and that balconies should be exempted. It is therefore recommended that the provision is amended to clarify that it only applies to legal road and that balconies are exempted.	It is recommended that the lanes provision is amended to ensure it only applies to legal roads and that balconies are exempted.

8. NOTICES OF MOTION

9. RESOLUTION TO EXCLUDE THE PUBLIC

Attached.

THURSDAY 15 DECEMBER 2011

COUNCIL

RESOLUTION TO EXCLUDE THE PUBLIC

Section 48, Local Government Official Information and Meetings Act 1987.

I move that the public be excluded from the following parts of the proceedings of this meeting, namely items 43, 45 and 56.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

	GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED	REASON FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER	GROUND(S) UNDER SECTION 48(1) FOR THE PASSING OF THIS RESOLUTION
43.	Confirmation of Minutes - Council Meeting of 24.11.2011		
10.	Confirmation of Minutes - Council Meeting of 1.12.2011 and 8.12.2011		
45.	Street Lighting Maintenance and Renewals Contract) GOOD REASON TO WITHHOLD EXISTS)) UNDER SECTION 7	SECTION 48(1)(a)
56.	Ferrymead Bridge – Construction Methodology)	

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public are as follows:

ITEM	REASON UNDER ACT	SECTION	PLAIN ENGLISH REASON	WHEN REPORT CAN BE RELEASED
43.	Prejudice commercial position.	7(2)(b)(1)	To prevent other organisations bidding for the same event gaining an advantage by understanding the details of any offer Council may make.	The report will be made public as soon as any negotiations have reached a conclusion, this will be 30 March 2012 at latest.
43.	Maintain Legal Professional Privilege and Commercial Activities	7(2)(g) & (h)	The Council will be receiving legal advice with regard to commercial agreements that it has entered into with other parties. Negotiations with those parties are ongoing. The public is usually excluded in situations such as these because there may be issues raised that could potentially be used by the other parties in a way that could prejudice or disadvantage the Council's position.	
10.	Prejudice Commercial Position	7(2)(b)(iii)	Commercial negotiations yet to be finalised. Sensitivities still exist around resolution of insurance position.	Outcome of report can be released after commercial discussions finalised with Contractor.

COUNCIL 15. 12. 2011

ITEM	REASON UNDER ACT	SECTION	PLAIN ENGLISH REASON	WHEN REPORT CAN BE RELEASED
10.	Right of Appeal Exists	48(2)(a)(i)	To enable the Council to consider its Commissioners' report in private without influence from the media or any party to the proceedings. To enable the Council to notify its decision to the parties to the plan change before the matter is reported in the media.	The report can be released following the period in which parties to the proceedings will receive notification of the Council's decision in the ordinary course of the post.
10.	Prejudice Commercial Position	7(2)(b)(ii)	On the basis that the contract is not yet signed, publicly disclosing the information could unreasonably prejudice the commercial position of the person who supplied or who is the subject of the information. Furthermore, withholding the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities.	
10.	Commercial Activities	7(2)(h)	On the basis that the contract is not yet signed, publicly disclosing the information could unreasonably prejudice the commercial position of the person who supplied or who is the subject of the information. Furthermore, withholding the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities.	
10.	Prejudice Commercial Position	7(2)(b)(i)	confidential negotiations with sponsors, public scrutiny of their position will severely disadvantage them.	March 2012
10.	Prejudice Commercial Sensitivity	7(2)(b)(ii)	Commercial sensitivity and to allow activities and negotiations to be carried on without prejudice or disadvantage.	Once negotiations are complete.
45.	Commercial Activities	7(2)(h)	Contractual pricing is commercially sensitive. Paragraphs 6 to 12 inclusive are Public Excluded	Report can be released on signing of contract extension.
56.	Prejudice Commercial Position	7(2)(b)(iii)	Commercial negotiations yet to be finalised. Sensitivities still exist around the resolution of the insurance position.	Outcome of report can be released after commercial discussions finalised with contractor.

Chairman's

Recommendation: That the foregoing motion be adopted.

Note

Section 48(4) of the Local Government Official Information and Meetings Act 1987 provides as follows:

- “(4) Every resolution to exclude the public shall be put at a time when the meeting is open to the public, and the text of that resolution (or copies thereof):
- (a) Shall be available to any member of the public who is present; and
 - (b) Shall form part of the minutes of the local authority.”