

## Christchurch City Council AGENDA

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### Notice of Meeting:

An ordinary meeting of the Christchurch City Council will be held on:

**Date:** Thursday 11 June 2020

**Time:** 9.30am

**Venue:** Council Chambers, Civic Offices, 53 Hereford Street,  
Christchurch and by Audio Visual Link

*Due to Covid-19 requirements physical public access is limited. The meeting is also open to the public through access to the live streaming of the meeting, and a recording of the meeting will be available on the Council website: <https://councillive.ccc.govt.nz/live-stream>*

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### Membership

Chairperson	Mayor Lianne Dalziel
Deputy Chairperson	Deputy Mayor Andrew Turner
Members	Councillor Jimmy Chen
	Councillor Catherine Chu
	Councillor Melanie Coker
	Councillor Pauline Cotter
	Councillor James Daniels
	Councillor Mike Davidson
	Councillor Anne Galloway
	Councillor James Gough
	Councillor Yani Johanson
	Councillor Aaron Keown
	Councillor Sam MacDonald
	Councillor Phil Mauger
	Councillor Jake McLellan
	Councillor Tim Scandrett
	Councillor Sara Templeton

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5 June 2020

### Principal Advisor

Dawn Baxendale  
Chief Executive  
Tel: 941 6996

Jo Daly  
Council Secretary  
941 8581  
[jo.daly@ccc.govt.nz](mailto:jo.daly@ccc.govt.nz)  
[www.ccc.govt.nz](http://www.ccc.govt.nz)

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted. If you require further information relating to any reports, please contact the person named on the report.

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<http://councillive.ccc.govt.nz/live-stream>





## Developing Resilience in the 21st Century

Strategic Framework



Whiria ngā whenu o ngā papa,  
honoa ki te maurua tāuiki

Bind together the strands of each mat and join  
together with the seams of respect and reciprocity

### Ōtautahi-Christchurch is a city of opportunity for all

Open to new ideas, new people and new ways of doing things – a city where anything is possible

#### Principles

Being open,  
transparent and  
democratically  
accountable

Promoting  
equity, valuing  
diversity and  
fostering inclusion

Taking an inter-generational approach  
to sustainable development,  
prioritising the social, economic  
and cultural wellbeing of  
people and communities  
and the quality of the  
environment, now  
and into the  
future

Building on the  
relationship with  
Te Rūnanga o Ngāi Tahu  
and the Te Hononga-Council  
Papatipu Rūnanga partnership,  
reflecting mutual understanding  
and respect

Actively collaborating and  
co-operating with other  
local, regional  
and national  
organisations

Ensuring  
the diversity  
and interests of  
our communities  
across the city and the  
district are reflected in  
decision-making

#### Community Outcomes

##### Resilient communities

Strong sense of community  
Active participation in civic life  
Safe and healthy communities  
Celebration of our identity  
through arts, culture, heritage,  
sport and recreation  
Valuing the voices of all cultures  
and ages (including children)

##### Liveable city

Vibrant and thriving city centre  
Sustainable suburban and  
rural centres  
A well connected and accessible  
city promoting active and  
public transport  
Sufficient supply of, and  
access to, a range of housing  
21st century garden city  
we are proud to live in

##### Healthy environment

Healthy water bodies  
High quality drinking water  
Unique landscapes and  
indigenous biodiversity are  
valued and stewardship  
exercised  
Sustainable use of resources  
and minimising waste

##### Prosperous economy

Great place for people, business  
and investment  
An inclusive, equitable economy  
with broad-based prosperity  
for all  
A productive, adaptive and  
resilient economic base  
Modern and robust city  
infrastructure and community  
facilities

#### Strategic Priorities

Enabling active  
and connected  
communities  
to own their future

Meeting the challenge  
of climate change  
through every means  
available

Ensuring a high quality  
drinking water supply  
that is safe and  
sustainable

Accelerating the  
momentum  
the city needs

Ensuring rates are  
affordable and  
sustainable

#### Ensuring we get core business done while delivering on our Strategic Priorities and achieving our Community Outcomes

Engagement with  
the community and  
partners

Strategies, Plans and  
Partnerships

Long Term Plan  
and Annual Plan

Our service delivery  
approach

Monitoring and  
reporting on our  
progress

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**Karakia Whakamutunga**

## Karakia Timatanga

### 1. Apologies / Ngā Whakapāha

At the close of the agenda no apologies had been received.

### 2. Declarations of Interest / Ngā Whakapuaki Aronga

Members are reminded of the need to be vigilant and to stand aside from decision making when a conflict arises between their role as an elected representative and any private or other external interest they might have.

### 3. Public Participation / Te Huinga Tūmatanui

There will be no public forum at this meeting.

#### 3.1 Deputations by Appointment / Ngā Huinga Whakaritenga

Deputations may be heard on a matter or matters covered by a report on this agenda and approved by the Chairperson.

Requests for deputations should be submitted to the Council Secretary by Tuesday 9 May 2020.

### 4. Presentation of Petitions / Ngā Pākikitanga

- 4.1** Mark Peters, on behalf of the Greater Hornby Residents Association in, will present a petition, currently with 542 supporters, regarding the Southwest Leisure Centre (Hornby Pool & Library) Project on Kyle Park. The petition reads:

*Save the Hornby Pool & Library facility on Kyle Park, Don't Defer this long-awaited project, our Hornby community has waited far too long already for a pool, we NEED it NOW!*

*Hornby and the Southwest area have welcomed thousands upon thousands of quake refugees in recent years, we desperately need this facility in our community sooner rather than later! Don't take the easy option and make Hornby the scapegoat for all of Christchurch's COVID-19 savings, we have been overlooked for far too long, it is our turn now, please don't delay!*

*Too many generations of Hornby kids have missed out on learning the vital skills of water safety by not having a local pool facility, lets not force anymore delays, please keep our pool on track toward completion!*

*Don't delay, continue toward delivering this much needed and long overdue facility as planned!*

## 5. Council - Annual Plan Minutes - 29 May 2020

Reference / Te Tohutoro: 20/676621

Report of / Te Pou  
Matua:

Aidan Kimberley, Committee Advisor - [Aidan.kimberley@ccc.govt.nz](mailto:Aidan.kimberley@ccc.govt.nz)

General Manager /  
Pouwhakarae:

Dawn Baxendale, Chief Executive - [dawn.baxendale@ccc.govt.nz](mailto:dawn.baxendale@ccc.govt.nz)

### 1. Purpose of Report / Te Pūtake Pūrongo

For the Council to confirm the minutes from the Annual Plan Council meeting held 29 May 2020.

### 2. Recommendation to Council

That the Council confirm the Minutes from the Annual Plan Council meeting held 29 May 2020.

### Attachments

No.	Title	Page
<a href="#">A</a> <a href="#">↓</a>	Minutes Council - Annual Plan - 29 May 2020	8

### Signatories / Ngā Kaiwaitohu

Author	Aidan Kimberley - Committee and Hearings Advisor
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## Christchurch City Council OPEN MINUTES

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**Date:** Friday 29 May 2020  
**Time:** 9.36am  
**Venue:** Council Chambers, Civic Offices,  
53 Hereford Street, Christchurch

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**Present**

Chairperson	Mayor Lianne Dalziel
Deputy Chairperson	Deputy Mayor Andrew Turner
Members	Councillor Jimmy Chen
	Councillor Catherine Chu
	Councillor Melanie Coker
	Councillor Pauline Cotter
	Councillor James Daniels
	Councillor Mike Davidson
	Councillor Anne Galloway
	Councillor James Gough
	Councillor Yani Johanson
	Councillor Aaron Keown
	Councillor Sam MacDonald
	Councillor Phil Mauger
	Councillor Jake McLellan
	Councillor Tim Scandrett
	Councillor Sara Templeton

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29 May 2020

**Principal Advisor**

Dawn Baxendale  
Chief Executive  
Tel: 941 6996

Aidan Kimberley  
Committee and Hearings Advisor  
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Council Annual Plan  
29 May 2020



**Karakia Timatanga:**

Delivered by Councillor Templeton

**1. Apologies / Ngā Whakapāha**

There were no apologies.

**2. Declarations of Interest / Ngā Whakapuaki Aronga**

There were no declarations of interest recorded.

**4. Resolution to Include Supplementary Reports**

**Council Resolved CAPL/2020/00077**

That the reports be received and considered at the Council Annual Plan meeting on Friday, 29 May 2020.

**Open Items**

5. Draft Annual Plan 2020/21

Mayor/Councillor Templeton

Carried

**Suspension of Standing Orders**

**Council Resolved CAPL/2020/00078**

1. That pursuant to Standing Order 3.5 (**Temporary Suspension of Standing Orders**) the following Standing Orders be suspended to enable more informal discussion:
  - a. 17.5: members may speak only once;
  - b. 17.6: limits on number of speakers;
  - c. 18.1: general procedure for speaking and moving motions;
  - d. 18.8: foreshadowed amendments;
  - e. 18.9: lost amendments.

Mayor/Councillor MacDonald

Carried

**5. Draft Annual Plan 2020/21**

**Council Resolved CAPL/2020/00079**

That the Council:

1. Approves and adopts the information contained or referred to in the staff report which provides the basis for the draft 2020/21 Annual Plan, together with any amendments made by resolution at the meeting, and which includes the following attachments:
  - A. Financial Overview, including changes to the Financial Statements and Funding Impact Statement contained in the Long Term Plan 2018/28;
  - B. Funding Impact Statement;

Council Annual Plan  
29 May 2020

- C. Rating Policy;
  - D. Financial Prudence Benchmarks;
  - E. Proposed Capital Programme, including changes;
  - F. Proposed Changes to Levels of Service;
  - G. Prospective Financial Statements;
  - H. Proposed Fees and Charges, including changes;
  - I. Reserves and Trust Funds;
  - J. Capital Endowment Fund;
  - K. Proposed Rates Remission Policy;
  - L. Rates Scenario Comparison.
2. Notes that Council will need to resolve to accept an unbalanced budget for the 2020/21 year when adopting the Final Annual Plan.
3. Authorises the General Manager Finance and Commercial to make any non-material changes to the documents and/or information attached to or referred to in the staff report,
4. Notes that an updated Consultation Document that reflects the decisions made in this report will be prepared and considered by Council at its meeting of 11 June 2020. Approves the following process for consultation:
- a. Public Notices in The Star, The Press, and on the Council's website on 12 June 2020;
  - b. All relevant information and documents, including the updated Consultation Document, made available at Council offices, libraries, service centres, and on the Council's website on 12 June 2020;
  - c. The period for making submissions will run from 12 June 2020 to 5.00pm on 29 June 2020;
  - d. For people who indicate they wish to, opportunities will be provided for them to present oral submissions;
  - e. Oral submissions will be heard between 12 and 29 June 2020;
  - f. All submissions will then be considered by the Council before it meets on Tuesday 28 July 2020 to adopt the Annual Plan 2020/21. (Note that this is a small change to the date adopted at the Council meeting of 14 May, which was 30 July.) This change is necessary to prevent complexity around August rates invoicing, which works to a fixed date.

The division was declared **carried** by 11 votes to 6 votes the voting being as follows:

**For:** Mayor Dalziel, Deputy Mayor Turner, Councillor Chen, Councillor Coker, Councillor Cotter, Councillor Davidson, Councillor Galloway, Councillor Johanson, Councillor McLellan, Councillor Scandrett and Councillor Templeton

**Against:** Councillor Chu, Councillor Daniels, Councillor Gough, Councillor Keown, Councillor MacDonald and Councillor Mauger

Mayor/Deputy Mayor

**Carried**



### 3. Annual Plan 2020-21 options for public hearings

#### Council Comment

The Council made the following changes from the staff recommendations:

- Replacing the words 'on a first come first served basis' with 'where possible within the available timeframe' in recommendation 3.
- Appointing Deputy Mayor Turner and Councillor Scandrett to the positions in recommendation 2.

#### Staff Recommendations

That the Council:

1. Schedule public hearings on the 2020/21 draft Annual Plan within the capacity of Council to deliver. Namely:
  - a. Schedule four full days to hear submissions on or about 23, 24, 26, 27 June 2020 with the option of an additional day on 29 June if required.
  - b. Schedule half a day on or about 19 June 2020 to hear from Community Boards and larger, representative groups.
  - c. Delegate to the Chief Executive the ability to change the dates set aside and other arrangements if circumstances dictate.
2. Convene as a Hearings Panel for the purpose of receiving oral submissions/hearings and that [insert name] be appointed as Chair, and [insert name] as Deputy Chair of the Annual Plan Hearings Panel.
3. Accommodate submitters on a first come first served basis, an allocation of 5 minutes for groups and 3 minutes for individuals.
4. Receive hearings in person in the Council Chamber adhering to current COVID-19 requirements. Audio visual / audio link options will be available to those submitters who do not wish to attend the hearings in person.

#### Council Resolved CAPL/2020/00080

That the Council:

1. Schedule public hearings on the 2020/21 draft Annual Plan within the capacity of Council to deliver. Namely:
  - a. Schedule four full days to hear submissions on or about 23, 24, 26, 27 June 2020 with the option of an additional day on 29 June if required.
  - b. Schedule half a day on or about 19 June 2020 to hear from Community Boards and larger, representative groups.
  - c. Delegate to the Chief Executive the ability to change the dates set aside and other arrangements if circumstances dictate.
2. Convene as a Hearings Panel for the purpose of receiving oral submissions/hearings and that Deputy Mayor Turner be appointed as Chair, and Councillor Scandrett as Deputy Chair of the Annual Plan Hearings Panel.

**Council Annual Plan  
29 May 2020**



3. Accommodate submitters where possible within the available timeframe, an allocation of 5 minutes for groups and 3 minutes for individuals.
4. Receive hearings in person in the Council Chamber adhering to current COVID-19 requirements. Audio visual / audio link options will be available to those submitters who do not wish to attend the hearings in person.

Councillor Coker/Councillor Templeton

**Carried**

**Resumption of Standing Orders**

**Council Resolved CAPL/2020/00081**

That the following Standing Orders which were suspended, be resumed.

1. 17.5: members may speak only once;
2. 17.6: limits on number of speakers;
3. 18.1: general procedure for speaking and moving motions;
4. 18.8: foreshadowed amendments;
- 18.9: lost amendments.

Mayor/Councillor MacDonald

**Carried**

**Karakia Whakamutunga:**

Delivered by Councillor Daniels

**Meeting concluded at 11.19am.**

**CONFIRMED THIS 11<sup>TH</sup> DAY OF JUNE 2020**

**MAYOR LIANNE DALZIEL  
CHAIRPERSON**

## 6. Council Minutes - 7 May 2020

Reference / Te Tohutoro: 20/568109

Report of / Te Pou  
Matua:

Jo Daly, Council Secretary – jo.daly@ccc.govt.nz

General Manager /  
Pouwhakarae:

Dawn Baxendale, Chief Executive – dawn.baxendale@ccc.govt.nz

### 1. Purpose of Report / Te Pūtake Pūrongo

For the Council to confirm the minutes from the Council meeting held 7 May 2020.

### 2. Recommendation to Council

That the Council confirm the Minutes from the Council meeting held 7 May 2020.

### Attachments

No.	Title	Page
A <a href="#">↓</a>	Minutes Council - 7 May 2020	14

### Signatories / Ngā Kaiwaitohu

Author	Jo Daly - Council Secretary
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## Christchurch City Council EXTRAORDINARY MINUTES

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**Date:** Thursday 7 May 2020  
**Time:** 10.06am  
**Venue:** Held by Audio/Video Link

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**Present**

Chairperson	Mayor Lianne Dalziel
Deputy Chairperson	Deputy Mayor Andrew Turner
Members	Councillor Jimmy Chen
	Councillor Catherine Chu
	Councillor Melanie Coker
	Councillor Pauline Cotter
	Councillor James Daniels
	Councillor Mike Davidson
	Councillor Anne Galloway
	Councillor James Gough
	Councillor Yani Johanson
	Councillor Aaron Keown
	Councillor Sam MacDonald
	Councillor Phil Mauger
	Councillor Jake McLellan
	Councillor Tim Scandrett
	Councillor Sara Templeton

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7 May 2020

**Principal Advisor**

Dawn Baxendale  
Chief Executive  
Tel: 941 6996

Jo Daly  
Council Secretary  
941 8581  
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[www.ccc.govt.nz](http://www.ccc.govt.nz)

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## Karakia Timatanga:

Delivered by Councillor Anne Galloway

The agenda was dealt with in the following order.

### 1. Apologies / Ngā Whakapāha

There were no apologies.

### 2. Declarations of Interest / Ngā Whakapuaki Aronga

There were no declarations of interest recorded.

### Written Deputation

A written deputation from Keep Our Assets on public excluded Item 6. Red Bus Ltd was accepted.

#### Council Resolved CNCL/2020/00047

That the written deputation from Keep Our Assets be received.

Mayor/Councillor MacDonald

**Carried**

#### Attachments

A Deputation - Keep Our Assets Canterbury

### 3. Community Board Delegations

#### Council Resolved CNCL/2020/00048

That the Council:

1. Reinstate and delegate, all delegations to Community Boards that were revoked at 11.59 pm on 24 March, at 11.59 pm on Monday 18 May 2020 (as shown in Attachment A).
2. Delegate the authority to the Head of Community Support, Governance & Partnerships, jointly with each respective Community Board Chairperson to implement protocols and arrangements necessary to ensure all meetings and decision making processes comply with COVID-19 and legislative requirements.
3. Note that, at this time, the capacity of the Council organisation to deliver on all Community Board expectations is insufficient and Community Boards will be asked to prioritise work and decision making to the capacity of the organisation to deliver.
4. Note that under the provisions of the Governance Partnership Agreement, Community Board delegations will be reviewed on an ongoing basis.

Councillor Templeton/Councillor Cotter

**Carried**

The meeting adjourned at 10.29am and reconvened at 11am.

#### 4. Resolution to Exclude the Public

##### Council Resolved CNCL/2020/00049

That Paul Munro, Chief Executive of Christchurch City Holdings Ltd and Bryan Jamison, Chair of Red Bus Ltd Board, remain after the public have been excluded for Item 6. Red Bus Ltd of the public excluded agenda as they have knowledge that is relevant to that item and will assist the Council.

##### AND

That at 11.12am the resolution to exclude the public set out on pages 29 to 30 of the agenda be adopted.

Mayor/Councillor MacDonald

**Carried**

A division was called and declared **carried** by 10 votes to 6 votes the voting being as follows:

**For:** Mayor Dalziel, Councillor Chu, Councillor Daniels, Councillor Davidson, Councillor Gough, Councillor Keown, Councillor MacDonald, Councillor Mauger, Councillor Scandrett and Councillor Templeton.

**Against:** Councillor Chen, Councillor Coker, Councillor Cotter, Councillor Galloway, Councillor Johanson and Councillor McLellan.

**Abstained:** Deputy Mayor Turner.

The public were re-admitted to the meeting at 1.19pm.

##### Karakia Whakamutunga:

Delivered by Councillor Anne Galloway

Meeting concluded at 1.20pm.

CONFIRMED THIS 11<sup>TH</sup> DAY OF JUNE 2020

MAYOR LIANNE DALZIEL  
CHAIRPERSON

## 7. Council Minutes - 14 May 2020

Reference / Te Tohutoro: 20/630993

Report of / Te Pou

Matua:

Jo Daly, Council Secretary, jo.daly@ccc.govt.nz

General Manager /

Pouwhakarae:

Dawn Baxendale, Chief Executive

### 1. Purpose of Report / Te Pūtake Pūrongo

For the Council to confirm the minutes from the Council meeting held 14 May 2020.

### 2. Recommendation to Council

That the Council confirm the Minutes from the Council meeting held 14 May 2020.

### Attachments

No.	Title	Page
A <a href="#">↓</a>	Minutes Council - 14 May 2020	18

### Signatories / Ngā Kaiwaitohu

Author	Jo Daly - Council Secretary
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## Christchurch City Council MINUTES

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**Date:** Thursday 14 May 2020  
**Time:** 10.10am  
**Venue:** Held by Audio/Video Link with the Mayor and Councillors present in the Council Chamber

---

**Present**

Chairperson  
Deputy Chairperson  
Members

Mayor Lianne Dalziel  
Deputy Mayor Andrew Turner  
Councillor Jimmy Chen  
Councillor Catherine Chu  
Councillor Melanie Coker  
Councillor Pauline Cotter  
Councillor James Daniels  
Councillor Mike Davidson  
Councillor Anne Galloway  
Councillor James Gough  
Councillor Yani Johanson  
Councillor Aaron Keown  
Councillor Sam MacDonald  
Councillor Phil Mauger  
Councillor Jake McLellan  
Councillor Tim Scandrett  
Councillor Sara Templeton

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14 May 2020

**Principal Advisor**

Dawn Baxendale  
Chief Executive  
Tel: 941 6996

Jo Daly  
Council Secretary  
941 8581  
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Council  
14 May 2020

Christchurch  
City Council 

A welcome back to the Council Chamber was given by Councillor James Daniels.

**Karakia Timatanga:**

Given by Councillor Sara Templeton

The agenda was dealt with in the following order.

**1. Apologies / Ngā Whakapāha**

**Council Resolved CNCL/2020/00050**

That the apology for temporary absence received from Councillor Gough, and the apology for early departure received from Councillor Johanson be accepted.

Councillor Cotter/Councillor MacDonald

**Carried**

**2. Declarations of Interest / Ngā Whakapuaki Aronga**

There were no declarations of interest recorded.

**3. Public Participation / Te Huinga Tūmatanui**

**3.1 Deputations by Appointment/ Ngā Huinga Whakaritenga**

Item 12. Development Contributions - Central City Rebate Schemes was withdrawn from the agenda. Written deputations on this item were not received.

**4. Presentation of Petitions / Ngā Pākikitanga**

There was no presentation of petitions.

**5. Council Minutes - 23 April 2020**

**Council Resolved CNCL/2020/00051**

That the Council confirm the Minutes from the Council meeting held 23 April 2020.

AND

That the Council confirm the Minutes from the Council meeting held 30 April 2020.

Councillor Davidson/Councillor Templeton

**Carried**

**6. Council Minutes - 30 April 2020**

Refer to item 5.

## 7. Update by the COVID-19 Incident Management Team Lead

The Council received a presentation from Mary Richardson, Covid-19 Incident Management Team Lead.

Council Resolved CNCL/2020/00052

That the Council:

1. Receive the update from the COVID-19 Incident Management Team Lead.

Councillor Chen/Councillor Templeton

**Carried**

### Attachments

A Council 14 May 2020 - Item 7 Update by COVID IMT Lead

## 8. Financial Performance Report for the nine months ending 31 March 2020

Council Resolved CNCL/2020/00053

That the Council:

1. Receives the information in the Financial Performance Report for the nine months ending 31 March 2020.
2. Notes the brief update on the April results.

Deputy Mayor/Councillor MacDonald

**Carried**

## 9. 2020/21 Annual Plan process

The Council adopted the staff recommendations and resolved to request that staff provide advice to the next Council meeting on the options available for the hearing of submissions to the draft 2020/21 Annual Plan given the constraints on time.

Council Resolved CNCL/2020/00054

That the Council approves the following process for adopting the 2020/21 Annual Plan:

1. The Council's proposals for responding to the COVID-19 crisis are considered and approved at an extraordinary meeting on Friday 29 May 2020;
2. At the same meeting the Council approves the resumption of consultation and a second consultation document that will set out the changes required to the draft 2020/21 Annual Plan as a result of the COVID-19 crisis;
3. Consultation resumes, and the second consultation document made available to the public on Friday 12 June 2020;
4. The period for lodging submissions expires at 5pm on Monday 29 June 2020;
5. Requests staff to provide advice to the next Council meeting on the options available for the hearing of submissions to the draft 2020/21 Annual Plan given the constraints on time;
6. Submissions will be processed and available for consideration by the Mayor and Councillors during the consultation period;

Council  
14 May 2020

Christchurch  
City Council 

7. The Mayor and Councillors will complete their deliberations by Friday 10 July 2020 and meet to adopt the 2020/21 Annual Plan on Thursday 30 July 2020;
8. Once the Plan has been adopted the Council will, at the same meeting, set the rates for the 2020/21 financial year;
9. It should be noted that like all Councils moving through a second Annual Plan consultation the timeline is exceptionally tight. There are risks around several of the key milestones. Success will depend on close co-operation between staff and Councillors around process, information and decision making.

Mayor/Deputy Mayor

Carried

### 10. LTP 2021 Programme Update April 2020

Gary Moore, Chair of the External Advisory Group joined the meeting by audio-visual link for discussion on this item.

#### **Council Resolved CNCL/2020/00055**

That the Council:

1. Notes that the fundamental premise of the Long Term Plan process is that all components (Financial and Infrastructure Strategies, Activity Plans, Asset Management Plans, the capital programme) will be completed by staff in draft form by 1 June 2020.
2. Notes that this will provide Councillors reasonable time to work through proposals, options and budgets in a measured way before finalising a draft Long Term Plan in December 2020 and formally adopting the draft in February 2021.
3. Notes that potential changes to the 2020/21 Annual Plan process to take into account Covid-19 impacts may drive changes to the draft LTP 2021 documents after 1 June.
4. Notes that a schedule of LTP briefings with Councillors should be established (commencing in June) as a priority.

Deputy Mayor/Councillor Davidson

Carried

The meeting adjourned at 11.29am and reconvened at 11.53am.

### 11. Mayor's Report - March and April 2020

The Council received a verbal report from the Mayor.

#### **Council Resolved CNCL/2020/00056**

That the Council:

1. Receive the verbal report.
2. That David East's appointment to the Canterbury Museum Trust be extended to expire on 31 December 2020 or earlier on the Council making an appointment for the balance of the current Council term.

Councillor Daniels/Councillor Cotter

Carried

## 12. Development Contributions - Central City Rebate Schemes

This Item was withdrawn from the agenda.

## 13. Plan Change 2 - Port Hills Slope Instability Management Areas Overlay Update

**Council Resolved CNCL/2020/00057**

That the Council:

1. Receives the report and recommendations of Commissioner Dawson on Plan Change 2 Port Hills Slope Instability Management Areas Update.
2. Adopt as the decision of the Council the recommendations of Commissioner Dawson that Plan Change 2 Port Hills Slope Instability Management Areas Update be approved, for the reasons set out in the Commissioner's report under clause 10 of Schedule 1 of the Resource Management Act 1991.

Deputy Mayor/Councillor Templeton

**Carried**

## 14. Revocation of Council Decision - Marshland Road Proposed Signalised Intersection (Correction of administrative error)

**Council Resolved CNCL/2020/00058**

That, pursuant to Clause 19.6 of the Christchurch City Council Standing Orders, the Council:

1. Revoke paragraphs 4 to 8 (inclusive) of Resolution CNCL/2019/00217 as below;
  4. Approve that under clause 7 of the Christchurch City Council Traffic and Parking Bylaw 2017, that the stopping of vehicles be prohibited at any time on the west side of Marshland Road, commencing at a point 196 metres north of the Briggs Road intersection and extending in a northerly direction for a distance of 217 metres as shown on Attachment A to the agenda.
  5. Approve the scheme design as shown on Attachment A to the agenda including all road marking, signage, kerb alignment, central islands and road surface treatments.
  6. Revoke any previous resolutions pertaining to traffic controls made pursuant to any bylaw to the extent that they are in conflict with the traffic controls described in this report.
  7. Install a stop control in the left hand slip lane of the development instead of the give way control.
  8. Request staff to review the left hand slip lane of Homebase with the view of creating consistency with the new development and report back to the relevant community boards.

Councillor Mauger/Councillor Cotter

**Carried**

## 15. Establishment of a Coastal Hazards Working Group

This Item was withdrawn from the agenda.

## 16. Approval of Extension of Time for Central City Landmark Heritage Grants for 31 Cathedral Square and 92 Lichfield Street

**Council Resolved CNCL/2020/00059**

That the Council:

1. Approve an extension of time of eighteen months for the uptake of the Central City Landmark Heritage grant previously approved for:
  - a. The former Chief Post Office Building, 31 Cathedral Square, Christchurch; and
  - b. The former Sargood Son & Ewen Building, 92 Lichfield Street, Christchurch.
2. The new completion date for both projects will be 22 October 2021.

Councillor McLellan/Councillor Coker

**Carried**

## 17. Community Waterways Partnership Charter

The Council accepted the staff recommendations, and noted that the signing of the Community Waterways Partnership Charter supports the obligations under the Comprehensive Stormwater Network Discharge Consent and enhances actions already commenced.

**Council Resolved CNCL/2020/00060**

That the Council:

1. Receives and considers this staff report.
2. Signs up to the Community Waterways Partnership Charter and appoints Councillor Cotter to be a signatory.
3. Notes that the signing of the Community Waterways Partnership Charter supports the obligations under the Comprehensive Stormwater Network Discharge Consent and enhances actions already commenced.

Deputy Mayor/Councillor Keown

**Carried**

Items 18, 19, and 20, were moved and seconded as a block and put separately.

## Report from Linwood-Central-Heathcote Community Board - 18 March 2020

## 18. Outcome of Property Review Process - 1 Carlyle Street

**Council Resolved CNCL/2020/00061**

That the Council:

1. Declares 1 Carlyle Street surplus.
2. Grants delegated authority to the Property Consultancy Manager to:

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- a. Commence the sale process of the property in accordance with Council's normal practices and policies.
- b. Concludes the sale of the property on the best terms considered available taking account of the current open market conditions.
- c. Do all things necessary and make decisions at his sole discretion that are necessary to give effect to this resolution.

Councillor Templeton/Councillor MacDonald

**Carried**

Councillors Chen, Coker, Cotter, Johanson, McLellan and Deputy Mayor Turner requested that their votes against the resolutions be recorded.

### **Report from Linwood-Central-Heathcote Community Board - 18 March 2020**

#### **19. Outcome of Property Review Process - 113 Huxley Street**

##### **Council Resolved CNCL/2020/00062**

That the Council:

1. Declares 113 Huxley Street surplus.
2. Grants delegated authority to the Property Consultancy Manager to:
  - a. Commences the sale process of the property in accordance with Council's normal practices and policies.
  - b. Concludes the sale of the property on the best terms considered available taking account of the current open market conditions.
  - c. Does all things necessary and make decisions at their sole discretion that are necessary to give effect to this resolution.

Councillor Templeton/Councillor MacDonald

**Carried**

### **Report from Linwood-Central-Heathcote Community Board - 18 March 2020**

#### **20.17 Hills Road - Land for Road Widening**

##### **Council Resolved CNCL/2020/00063**

That the Council:

1. Agrees in principle to the issuing of fee simple titles for Lots 1, 2 and 3 as shown on RPS1619 (subject to survey) and to Lot 4 RPS1619 vesting as road.
2. Transfers its one third share in Lots 2 and 3 RPS1619 to the owners of Flats 2 and 3 DP 38813.
3. Delegates to the Manager Property Consultancy the authority to take all necessary steps to negotiate, agree and enter into all necessary documentation on behalf of the Council, as they shall consider necessary or desirable to give effect to the above resolutions and the issue of fee simple titles as described in this report and as shown on RPS1619 (subject to survey).
4. Delegates to the Manager Property Consultancy the authority to take all necessary steps as he may consider appropriate to dispose of Lot 1 RPS 1619 on the best terms considered available as supported by valuation advice, and in consideration of other

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factors including marketing and market dynamics, including that if the minimum price is not achievable by tender then the property may be sold by private treaty.

Councillor Templeton/Councillor MacDonald

**Carried**

## **21. Resolution to Exclude the Public**

### **Council Resolved CNCL/2020/00064**

That Sue Rushton, Director, Enspire, remain after the public have been excluded for Item 26. Update on Roydon Quarry Consent of the public excluded agenda as she has knowledge that is relevant to that item and will assist the Council.

AND

That Craig Downie, Chief Executive of EcoCentral and Paul Munro, Chief Executive of Christchurch City Holdings Limited remain after the public have been excluded for Item 24. Update on Recycling Services Update of the public excluded agenda as they have knowledge that is relevant to that item and will assist the Council.

AND

That at 12.50pm the resolution to exclude the public set out on pages 144 to 146 of the agenda be adopted.

Mayor/Councillor Davidson

**Carried**

Councillors Chen, Galloway and Johanson requested that their votes against considering item 26. in public excluded be recorded.

**The public were re-admitted to the meeting at 3.08pm.**

### **Karakia Whakamutunga:**

Given by Councillor Sara Templeton

**Meeting concluded at 3.09pm.**

**CONFIRMED THIS 11<sup>TH</sup> DAY OF JUNE 2020.**

**MAYOR LIANNE DALZIEL  
CHAIRPERSON**





## 8. Council Minutes - 28 May 2020

Reference / Te Tohutoro: 20/691645

Report of / Te Pou

Matua:

Jo Daly, Council Secretary – jo.daly@ccc.govt.nz

General Manager /

Pouwhakarae:

Dawn Baxendale, Chief Executive – dawn.baxendale@ccc.govt.nz

### 1. Purpose of Report / Te Pūtake Pūrongo

For the Council to confirm the minutes from the Council meeting held 28 May 2020.

### 2. Recommendation to Council

That the Council confirm the Minutes from the Council meeting held 28 May 2020.

### Attachments

No.	Title	Page
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### Signatories / Ngā Kaiwaitohu

Author	Jo Daly - Council Secretary
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## Christchurch City Council MINUTES

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**Date:** Thursday 28 May 2020  
**Time:** 10.02am  
**Venue:** Council Chambers, Civic Offices, 53 Hereford Street,  
Christchurch and by Audio Visual Link

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**Present**

Chairperson	Mayor Lianne Dalziel
Deputy Chairperson	Deputy Mayor Andrew Turner
Members	Councillor Jimmy Chen
	Councillor Catherine Chu
	Councillor Melanie Coker
	Councillor Pauline Cotter
	Councillor James Daniels
	Councillor Mike Davidson
	Councillor Anne Galloway
	Councillor James Gough
	Councillor Yani Johanson
	Councillor Aaron Keown
	Councillor Sam MacDonald
	Councillor Phil Mauger
	Councillor Jake McLellan
	Councillor Tim Scandrett
	Councillor Sara Templeton

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28 May 2020

**Principal Advisor**

Dawn Baxendale  
Chief Executive  
Tel: 941 6996

Jo Daly  
Council Secretary  
941 8581  
jo.daly@ccc.govt.nz  
[www.ccc.govt.nz](http://www.ccc.govt.nz)

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## Karakia Timatanga:

Given by Councillor Mike Davidson.

The agenda was dealt with in the following order.

### 1. Apologies / Ngā Whakapāha

#### Council Resolved CNCL/2020/00056

That the apologies received from the Mayor for early departure, and Councillor Cotter for partial absence, be accepted.

Councillor Templeton/Councillor Gough

**Carried**

### 2. Declarations of Interest / Ngā Whakapuaki Aronga

- Councillor Gough recorded an interest in item 15.
- The Mayor, Deputy Mayor and Councillors Templeton and Gough recorded an interest in items 13. and 16.

### 14. Resolution to Include Supplementary Reports

#### Council Resolved CNCL/2020/00057

That the reports be received and considered at the Council meeting on Thursday 28 May 2020.

#### Open Items

15. Central City Covid 19 Recovery - Parking Charges
16. Review of Council policy for the donation of directors' fees earned by Councillors on Council Organisation boards and decisions on recipients for 2019/20 and beyond

#### Public Excluded Items

17. 2020/21 Insurance Renewal Update

Mayor/Councillor Cotter

**Carried**

Councillor Johanson requested that his vote against the resolution be recorded.

### 3. Public Participation / Te Huīnga Tūmatanui

#### 3.1 Deputations by Appointment / Ngā Huīnga Whakaritenga

##### 3.1.1 Annabel Turley, Central City Business Association

The Council received a deputation by audio link from Annabel Turley, Central City Business Association on item 15. Central City Covid 19 Recovery – Parking Charges.

### 4. Presentation of Petitions / Ngā Pākikitanga

There was no presentation of petitions.

Councillor Cotter left the meeting at 10.15am.

Councillor Gough left the meeting at 10.36am and returned at 10.39am.

Councillor Chu left the meeting at 10.45am and returned at 10.47am.

Councillor MacDonald left the meeting at 11.11am and returned at 11.13am.

## 15. Central City Covid 19 Recovery - Parking Charges

The Council considered options outlined in the report and in an additional document Attachment B - Supplementary Sub Options Financials, for reduced fee parking in the central city to help stimulate the central city's Covid 19 recovery. The meeting agreed that option C. would not be considered.

Councillor Davidson moved:

That the Council:

1. Notes that a Central City Parking Policy is in development and is anticipated to be considered by the Council by the end of the calendar year;
2. Agree to introduce a temporary winter central city parking arrangement for Council's two off street parking buildings (33 Lichfield Street and the Art Gallery);
3. Offers one hour free short stay parking between 1 June 2020 and 31 August 2020, 7 days a week at its two off street parking buildings (33 Lichfield Street and the Art Gallery);
4. Notes that the uptake and effectiveness of the initiative and central city stakeholder and wider community reactions to it during its early implementation period, will be reported to Council in the August meeting cycle;
5. Notes that the cost of this offer, currently estimated at circa \$0.3m (0.06% of rates) for three months, is unbudgeted and will impact on the 2019/20 and 2020/21 financial results;
6. Resolves that the cessation date and time of these arrangements will be midnight, 31 August 2020;
7. In parallel with this time limited change to Council's parking charges (i.e. over three months of winter 2020), it will explore with central city stakeholders, the Central City Business Association, Chambers of Commerce and Christchurch NZ, other actions it might take to further stimulate the central city's economy.

The motion was seconded by Councillor Scandrett.

Councillor Keown then moved an amendment:

That the Council:

1. Notes that a Central City Parking Policy is in development and is anticipated to be considered by the Council by the end of the calendar year;
2. Agree to introduce a temporary winter central city parking arrangement for Council's two off street parking buildings (33 Lichfield Street and the Art Gallery);
3. Offers two hour free short stay parking between 1 June 2020 and 31 August 2020, 7 days a week at its two off street parking buildings (33 Lichfield Street and the Art Gallery);

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4. Notes that the uptake and effectiveness of the initiative and central city stakeholder and wider community reactions to it during its early implementation period, will be reported to Council in the August meeting cycle;
5. Notes that the cost of this offer, currently estimated at circa \$0.6m (0.11% of rates) for three months, is unbudgeted and will impact on the 2019/20 and 2020/21 financial results;
6. Resolves that the cessation date and time of these arrangements will be midnight, 31 August 2020;
7. In parallel with this time limited change to Council's parking charges (i.e. over three months of winter 2020), it will explore with central city stakeholders, the Central City Business Association, Chambers of Commerce and Christchurch NZ, other actions it might take to further stimulate the central city's economy.

The amendment was seconded by Councillor Gough and on being put was declared **lost** by 7 votes to 9 votes the voting being as follows:

**For:** Mayor Dalziel, Councillor Chu, Councillor Daniels, Councillor Gough, Councillor Keown, Councillor MacDonald and Councillor Mauger

**Against:** Deputy Mayor Turner, Councillor Chen, Councillor Coker, Councillor Davidson, Councillor Galloway, Councillor Johanson, Councillor McLellan, Councillor Scandrett and Councillor Templeton

Councillor Keown/Councillor Gough

**Lost**

The Council then considered the original motion as the substantive motion.

**Council Resolved Substantive Motion CNCL/2020/00058**

That the Council:

1. Notes that a Central City Parking Policy is in development and is anticipated to be considered by the Council by the end of the calendar year;
2. Agree to introduce a temporary winter central city parking arrangement for Council's two off street parking buildings (33 Lichfield Street and the Art Gallery);
3. Offers one hour free short stay parking between 1 June 2020 and 31 August 2020, 7 days a week at its two off street parking buildings (33 Lichfield Street and the Art Gallery);
4. Notes that the uptake and effectiveness of the initiative and central city stakeholder and wider community reactions to it during its early implementation period, will be reported to Council in the August meeting cycle;
5. Notes that the cost of this offer, currently estimated at circa \$0.3m (0.06% of rates) for three months, is unbudgeted and will impact on the 2019/20 and 2020/21 financial results;
6. Resolves that the cessation date and time of these arrangements will be midnight, 31 August 2020;
7. In parallel with this time limited change to Council's parking charges (i.e. over three months of winter 2020), it will explore with central city stakeholders, the Central City Business Association, Chambers of Commerce and Christchurch NZ, other actions it might take to further stimulate the central city's economy.

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Councillor Davidson/Councillor Scandrett

Carried

Councillor Keown requested that his vote against resolution be recorded.

Councillors MacDonald and Chu requested that their votes against the resolutions be recorded.

**Attachments**

- A Additional Attachment Item 15. Central City Covid 19 Recovery - Parking Charges –  
Attachment B

**5. Update by the COVID-19 Incident Management Team Lead**

The Council received a verbal update from Mary Richardson, Covid-19 Incident Management Team Lead.

**Council Resolved CNCL/2020/00059**

That the Council:

1. Receive the verbal update from the COVID-19 Incident Management Team Lead.

Councillor Coker/Councillor Chen

Carried

Councillor Cotter returned to the meeting at 11.41am.

The meeting adjourned at 11.41am and reconvened at 11.57am.

**16. Review of Council policy for the donation of directors' fees earned by Councillors on Council Organisation boards and decisions on recipients for 2019/20 and beyond**

The Council commenced discussion on this item.

The Mayor left the meeting at 12.02pm.

Deputy Mayor Turner assumed the Chair at 12.02pm for consideration of item 6.

**6. Update on Residents Survey 2019/20**

**Council Resolved CNCL/2020/00060**

That the Council:

1. Receives the high level results of the surveys.
2. Considers the feedback provided by the community as a key input into upcoming Annual and Long Term Plan deliberations.

Deputy Mayor/Councillor Davidson

Carried

Councillor Galloway left the meeting at 12.23pm and returned at 12.26pm.

Councillor MacDonald left the meeting at 12.24pm and returned at 12.26pm.

The Mayor returned to the meeting at 12.45pm and resumed the Chair.

**16. Continued - Review of Council policy for the donation of directors' fees earned by Councillors on Council Organisation boards and decisions on recipients for 2019/20 and beyond**

The Council continued discussion and consideration on this item.

Councillor Keown moved and Councillor MacDonald seconded a procedural motion:

**Council Resolved CNCL/2020/00061**

That the report be left to lie on the table to enable advice to be provided from the Office of the Auditor-General.

The procedural motion was declared **carried** by 9 votes to 8 votes the voting being as follows:

**For:** Mayor Dalziel, Councillor Chu, Councillor Daniels, Councillor Gough, Councillor Johanson, Councillor Keown, Councillor MacDonald, Councillor Mauger and Councillor McLellan

**Against:** Deputy Mayor Turner, Councillor Chen, Councillor Coker, Councillor Cotter, Councillor Davidson, Councillor Galloway, Councillor Scandrett and Councillor Templeton

Councillor Keown/Councillor MacDonald

**Carried**

**7. Christchurch Housing Initiative**

**Council Resolved CNCL/2020/00062**

That the Council:

1. Approve that the Christchurch Housing Initiative Funding Agreement with the Crown be amended to a shared equity ownership model.
2. Direct staff to revise both the Funding Agreement and the Initiative's Deed of Participation, and report to Council once completed and provisionally agreed with the parties concerned.

Councillor Coker/Councillor Galloway

**Carried**

**8. Local Government Funding Agency - Special General Meeting of Shareholders**

**Council Resolved CNCL/2020/00063**

That the Council:

1. Appoints Carol Bellette, General Manager Finance and Commercial as proxy to vote on behalf of the Council at the Local Government Funding Agency's Special General Meeting on 30 June 2020, and the Chair of the Local Government Funding Agency board as alternate;

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2. Agrees that the proxy or alternate votes in favour of the Local Government Funding Agency's proposal as follows:
  - a. To increase the foundation policy financial covenant Net Debt/Total Revenue from the current 250% to 280% for local authorities with a long-term credit rating of 'A' equivalent or higher from financial year 2025/26; and
  - b. That until 2025/26, local authorities with a long-term credit rating of 'A' equivalent or higher must comply with the "Alternative Net Debt/Total Revenue covenant" as below.

Alternative Net Debt / Total Revenue Covenant	
Financial Year (Test Date)	Net Debt / Total Revenue
30 June 2020	<250%
30 June 2021	<300%
30 June 2022	<300%
30 June 2023	<295%
30 June 2024	<290%
30 June 2025	<285%

3. Notes that Council staff will update the Council on the Local Government Funding Agency's Shareholder Council's recommendations on the proposed shareholder resolution at the Council meeting; and
4. Agrees to amend the Council's Treasury Policy to reflect the decisions approved by shareholders, if any at the Local Government Funding Agency's Special General Meeting.

Councillor MacDonald/Councillor Keown

**Carried**

## 9. Miscellaneous Amendments to Delegations

### Council Resolved CNCL/2020/00064

That the Council:

1. Relying on clause 32 of Schedule 7 of the Local Government Act 2002 and for the purposes of the efficiency and effectiveness in the conduct of the Council's business, and any other applicable statutory authority,
  - a. Revoke the delegations in relation to the Facilities Rebuild Plan - Social Housing Units, as set out in Part B, Sub-part 3 of the Delegations Register (as shown and highlighted in Attachment A);
  - b. Amend the delegation relating to insurance as set out in Attachment A (as so shown and highlighted); and
  - c. Revoke the delegation to the Chief Executive in relation to section 114 of the Public Works Act 1981 for point strip agreements, and delegate to the Chief Executive the power to apply to the Minister of Lands for land to be declared as road under section 114 of the Public Works Act 1981, and to give written consent

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of the Council under section 114(2)(h) of the Public Works Act 1981 (as so shown and highlighted); and that the Chief Executive may sub-delegate this power.

Councillor MacDonald/Councillor Keown

**Carried**

## **11. Heritage Incentive Grant Approval for Akaroa Lighthouse**

### **Council Resolved CNCL/2020/00065**

That the Sustainability and Community Resilience Committee:

1. Approve a Heritage Incentive Grant of up to \$4,872 for maintenance and conservation works to the Lighthouse at 145 Beach Road, Akaroa.

Councillor Keown/Deputy Mayor

**Carried**

## **10. Heritage Incentive Grant Application for 2 Cunningham Terrace, Lyttelton**

### **Council Resolved CNCL/2020/00066**

That the Council:

1. Receive the April 2020 report from Resource Management Group Limited (David McMahon).
2. Adopt the recommendation in the report, to approve a grant of \$13,549 (excluding GST), representing 50% of the value of the proposed works.
3. Note that the existing conservation covenant arising from the previous grant remains on the title, and will protect Council's past and current grant investment in the property.

Deputy Mayor/Councillor McLellan

**Carried**

## **12. Resolution to Exclude the Public**

### **Council Resolved CNCL/2020/00067**

That Paul Munro, Chief Executive of Christchurch City Holdings Ltd remain after the public have been excluded for Item 13. Development Christchurch Ltd of the public excluded agenda as he has knowledge that is relevant to that item and will assist the Council.

**AND**

That Steve Walsh, Chief Client Officer of Marsh Ltd remain after the public have been excluded for Item 17. 2020/21 Insurance Renewal Update of the public excluded agenda as he has knowledge that is relevant to that item and will assist the Council.

**AND**

That at 1.13pm the resolution to exclude the public set out on pages 118 to 119 of the agenda and pages 29 to 30 of the supplementary agenda be adopted.

Councillor MacDonald/Councillor Davidson

**Carried**

**The public were re-admitted to the meeting at 1.43pm.**

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**Karakia Whakamutunga:**

Given by Councillor Mike Davidson

**Meeting concluded at 1.44pm.**

**CONFIRMED THIS 11<sup>TH</sup> DAY OF JUNE 2020**

**MAYOR LIANNE DALZIEL  
CHAIRPERSON**

Unconfirmed

## 9. Health, Safety and Wellbeing Committee Minutes - 4 March 2020

Reference / Te Tohutoro: 20/237280

Report of / Te Pou  
Matua: Mark Saunders, Committee and Hearings Advisor,  
mark.saunders@ccc.govt.nz

General Manager /  
Pouwhakarae: Brendan Anstiss, General Manager Strategy and Transformation  
brendan.anstiss@ccc.govt.nz

### 1. Purpose of Report / Te Pūtake Pūrongo

The Health, Safety and Wellbeing Committee held a meeting on 4 March 2020 and is circulating the Minutes recorded to the Council for its information.

### 2. Recommendation to Council

That the Council receives the Minutes from the Health, Safety and Wellbeing Committee meeting held 4 March 2020.

### Attachments

No.	Title	Page
<a href="#">A1</a>	Minutes Health, Safety and Wellbeing Committee - 4 March 2020	38

### Signatories / Ngā Kaiwaitohu

Author	Mark Saunders - Committee and Hearings Advisor
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## Health, Safety and Wellbeing Committee OPEN MINUTES

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<b>Date:</b>	<b>Wednesday 4 March 2020</b>
<b>Time:</b>	<b>9:30am</b>
<b>Venue:</b>	<b>Committee Room 2, Level 2, Civic Offices, 53 Hereford Street, Christchurch</b>

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<b>Present</b>	
Chairperson	Councillor James Gough
Deputy Chairperson	Councillor Phil Mauger
Members	Mr Murray Harrington Mr Paul Coleman Councillor Sam MacDonald

---

**3 March 2020**

**Principal Advisor**

Brendan Anstiss  
General Manager Strategy & Transformation

Mark Saunders  
Committee and Hearings Advisor  
941 6436  
mark.saunders@ccc.govt.nz  
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Health, Safety and Wellbeing Committee  
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- Part A**     **Matters Requiring a Council Decision**  
**Part B**     **Reports for Information**  
**Part C**     **Decisions Under Delegation**

The agenda was dealt with in the following order.

**1. Apologies / Ngā Whakapāha**

**Part C**

There were no apologies recorded as all members were present.

**2. Declarations of Interest / Ngā Whakapuaki Aronga**

**Part B**

There were no declarations of interest recorded.

**3. Confirmation of Previous Minutes / Te Whakaāe o te hui o mua**

**Part C**

**Committee Resolved HSCM/2020/00001**

That the minutes of the Health, Safety and Wellbeing Committee meeting held on Wednesday, 4 December 2019 be confirmed.

Councillor MacDonald/Mr Harrington

**Carried**

**4. Public Forum / Te Huinga Whānui**

**Part B**

There were no public forum presentations.

**5. Deputations by Appointment / Ngā Huinga Whakaritenga**

**Part B**

There were no deputations by appointment.

**6. Presentation of Petitions / Ngā Pākikitanga**

**Part B**

There was no presentation of petitions.

Health, Safety and Wellbeing Committee  
04 March 2020

## 7. Election of a Deputy Chairperson

### Committee Comment

The Committee adopted System A for the election of its Deputy Chairperson, and the Chairperson called for nominations. Councillor Mauger was nominated by Councillor Gough, seconded by Mr Harrington, and with one candidate for the position the Committee resolved that Councillor Mauger was elected as its Deputy Chairperson.

### Officer Recommendations

That the Health, Safety and Wellbeing Committee:

1. Adopts either System A or System B for the election of the Deputy Chairperson.
2. Proceeds to elect a Deputy Chairperson.

### Committee Resolved HSCM/2020/00002

#### Part C

That the Health, Safety and Wellbeing Committee:

1. Adopts System A for the election of its Deputy Chairperson.

Councillor Gough/Councillor MacDonald

Carried

### Committee Resolved HSCM/2020/00003

#### Part C

That the Health, Safety and Wellbeing Committee:

1. Elects Councillor Phil Mauger as its Deputy Chairperson.

Councillor Gough/Mr Harrington

Carried

## 8. Health, Safety and Wellbeing Quarterly Report

### Committee Resolved HSCM/2020/00004 (Original Staff Recommendations Accepted without Change)

#### Part C

That the Health, Safety and Wellbeing Committee:

1. Receives the Health, Safety and Wellbeing Quarterly Report.

Mr Coleman/Councillor Mauger

Carried

Health, Safety and Wellbeing Committee  
04 March 2020



**9. Health, Safety and Wellbeing Dashboard Report**

**Committee Resolved HSCM/2020/00005 (Original Staff Recommendations Accepted without Change)**

**Part C**

That the Health, Safety and Wellbeing Committee:

1. Receives the Health, Safety and Wellbeing Dashboard Report and quarterly dashboard (**Attachment A** to the report).

Councillor Gough/Councillor MacDonald

**Carried**

**Meeting concluded at 10:05am.**

**CONFIRMED THIS 5<sup>th</sup> DAY OF JUNE 2020**

**COUNCILLOR JAMES GOUGH  
CHAIRPERSON**

UNCONFIRMED





## 10. Commercial film or video production facilities Section 71 Proposal

Reference / Te Tohutoro: 20/577707

Report of / Te Pou David Falconer - Team Leader City Planning,  
Matua: david.falconer@ccc.govt.nz

General Manager / Brendan Anstiss - General Manager Strategy and Transformation,  
Pouwhakarae: brendan.anstiss@ccc.govt.nz

### 1. Executive Summary / Te Whakarāpopoto Matua

- 1.1 The purpose of this report is for the Council to approve feedback to Regenerate Christchurch on the proposal by Regenerate Christchurch that the Minister for Greater Christchurch Regeneration exercise powers under section 71 of the Greater Christchurch Regeneration Act 2016 (GCR Act) to amend the District Plan and the Canterbury Regional Policy Statement (CRPS) to better provide for the development and operation of commercial film or video production facilities in the Christchurch district. The proposed feedback is included as **Attachment A**. The draft Proposal is included as **Attachment B**.
- 1.2 Regenerate Christchurch considers that the amendments would support the regeneration of greater Christchurch, meet the purposes of the GCR Act, and that the Minister can reasonably consider the use of the GCR Act necessary in the face of any alternative processes.
- 1.3 The Proposal supports the development of film studios as potential “shovel-ready” projects in the wake of the Covid-19 pandemic, with quantifiable public benefit that could quickly stimulate the economy and provide employment. The Proposal permits film studios being located in a number of commercial, industrial and rural zones in the Christchurch District Plan. Staff recommend that the Council approves the draft feedback to Regenerate Christchurch (**Attachment A**), which provides support for the proposal and requests technical amendments to mitigate the potential negative effects of the proposed amendments, such as protecting amenity within rural zones.
- 1.4 The decision in this report is of medium significance in relation to the Council’s Significance and Engagement Policy.

### 2. Officer Recommendations / Ngā Tūtohu

That the Council:

1. Approves providing the feedback (**Attachment A**) to Regenerate Christchurch on the Proposal to exercise the powers under section 71 of the Greater Christchurch Regeneration Act 2016 to better provide for the development and operation of commercial film or video production facilities in the Christchurch district through amendments to the District Plan and Canterbury Regional Policy Statement.
2. Delegates to the General Manager Strategy and Transformation the ability to provide Regenerate Christchurch with any additional technical comments that support the Council’s feedback, and to provide any further written comment consistent with the feedback in Attachment A if the Minister invites written comments under section 68 of the GCR Act.

### 3. Reason for Report Recommendations / Ngā Take mō te Whakatau

- 3.1 Currently, New Zealand's only dedicated film studios are in Auckland and Wellington despite extensive use of South Island locations for filming. The screen industry has continued to grow and ChristchurchNZ has developed a specific campaign to promote the district to the industry.
- 3.2 The primary function of the Proposal is to enhance the relevant planning framework (as established by the District Plan and CPRS) to enable this regeneration opportunity while still ensuring the effects of the activity are appropriately managed. The proposed changes to the District Plan and the CRPS would better enable commercial film or video production studios to locate within the Christchurch district, which would contribute towards regeneration outcomes for both the district and greater Christchurch. The District Plan currently does not expressly state that permanent film studios are permitted activities in Commercial, Industrial and Rural zones.
- 3.3 The Proposal supports the development of film studios, which was identified in Council's submission to the Infrastructure Industry Reference Group in April as a potential "shovel-ready" project in the wake of the Covid-19 pandemic, with quantifiable public benefit that could quickly stimulate the economy and provide employment within the District, greater Christchurch, and wider Canterbury region. Analysis submitted with the proposal indicates that commercial film or video production facilities could generate between \$50m - \$200m in revenue per year depending on the type and quantity of film production activity secured; and the provision of employment opportunities for approximately 270 people in a 'base-case' scenario, moving to a considerably higher number if a large scale production such as a feature film or a high value television series was secured.
- 3.4 Christchurch has a significant amount of vacant commercial and industrial land, including some very large blocks of such land in the zones included in the draft Proposal that could be used for film studios. The planning assessment included with the proposal indicates sites in the order of 10 to 20 hectares are being sought, but included a review of a number of film studios in New Zealand that ranged in size from 5,400m<sup>2</sup> to 31ha. Initial analysis by Council staff indicates that, within just the commercial and industrial zones within which the proposal seeks to provide for film studios, there exists numbers of individual vacant sites, or vacant parts of sites, as follows; 298 of 0.5-5 ha., 16 of 5-10 ha., and 7 over 10 ha. The number of potential sites for film studios would be considerably greater for all size ranges if two or more vacant adjoining sites were included, and greater again if unused sites with existing buildings were included.
- 3.5 The attached feedback supports the Proposal to enable film studios while requesting that technical amendments are made to better integrate the proposal into the Christchurch District Plan.

### 4. Alternative Options Considered / Ētahi atu Kōwhiringa

- 4.1 **Not supporting the draft Proposal** - This option is not the preferred option as it would not help reduce the consenting barriers for film studios, and thus would not make it any more attractive for film studios to establish in Christchurch. The draft Proposal considers a number of alternative options, including Do Nothing or using a RMA process, and concludes that a section 71 process is the most appropriate. Planning staff agree with that assessment.

## 5. Detail / Te Whakamahuki

### Summary of draft Proposal

- 5.1 The draft Proposal sets out changes that enhance the ability of the planning framework, including the District Plan, to provide for the development and operation of commercial film or video production facilities. The draft Proposal submits that this would support the regeneration of the Christchurch district and greater Christchurch and is otherwise consistent with the objectives and policies of the District Plan.

#### *Proposed amendments to the District Plan*

- 5.2 Broadly, the changes proposed to the District Plan are to:
- Amend the existing definition of “commercial film or video production” to clarify that it does not incorporate any residential component;
  - Insert specific objectives and policies supporting the development of commercial film or video production activities within the commercial, rural and industrial zones;
  - Include “commercial film or video production” in the permitted activity tables in the following zones:
    - Commercial Mixed Use.
    - Commercial Central City Mixed Use.
    - Industrial General.
    - Industrial Heavy.
    - Industrial Park.
    - Rural Urban Fringe.
    - Rural Templeton.
  - Include additional standards in zones where these are required to ensure appropriate environmental outcomes, such as site coverage and landscaping requirements.
- 5.3 Due to the wide range of zones included in the amendments the proposal affects all wards/Community Board areas in Christchurch, except the Fendalton ward.
- 5.4 The Proposal does not set out any changes to district-wide standards. Therefore these would continue to apply, and it is likely that any proposal would need resource consent under the High Trip Generator rule. However, this would likely be a restricted discretionary activity and the District Plan specifies that these applications are non-notified. In addition and depending on site layout and design, the more restrictive rules in the rural zones may mean that a development needs to seek resource consent for a breach of building height or site coverage rules. A breach of either of these rules in these zones would require restricted discretionary activity consent. A decision on potential notification or limited notification of an application for breach of the height rules would be made under the usual provisions of the Resource Management Act 1991 (RMA)), whereas the District Plan specifies that applications for breach of the site coverage rules are non-notified. Additionally, if a development were to exceed 50% site coverage by buildings, impervious surfaces and outdoor storage in the Rural Templeton zone, it would require resource consent as a non-complying activity.

#### *Proposed amendments to the Canterbury Regional Policy Statement*

- 5.5 The Proposal also makes changes to the Canterbury Regional Policy Statement to enable Film Studios. This change will also apply to Selwyn and Waimakariri Districts. Thus Selwyn and

Waimakariri can take advantage of this and enable Film studios through their upcoming District Plan Reviews.

### Section 71 GCR Act Process

- 5.6 Under section 71 of the GCR Act, the Minister for Greater Christchurch Regeneration can exercise her powers to suspend, amend, or revoke the District Plan and the CRPS. The GCR Act enables Regenerate Christchurch to initiate this process. This means the Council will not be the decision maker in this process, but the Council can have input to it. The GCR Act requires the following steps:
- 5.7 The proponent who proposes that the Minister exercise the power (in this case Regenerate Christchurch) prepares a concise draft proposal (section 65);
- 5.8 Regenerate Christchurch seeks the views of strategic partners (Environment Canterbury (ECan), Christchurch City Council, Selwyn District Council, Waimakariri District Council, Ngai Tahu (TRONT) and the Department of Prime Minister and Cabinet) on the draft Proposal – section 66. This is the stage we are currently at. Regenerate Christchurch sent the proposal to the Council on 13 May 2020. The Council has 30 working days to provide its views (i.e. by 25 June 2020).
- 5.9 Regenerate Christchurch then summarises the views received from the process above and may amend the draft Proposal and the proposed changes to the District Plan and CRPS as a result of feedback –section 66(2)(a).
- 5.10 Regenerate Christchurch then submits the proposal to the Minister for approval to proceed – section 66(2) (b). It is possible that if Regenerate Christchurch has not done that by 30 June 2020 the process comes to an end - see legal section below.
- 5.11 The Minister decides whether to proceed with or decline the proposal – section 67. If she decides to proceed she must then by public notice invite written comments. Any member of the public or organisation may provide comment – section 68.
- 5.12 The Minister then must decide whether to exercise her powers under section 71 (within 30 working days of the closing date for written comments). The Minister can only accept or reject the proposal - no amendments can be made at this stage. If she decides to exercise her power to change the District Plan and the CRPS, then there will be a Notice in the Gazette that changes those documents, and the Council and ECan must change the District Plan and the CRPS without further formality.

### Use of the GCR Act – purposes and necessity

- 5.13 Section 65 of the GCR Act requires that the proposal must illustrate to the Minister that:
  - her exercise of powers will meet one or more purposes of the Act; and
  - her exercise of power is necessary and preferable to any alternative processes.
- 5.14 Moreover, the Minister can exercise powers under the GCR Act only where she reasonably considers it necessary to do so (section 11(2)).
- 5.15 Regenerate Christchurch states in the Proposal at Section 4 that the Proposal meets four of the five purposes of the Act. In relation to the regeneration purposes of the GCR Act, the Proposal is that the exercise of power would better provide for the development and operation of commercial film or video production facilities in the Christchurch district. This would contribute to urban renewal and development that would improve the economic, social, environmental and cultural wellbeing of the community. Under a section 71 process, this could be achieved in a more expedited manner than under any alternative processes.
- 5.16 The proposal falls under the very broad definition of regeneration in the GCR Act.

5.17 The Proposal considers the following alternatives to the exercise of power:

- Do Nothing
- Plan change request under Schedule 1, Part 1 of the RMA 1991
- Streamlined plan change process under section 80C of the RMA
- Regeneration Plan under the GCR Act

5.18 The Proposal concludes that the use of the section 71 process is the most efficient method to make these amendments to the District Plan and the CRPS due to the quicker and more certain process it allows.

### **Draft Feedback from Council to Regenerate Christchurch on the Proposal**

5.19 The attached feedback (**Attachment A**) broadly supports the Proposal to enable film studios while requesting that technical amendments are made, and it is recommended that this feedback is approved and sent to Regenerate Christchurch. In the opinion of Council staff, the Proposal should be supported, with some amendments to the draft Proposal, including:

- **Provision of infrastructure and reverse sensitivity in Rural Urban Fringe Zone:** The proposed change to the CRPS requires new commercial film or video production facilities to be connected to reticulated water and wastewater systems. However, the availability of appropriate reticulated water wastewater systems and other infrastructure will vary depending on the location of any rural site and may need to be provided by or upgraded for large-scale film production. The draft proposal does not provide the ability within the District Plan rules to assess this. In order to be able to manage this it is suggested that the activity status of film studios in the Rural Urban Fringe Zone is restricted discretionary to enable consideration of the infrastructure, reverse sensitivity and the scale of the activity<sup>1</sup>. As mentioned at paragraph 5.4, it likely that any proposal would need resource consent anyway, so the consideration of infrastructure, reverse sensitivity and the scale of the activity, can occur at the same time.
- **Landscaping in Rural Urban Fringe Zone:** a landscape strip at least 3 metres wide should be required along the road frontage and adjoining any Residential Zone to manage potential visual amenity effects of film studios.
- **Site coverage in the Rural Templeton Zone:** the proposed site coverage increase for the Rural Templeton Zone (from 20% to 50%) before it becomes a non-complying activity. A lower site coverage, for example a restricted discretionary activity over 30%, could encourage a more 'park like' campus in the rural environment, and still be a sufficient size for what is needed.
- **Technical Amendments to provide Clarity**
  - **Rural Policy 17.2.2.1 – Range of activities on rural land:** the draft Proposal should clearly identify which rural zones film studios are to be enabled in as some rural zones are not currently included, including the Rural Banks Peninsula and Rural Port Hills zones.
  - **Definition of commercial film or video production facilities:** different standards apply to temporary and permanent activities under the District Plan. To clarify the distinction, it is suggested that different definitions are used.

<sup>1</sup> In a similar way that community facilities are treated in RD9 in the Rural Urban Fringe Zone.

5.20 Staff have been working with Regenerate Christchurch and have discussed this feedback with them. Regenerate Christchurch is willing to consider making some changes to the proposal in response to Council's feedback, including:

- a requirement that reticulated services are provided in the rural zones
- better distinguishing in the district plan between large scale permanent film studios and temporary filming activities, so it is clear what standards apply to which activity
- reviewing the landscaping provisions
- incorporating more specificity in the policies as to where in the rural area film studios will be provided for (i.e. on the rural flat land close to the main Christchurch urban area).

5.21 If these changes are made to proposal, this will help address most of the feedback.

### Next Steps

5.22 The Council must provide feedback to Regenerate Christchurch within 30 working days of receiving the proposal, by 25 June 2020. Following receiving feedback from strategic partners, Regenerate Christchurch will, as set out in paragraphs 5.8 and 5.9 above, and if it still exists (see legal section) depending on the feedback received, finalise the Proposal and submit it to the Minister.

## 6. Policy Framework Implications / Ngā Hīraunga ā- Kaupapa here

### Strategic Alignment / Te Rautaki Tīaroaro

6.1 This report supports the [Council's Long Term Plan \(2018 - 2028\)](#):

#### 1.1.1 Activity: Strategic Planning and Policy

6.2 Level of Service: 9.5.1.1 Guidance on where and how the city grows through the District Plan. - Maintain operative District Plan

- Supporting the Proposal to enable the development and operation of film or video production facilities aligns with the prosperous economy Community Outcomes.

### Policy Consistency / Te Whai Kaupapa here

6.3 The decision on the feedback on the proposal is consistent with Council's Plans and Policies. The provisions of the District Plan do not suggest that the absence of explicit recognition for these activities on a more permanent basis, is the result of any identified incompatibility with the District Plan's objectives and policies, or because these activities could be expected to generate unknown and potentially significant adverse effects. Rather, the development and operation of commercial film or video production facilities and their potential environmental effects are generally compatible with the purpose and functions of a number of zones, the environmental outcomes they seek to achieve and the characteristics of the activities they currently provide for. The current non-complying or discretionary status of permanent commercial film or video production facilities is therefore a result of such activities not being explicitly provided for rather than any identified inconsistency with the planning regime.

### Impact on Mana Whenua / Ngā Whai Take Mana Whenua

6.4 The decision does not involve a significant decision in relation to ancestral land or a body of water or other elements of intrinsic value. Therefore this decision does not specifically impact Mana Whenua, their culture and traditions.

## **Climate Change Impact Considerations / Ngā Whai Whakaaro mā te Āhuarangi**

6.5 This decision does not have a significant impact on climate change.

## **Accessibility Considerations / Ngā Whai Whakaaro mā te Hunga Hauā**

6.6 This decision does not have a significant impact on accessibility.

## **7. Resource Implications / Ngā Hīraunga Rauemi**

### **Capex/Opex / Ngā Utu Whakahaere**

7.1 There is no cost to the Council if it provides feedback as this process is being led by Regenerate Christchurch.

## **8. Legal Implications / Ngā Hīraunga ā-Ture**

### **Statutory power to undertake proposals in the report / Te Manatū Whakahaere Kaupapa**

8.1 The Minister for Greater Christchurch Regeneration is the ultimate decision maker under this process. Under section 66 of the GCR Act the Council can provide feedback on the draft proposal as a strategic partner to the proponent (Regenerate Christchurch).

### **Other Legal Implications / Ētahi atu Hīraunga-ā-Ture**

8.2 The legal processes under the Greater Christchurch Regeneration Act have been outlined in the Details section of this report.

8.3 The Greater Christchurch Regeneration Amendment Bill proposes to disestablish Regenerate Christchurch and repeal sections 65-71 of the GCR Act on 30 June 2020.

8.4 The Bill is currently at the Select Committee stage. The Select Committee is due to report back on 5 June 2020.

8.5 If Parliament passes the Bill in its current form by 30 June 2020:

(1) If Regenerate Christchurch has completed its role as proponent in the section 71 process by having delivered the finalised proposal to the Minister under 66(2)(b) of the GCR Act, then the Minister may possibly decide to continue the process to its conclusion under section 71, as section 8 of the Interpretation Act 1999 provides that

(i) The repeal of an enactment does not affect the completion of a matter or thing or the bringing or completion of proceedings that relate to an existing right, interest, title, immunity, or duty.

(ii) A repealed enactment continues to have effect as if it had not been repealed for the purpose of completing the matter or thing or bringing or completing the proceedings that relate to the existing right, interest, title, immunity, or duty.

(2) If Regenerate Christchurch has not completed its role as proponent in the section 71 process by having delivered the finalised proposal to the Minister under 66(2) (b) of the GCR Act, then the process ends. The changes to the CRPS and the District Plan cannot be made under section 71. If the Council wishes to get those changes made it would use an RMA or other regulatory process.

8.6 This report has been reviewed and approved by the Legal Services Unit

## 9. Risk Management Implications / Ngā Hīraunga Tūraru

- 9.1 Ideally film studios would be located within urban industrial or commercial mixed use zones, to better achieve a consolidated urban form and the range of benefits of consolidation, including increased accessibility to a range of transport modes, and greater efficiency of infrastructure provision, rather than in rural areas. However the proposal also better enables film studios within some rural zones. The draft planning assessment indicates that although the activity has urban attributes, it also has other attributes not uncommon in a rural context such as large sites, significant landscaping, outdoor storage and intermittent noise.
- 9.1 The District Plan seeks to avoid adverse effects arising from conflicts between incompatible activities. This includes reverse sensitivity effects that arise when new activities establish in an area with other existing permitted activities, but where the new activity is sensitive to some of the effects of the existing activity, resulting in pressure to limit the operation of the existing activity. It seems possible that some potential film studios that would be permitted by the proposed changes could be adversely affected by noise, dust, sprays and other effects of permitted rural activities being undertaken on neighbouring land or strategic infrastructure, such as the airport. The proposal does not fully propose measures to avoid reverse sensitivity. Those noise, dust, spray and other potential adverse effects will need to be managed in some way by the film industry. The planning assessment for the proposal indicates that film studios are not inherently noise sensitive and that insulation may be provided in facilities. The changes to the proposal suggested in draft feedback will help mitigate these risks by ensuring that film studios in the Rural Urban Fringe Zone are a restricted discretionary activity with consideration of reverse sensitivity.

## Attachments / Ngā Tāpirihanga

No.	Title	Page
A <a href="#">↓</a>	Draft Feedback to Regenerate Christchurch	52
B <a href="#">↓</a>	Draft Section 71 Proposal from Regenerate Christchurch	54

In addition to the attached documents, the following background information is available:

Document Name	Location / File Link
Not applicable	

## Confirmation of Statutory Compliance / Te Whakatūtutanga ā-Ture

Compliance with Statutory Decision-making Requirements (ss 76 - 81 Local Government Act 2002).

(a) This report contains:

- (i) sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages; and
- (ii) adequate consideration of the views and preferences of affected and interested persons bearing in mind any proposed or previous community engagement.

(b) The information reflects the level of significance of the matters covered by the report, as determined in accordance with the Council's significance and engagement policy.



## Signatories / Ngā Kaiwaitohu

<b>Authors</b>	David Falconer - Team Leader City Planning Katie McFadden - Senior Policy Analyst
<b>Approved By</b>	David Griffiths - Head of Planning & Strategic Transport Brendan Anstiss - General Manager Strategy and Transformation



11 June 2020

Ivan Iafeta  
Chief Executive  
Regenerate Christchurch  
CHRISTCHURCH

Dear Ivan

**Re: Draft Proposal to exercise section 71 of the Greater Christchurch Regeneration Act to better provide for the development and operation of commercial film or video production facilities in the Christchurch district**

The Council would like to thank you for the opportunity to consider and provide views on the draft Proposal to amend the Christchurch District Plan in relation to commercial film or video production facilities. The Council understands the benefits outlined in this Proposal. The Council supports the proposal, however we request the following amendments to various elements of the draft rules package, to ensure greater certainty of outcomes and mitigate the risk of impacts on the surrounding environment.

- **Provision of infrastructure and reverse sensitivity in Rural Urban Fringe Zone:** The proposed change to the CRPS requires new commercial film or video production facilities to be connected to reticulated water and wastewater systems. However, the availability of appropriate reticulated water wastewater systems and other infrastructure will vary depending on the location of any rural site and may need to be provided by or upgraded for large-scale film production. The draft proposal does not provide the ability within the District Plan rules to assess this. In order to be able to manage this it is suggested that the activity status of film studios in the Rural Urban Fringe Zone is restricted discretionary to enable consideration of the infrastructure, reverse sensitivity and the scale of the activity<sup>1</sup>. As mentioned at paragraph 5.4, it likely that any proposal would need resource consent anyway, so the consideration of infrastructure,

<sup>1</sup> In a similar way that community facilities are treated in RD9 in the Rural Urban Fringe Zone.

reverse sensitivity and the scale of the activity, can occur at the same time.

- **Landscaping in Rural Urban Fringe Zone:** a landscape strip at least 3 metres wide should be required along the road frontage and adjoining any Residential Zone to manage potential visual amenity effects of film studios.
- **Site coverage in the Rural Templeton Zone:** the proposed site coverage increase for the Rural Templeton Zone (from 20% to 50%) before it becomes a non-complying activity. A lower site coverage, for example a restricted discretionary activity over 30%, could encourage a more 'park like' campus in the rural environment, and still be a sufficient size for what is needed.
- **Technical Amendments to provide Clarity**
  - **Rural Policy 17.2.2.1 – Range of activities on rural land:** the draft Proposal should clearly identify which rural zones film studios are to be enabled in as some rural zones are not currently included, including the Rural Banks Peninsula and Rural Port Hills zones.
  - **Definition of commercial film or video production facilities:** different standards apply to temporary and permanent activities under the District Plan. To clarify the distinction, it is suggested that different definitions are used.

## Conclusion

This letter provides a summary of the Council's views, as a strategic partner under section 66, of the draft Proposal to exercise section 71 to amend the District Plan to better provide for the development and operation of commercial film or video production facilities in the Christchurch district. We are happy to discuss this further with you. Thank you again for the opportunity to consider and provide views on the draft Proposal.

Yours sincerely

**Dawn Baxendale**  
**CHIEF EXECUTIVE**

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# Commercial Film or Video Production Facilities

Proposal to exercise the powers under section 71 of the Greater Christchurch  
Regeneration Act 2016 to provide for the development and operation of  
commercial film or video production facilities

*May 2020: Draft proposal seeking the views of strategic partners and DPMC in accordance with  
section 66(1)*



REGENERATE  
CHRISTCHURCH  
TE KŌWATAWATA 

## 1. INTRODUCTION

- 1.1** This Proposal is provided to the Associate Minister for Greater Christchurch Regeneration (the **Minister**) in accordance with section 66(2)(b) of the Greater Christchurch Regeneration Act 2016 (the **GCR Act**). It proposes the exercise of power by the Minister under section 71 of the GCR Act to amend the Christchurch District Plan (the **District Plan**) and the Canterbury Regional Policy Statement (the **Regional Policy Statement**) to provide for the development and operation of commercial film or video production facilities<sup>1</sup> in specified zones within the Christchurch district.
- 1.2** The Proposal has been prepared in response to a request from the Christchurch City Council to consider the benefits of better enabling commercial film or video production studios to locate within the Christchurch district and contribute towards regeneration outcomes for both the District and greater Christchurch.
- 1.3** Having established the potential regeneration benefit of such activities, the primary function of this Proposal is to enhance the relevant planning framework (as established by the District Plan and Regional Policy Statement) such that this regeneration opportunity can be better enabled within the Christchurch district while still ensuring that the effects of the activity are appropriately managed by the local authority pursuant to the relevant planning provisions.
- 1.4** If the amendments identified in this Proposal are implemented, they would form part of the District Plan and the Regional Policy Statement until both documents are reviewed under the Resource Management Act 1991 (the **RMA**).
- The Opportunity**
- 1.5** Currently, New Zealand's only dedicated film studios are located in Auckland and Wellington. Despite extensive use of South Island locations for filming, there are no purpose built and fully equipped commercial film or video production facilities outside of these North Island locations. As such, and as the screen industry has continued to grow in New Zealand, there has been mounting interest in establishing state of the art, purpose built studio and production facilities to attract new and existing screen entertainment industries to the South Island.
- 1.6** A report commissioned by ChristchurchNZ in 2019<sup>2</sup> indicates that while, historically, Canterbury has successfully attracted on-site filming of major international films, it lacks the infrastructure to benefit from pre- and post-production activity. In recognition of this, and of the city's role as the second largest city in New Zealand together with its proximity to a range of natural filming locations, and the availability of infrastructure (international airport, accommodation, transport and the like) to support the industry, ChristchurchNZ, has developed a specific campaign to promote the District to the film industry.
- 1.7** The regeneration benefits of this opportunity were further recognised by the Christchurch City Council in the wake of the Covid 19 pandemic with the development of film-studios identified as potential "shovel-ready" projects with quantifiable public benefit that could quickly stimulate the economy and provide employment<sup>3</sup> within the District, greater Christchurch and the wider Canterbury region.
- 1.8** Specific analysis from Development Christchurch Limited, commissioned by Regenerate Christchurch during the development of this Proposal, has confirmed the original analysis undertaken by ChristchurchNZ and identified a range of regeneration benefits that the

<sup>1</sup> Also referenced in this Proposal as "film studios"

<sup>2</sup> ChristchurchNZ (2019) *The Economic Impact of the Screen Entertainment Industry in Canterbury*, July 2019.

<sup>3</sup> <https://newsline.ccc.govt.nz/news/story/post-lockdown-infrastructure-projects-for-city-top-1-billion>

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development and operation of commercial film or video production facilities could bring to the District and greater Christchurch. These include<sup>4</sup>:

- (a) the generation of between \$50m - \$200m in revenue per year depending on the type and quantity of film production activity secured;
- (b) the provision of employment opportunities for approximately 270 people in a 'base-case' scenario, moving to a considerably higher number if a large scale production (such as a feature film or a high value television series) were to be secured;
- (c) the potential for further benefits to accrue from film distribution and exporting activities (in addition to the revenue quantified in (a) above); and
- (d) down-stream economic benefits accruing from related activities such as film based tourism (again in addition to the revenue quantified in (a) above).

- 1.9** Recognising the role and benefits that locational filming activities have played in Christchurch in the past, such activities are provided for on a temporary basis under the District Plan. An analysis of the existing planning framework commissioned by Regenerate Christchurch, and undertaken by Boffa Miskell<sup>5</sup>, indicates, however, that the District Plan does not specifically provide for the development and operation of *permanent* commercial film or video production activities in any part of the Christchurch district. Rather, such activities fall to be assessed as a "not provided for" activity in the relevant zone resulting in either discretionary or non-complying activity status with limited or no objective and policy guidance available to the decision maker.
- 1.10** To better enable the development and operation of commercial film or video production facilities in the Christchurch district, the planning assessment recommends that changes are made to both the District Plan and the Regional Policy Statement. This Proposal includes those recommended changes.
- 1.11** In assessing the use of the powers in the GCR Act to effect such changes, consideration has been given to the alternative processes available to achieve the same or similar outcomes. As set out in section 4 of this Proposal, while the changes could be effected through standard processes available under the RMA, such processes would be unlikely to enable the full realisation of this opportunity and its regeneration benefits, particularly within the expedited timeframe necessary to secure the opportunity and contribute to post pandemic job creation and economic recovery.

<sup>4</sup> Development Christchurch Limited, Balderstone, M (2020) *Economic Benefit of Production Studios for Greater Christchurch Region*, May 2020.

<sup>5</sup> Boffa Miskell Limited (2020) *Film Studio Proposal – Planning Assessment*. Report prepared for Regenerate Christchurch, 12 May 2020, 3.3.

## 2. THE PROPOSAL

- 2.1** This Proposal sets out changes that enhance the ability of the District Plan and the Regional Policy Statement to provide for the development and operation of commercial film or video production facilities in a manner which supports the regeneration of the Christchurch district and greater Christchurch and is otherwise consistent with the objectives and policies of the District Plan.<sup>6</sup>
- 2.2** The analysis supporting this Proposal indicates that if the development and operation of commercial film or video production facilities is enabled in the manner provided for through the proposed amendments, it would contribute to improving the wellbeing and resilience of communities in the Christchurch district, greater Christchurch and throughout the Canterbury region.
- 2.3** The proposed amendments to the District Plan and Regional Policy Statement are set out in full at **Appendix 1**.
- 2.4** Broadly, the changes to the District Plan propose to:
- (a) Amend the existing definition of “commercial film or video production” to clarify that it does not incorporate any residential component;
  - (b) Insert specific recognition for “commercial film or video production” activities within strategic objective 3.3.7;
  - (c) Insert specific policies supporting the development of commercial film or video production activities within the commercial, rural and industrial zones; and
  - (d) Make “commercial film or video production” activities permitted in the following zones:
    - (i) Commercial Mixed Use.
    - (ii) Commercial Central City Mixed Use.
    - (iii) Industrial General.
    - (iv) Industrial Heavy.
    - (v) Industrial Park.
    - (vi) Rural Urban Fringe.
    - (vii) Rural Templeton.
  - (e) Include additional permitted activity standards in zones where these are required to ensure appropriate environmental outcomes.
- 2.5** As set out more fully in section 3 of this Proposal, the planning analysis undertaken by Boffa Miskell confirms that a number of the activities currently permitted in these zones share similar characteristics to commercial film or video production facilities. As such, the existing standards within those zones will also appropriately control the development and operation of such facilities. In zones where additional standards are required to provide the same level of environmental protection, such additional standards are identified for inclusion.

<sup>6</sup> Refer Boffa Miskell Limited (2020) *Film Studio Proposal – Planning Assessment*. Report prepared for Regenerate Christchurch, 12 May 2020, 3.2 and Appendix 4.

- 2.6** In addition to the existing standards and to any standards recommended to be included through the proposed amendments, the current district-wide rules will also continue to apply.
- 2.7** The changes to the Regional Policy Statement propose to:
- (a) include express provision for commercial film or video production activities to occur both within and outside of the existing urban areas and greenfield priority areas identified in Map A;
  - (b) ensure that commercial film or video production facilities are connected to reticulated water and wastewater systems (thus ensuring no unnecessary load on the district's aquifers); and
  - (c) classify commercial film or video production activities as activities that are not noise sensitive and are therefore appropriate within the airport noise contours.
- 2.8** The decision being sought is that the Minister to exercise the powers under section 67 of the GCR Act to proceed with this Proposal and seek public comment, and then to consider whether to exercise the powers under section 71 of the GCR Act to approve the proposed amendments.
- 2.9** If the Minister decides to proceed with this Proposal and seek public comment, a notice to that effect must be published in accordance with section 68. A draft notice meeting the statutory requirements is included as **Appendix 2**.
- 2.10** If the Minister decides to exercise the powers under section 71 of the GCR Act, the proposed amendments are made by notice in the Gazette. A draft notice meeting the statutory requirements in this regard is included as **Appendix 3**.

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### 3. BASIS FOR AMENDING THE DISTRICT PLAN AND THE REGIONAL POLICY STATEMENT

- 3.1 The District Plan currently provides that “commercial film or video production” may occur “as of right” in any zone except an industrial zone provided any such production does not operate in the same exterior location for more than 30 days per year.<sup>7</sup> By contrast, permanent commercial film or video production facilities in all zones under the District Plan fall to be considered under the “catch-all” rules, being the rules which apply to activities which are not specifically identified. Generally, these rules result in the activity being classified as a discretionary or non-complying activity, with very little (if any) support from objectives and policies.
- 3.2 Such activities and the opportunity they present to promote the sustainable management of natural and physical resources, can therefore be seen to be already recognised and provided for in the District Plan but only in a limited and temporary manner. The intention of this Proposal is to extend the existing planning provisions to enable consideration of permanent facilities in much the same way.
- 3.3 The provisions of the District Plan do not suggest that the absence of explicit recognition for these activities on a more permanent basis is the result of any identified incompatibility with the District Plan’s outcomes or because these activities could be expected to generate unknown and potentially significant adverse effects. Rather, as discussed further below, the development and operation of commercial film or video production facilities and their potential environmental effects are generally compatible with the purpose and functions of a number of zones, the environmental outcomes they seek to achieve, and the characteristics of the activities they currently provide for. The current non-complying or discretionary status of permanent commercial film or video production facilities is therefore a result of such activities not being explicitly provided for rather than any identified inconsistency with the planning regime.
- 3.4 Nevertheless, and irrespective of the genesis, under the existing classifications, obtaining resource consent for such activities could be expected to be complex, lengthy, expensive and without any certainty of outcome, significantly reducing the prospect of such facilities establishing and thereby losing the opportunity to generate the regeneration benefits identified by the relevant analysis.
- 3.5 In zones where the activity defaults to a non-complying activity the prospect of obtaining consent is even more difficult again. In order to grant resource consent for a non-complying activity under the RMA, a consent authority must determine that the activity is either not contrary to the objectives and policies of the relevant plan, or that the adverse effects are not more than minor before consent can lawfully be granted<sup>8</sup>. Even if the consent authority considers that one of those two gateways is met, it may still determine to decline resource consent on the basis that it does not promote the sustainable management of natural and physical resources.<sup>9</sup>
- 3.6 In addition to the above provisions of the District Plan, Chapter 6 of the Regional Policy Statement restricts new urban activity to existing urban areas or greenfield priority areas (identified on Map A) unless expressly provided for in the Regional Policy Statement (*emphasis added*). As set out in the Planning Assessment, commercial film or video production activities have characteristics of both urban and rural activities, and as such, do

<sup>7</sup> Christchurch District Plan, rule 6.2.4.1.1(P6) “Commercial film or video production” and ancillary buildings or structures are permitted in any zone except an industrial zone, provided that, among other standards, any such production does not operate from the same exterior location for more than 30 days per year.

<sup>8</sup> Resource Management Act 1991, section 104D.

<sup>9</sup> Resource Management Act 1991, section 104.

not comfortably fit into either definition.<sup>10</sup> Moreover, the land area typically required for such facilities is, in many instances, more compatible with rural areas which generally fall outside of existing urban or greenfield priority areas in the Regional Policy Statement. Consequently, to address these potential constraints, the amendments outlined in this Proposal are intended to enable commercial film or video production as an activity “expressly provided for” in the Regional Policy Statement.

- 3.7** The primary function of this Proposal is to address the constraints outlined above and in doing so enhance the ability of the District Plan and the Regional Policy Statement to enable the development and operation of commercial film studios or video production facilities within the Christchurch district.
- 3.8** It is important to note that the proposed amendments would result in an applicant for a specific film studio proposal still being required to demonstrate to the satisfaction of Christchurch City Council how the development would promote the sustainable management of natural and physical resources via a resource consent process. However, the consent pathway facilitated by this Proposal and its proposed amendments would be more enabling, certain, timely and cost effective than the current plan provisions provide for.
- 3.9** The balance of this section outlines the basis on which the proposed amendments have been identified. A full assessment of the proposed amendments and the extent to which commercial film or video production activity is otherwise consistent with the District Plan and Regional Policy Statement is set out in the Planning Assessment.<sup>11</sup>

#### **District Plan Objectives and Policies**

- 3.10** A limited range of amendments to appropriate objectives and policies of the identified zones in the District Plan are considered necessary to provide for commercial film or video production facilities. The proposed amendments reinforce the intent of this Proposal to enhance the provision for these facilities in specified industrial, rural and commercial zones in the District Plan. To that end:
- (a) An amendment to objective 3.3.7 is proposed in order to give effect to the Regional Policy Statement which anticipates express provision for urban activity outside existing areas.
  - (b) Explicit references to commercial film or video production activities are proposed for inclusion in policies 15.2.7.1, 6.2.1.4 and policy 17.2.2.1. These references will ensure there is specific policy support for this type of activity in the identified zones.

#### **District Plan Rules**

- 3.11** As noted above, the identified commercial, industrial and rural zones each anticipate and provide for business activities that share similar characteristics to that of commercial film or video production facilities. In its Planning Assessment, Boffa Miskell identifies that these facilities also compare favourably with the intended outcomes anticipated by the zones, and the standards which apply to activities within them.<sup>12</sup>
- 3.12** For those reasons, it is considered appropriate to list commercial film or video production activities as permitted, subject to compliance with specified standards. It is also considered

<sup>10</sup> Boffa Miskell Limited (2020) *Film Studio Proposal – Planning Assessment*. Report prepared for Regenerate Christchurch, 12 May 2020, 2.1.

<sup>11</sup> Boffa Miskell Limited (2020) *Film Studio Proposal – Planning Assessment*. Report prepared for Regenerate Christchurch, 12 May 2020, section 3.

<sup>12</sup> Boffa Miskell Limited (2020) *Film Studio Proposal – Planning Assessment*. Report prepared for Regenerate Christchurch, 12 May 2020, 3.3

that a 'restricted discretionary' classification would be appropriate in the event of non-compliance with those standards to enable assessment of relevant potential adverse effects.

#### District Plan Standards

- 3.13** With two exceptions in the two rural zones, the existing standards are generally considered appropriate to control the outcomes and effects of commercial film or video production facilities in the identified zones. Utilising the existing standards will assist in ensuring that commercial film or video production facilities align with the intent and character of these zones, and are compatible with other activities existing in and anticipated for these various areas.
- 3.14** In the two rural zones, additional standards and amendments to existing standards are proposed where they relate to site coverage and landscaping. These changes are designed to ensure more appropriate management of any adverse effects resulting from commercial film or video production activity. In the Rural Templeton zone, the district wide high trip generator rule is considered more appropriate for maintaining oversight of traffic effects arising from this activity than the zone specific traffic movement standard. As such, the removal of the zone specific traffic movement standard is proposed as it applies to commercial film or video production activity.<sup>13</sup>
- 3.15** Under the proposed amendments, existing district-wide rules (including those relating to traffic and noise) would continue to apply to future commercial film or video production activity. This is appropriate to ensure compatibility with the surrounding environment and alignment with the amenity values anticipated. The application of these standards (and the high-trip generator rule in particular) will mean any proposal for a large scale film studio will likely trigger the need for resource consent (albeit on a mandated non-notified basis).

#### Regional Policy Statement

- 3.16** The proposed amendments to the Regional Policy Statement are required to clarify that:
- (a) commercial film or video production activity is an expressly identified form of development which may be located outside of existing urban areas and greenfield priority areas;
  - (b) commercial film or video production facilities are expected to be connected to reticulated water and wastewater systems to avoid additional load on the aquifers; and
  - (c) it is appropriate for commercial film or video production activities to locate within the noise contours as activities that are not "noise sensitive".
- 3.17** It is noted that a similar approach to expressly providing for an identified activity outside of existing urban areas and greenfield priority areas was adopted in relation to the Yaldhurst Sports and Recreation Facility owned by Canterbury Sports Limited. As in that case, the proposed amendment to the Regional Policy Statement here would enable commercial film or video production facilities as a policy exception to the general requirement to avoid new development outside existing urban areas and greenfield priority areas.
- 3.18** The other proposed amendments seek to address aspects of commercial film or video production activities relating to infrastructure, noise and reverse sensitivity, and are considered appropriate to enable management of potential adverse effects relating to those matters.

<sup>13</sup> Boffa Miskell Limited (2020) *Film Studio Proposal – Planning Assessment*. Report prepared for Regenerate Christchurch, 12 May 2020, 3.4.

#### Outcome of the Proposed Amendments

- For the **Commercial Mixed Use** and **Commercial Central City Mixed Use** zones, commercial film or video production activities would go from being assessed as a discretionary activity, to having a permitted activity status subject to compliance with bulk and location standards.

District wide standards would continue to apply, and it is likely that any proposal would need resource consent under the High Trip Generator rule (restricted discretionary and predetermined as non-notified).

- For **Industrial** zones, commercial film or video production activities would go from being assessed as a discretionary or non-complying activity, to having a permitted activity status subject to compliance with bulk and location standards.

District wide standards would continue to apply, and it is likely that any proposal would need resource consent under the High Trip Generator rule (restricted discretionary and predetermined as non-notified).

- For the **Rural Urban Fringe** and **Rural Templeton** zones, commercial film or video production activities would go from being assessed as a non-complying activity, to having a permitted activity status subject to compliance with bulk and location standards.

District wide standards would continue to apply, and it is likely that any proposal would need resource consent under the High Trip Generator rule (restricted discretionary and predetermined as non-notified).

In addition, and depending on site layout and design, the more restrictive rules in these zones may mean that a development needs to seek resource consent for a breach of building height or site coverage rules. A breach of either of these rules in these zones would require restricted discretionary activity consent. The height rules are not predetermined as non-notified (thus a decision on potential notification or limited notification would be made under the usual provisions of the RMA), whereas the site coverage rules are predetermined as non-notified. Additionally, if a development were to exceed 50% site coverage by buildings, impervious surfaces and outdoor storage in the Rural Templeton zone, it would require resource consent as a non-complying activity.

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#### 4. GCR ACT CONSIDERATIONS

4.1 Before the Minister may exercise the powers under section 67 and section 69 of the GCR Act, she must:

- (a) consider that doing so would accord with one or more of the purposes under the GCR Act<sup>14</sup>; and
- (b) reasonably consider that the exercise of power is necessary to achieve that purpose(s).<sup>15</sup>

4.2 Each of these “threshold” tests and their application to the Proposal are addressed below.

##### **Explanation of how the exercise of power is expected to meet one or more of the purposes under the GCR Act**

4.3 The GCR Act and its tools (including the power under section 71) were passed for the specific purpose of supporting the regeneration of greater Christchurch through:

- (a) *Enabling a focused and expedited regeneration process;*
- (b) *Facilitating the ongoing planning and regeneration of greater Christchurch;*
- (c) *Enabling community input into decisions on the exercise of powers under section 71 and the development of Regeneration Plans;*
- (d) *Recognising the local leadership of Canterbury Regional Council, Christchurch City Council, Regenerate Christchurch, Selwyn District Council, Te Rūnanga o Ngāi Tahu, and Waimakariri District Council and providing them with a role in decision making under the Act; and*
- (e) *Enabling the Crown to efficiently and effectively manage, hold, and dispose of land acquired by the Crown under the Canterbury Earthquake Recovery Act 2011 or the Act.*

4.4 ‘Regeneration’ is defined in the GCR Act as:

- (a) *rebuilding, in response to the Canterbury earthquakes or otherwise, including—*
  - (i) *extending, repairing, improving, subdividing, or converting land;*
  - (ii) *extending, repairing, improving, converting, or removing infrastructure, buildings, and other property;*
- (b) *improving the environmental, economic, social, and cultural well-being, and the resilience, of communities through—*
  - (i) *urban renewal and development;*
  - (ii) *restoration and enhancement (including residual recovery activity).*

**urban renewal** means the revitalisation or improvement of an urban area, and includes—

- (a) *rebuilding:*

<sup>14</sup> Greater Christchurch Regeneration Act 2016, section 11(1).

<sup>15</sup> Greater Christchurch Regeneration Act 2016, section 11(2).

(b) *the provision and enhancement of community facilities and public open space.*

4.5 Consistent with the definition of “urban renewal”, implementation of the proposed amendments via the Minister’s exercise of power would provide the opportunity for commercial film or video production facilities to locate in and, in doing so, revitalise and improve urban areas in the identified zones.<sup>16</sup>

4.6 As set out further below, commercial film or video production facilities bring economic activity and employment opportunities to the areas in which they locate. In addition, physical revitalisation or improvement would be supported through the application of existing standards in the District Plan (included for the purpose of promoting the sustainable management of natural and physical resources) to the development and operation of commercial film or video production studios. The only proposed changes to these existing standards seek to further improve the environmental outcomes that these facilities would need to achieve.

4.7 Critically, for the purposes of this Proposal, commercial film or video production facilities are examples of urban renewal and development which improve the wellbeing and resilience of communities. Analysis prepared as part of this Proposal illustrates that:

(a) In terms of **social wellbeing**: a permanent commercial film or video production facility could offer employment opportunities for approximately 270 people if, as conservative estimates indicate, it was capable of securing 10% of the film production activity in New Zealand. That number could be expected to rise significantly if larger scale production was secured. By way of example, work undertaken by ChristchurchNZ estimates that securing 5% of the total investment proposed for Amazon’s \$1.5b *Lord of the Rings* television series would provide approximately 640 jobs in greater Christchurch.<sup>17</sup>

Available data on employee numbers and types of employment within the film industry also indicates that the establishment of film studios in the Christchurch district could offer a particular opportunity to improve the social and economic wellbeing of young people. Young people are strongly represented in employment statistics for the film industry, with a report commissioned in November 2017 from the New Zealand Institute of Economic Research indicating that 68% of workers in the industry are less than 40 years old.<sup>18</sup> Extrapolating that demographic to the job creation projections set out in the analysis by Development Christchurch Limited referenced above would translate into a variety of employment opportunities for approximately 183 people aged under the age of 40.<sup>19</sup> With unemployment rates in economic downturns being generally much higher for young people when compared to other parts of the workforce<sup>20</sup>, industries which

<sup>16</sup> All areas within “greater Christchurch” (as defined in the GCR Act) are considered to constitute “urban areas” to which the powers under the Act can apply. Refer Canterbury Earthquake Recovery Authority: Regulatory Impact Statement for the Greater Christchurch Regeneration Bill (2015) at [44] – [46]. All areas to which this Proposal applies also fall within the main urban area of Christchurch as defined by Stats NZ Tatauranga Aotearoa.

<sup>17</sup> ChristchurchNZ (2019) *The Economic Impact of the Screen Entertainment Industry in Canterbury*, July 2019.

<sup>18</sup> Bealing, M. Kriebel, T. (2017) *The economic contribution of the screen industry*, New Zealand Institute of Economic Research, November 2017, at 5.4.

<sup>19</sup> Refer also Development Christchurch Limited, Balderstone, M (2020) *Economic Benefit of Production Studios for Greater Christchurch Region*, May 2020 for discussion on variety of employment opportunity within the film industry.

<sup>20</sup> Johnson, A (2016) *Addressing New Zealand’s Youth Unemployment*, The Salvation Army Social Policy and Parliamentary Unit, October 2016, page 1; see also Tipper, A., Fromm, A. (2013) *Earning, learning or concerning? Youth labour market outcomes and youth incomes before and after the recession*, Paper presented at the New Zealand Association of Economists Conference at Wellington, New Zealand, page 9.

enable and attract youth employment offer particular value to the Christchurch district in the current post pandemic circumstances.

Further, the establishment of commercial film or video production facilities offers the opportunity to integrate with, and add value to, tertiary courses related to the screen industry that are already delivered by the three major tertiary education providers within the Christchurch district.<sup>21</sup>

- (b) **[Cultural wellbeing – This section is being completed in consultation with Mahaanui Kurataiao Limited].**

- (c) In terms of **economic wellbeing**: the economic analysis undertaken by Development Christchurch Limited establishes a conservative base-case scenario where four smaller feature films and 20 smaller screen series and one-off productions are secured per year (representing approximately 10% and 1% of the annual national production activity respectively).<sup>22</sup> In that case, a facility could expect to generate approximately \$50m per year in additional revenue for greater Christchurch for every year of the production. That figure does not account for any potential economic benefit from film distribution/exporting or related “down-stream” industries (including film based tourism).

If a larger production, such as a feature film, were to be secured alongside a range of other small screen and commercial production activities, the economic benefits in terms of additional revenue generated are estimated to increase significantly from \$50m to three or four-fold that amount.<sup>23</sup> In this regard, the analysis by Development Christchurch Limited is consistent with work undertaken by ChristchurchNZ which suggests that if a Christchurch-based studio could secure 5% of a large scale production such as Amazon’s proposed Lord of the Rings television series, it could generate \$124m in additional sales and a further \$59.8m in additional gross value to the Canterbury economy.<sup>24</sup>

At either end of this spectrum, the potential economic benefits generated by film studio developments would be experienced by a range of suppliers and service industries required for production, including freight and storage, accommodation, food and beverages, air transport, and a wide range of equipment providers.<sup>25</sup>

- (d) In terms of **environmental wellbeing**, the proposed amendments have been developed to provide the opportunity for these facilities to locate in appropriate areas of the Christchurch district and in a manner which supports the environmental outcomes sought for those areas and the wellbeing of the communities that live and/or work within them. As described above, the zones subject to the proposed amendments are those which already seek to enable activities that share similar characteristics to typical film-studio developments.<sup>26</sup> These facilities can therefore be expected to be largely consistent with the existing functions of these zones and the environmental outcomes they secure. For that reason, while the proposed amendments are necessary if the opportunity to

<sup>21</sup> Ara Institute of Technology, University of Canterbury and Yoobee School of Design.

<sup>22</sup> Development Christchurch Limited, Balderstone, M (2020) *Economic Benefit of Production Studios for Greater Christchurch Region*, May 2020.

<sup>23</sup> Development Christchurch Limited, Balderstone, M (2020) *Economic Benefit of Production Studios for Greater Christchurch Region*, May 2020.

<sup>24</sup> ChristchurchNZ (2019) *The Economic Impact of the Screen Entertainment Industry in Canterbury*, July 2019.

<sup>25</sup> Bealing, M. Kriebel, T. (2017) *The economic contribution of the screen industry*, New Zealand Institute of Economic Research, November 2017 at p10.

<sup>26</sup> Boffa Miskell Limited (2020) *Film Studio Proposal – Planning Assessment*. Report prepared for Regenerate Christchurch, 12 May 2020, 3.3.

establish these facilities in the Christchurch district is to be realised, they are also reasonably limited in their scope and application.

The development of permanent commercial film or video production facilities in the identified zones would, in large part, rely on the existing provisions of the District Plan to ensure that they are constructed and operated in a way which maintains or improves the environmental wellbeing of the surrounding communities. Moreover, planning analysis has confirmed that the establishment of these facilities, as enabled and shaped by the proposed amendments, is consistent with the existing objectives and policies of both the Regional Policy Statement and the District Plan.

4.8 In summary, if approved by the Minister in accordance with section 69 of the GCR Act, this Proposal would provide the opportunity for an activity which would support the regeneration of greater Christchurch as that term is defined under the Act. The exercise of power would also:

- (a) *Enable a focussed and expedited regeneration process.* As set out below, compared to the alternative options available, the Minister's exercise of the power under section 71 is the most expeditious way of enhancing the District Plan and the Regional Policy Statement's recognition of, and provision for, commercial film or video production facilities to locate in the Christchurch district. The proposed amendments are limited in scope and application and are focussed specifically on enabling focused consideration of an activity that has demonstrable regeneration benefits for the Christchurch District and greater Christchurch.
- (b) *Facilitate the ongoing planning and regeneration of greater Christchurch.* The enhanced provision for these activities in the Christchurch District is also consistent with various strategic directions and initiatives undertaken by key agencies that are focussed on supporting the wellbeing and growth of the city. The Christchurch Economic Development Strategy 2017 outlines the strategic priorities and projects of over 20 agencies contributing to economic growth for the city. Consistent with Christchurch City Council's overarching Strategic Framework, its focus is on recognising that Christchurch is a city of opportunity – “a place where people and enterprise choose to be”; “a place that is open to new ideas, new people, and new ways of doing things, and where anything is possible”.

This Proposal seeks to enhance the current planning framework to better enable the opportunity presented by permanent commercial film or video production facilities. To that end, approval of this Proposal would support the realisation of this broader vision for the city.

Approval of this Proposal would also support the overarching aspiration in ChristchurchNZ's Prosperity Framework for Christchurch to be “an internationally relevant city; attractive to people, high value business and investment”. According to the Framework, core to realising that aspiration over the long term will be Christchurch's ability to grow scale and value in areas of regional strength with global growth headroom. The film industry has been identified by ChristchurchNZ as an area that has the potential to contribute to that aspiration.<sup>27</sup>

- (c) *Enable community input into decisions on the exercise of powers.* If the Minister decides to proceed with the Proposal, a public notice published by the Minister will invite written comments on the Proposal, which the Minister must take into account before making a final decision on exercising the power. That statutory process will provide the opportunity for the greater Christchurch community to have input on this Proposal.

<sup>27</sup> ChristchurchNZ (2019) *Regional Growth Plan Briefing Document*, Growth Forum 28 February 2019, at page 17, <https://www.christchurchnz.com/media/std3pov/1-regional-growth-plan-briefing-document.pdf>



- (d) *Recognise the local leadership of Canterbury Regional Council, Christchurch City Council, Regenerate Christchurch, Selwyn District Council, Te Rūnanga o Ngāi Tahu, and Waimakariri District Council in decision-making.* As one of the local leadership organisations mandated by the GCR Act, Regenerate Christchurch has prepared this Proposal following a request from Christchurch City Council (also identified within the GCR Act as a local leadership entity) to consider doing so in view of the opportunity these facilities present for the district. The initiating engagement by Christchurch City Council and the ensuing development of this Proposal by Regenerate Christchurch is therefore consistent with the local leadership that the Act was intended to deliver.

In addition, during the preparation of this Proposal Regenerate Christchurch has engaged with its strategic partners (Christchurch City Council, Selwyn District Council, Waimakariri District Council and Environment Canterbury), together with the Department of Prime Minister and Cabinet, and Te Rūnanga o Ngāi Tahu. Their views have been sought in accordance with section 66 of the GCR Act, and have been considered as set out in the Concise Statement of Views prepared by Regenerate Christchurch (**Appendix 4**).

**Explanation of why the exercise of power is necessary and preferable to any alternatives to the exercise of power**

- 4.9** There are two key components to the assessment of whether a proposed exercise of power under the GCR Act may reasonably be considered necessary:

- (a) whether, in fact, the exercise of the particular power is necessary or “required by the circumstances” to achieve a particular purpose or purpose(s) of the Act; and
- (b) if it is considered so, whether that conclusion is “reasonable”, taking into account the nature of the particular decision, its consequences and the alternative powers available.<sup>28</sup>

- 4.10** In undertaking this assessment it is necessary to consider the alternative options available to the exercise of power, and to consider why the exercise of power by the Minister under section 71 to approve this Proposal is necessary and preferable to those alternatives.

Alternatives

- 4.11** The following are alternative options to the exercise of power by the Minister under section 71 of the GCR Act:

- (a) Do nothing.
- (b) Using Schedule 1 of the RMA, initiate a change to the Regional Policy Statement. Once that change has been approved, initiate a change to the District Plan.
- (c) Under section 80C and using Schedule 1 of the RMA, initiate a change to the Regional Policy Statement. Once that change has been approved, initiate a change to the District Plan.
- (d) Develop a Regeneration Plan under the GCR Act which includes directions to change the District Plan and the Regional Policy Statement.

<sup>28</sup> See *Canterbury Regional Council v Independent Fisheries Limited* [2012] NZCA 601, [2013] 2 NZLR 57, [17] – [23].

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*Do nothing*

- 4.12 As set out in paragraph 3.6, above the operation of the current District Plan and the Regional Policy Statement would make obtaining consent for commercial film or video production facilities complex, lengthy, expensive and without any certainty of outcome. In some zones, which would otherwise be appropriate for such development, consent as a non-complying activity may not be possible to obtain at all. As such, the “do nothing” option would prevent or hinder the development of facilities which might otherwise contribute to the regeneration of the Christchurch district and greater Christchurch.

*A change to the Regional Policy Statement followed by a change to the District Plan under Schedule 1 of the RMA*

- 4.13 Under the RMA, a district plan must give effect to, or implement, a regional policy statement. Provisions within a district plan which are inconsistent with, or do not implement, the provisions of the regional policy statement are unlawful. For that reason, as set out in paragraphs 3.7 and 3.8, changes to both the District Plan and the Regional Policy Statement would be required to enable the development and operation of commercial film or video production facilities in the Christchurch district.
- 4.14 Unlike the GCR Act however, the RMA does not enable changes to regional policy statements and district plans within a single process unless those documents form part of a combined document prepared under section 80 of the RMA. That is not the case in greater Christchurch. As such, the necessary changes to those documents would need to be progressed sequentially, with the changes to the District Plan being conditional on the prior approval of the changes to the Regional Policy Statement.
- 4.15 Schedule 1 of the RMA governs how changes are made to regional policy statements and district plans. Only a territorial authority or Minister of the Crown may request a change to a regional policy statement, while any person may request a change to the district plan. For both documents, the proposed change is prepared, notified for public submission and further submissions, and hearings are held if required. In assessing a request for a change to either document, the critical inquiry for the decision-maker is whether it will promote the sustainable management of natural and physical resources. The decision on whether to approve the change may be subject to appeal to the Environment Court.
- 4.16 The completion of one of these processes (without the decision being subject to appeal) can take between 10 – 14 months. Any appeal of the final decision could add a further 12 months to the process. Allowing for completion of both processes sequentially (being the necessary changes to the Regional Policy Statement followed by the necessary changes to the District Plan), could be expected to take up to four years. This is before any application for a commercial film or video production facility could be expected to apply for or gain consent to locate in the Christchurch district.
- 4.17 By comparison, section 71 of the GCR Act enables the Minister, by notice in the *Gazette*, to simultaneously amend both the Regional Policy Statement and the District Plan where she has determined to do so in accordance with section 69. Taking into account the time required to prepare this Proposal, completion of this statutory process could take between four to six months removing in the order of 18 to 42 months likely under the RMA process.
- 4.18 As the Court of Appeal in *Independent Fisheries* made clear, expediency to no particular end is insufficient to establish that use of these tools is necessary.<sup>29</sup> Expediency in enabling opportunity however becomes highly relevant to that determination where the context indicates that the failure to take expedient, bold action could frustrate the regeneration of greater Christchurch.

<sup>29</sup> *Canterbury Regional Council v Independent Fisheries Limited* [2012] NZCA 601, [2013] 2 NZLR 57, [17] – [23].

- 4.19 To that end, analysis from various agencies in recent years suggests that such action is necessary if greater Christchurch is to achieve its aspirations of becoming “a vibrant, competitive urban centre”, a “go-to place”<sup>30</sup> that was “open for business”<sup>31</sup> and a genuine “leading city in New Zealand”.<sup>32</sup> Commensurate with that, ChristchurchNZ’s *Christchurch Prosperity Framework* released in 2018 identified that the immediate challenge for Christchurch in the short term is delivering levels of economic activity (or building demand) that justify continued investment in the regeneration of the city. It also acknowledges that “Christchurch’s near and long term future will be significantly influenced by its success over the next few years in maintaining the regeneration momentum”.<sup>33</sup>
- 4.20 Economic data collated by various agencies has highlighted a consistent decline in the growth of Christchurch’s gross domestic product over the period 2015 to 2019.<sup>34</sup> In Quarter 4 of 2019, that low rate and continuous shift to an economy less reliant on rebuild investment was forecast to continue putting pressure on the growth of the district.
- 4.21 While the above data suggests that there was already some urgency in improving the economic basis for greater Christchurch, the impacts of the current global pandemic are expected to exacerbate these challenges significantly. A recent presentation at the Christchurch Economic Recovery Forum forecasted a potential drop in Christchurch’s gross domestic product by -12% over the next year, and the loss of up to 36,500 jobs.<sup>35</sup>
- 4.22 Established in accordance with the proposed amendments to the Regional Policy Statement and the District Plan, commercial video or film production facilities in the Christchurch district have the potential to positively impact the economic and social wellbeing of the greater Christchurch community in circumstances where those indicators are at high risk of decline. Pursuit of an RMA approval for this Proposal under Schedule 1 would increase the risk that these regeneration benefits are compromised in terms of timeliness of delivery, if not entirely lost. That prospect is considered to be at odds both with the aspirations for greater Christchurch’s regeneration and with the wider response towards economic and social recovery. In such circumstances, the exercise of power to approve this Proposal is considered to be both necessary and preferable to all other alternatives.
- A change to the Regional Policy Statement followed by a change to the District Plan under Section 80C of the RMA*
- 4.23 This process enables councils to make a request to the Minister for the Environment to use a streamlined planning process, if one of six criteria can be met. It is highly unlikely that a film studio development would meet any of these criteria, and as such, this is not considered to be a realistic option. The same analysis above regarding the Schedule 1 option similarly applies to this alternative.

<sup>30</sup> Advisory Board on transition to long term recovery arrangements (2015) *First Report to the Minister for Canterbury Earthquake Recovery*, July 2015, at page 3.

<sup>31</sup> Ibid.

<sup>32</sup> Advisory Board on transition to long term recovery arrangements (2015) *Final Report to the Minister for Canterbury Earthquake Recovery*, December 2015, page 7. That analysis includes Westpac McDermott Miller (2019) *Regional Economic Confidence – December 2019*, <https://www.westpac.co.nz/assets/Business/Economic-Updates/2019/Bulletins-2019/Q4-Regional-Economic-Confidence-December-2019.pdf>, ChristchurchNZ (2018) *Christchurch Prosperity Framework 2018 – 2028: Addressing challenges and realising potential*, page 3, 4 and Appendix 1; Regenerate Christchurch, (2018) *Central City Momentum*, 30 June 2018.

<sup>33</sup> ChristchurchNZ, *Prosperity Framework*, at page 12.

<sup>34</sup> ChristchurchNZ (2019) *Quarterly Economic Update: Christchurch and Canterbury Economic Data – Quarter 2 2019*, June 2019, page 3.

<sup>35</sup> Christchurch Economic Recovery Forum (2020) *Economic Impact Scenarios*, Presentation 7 May 2020, <https://www.christchurchnz.com/christchurch-economic-recovery-package/christchurch-economic-recovery-forum>. Refer also Te Tai Ōhanga The Treasury (2020) Treasury Report T2020/973: *Economic Scenarios*, 13 May 2020. Currently the most reflective scenario in that report indicates an estimated drop in national real GDP by 13.5%. Translated into nominal GDP, that is a reduction by \$121b between 2020 and 2024.

*Development of a Regeneration Plan under section 28 – 39 of the GCR Act*

- 4.24** A Regeneration Plan under the GCR Act would enable the Minister to direct amendments to the District Plan and the Regional Policy Statement simultaneously. Development of a Regeneration Plan is a two-stage process that requires the preparation of a draft outline, and then a draft Regeneration Plan. The experience of Regenerate Christchurch and Christchurch City Council has shown that Regeneration Plans take one to two years to complete depending on the scale and complexity of the subject matter.
- 4.25** Reflecting the extended process for their development and approval, Regeneration Plans are generally better suited to more complex development proposals where the changes to the relevant RMA documents are more extensive and should be accompanied by a supporting statutory narrative in the form of the Plan itself. The proposed amendments described in this Proposal are neither considered to be extensive nor do they require a wider supporting narrative in a Regeneration Plan. An exercise of power under section 71 is therefore preferable to the development of a Regeneration Plan.

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**5. CONCLUSION**

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- 5.1** Regenerate Christchurch considers that the Minister can reasonably consider it necessary to exercise the power under section 71 of the GCR Act to amend the District Plan and the Regional Policy Statement as set out in **Appendix 1** of this Proposal. The Proposal meets the purposes of the GCR Act, and will enable the improvement of social, [cultural], economic and environmental well-being and the realisation of regeneration benefits for the Christchurch district, greater Christchurch and the wider Canterbury region.

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Attachment B  
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## APPENDIX 1 - PROPOSED AMENDMENTS

### Proposed amendments to the Canterbury Regional Policy Statement

(Text proposed to be inserted is shown in red underlined while deletions are shown ~~red struck through~~.)

#### CHAPTER 6 - RECOVERY AND REBUILDING OF GREATER CHRISTCHURCH

##### 6.3.1 Development within the Greater Christchurch area

In relation to recovery and rebuilding for Greater Christchurch:

...

6. provide for commercial film or video production activities in appropriate commercial, industrial and rural zones;

~~76.~~ provide for a metropolitan recreation facility at 466-482 Yaldhurst Road; and

~~87.~~ avoid development that adversely affects the function and viability of, or public investment in, the Central City and Key Activity Centres.

##### Principal reasons and explanation

To ensure that recovery resources are managed efficiently and sustainably, the provisions identify where certain types of development can take place, and where they cannot take place. The provisions also recognise that specific activities are provided for outside of urban areas elsewhere in the CRPS, such as papakāinga housing and marae under Policy 5.3.4; educational facilities where no other practicable options for locating the facility exist; commercial film or video production to support the regional economy and provide employment opportunities; and a metropolitan recreation facility at 466-482 Yaldhurst Road that serves the urban population. It is anticipated that established urban activities located outside of the identified urban area will be able to continue to operate their activities, with any expansion considered on a case-by-case basis.

##### 6.3.5 Integration of land use and infrastructure

Recovery of Greater Christchurch is to be assisted by the integration of land use development with infrastructure by:

...

2. Ensuring that the nature, timing and sequencing of new development are co-ordinated with the development, funding, implementation and operation of transport and other infrastructure in order to:
  - a. optimise the efficient and affordable provision of both the development and the infrastructure;
  - b. maintain or enhance the operational effectiveness, viability and safety of existing and planned infrastructure;
  - c. protect investment in existing and planned infrastructure; ~~and~~

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- d. ensure that new commercial film or video production facilities are connected to reticulated water and wastewater systems; and
  - ~~d.~~ e. ensure new development does not occur until provision for appropriate infrastructure is in place;
- 3. Providing that the efficient and effective functioning of infrastructure, including transport corridors, is maintained, and the ability to maintain and upgrade that infrastructure is retained;
- 4. Only providing for new development that does not affect the efficient operation, use, development, appropriate upgrading and safety of existing strategic infrastructure, including by avoiding noise sensitive activities within the 50dBA Ldn airport noise contour for Christchurch International Airport, unless the activity is within an existing residentially zoned urban area, residential greenfield area identified for Kaiapoi, or residential greenfield priority area identified in Map A (page 6-28) and enabling commercial film or video production activities within the noise contours as an compatible use of this land; and
- 5. Managing the effects of land use activities on infrastructure, including avoiding activities that have the potential to limit the efficient and effective, provision, operation, maintenance or upgrade of strategic infrastructure and freight hubs.

#### Principal reasons and explanation

In order to achieve a co-ordinated and efficient recovery, development of urban areas must be integrated with the provision of infrastructure, including ensuring that existing strategic infrastructure can continue to operate efficiently and effectively. Access for freight movements to and from the major ports in Greater Christchurch must be maintained and enhanced, and not compromised by the location of new urban development.

Priority areas for development are generally clustered to the north, west and south-west of existing urban areas. These areas are all close to existing major infrastructure corridors which connect to the growth areas in the north and Waimakariri District, and to the south and on to Selwyn District. The growth areas have been assessed as having the best potential to accommodate residential and business growth through to 2028 whilst achieving a consolidated urban form and an efficient and orderly provision of infrastructure. It is important that timing and sequencing of development are aligned with funding and implementation of infrastructure. It is also important that new commercial film or video production facilities connect to reticulated water and wastewater systems, to avoid demand for water takes in an overallocated zone and to reduce impacts on the natural environment through discharges.

Strategic infrastructure represents an important regional and sometimes national asset that should not be compromised by urban growth and intensification. Strategic infrastructure such as Christchurch International Airport, the Lyttelton Port of Christchurch, the State Highway and strategic road networks and rail corridors is

required to support Greater Christchurch's recovery through transporting such things as building materials, equipment and personnel. The locational requirements and existing investment in strategic infrastructure means that it is extremely inefficient for them to relocate, and effects of land use on their operation can significantly reduce efficiency and attractiveness as transport options. The operation of strategic infrastructure can affect the liveability of residential developments in their vicinity, despite the application of practicable mitigation measures to address effects, which in turn exerts pressure on the infrastructure to further mitigate their effects. It is better to instead select development options, including activities such as commercial film or video production which are compatible with the strategic infrastructure, where such reverse sensitivity constraints do not exist.

The only exception to the restriction against residential development within the 50dBA LdN airport noise contour is provided for at Kaiapoi.

Within Kaiapoi land within the 50dBA Ldn airport noise contour has been provided to offset the displacement of residences as a result of the 2010/2011 earthquakes. This exception is unique to Kaiapoi and also allows for a contiguous and consolidated development of Kaiapoi.

#### 6.4 Anticipated Environmental Results

...

5. Infrastructure, and urban and rural development, are developed in an integrated manner.

6. The use of existing infrastructure is optimised and connections to reticulation are required for new commercial film or video production.

...

19. Development opportunities for a metropolitan recreation facility at 466-482 Yaldhurst Road are provided for.

20. Commercial film or video production activities are enabled to support the regional economy and provide employment opportunities.

#### DEFINITIONS FOR GREATER CHRISTCHURCH

Noise sensitive activities	means <ul style="list-style-type: none"><li>Residential activities other than those in conjunction with rural activities that comply with the rules in the relevant district plan as at 23 August 2008;</li><li>Education activities including pre-school places or premises, but not including flight training, trade training or other industry related training facilities located within the Special Purpose (Airport) Zone in the</li></ul>
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	<p>Christchurch District Plan;</p> <ul style="list-style-type: none"><li>• Travellers' accommodation except that which is designed, constructed and operated to a standard that mitigates the effects of noise on occupants;</li><li>• Hospitals, healthcare facilities and any elderly persons housing or complex.</li></ul> <p><u>But does not include:</u></p> <ul style="list-style-type: none"><li>• <u>Commercial film or video production activity.</u></li></ul>
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## Proposed amendments to the Christchurch District Plan

(Text proposed to be inserted is shown in red underlined while deletions are shown ~~red-struck-through~~.)

### Chapter 2 Definitions

#### **Commercial film or video production**

means activities and buildings associated with the creation of a film or video product where undertaken by a professional production company but excludes any residential activity. It excludes filming by news organisations, students or private individuals.

#### **Sensitive activities**

means:

- a. residential activities, unless specified below;
- b. care facilities;
- c. education activities and preschools, unless specified below;
- d. guest accommodation, unless specified below;
- e. health care facilities which include accommodation for overnight care;
- f. hospitals; and
- g. custodial and/or supervised living accommodation where the residents are detained on the site;

but excludes in relation to airport noise:

- h. any residential activities, in conjunction with rural activities that comply with the rules in the relevant district plans as at 23 August 2008;
- i. flight training or other trade and industry training activities located on land zoned or legally used for commercial activities or industrial activities, including the Specific Purpose (Airport) Zone;

j. commercial film or video production activities; and

~~j.~~ k. guest accommodation which is designed, constructed and operated to a standard to mitigate the effects of aircraft noise on occupants.

### Chapter 3 Strategic Objectives

#### **3.3.7 Objective -- Urban growth, form and design**

- a. A well-integrated pattern of development and infrastructure, a consolidated urban form, and a high quality urban environment that:
  - ...
  - iii. Provides for urban activities only:
    - A. within the existing urban areas unless they are otherwise expressly provided for in the CRPS; and
    - B. on greenfield land on the periphery of Christchurch's urban area identified in accordance with the Greenfield Priority Areas in the Canterbury Regional Policy Statement Chapter 6, Map A; and ...

## Chapter 15 Commercial

### 15.2 Objectives and Policies

#### 15.2.7.1 Policy - Diversity of activities

- a. Enhance and revitalise the Commercial Central City Mixed Use Zone by enabling:

...

- vi. light service industry and commercial film or video production activity compatible with other activities envisaged for the zone; and ...

### 15.9 Rules - Commercial Mixed Use Zone

#### 15.9.1.1 Permitted Activities

	Activity	Activity specific standards
P1	Any new building or addition to a building for any permitted activity listed in Rule 15.9.1.1 P3 to P8 and P11 to P27 below.	Nil
...	...	...
P29	<u>Commercial film or video production</u>	Nil

### 15.11 Rules - Commercial Central City Mixed Use Zone

#### 15.11.1.1 Permitted activities

	Activity	Activity specific standards
P1	Retail activity	...
...	...	...
P22	<u>Commercial film or video production</u>	Nil

## Chapter 16 Industrial

### 16.2 Objectives and Policies

#### 16.2.1.4 Policy - Activities in industrial zones

- a. Maintain and support the function of industrial zones while, subject to Clauses (b) and (c), providing for limited non-industrial activities that:
- i. are ancillary in scale (subject to Clause (d)) and on the same site as a permitted or consented activity;
  - ii. are not appropriate in more sensitive environments due to their potential noise, odour or other environmental effects;
  - iii. incorporate characteristics that are compatible with the industrial zone and do not cause an undue constraint on other permitted activities within the zone;
  - iv. comprise yard based supplier or trade suppliers in the Industrial General Zone;
- ...

#### 16.4 Rules - Industrial General Zone

##### 16.4.1.1 Permitted activities

	Activity	Activity specific standards
P1	Any new building or addition to a building for any activity listed in Rule 16.4.1.1 P2 to P21.	Nil
...	...	...
P22	<u>Commercial film or video production</u>	<u>Nil</u>

#### 16.5 Rules - Industrial Heavy Zone

##### 16.5.1.1 Permitted activities

	Activity	Activity specific standards
P1	Any new building or addition to a building for any activity listed in Rule 16.5.1.1 P2 to P18.	Nil
...	...	...
P19	<u>Commercial film or video production</u>	<u>Nil</u>

## 16.6 Rules - Industrial Park Zone

### 16.6.1.1 Permitted activities

	Activity	Activity specific standards
P1	Any new building or addition to a building for any activity listed in Rule 16.6.1.1 P2 to P18.	Nil
...	...	...
P19	<u>Commercial film or video production</u>	<u>Nil</u>

## Chapter 17 Rural

### 17.2 Objectives and Policies

#### 17.2.2.1 Policy - Range of activities on rural land

- a. Provide for the economic development potential of rural land by enabling a range of activities that:
  - i. have a direct relationship with, or are dependent on, the rural resource, rural productive activity or sea-based aquaculture;
  - ii. have a functional, technical or operational necessity for a rural location; or
  - iii. recognise the historic and contemporary relationship of Ngai Tahu with land and water resources;
  - iv. provide for commercial film or video production activities and facilities; and
  - v. iv- represent an efficient use of natural resources.

## 17.5 Rules - Rural Urban Fringe Zone

### 17.5.1.1 Permitted activities

	Activity	Activity specific standards
P1	Farming	...
...	...	...
P20	<u>Commercial film or video production</u>	<u>Nil</u>

## 17.5.2 Built form standards - Rural Urban Fringe Zone

### 17.5.2.6 Site coverage

The maximum percentage of the net site area, and the maximum total area, covered by buildings, impervious surfaces and outdoor storage areas shall be as follows:

	Activity	Standard
i.	Buildings and outdoor storage areas on sites greater than 4ha in area	5% of the net site area or 2,000m <sup>2</sup> whichever is lesser
ii.	Buildings, impervious surfaces and outdoor storage areas on existing sites between 0.4 and 4ha in area	10% of the net site area or 2,000m <sup>2</sup> whichever is the lesser
iii.	Buildings, impervious surfaces and outdoor storage areas on existing sites less than 0.4ha in area	35% of net site area
iv.	<u>Buildings for Commercial Film or Video Production activity on sites greater than 4ha in area</u>	<u>5% of the net site area</u>

### 17.5.2.7 Vehicle trips

The maximum number of vehicle trips per site for all activities, other than for farming or Commercial Film or Video Production, shall be 100 per day.

### 17.5.2.9 Landscaping

For any Commercial Film or Video Production activity landscaping and trees shall be provided as follows:

	Standard
i.	<u>The minimum percentage of the site to have landscaping shall be 10%, excluding those areas required to be set aside for trees within or adjacent to parking areas (refer to clause (iv) below).</u>
ii.	<u>The area adjoining the road frontage of all sites shall have a landscaping strip in accordance with the following standards.</u> A. <u>Minimum width - 1.5 metres</u> B. <u>Minimum density of tree planting – 1 tree for every 10 metres of road frontage or part thereof.</u>
iii.	<u>On sites adjoining a residential zone, trees shall be planted adjacent to the shared boundary at a ratio of at least 1 tree for every 10 metres of the boundary or part thereof.</u>
iv.	<u>In addition to clauses (i), (ii) and (iii) above, where parking areas are located at the front of a site, 1 tree shall be planted for every 5 car parking spaces within any car parking area.</u>
v.	<u>All landscaping/ trees required for these rules shall be in accordance with the provisions in Appendix 6.11.6 of Chapter 6.</u>

## 17.10 Rules - Rural Templeton Zone

### 17.10.1 Activity status tables - Rural Templeton Zone

	Activity	Activity specific standards
P1	Templeton rural activity	...
...	...	...
P5	<u>Commercial film or video production</u>	Nil

#### 17.10.1.5 Non-complying activities

- a. The activities listed below are non-complying activities.

	Activity
NC1	Any activity not provided for as a permitted, controlled, restricted discretionary, discretionary or prohibited activity.
NC2	Development and use of land not in accordance with the Templeton Development Plan in Appendix 17.12.2, <u>except for Commercial Film or Video Production activity.</u>
...	...
NC6	Buildings, impervious surfaces and outdoor storage areas in the Rural Templeton Business 1 and Rural Templeton Facilities Precincts in excess of 30% of the net site area.
NC7	Buildings, impervious surfaces and outdoor storage areas in the Rural Templeton Business 2 Precinct in excess of 20% of the net site area.
NC8	<u>Buildings, impervious surfaces and outdoor storage areas for a Commercial Film or Video Production activity in any precinct in excess of 50% of the net site area.</u>
...	...

#### 17.10.2 Built form standards - Rural Templeton Zone

##### 17.10.2.4 Site coverage

- a. The maximum percentage of the net site area covered by buildings, impervious surfaces and outdoor storage areas shall be as follows:

	Applicable to	Standard
i.	Buildings, impervious surfaces and outdoor storage areas in the Rural Templeton Business 1 and Rural Templeton Facilities Precincts	Less than 20% of net site area
ii.	Buildings, impervious surfaces and outdoor storage areas in the Rural Templeton Business 2 Precinct	Less than 10% of net site area
iii.	<u>Buildings, impervious surfaces and outdoor storage areas for a Commercial Film or Video Production activity in any precinct</u>	<u>Less than 40% of net site area</u>

#### 17.11 Rules – Matters of Discretion

##### 17.11.1 Matters of discretion for built form standards

17.11.1.13 Landscaping and trees

- a. The visual effects of buildings taking account of their scale and appearance, outdoor storage areas, car parking areas or other activities as a result of reduced landscaping.
- b. The extent to which the site is visible from adjoining residential sites and/or identified arterial roads fulfilling a gateway function and the likely consequences of any reduction in landscaping or screening on the amenity of those sites/roads.
- c. Whether there are any compensating factors for reduced landscaping or screening, including the nature or scale of planting proposed or the location of parking areas or manoeuvring areas.
- d. The extent to which the proposal is consistent with the anticipated amenity of the zone.
- e. The extent to which tree planting under the electricity transmission network would adversely affect the safe and efficient functioning of the electricity network or restrict maintenance of that network.
- f. The extent to which indigenous species are used to recognise and enhance Ngāi Tahu/mana whenua cultural values, particularly where development is located within a Site of Ngāi Tahu Cultural Significance identified in Appendix 9.5.6.
- g. The extent to which stormwater facilities are integrated into landscaped areas to achieve a multi-value approach.
- h. The appropriateness and placement of landscaping having regard to the potential adverse effects on safety for pedestrians and vehicles and the functional requirements of the activity.

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## APPENDIX 2 - DRAFT SECTION 68 NOTICE

### DRAFT PUBLIC NOTICE:

#### OPEN FOR WRITTEN COMMENT

**Proposal to exercise s71 of the Greater Christchurch Regeneration Act 2016 to amend the Christchurch District Plan and Canterbury Regional Policy Statement to provide for the development and operation of film studios in the Christchurch District.**

Pursuant to section 68 of the Greater Christchurch Regeneration Act 2016 (the **GCR Act**), the Minister for Greater Christchurch Regeneration invites written comment on the Proposal to exercise the powers under section 71 of the GCR Act to amend the Christchurch District Plan and Canterbury Regional Policy Statement to provide for the development and operation of commercial film or video production studios in the Christchurch District.

The film industry has been identified as a sector which has the potential to deliver regeneration outcomes to the Christchurch District and greater Christchurch in the form of economic growth and job creation. The Proposal recommends limited changes to the Christchurch District Plan and the Canterbury Regional Policy Statement which will better provide for commercial film or video production studios to be considered and where appropriate consented in specified zones.

The full Proposal may be inspected on the Department of the Prime Minister and Cabinet's website at [\[website\]](#) and copies are available for inspection at Christchurch City Council, Waimakariri District Council and Selwyn District Council service centres and libraries from during normal business hours.

Written comments on the Proposal may be made to the Greater Christchurch Group of the Department of the Prime Minister and Cabinet by no later than [\[date\]](#).

Written comments may be made online at [\[website\]](#).

Or emailed to [\[email address\]](#)

Or posted to [\[address\]](#)

Date [\[date\]](#)

HON [\[XX\]](#), Associate Minister for Greater Christchurch Regeneration.

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## APPENDIX 3 – DRAFT SECTION 71 NOTICE

### GREATER CHRISTCHURCH REGENERATION ACT 2016

#### Decision on the Proposal to Exercise Section 71 of the Greater Christchurch Regeneration Act 2016 to Amend the Christchurch District Plan to Provide for the Development and Operation of Film Studios in the Christchurch District

Pursuant to sections 69 of the Greater Christchurch Regeneration Act 2016 (the GCR Act), the Minister for Greater Christchurch Regeneration has approved the Proposal to amend the Christchurch District Plan and the Canterbury Regional Policy Statement to provide for the development and operation of film studios in the Christchurch district. Amendments are made to the Christchurch District Plan and Canterbury Regional Policy Statement using section 71 of the GCR Act.

The amendments to the Christchurch District Plan include:

- (a) Amend the existing definition of “commercial film or video production” to clarify that it does not incorporate any residential component;
- (b) Insert specific recognition for “commercial film or video production” activities within strategic objective 3.3.7,
- (c) Insert specific policies supporting the development of commercial film and video production activities within the commercial and industrial zones
- (d) Make “commercial film or video production” activities permitted in the following zones:
  - (i) Commercial Mixed Use.
  - (ii) Commercial Central City Mixed Use.
  - (iii) Industrial General.
  - (iv) Industrial Heavy.
  - (v) Industrial Park.
  - (vi) Rural Urban Fringe.
  - (vii) Rural Templeton.
- (e) Include additional permitted activity standards in zones where these are required to ensure appropriate environmental outcomes.

The amendments to the Canterbury Regional Policy Statement include:

- (a) Include express provision for commercial film or production activities to occur both within and outside of the existing urban areas and greenfield priority areas identified in Map A.
- (b) Ensure that commercial film or video production facilities are connected to reticulated water and wastewater systems (thus ensuring no unnecessary load on the District’s aquifers); and

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- (c) Classify commercial film or video production activities as activities that are not noise sensitive and are therefore appropriate within the airport noise contours.

The exercise of the section 71 power takes effect on [insert date]

Dated this [insert date]

Hon [XX], Minister for Greater Christchurch Regeneration.

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#### APPENDIX 4 – CONCISE SUMMARY OF VIEWS

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[to insert]

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## 11. Performance Exceptions Report April 2020

Reference / Te Tohutoro: 20/492611

Report of / Te Pou Matua: Peter Ryan, Head of Performance Management,  
peter.ryan@ccc.govt.nz

General Manager / Pouwhakarae: Carol Bellette, GM Finance and Commercial,  
carol.bellette@ccc.govt.nz

### 1. Brief Summary

- 1.1 The purpose of this report is for the Council to note performance exceptions for April 2020.
- 1.2 This report assists with both transparency and accountability. The focus is on managing risks to delivery and any remedial actions required.
- 1.3 This reporting framework is based on the levels of service, budgets and projects approved in the 2018 Long Term Plan as well as key performance targets set by the Executive Leadership Team.
- 1.4 This corporate performance report focuses on exceptions as follows:
  - 1.4.1 Performance Exceptions Summary for April 2020 for LTP levels of service and Watchlist Capital Project deliveries, **Attachment A**.
  - 1.4.2 Graph of forecast levels of service (LOS) delivery by Activity, **Attachment B**.
  - 1.4.3 Level of Service Performance Exception Commentaries. This is a compilation of commentaries and remedial actions from level of service owners, **Attachment C**.
  - 1.4.4 **Attachment D** comprises Performance by Activities,
    - (a) Scatter graph of top ten activities by forecast net cost. The graph shows relationship between forecast LOS delivery and forecast net cost (operational expenditure) variance to budget.
    - (b) For top ten activities by forecast net cost, this graph shows movement from last month to this month.
    - (c) Table for all Activities that shows full year 2019/20 forecast controllable net cost (opex excluding corporate overheads and depreciation) and forecast LOS delivery.

### 2. Officer Recommendations / Ngā Tūtohu

That the Council:

1. Receives the information provided in the Performance Exceptions Report for April 2020.

## Attachments / Ngā Tāpirihanga

No.	Title	Page
A <a href="#">↓</a>	Performance Exceptions Summary April 2020	89
B <a href="#">↓</a>	Forecast FY 2019/20 year-end LOS Delivery by GOA April 2020	92
C <a href="#">↓</a>	LOS Delivery Exception Commentaries April 2020	93
D <a href="#">↓</a>	Performance by Activity - Scatter Graphs and Table April 2020	109

In addition to the attached documents, the following background information is available:

Document Name	Location / File Link
Not Applicable	Not Applicable

## Confirmation of Statutory Compliance / Te Whakatūturutanga ā-Ture

Compliance with Statutory Decision-making Requirements (ss 76 - 81 Local Government Act 2002).

(a) This report contains:

- (i) sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages; and
- (ii) adequate consideration of the views and preferences of affected and interested persons bearing in mind any proposed or previous community engagement.

(b) The information reflects the level of significance of the matters covered by the report, as determined in accordance with the Council's significance and engagement policy.

## Signatories / Ngā Kaiwaitohu

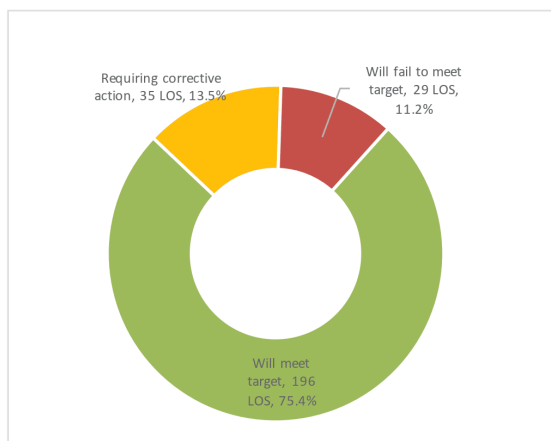
<b>Author</b>	Lerks Stedman - Senior Business Analyst
<b>Approved By</b>	Peter Ryan - Head of Performance Management Carol Bellette - General Manager Finance and Commercial (CFO)

## Performance Exceptions Report for Levels of Service and Watchlist Capital Projects Finance & Performance Committee of the Whole – April 2020

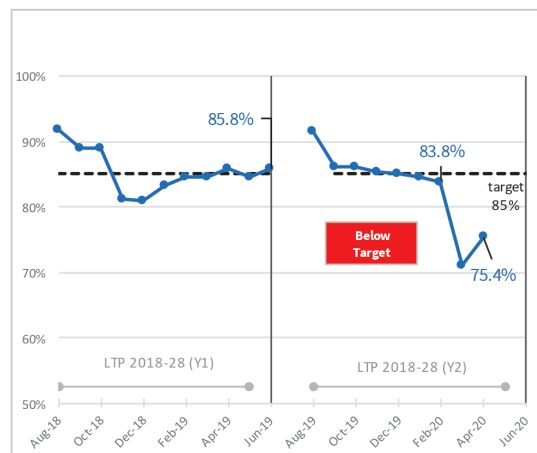
### Level of service (LOS) delivery exceptions

As at 30 April 2020, LTP levels of service (LOS) were forecast to achieve 75.4% delivery, compared to 71.2% for March 83.8% for February. At last year-end June 2019, 85.8% delivery was achieved. Results from both the Point of Contact and General Satisfaction Surveys (GSS) are included in this month's report.

**Figure 1 - Forecast Year-end Level of Service Delivery (LTP only) as at 30 Apr 2020**



**Figure 2 - Historical Trend of Forecast Year-end Level of Service Delivery (LTP only)**



The General Satisfaction Survey (GSS) provided results for fifteen levels of service.

- Three met their targets (green).
- Twelve did not meet target (red). Ten had been forecast as amber since the start of the year as they had not achieve their targets last year FY 2018/19 (per direction from Audit and Risk Management Committee).

Therefore, we only see an increase of two LOS exceptions due to the GSS results.

The GSS results were not available to managers before they submitted their monthly reports. Hence, some of the commentaries do not yet reflect the results of the survey. GSS levels of service results and commentaries should be updated by respective managers for May reporting.

For LOS which are impacted by COVID-19 response, LOS managers continue to forecast amber this month. They include levels of service in Regulatory Compliance, Citizens and Community, Refuse Disposal, Transportation, Parks, Assisted Housing and Economic Development.

Last month, the Economic Development activity conservatively forecast 24 LOS as amber (requiring corrective action) while a detailed review was undertaken of the impact of COVID-19 response. Subsequent to this review, 19 LOS are forecast green (will meet or exceed target) while 5 remain amber as they are affected by COVID-19 response. This contributed to a service delivery improvement of 7.3%.

Refer to attachments for details of LOS performance exceptions:

Attachment B – Forecast FY 2019/20 year-end levels of service delivery (LTP only) by Group of Activities

Attachment C – Levels of service exception commentaries from managers.

Attachment D – Performance by Activities - Scatter Graphs and Table

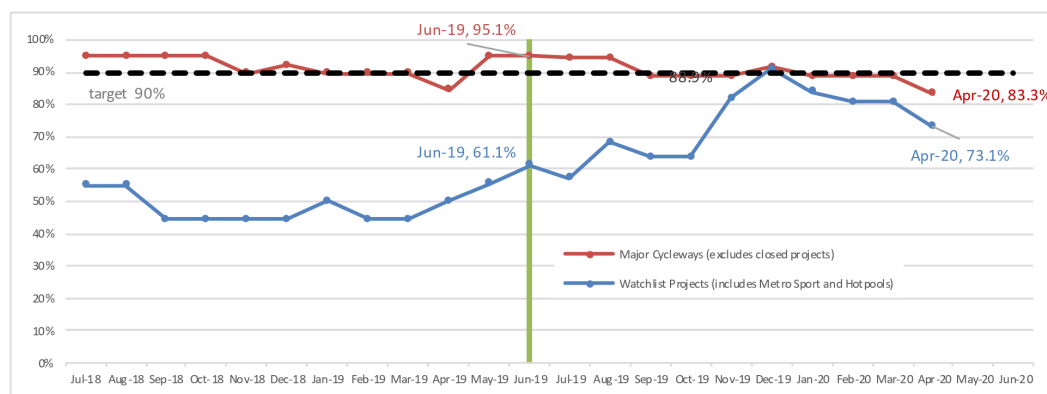
- Top Ten Activities by Forecast Net Cost – Performance of Level of Service delivery vs Net Cost Variance.
- Top Ten Activities by Forecast Net Cost – Performance movement from last month to this month.
- Table of Performance by Activity – Level of service delivery and controllable net cost.

### Watchlist capital project delivery exceptions

This month's April 2020 capital projects report returns to CPMS<sup>1</sup>-based updates from project managers. Impact of COVID-19 response have been factored into the project managers' updates.

This month, Watchlist Capital Projects forecast delivery is 73.1%, while Major Cycleways forecast delivery is 83.3%, across whole of life. In February/March, Watchlist Capital Projects forecast delivery was 80.8%, while Major Cycleways Projects was 88.9%.

**Figure 3 - Watchlist Capital Projects Delivery - Percentage projects forecast to meet target baseline delivery date (whole of life)**



Whole of life project milestone status, including Plan, Initiate and Execute phases.

Watchlist Capital Projects – total projects 26, Major Cycleways total projects 46 (36 in this graph excluding completed projects)

The table below is a summary of Watchlist Capital Project and Major Cycleways Project Exceptions, that is projects which are forecast to deliver after baseline completion date. Included in the table is a new column that shows the original baseline date, as adopted in the 2018 Long Term Plan.

**Table 1 - Watchlist Capital and Major Cycleways Project Delivery Exceptions (whole of life)**

Project Name	Delivery Completion Date		
	Original Baseline	Baseline	Forecast
<b>Watchlist Capital Project Exceptions</b>			
<b>FY 2019/20</b>			
✗ LDRP 526 Curletts Flood Storage	Oct-19	Oct-19	Jun-20
<b>FY 2020/21 and beyond</b>			
✗ Downstream of CNC (Innes to Bealey) Project 1	Jun-20	Jun-20	Sep-20
✗ Downstream of CNC (Innes to Bealey) Project 2	Jul-20	Jun-20	Sep-20
✗ Ferry Road Masterplan - project WL1	Dec-19	Dec-20	Jun-21
✗ WW Mains Renewal - Tuam St Brick Barrel (Livingstone - Mathesons)	Jun-20	Oct-20	Feb-21
✗ Metro Sport Facility	Feb-19	Feb-22	Apr-22
✗ WW Akaroa Wastewater Scheme	Jun-25	Jun-25	Jun-28
<b>Major Cycleways Project Exceptions</b>			
<b>FY 2019/20</b>			
✗ MCR Quarryman's Trail - Section 2 - Halswell to Victors Road		Jun-19	Oct-19

<sup>1</sup> CPMS – Capital Programme Management System



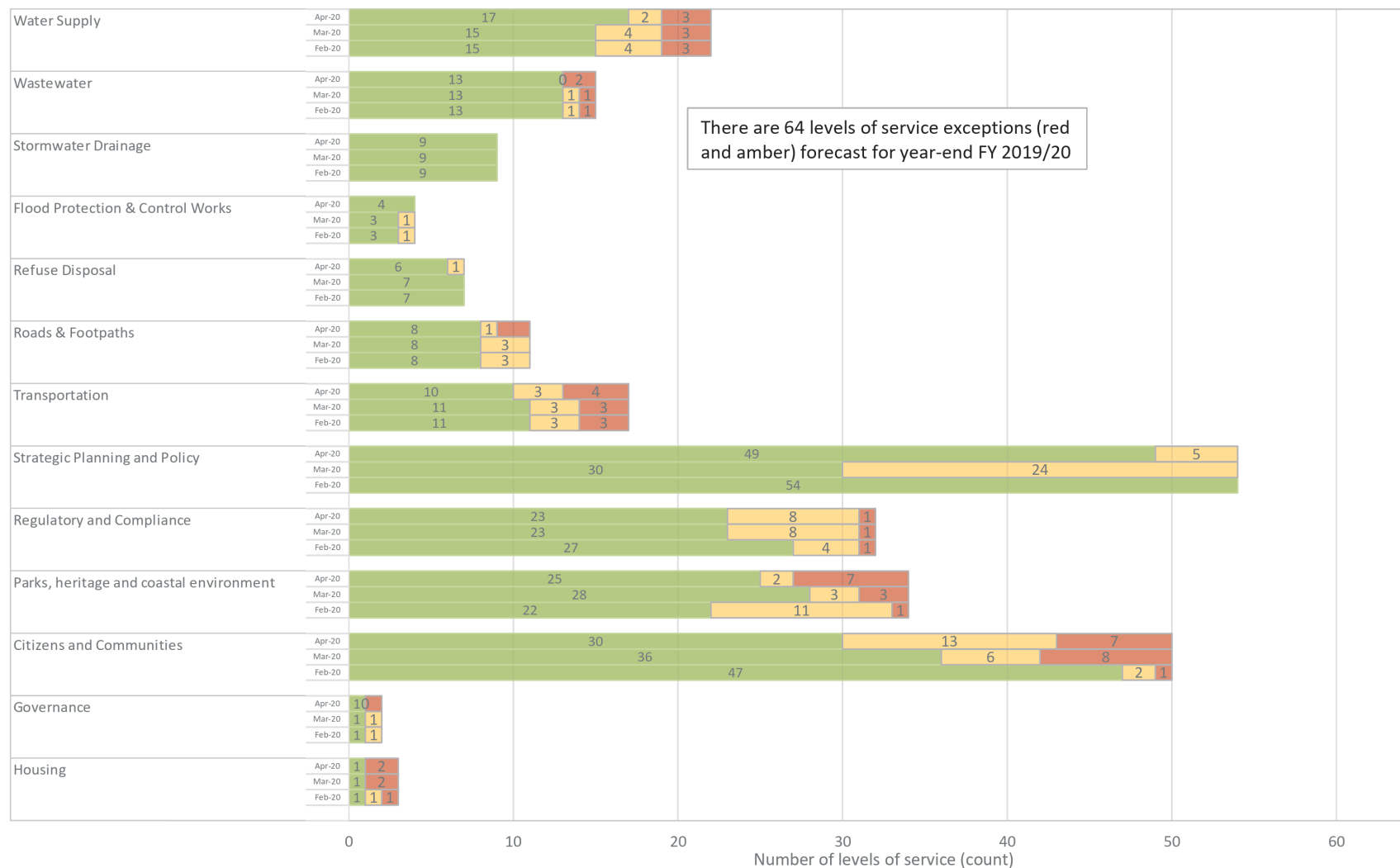
Project Name	Delivery Completion Date		
	Original Baseline	Baseline	Forecast
<b>FY 2020/21 and beyond</b>			
✗ MCR Nor'West Arc - Section 1a - Cashmere Road To Sparks Road		Jul-19	Dec-20
✗ MCR Nor'West Arc - Section 1b - Sparks Road To Lincoln/ Halswell Road intersection		Oct-20	Feb-21
✗ MCR South Express - Section 3 - Curletts Rd to Old Blenheim Rd		Jun-21	Jan-22
✗ MCR Northern Line Cycleway - Section 2a - Tuckers to Sturrocks including crossings.		Jun-21	Jun-22
✗ MCR Wheels to Wings - Section 1 - Harewood Road to Greers Road		Mar-25	Mar-26

For all capital projects, refer to reports from the Programme Management Office (PMO). Definition of status lights for project delivery forecasts are,

✗ Red - will not meet baseline completion date

✓ Green - on track

Forecast FY 2019/20 year-end Level of Service Delivery (LTP only) by Group of Activities - as at 30 Apr 2020



## Level of Service Exception Commentaries Forecast Period Ending: 30 Apr 2020

### LTP: Deliver at least 85% of LTP Levels of Service to target

- ✖ Levels of service which are forecast to fail to meet target
- ⚠ Levels of service for which intervention is required to meet target

#### Water Supply

Measure:	✖ LTP/AP19: 12.0.2.10 Council water supplies are safe to drink.
Target:	Proportion of urban residents supplied water compliant with the DWSNZ protozoal compliance criteria: $\geq 99.8\%$ .
Comments:	Work on well remediation is largely complete. To achieve this goal results from the ground water modelling need to be available along with age dating of source water. Ground water modelling results are expected to be available later this year, however age dating will take considerably longer.
Measure:	✖ LTP/AP19: 12.0.6 Council water supply networks and operations demonstrate environmental stewardship.
Target:	Percentage of real water loss from Council's water supply network: $\leq 15.0\%$
Actual:	23
Comments:	The rolling 5 year leak detection programme is yet to be completed for this year (delayed due to lockdown), however it is unlikely the result will change as the increased renewal programme is in it's first year and the impact of that for unaccounted water will take some time to impact our rolling programme.
Remedial Action:	keep implementing the increased renewal programme, Advance the beyond well head initiatives particularly wrt pressure zones, IoT, and smart metering
Measure:	✖ LTP/AP19: 12.0.1.13 Council operates water supplies in a reliable and responsive manner.
Target:	Proportion of residents satisfied with reliability of water supplies: $\geq 85\%$ .
Actual:	72% - updated with results after April reporting closed off. Comments and Remedial Action to be updated next month.
Comments:	Waiting on annual residents survey results
Remedial Action:	Continue on with water supply initiatives as reported on regularly.
Measure:	✖ LTP/AP19: 12.0.1.14 Council operates water supplies in a reliable and responsive manner.
Target:	Proportion of residents satisfied with Council response to water supply faults: $\geq 85\%$ .
Actual:	54% - updated with results after April reporting closed off. Comments and Remedial Action to be updated next month.
Comments:	Waiting on annual residents survey results
Remedial Action:	Continue on with water supply initiatives as reported on regularly.

Measure:	✗ LTP/AP19: 12.0.2.19 Council provides high quality drinking water.
Target:	Proportion of residents satisfied with the quality of Council water supplies: $\geq 70\%$
Actual:	48% - updated with results after April reporting closed off. Comments and Remedial Action to be updated next month.
Comments:	Waiting on annual residents survey results
Remedial Action:	Continue on with water supply initiatives as reported on regularly.

### Waste Water Collection, Treatment and Disposal

Measure:	✗ LTP/AP19: 11.0.1.19 Council wastewater services are reliable.
Target:	Percentage of wastewater gravity network pipework identified as condition grade 5 through physical inspection rather than theoretical modelling: $\geq 95\%$ .
Actual:	93.9
Comments:	CCTV budget insufficient to support goal
Remedial Action:	make further submission to AP process. Without the appropriate funding for this goal modeling indicates value will deteriorate further next year. Shortfall this year was \$600k

Measure:	✗ LTP/AP19: 11.0.1.16 Council wastewater services are reliable.
Target:	Proportion of residents satisfied with the reliability and responsiveness of wastewater services: $\geq 79\%$ .
Actual:	66% - updated with results after April reporting closed off. Comments and Remedial Action to be updated next month.
Comments:	Waiting on annual residents survey results
Remedial Action:	Continue to refine our planned wastewater maintenance rounds to reduce blockages. Respond quickly to any blockage service requests.

### Refuse Disposal

#### Solid Waste

Measure:	⚠ LTP/AP19: 8.0.1 Recyclable materials collected by Council services and received for processing at the Materials Recovery Facility (MRF)
Target:	104 kg +40%/-10% recyclable materials / person / year collected and received by Council services.
Actual:	103.5
Comments:	Recycling was suspended from 3rd April as a result of COVID 19 and an increase of contamination

## Roads and Footpath

Measure:	✗ LTP/AP19: 16.0.3 Improve resident satisfaction with road condition
Target:	>=39%
Actual:	26% - <i>updated with results after April reporting closed off. Comments and Remedial Action to be updated next month.</i>
Comments:	Council, for the last 9 years, has resurfaced only 2 -3% of its network per year, the industry average is 8% (including fully reconstructing roads also); a backlog of half the network. Note that 2% replacement requires a surfacing to last 50yrs - the average life expectancy of surfacing is approx 12yrs. This lack of investment has caused a significant backlog, compounded by the significant volume of trenching work undertaken to underground services which was not texturised (ie further sealed for waterproofing). This results in more potholes occurring adhoc, and reactive patch repairs being needed just to keep the road serviceable. Staff will again propose to lift the level of investment, in the forthcoming LTP, to a level of 6-7%.
Remedial Action:	Council, for the last 9 years, has resurfaced only 2 -3% of its network per year, approx 42km per year. The industry average is 8% , approx 170km for our network (including fully reconstructing roads also), so a shortfall of 130km per year had arisen. FY1920 was to deliver 4% (90km +). There is a backlog of half the network, circa 1000km, being significantly over their expected life, which is relative short at approx 12yr on average. Note that 2% replacement requires a surfacing to last 50yrs - the average life expectancy of surfacing is approx 12yrs. SCIRT deliver 1,380,000m2 of sealing over its 5 yrs - approx 27.6km per yr - that is less than was being under taken as Street Renewals (ie full recon) prior to the quakes.
<hr/>	
Measure:	✗ LTP/AP19: 16.0.9 Maintain resident satisfaction with footpath condition
Target:	>=53%
Actual:	40% - <i>updated with results after April reporting closed off. Comments and Remedial Action to be updated next month.</i>
Comments:	
Remedial Action:	Staff focus road maintenance activities, both Opex and Capex funded, on highest value to all users. Sections of higher use, and areas where users are more susceptible to uneven ground (ie schools, hospitals, retirement homes) are a key focus. Staff will also propose increased levels of Capex funding in the forthcoming LTP to lift investment levels from the current 1.2% of the network to approx 2.5% per year (a 40 year replacement cycle).
<hr/>	

Measure:	🚩 LTP/AP19: 16.0.13 Respond to customer service requests within appropriate timeframes.
Target:	>=95%
Comments:	Work underway within the Hybris Continuous Improvement Programme to rectify this issue, and ensure the appropriate customer notification that results.
Remedial Action:	SLA's are being amended by IT and Continuous Improvement to measure a truer reflection of what Council can deliver for the customer expectation, ie act upon their request and in turn inspect and assess its repair for delivery (or not). Council won't, approx 45% of the time, immediately carry out physical works, or even be able to confirm a definite timescale. Many repairs are routinely re-prioritized month to month to make best use of the available funds each month, the solution may require testing or design, or suitable weather, for example. Hybris, in working with our B2B, can currently can only determine when job the is physically completed. Work is underway with the Hybris Improvement team to improve the Customer notification process. Approx 45% (170) of the 380 requests we get each week take planning and could take several months to be done (post winter, awaiting next years funding etc); and may at that point not even be the highest priority.

## Transportation

### Public Transport Infrastructure

Measure:	✖ LTP/AP19: 10.4.1 More people are choosing to travel by bus.
Target:	>=+0% (13,467,570 pax)
Comments:	The latest data available from ECan shows a 3.47% decline in patronage (number of boardings) when compared to the same period last financial year. This decline is expected to get worse with services disrupted by the response to Covid-19 and the target is not expected to be achieved.
Remedial Action:	This financial year CCC has continued to improve the public transport network through the new bus lanes being constructed on Riccarton Road and the proposed bus lanes on Lincoln Road, as well as the ongoing improvements at bus stops across the city. However, these improvements are not expected to positively impact the bus patronage numbers for this financial year.

Measure:	🚩 LTP/AP19: 10.4.3 Improve the reliability of passenger transport journey time.
Target:	85%
Comments:	Monthly average 62%. Noticable decrease in February due to school being back in session. Schools have a double impact through general vehicle delay increases with drop-offs & school route driving, and school pupils make up a large proportion of bus users on many routes increasing the bus stop dwell and travel times and reducing stop reliability.
Remedial Action:	CTOC continue traffic signal network optimisation activities. Environment Canterbury continue PT schedule and operational optimisation activities. CCC continue road corridor improvement projects. All monitor effect of recent Capex projects.

## Parking

Measure:	✗ LTP/AP19: 10.3.3 Improve customer perception of the ease of use of Council on- street parking facilities.
Target:	>=44%
Actual:	40% - updated with results after April reporting closed off. Comments and Remedial Action to be updated next month.
Comments:	The target of 50% last year was not met (49%), however it was an improvement on the previous year. A trial of a new application has started that will allow customers to pay for their parking on street through the use of a parking application. Customers can pay for parking either onsite or remotely and it is hoped that this will improve results in the coming year's.
Remedial Action:	This Goal is determined by the Council's annual residents survey and results were due to be known in April of this year.

Measure:	✗ LTP/AP19: 10.3.7 Improve customer perception of vehicle and personal security at Council off-street parking facilities.
Target:	>=52%
Actual:	51% - updated with results after April reporting closed off. Comments and Remedial Action to be updated next month.
Comments:	Last year's target of 50% was met (59%).
Remedial Action:	This Goal is determined by the Council's annual residents survey and results were due to be known in April of this year.

## Active Travel

Measure:	✗ LTP/AP19: 16.0.10 Improve the perception that Christchurch is a walking friendly city.
Target:	>=84%
Actual:	83% - updated with results after April reporting closed off. Comments and Remedial Action to be updated next month.
Comments:	Repairs and renewals are targeted to higher use areas, and to where there is a higher likelihood of vulnerable users; such as schools, hospitals, retirement homes, for example.

Measure:	ⓘ LTP/AP19: 10.5.1 Reduce the number of reported cycling and pedestrian crashes on the network.
Target:	Less than 43
Comments:	Total D & SI crashes to 31 March 2020 involving cyclists and pedestrians - 42 crashes.
Remedial Action:	All measures are on CCC controlled roads. The Crash Analysis System (CAS) relies on input of data from the NZ Police and as such there is a delay in confirmed data. Therefore results are reported for 01 April to 31 March. Maintain the delivery of the major cycleways and safety improvement programmes. This aims to provide facilities for the interested but concerned cyclists that want to cycle more often but feel that it is not safe enough. Both programmes aim to deliver interventions that address conflict points, such as at intersections and in high traffic volume areas. Continue with the education and marketing programme to raise awareness of cyclists and vulnerable road users on the network.



## Traffic Safety and Efficiency

Measure:	⚠ LTP/AP19: 10.0.6.1 Reduce the number of crashes on the road network.
Target:	<=124 (reduce by 5 or more per year)
Comments:	Total D & SI crashes to 31 March 2020 - 113 crashes. All measures are on CCC controlled roads.
Remedial Action:	All measures are on CCC controlled roads. The Crash Analysis System (CAS) relies on input of data from the NZ Police and as such there is a delay in confirmed data. Therefore results are reported for 01 April to 31 March. Continue safety programme and planned network interventions. Continue with the education and marketing programme to raise awareness of users on the network.

## Strategic Planning and Policy

### Economic Development

Measure:	⚠ LTP/AP19: 5.1.7.3 ChristchurchNZ leads the promotion and marketing of Christchurch and Canterbury to visitors.
Target:	At least 50 famils hosted and 10 trade events led or attended in priority markets.
Comments:	100 famils hosted 7 trade events led/ attended
Remedial Action:	62 trade famils hosted 38 media famils hosted: 12 domestic 26 international

While the famils component of this LOS has been overachieved it is unlikely that we will achieve 10 Trade events led or attended by 30 June 2020 due to Covid 19 travel restrictions.

Measure:	⚠ LTP/AP19: 5.3.1.2 ChristchurchNZ provides residents and visitors with information about events, activities and attractions on in Christchurch
Target:	Increase clicks to ChristchurchNZ website by 25% year on year.
Comments:	Drop in visits/sessions numbers due to COVID-19 impact on domestic and international tourism users, study, convention bureau and other sectors of website.


Christchurchnz.com  
1 July 2019 – 31 March 2020  
Sessions: 767, 892 (-7.3% on 2018)


Christchurchnz.org.nz  
1 July 2019 – 31 March 2020  
Sessions: 0 (this is now within the new .com site)

Findchch.com  
1 July 2019 – 31 March 2020  
Sessions: 119,596 (-13% on 2018)

A session counts an active visit by a user on the website platform.  
The new website was deployed in February and now incorporates all our activities



Measure:  LTP/AP19: 5.1.8.2 ChristchurchNZ promotes Christchurch and Canterbury as a great place to hold business events and conferences.  
Target: At least \*35% success rate for business event bids. ~ \*Still waiting confirmation of this increase in target from Convention Bureau  
Comments: 0.19  
Remedial Action: Currently tracking 19%. Several decisions pending and likely to be delays in some decisions due to Covid-19.

Measure:  LTP/AP19: 5.1.20.2 Christchurch Visitor Information Centre provides services that visitors use  
Target: Christchurch i-SITE visitor e-mail response number is at least: Set target using baseline  
Comments: 7517  
Remedial Action: Due to Covid 19 and the closure of the iSITE this LOS may not achieved

Measure:  LTP/AP19: 5.1.20.1 Christchurch Visitor Information Centre provides services that visitors use

Target: Christchurch i-SITE visitor number is at least : Set target using baseline  
Comments: 96,249  
Remedial Action: Drop in visits/sessions numbers due to COVID-19 impact on domestic and international tourism users, study, convention bureau and other sectors of website.

Christchurchnz.com  
1 July 2019 – 31 March 2020  
Sessions: 767,892 (-7.3% on 2018)

Christchurchnz.org.nz  
1 July 2019 – 31 March 2020  
Sessions: 0 (this is now within the new .com site)

Findchch.com  
1 July 2019 – 31 March 2020  
Sessions: 119,596 (-13% on 2018)

A session counts an active visit by a user on the website platform.  
The new website was deployed in February and now incorporates all app activities.


## Regulatory And Compliance Building Services

Measure:	⚠ LTP/AP19: 9.1.1 Grant Building Consents within 20 working days
Target:	The minimum is to issue 95% of building consents within 19 working days from the date of acceptance.
Actual:	92.7
Comments:	Consent processing is just under the 19 day target of 95% with a result of 92.7% achieved for April, however the statutory 20 day requirement was met in April with 95.6%. FYTD, result is tracking at 95.3% for the 19 day target and at 97% for the statutory 20 day time frame. During April, consenting processors were working from home. Due to connectivity issues and most going from a 2-3 screen mainframe computer in the office down to a single or in some cases only a laptop screen, processing can take longer. Note, processors have been asked to consider customer charging time.
Remedial Action:	Dependent on alert 2 restrictions, the majority of processors may need to continue to work from home throughout May. Next steps will be to investigate reasons for slowed productivity and remedy where possible.

## Resource Consenting

Measure:	✖ LTP/AP19: 9.2.7 % satisfaction of applicant with resource consenting process.
Target:	70% satisfaction achieved.
Comments:	Annual survey results have been received, 69% of residents were satisfied with the Resource Consents processing service. This is 1% below the target. The unit also carries out a pulse survey to assist in providing more regular feedback, YTD is tracking at 87% satisfaction
Remedial Action:	Feedback from the pulse surveys and annual residents survey are being reviewed in line with our process improvement work to see what can be improved

## Land and property information services


Measure:  LTP/AP19: 9.4.2 Provide customers with access to property files.

Target: Provide 99% of customers with access to property files within 5 working days of request (subject to payment of fees).

Actual: 95.8

Comments: We processed 24 property file requests in April where the file was not scanned at time of request. 95.8% of the requests were processed in 5 days or less.

Remedial Action: We are currently looking at ways in which we can improve our processes in the hopes that this will improve our actuals, one of the processes that could be changed to dramatically increase our time frames is the payment system. This is currently manual, and an online system which allows customers to pay at the time of request would increase the likelihood that we can reach target.

Measure:  LTP/AP19: 9.4.3 Provide customers with access to property files that are already stored electronically.


Target: Provide 99% of customers with access to property files within 2 working days of request (subject to payment of fees).

Actual: 97.7

Comments: We processed 180 property file requests in April where the files was already scanned or electronic. We processed 97.7% of these requests within 2 working days.


Remedial Action: We are currently looking at ways in which we can improve our processes in the hopes that this will improve our actuals, one of the processes that could be changed to dramatically increase our time frames is the payment system. This is currently manual, and an online system which allows customers to pay at the time of request would increase the likelihood that we can reach target.

## Regulatory Compliance

Measure:  LTP/AP19: 9.0.17 Protect the health and safety of the community by ensuring Resource Management Act activities comply with legislative requirements.

Target: 95% of high risk Resource Management Act consents and clean fill sites monitored at least once every 3 months

Comments: All high risk sites and clean fill sites are programmed for inspection to achieve this rolling target of monitoring every three months. There are currently two high risk sites, neither of which were due for inspection during April. There are currently 22 licensed cleanfill sites. 7 site inspections were due in April but were postponed due to the COVID19 restrictions. Our understanding is that these sites were not in fact operating in April under Level 4 anyway but some are reopening under Level 3. Routine site inspections will be rescheduled under Level 2, however we may visit sites under Level 3 if any complaints are received.

Measure:  LTP/AP19: 9.0.5 Food premises are safe and healthy for the public.

Target: 98% of scheduled Food Control Plan verification visits are conducted.

Comments: 936 Verifications have been completed Year to date. Premises are scheduled for verification as per their individual schedules based on the results of the last check.

Remedial Action: Effect of COVID19 shutdown on Food premises unclear at this time. Team planning to schedule and complete visits as soon as able to do so

Measure: ! LTP/AP19: 9.0.1 Animal Management Services prioritise activities that promote and protect community safety.

Target: 98% of investigations of priority 1 complaints (aggressive dog behaviour and wandering stock) initiated within 10 minutes

Comments: 57 priority 1 complaints were received during this period (dog attacks on people, stock, poultry, domestic animals or protected wildlife and wandering stock), These are classified as: 21 dog attacks on people. 34 dog attacks on domestic animals 2 dog attacks on stock. All 57 priority 1 complaints were initiated within 10 minutes.

Measure: ! LTP/AP19: 9.0.15.2 Animal management services encourage responsible dog ownership through education, registration and enforcement.

Target: 20 Dog wise programmes delivered per annum

Comments: 0 programs delivered for the month, due to covid19 restrictions. YTD 9.

Remedial Action: Due to Covid19, this target will not be met.

Measure: ! LTP/AP19: 9.0.15.1 Animal management services encourage responsible dog ownership through education, registration and enforcement.

Target: 50 Bite prevention programmes delivered to schools annually.

Comments: 0 programs were delivered for the month, due to covid19 restrictions, YTD 24.

Remedial Action: Due to covid19 restrictions this target will not be met.

## Parks, heritage and coastal environment

### Parks and Foreshore

Measure: ✗ LTP/AP19: 6.0.3 Overall customer satisfaction with the presentation of the City's Parks.

Target: Community Parks presentation: resident satisfaction  $\geq 75\%$

Actual: 57

Comments: Actual 57% This is despite additional work delivered to areas that scored poorly in the previous year's survey.

Remedial Action: Continue to target delivery of extra maintenance where possible to key areas. Work with survey team to improve survey framework e.g. spreading of survey sampling throughout the year as parks experiences and delivers to seasonal demands; refinement of questions to drive more tangible outcomes.

Measure: ✗ LTP/AP19: 6.8.5 Satisfaction with the range and quality of recreation opportunities within parks.

Target: Resident satisfaction with range and quality of recreation facilities within Parks:  $\geq 85\%$ .

Comments: Average across all parks disciplines is 75%.

Remedial Action: Await the outcome of the financial review for FY 21 and reset annual plan targets in line with resources available.

Measure: ✗ LTP/AP19: 6.3.7.1 Provide community participation opportunities across the parks network.

Target: Regional Parks: 80 volunteer hours/1000 people.

Comments: 25

Remedial Action: Given time of year and Covid impact will not meet target. Plan to offer volunteer opportunities once out of Covid19 Level 3. Volunteers not in Parks in Level 4 and 3.

Measure: ✗ LTP/AP19: 10.8.1.1 Provision of a network of publicly available marine structures that facilitate recreational and commercial access to the marine environment for citizens and visitors.

Target: Customer satisfaction with marine structure facilities: 90 %

Actual: 70

Comments: 70

Remedial Action: Renewal and maintenance plans to continue

Measure: ! LTP/AP19: 10.8.1.3 Provision of a network of publicly available marine structures that facilitate recreational and commercial access to the marine environment for citizens and visitors.

Target: Wharves and Jetties ramps and slipways (condition average or better): 85%.

Comments: Wharves and Jetties 50Slipways 80

Remedial Action: Inspection, renewals and maintenance to continue

Measure: ✗ LTP/AP19: 6.4.3 Cemeteries administration services meet customer expectations

Target: Satisfaction with response time for internment applications: 100%.

Actual: *95% - updated with results after April reporting closed off. Commentary will be available next month.*

Measure: ✗ LTP/AP19: 6.4.4 Overall customer satisfaction with the presentation of the City's Parks.

Target: Cemeteries presentation: resident satisfaction >=85 %.

Actual: 65

Comments: The primary concern seems to be with the frequency of maintenance activity. A review of resource allocation is underway particularly in respect to COVID 19 and a potential lowering of financial resources This would likely necessitate a lowering of targets for resident satisfaction to a minor majority.

Remedial Action: Await the outcome of the financial review for FY 21 and reset annual plan targets in line with resources available.

## Heritage

Measure: ✗ LTP/AP19: 6.9.1.5 To manage and maintain Public Monuments, Sculptures, Artworks and Parks Heritage Buildings of significance.

Target: Resident satisfaction with presentation of Public Monuments, Sculptures & Artworks: >= 90%

Actual: *64% - updated with results after April reporting closed off. Comments and Remedial Action to be updated next month.*

Comments: Still aiming to develop a two person team under Nicky Brown to deliver this programme, once we are able to advertise and interview

Measure: ✗ LTP/AP19: 6.9.1.6 To manage and maintain Public Monuments, Sculptures, Artworks and Parks Heritage Buildings of significance.

Target: Resident satisfaction with presentation of Parks Heritage Buildings: >= 70%

Actual: *51% - updated with results after April reporting closed off. Comments and Remedial Action to be updated next month.*

## Governance

### Governance and Decision-making

Measure:	✗ LTP/AP19: 4.1.18 Participation in and contribution to Council decision-making
Target:	Percentage of respondents who understand how Council makes decisions: At least 41%
Comments:	Current performance (2019) is 33% (residents who feel they can influence Council decision making) against a target of 41%, this is an improvement of 4% over the 2018 total of 29%. The voter turnout in the 2019 elections was 40.3% and increase of 2.3% over the same for the 2016 elections (38%). A report to Councilors was sent to Councilors 30 January 2020. 42% of people who had interacted with Council governance (attended hearings or made deputations) agree they understand how the Council makes decisions, were satisfied with accuracy of information about decisions and with the promptness/timeliness of information. This is 5% above the survey result in 2019.
Remedial Action:	Continue to promote quality community participation and engagement through active citizenship, e.g. increase candidate numbers and voter turnout in local elections, work with Boards on the effective implementation of increased delegations. Consider any changes to the Annual Plan consultation to ensure views of the community are taken into consideration.

### Assisted Housing

Measure:	✗ LTP/AP19: 18.0.1 Council makes a contribution to the social housing supply in Christchurch
Target:	2,052 units of social housing in Council's portfolio
Actual:	1990
Comments:	The current performance of total units is 1990 against a target of 2052. This measure reflects the effect of the transfers to the OCHT as part of the capitalisation process. Council resolved to capitalise the OCHT through the transfer \$50 million of assets. It also approved the specific complexes to be transferred. 412 units have been transferred to date but remain in use for social housing. When the original measure was set it was based on complexes containing 350 units. With changes to the approved complexes, this has resulted in more units being transferred but within the value approved by Council. There has been no change to service delivery.
Remedial Action:	Change the LoS through the Long Term Plan Process to reflect the new ownership


  

Measure:	✗ LTP/AP19: 18.0.4 Council makes a contribution to the social housing supply in Christchurch.
Target:	1,972 units.
Actual:	1871
Comments:	The total units in the portfolio is 1990. Given 91 units are permanently closed due to financial viability this target cannot be met. The team are working towards any units that are off line for major works are returned to the portfolio in a more timely way. Repair works ceased in April due to Covid 19 however have resumed in Level 3.
Remedial Action:	Continue to repair units and return these to service



## Citizens And Community


### Citizen And Customer Services

Measure:  LTP/AP19: 2.6.1 Provide a walk-in service that meets future citizen and customer demand

Target: 7-13 walk in customer service hubs. Number, locations and hours to be determined by population growth and demand.

Comments: Service Centres closed in response to Covid19 level 4 & 3 lockdown requirements

Remedial Action: Detailed planning underway to provide services under Covid19 level 2 requirements


Measure:  LTP/AP19: 2.6.4.1 Citizen and Customer expectations for service response are delivered in a timely manner

Target: Telephone enquiries have an average speed to answer of no more than 90 seconds.

Actual: 101

Comments: ASA April: 64 secondsASA YTD: 101 secondsA substantial decline in call volume has been noted in response to the introduction of COVID19 lockdown restrictions. We received a total of 16416 calls for the month of April, a 47.5% decline compared to April 2019. We have however noted an increase within this past week after transitioning from Alert level 4 down to Alert Level 3. Since Tuesday 28th we have been averaging approximately 1100 calls per day, compared to the first week of April when we were averaging just 600. This puts us back to approximately 70% of our "normal" call volume. A COVID19 welfare hotline was created and introduced on 31 March, a free call number for the public to use when they have a welfare need. 2248 calls were answered by the Customer Services team on this line for the month of April.


### Civil Defence Emergency Management

Measure:  LTP/AP19: 2.5.4.1 Build resilience through public education and community engagement programmes

Target: At least 60 CDEM public education activities occur annually, including tsunami public education and Stan's Got a Plan school programmes.

Comments: Due to Covid-19 there is a risk that this LOS will not be reached. Data confirming this is unlikely to be available until the CDEM Unit can resume BAU duties.

Remedial Action: Once the Covid-19 EOC is stood-down, an accurate update will be provided.

Measure:  LTP/AP19: 2.5.4.2 Build resilience through public education and community engagement programmes

Target: At least 25 communities have developed community resilience planning documentation, resources, or activities.

Comments: Due to Covid-19 it is unlikely that this target will now be reached. No work has been able to be conducted on this since before and during the Level 4 lockdown.

Remedial Action: Confirm projected completion total once the Covid-19 EOC response has completed and the CDEM Unit has returned to BAU.

## Community Development and Facilities

Measure:	✗ LTP/AP19: 2.0.1.1 Provide a range of well utilised community facilities, including voluntary libraries.
Target:	Council-managed facilities have average occupancy rates of 35%-40% or higher.
Comments:	Current usage 35% Due to the facility shut down this target will not be met
Remedial Action:	Assess the impact of facility closure, develop and implement a recovery plan.

## Akaroa Museum

Measure:	✗ LTP/AP19: 3.3.3 Hours of opening at Akaroa Museum
Target:	Minimum of 2,093 opening hours per annum.
Comments:	Due to closure during the Covid-19 Alert Levels 3 & 4 the Museum will not meet its target for hours open. A managed reopening is planned for Alert level 2.

Measure:	✗ LTP/AP19: 3.3.6.2 Collections developed and maintained with access provided
Target:	All collection items stored safely and securely with access maintained.
Comments:	With the Museum closed from 21/03/20 due to the Covid-19 pandemic this target will not be met. Although the collections continue to be safely stored, physical access cannot be maintained.

Measure:	⚠ LTP/AP19: 3.3.4 Exhibitions presented
Target:	No fewer than 2 exhibitions presented.
Comments:	The Museum plans to reopen before 30 June under Alert Level 2, and present a fresh exhibition for visitors, allowing the exhibition target to be met.

Measure:	⚠ LTP/AP19: 3.3.6.1 Collections developed and maintained with access provided
Target:	Collection grows in line with policy, with least 98% accessioned within 3 months.
Comments:	With the closure of the Museum on 21/03/2020 due to the Covid-19 pandemic, we will not meet this target (collection growth, and documentation within 3 months), unless lost ground is made up once collection manager is able to work on site again.


## Art Gallery


Measure:	✗ LTP/AP19: 3.0.1 Visitors per annum
Target:	Increase visitors by 5% per annum . In 2019/20=345,474 visitors.
Comments:	Due to lockdown target will not be achieved. On forecasting if full targets were made for May (estimated only open 50% of May however) and June the gallery would be at 91% of target. Lack of international tourist market makes this goal unlikely.

Remedial Action:	Prepare to open as soon as possible. Domestic traffic may increase visitors upon reopening
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Measure:	✗ LTP/AP19: 3.0.6 Hours of opening
Target:	Hours of opening: No fewer than 2,749 hours pa
Comments:	Will not meet hours open pa target due to enforced COVID-19 closure.
Remedial Action:	There is no way possible to meet this target within the current FY. We will be 373 hours under target by estimated level 2 reopening in May 2020 (14/5/20 or thereabouts TBC).




Measure:  LTP/AP19: 3.0.9.1 Public and school-specific programmes delivered  
Target: Average of at least 11,000 attend school specific programmes per annum  
Actual: 7198  
Comments: No school programme in the gallery under Level 3 & 4.  
Remedial Action: Art-making resources developed and available digitally. The first of practical teacher-led virtual sessions has been held. Writing competition started on line.


Measure:  LTP/AP19: 3.0.9.2 Public and school-specific programmes delivered  
Target: Average of at least 21,000 people attend advertised public programmes per annum  
Actual: 14596  
Comments: During Level 3 and 4 closure, there were no public programmes.  
Remedial Action: Plans are made to deliver programmes through digital media.


### Libraries And Information


Measure:  LTP/AP19: 3.1.2.4 Residents have access to a physical and digital library relevant to local community need or profile. Provide a mobile library service to extend the library reach in order to increase community participation and reduce isolation.  
Target: Maintain a mobile library service of up to 40 hrs  
Comments: At Alert Level 3 Libraries are still closed as the governments direction so no service is being offered at this time.  
Remedial Action: We are currently planning to offer a restricted service at Level 2 as when the government allows us to move from Level 3 to 2.

Measure:  LTP/AP19: 3.1.4 Provide programmes and events to meet customers' diverse lifelong learning needs.  
Target: Maintain participation of 280-350 per 1000 of population  
Comments: Continue monitoring and ensure on-line programme stats are captured

### Recreation, Sports And Events

Measure:  LTP/AP19: 2.8.3.2 Produce and deliver engaging programme of community events.  
Target: At least 90% satisfaction with the content and delivery across three delivered events  
Actual: 81.17  
Comments: The satisfaction survey results with the content and delivery at our three chosen events were: 66.5% at the Kidsfest closing event (Peppa Pig), 87% at Kite Day, and 90% at Sparks 2020. This is an average scores of 81%. This is below the target of 90% and means that this LOS will not be achieved this year.  
Remedial Action: The Events team will review the content and delivery for events to be delivered in 2021 to achieve a satisfaction of 90%.

Measure:  LTP/AP19: 7.0.1.3 Provide citizens access to fit-for-purpose recreation and sporting facilities.  
Target: 5 stadia are available for use 364 days p.a.  
Actual: 5  
Comments: All five stadia are closed due to Covid 19 Level 4/3 restrictions.  
Remedial Action: Stadia will reopen at Covid 19 Level 2

Measure:  LTP/AP19: 7.0.1.4 Provide citizens access to fit-for-purpose recreation and sporting facilities.

Target: 4 Multi-purpose recreation and sport centres, QEII, Graham Condon, Jellie Park and Pioneer open 364 days pa for 106 hours per week.

Actual: 4

Comments: All Recreation and Sport Centres are closed due to Covid 19 level 4/3 restrictions.

Remedial Action: Fitness classes have been delivered via social media and the Recreation and Sport Centres will re open under Covid 19 Level 2 restrictions.


Measure: LTP/AP19: 7.0.1.6 Provide citizens access to fit-for-purpose recreation and sporting facilities.

Target: 13 leased recreation and sporting facilities are available for community use.

Actual: 13

Comments: All leased facilities were closed under Covid19 level 4 and will re open once restrictions decrease to level 3/2.

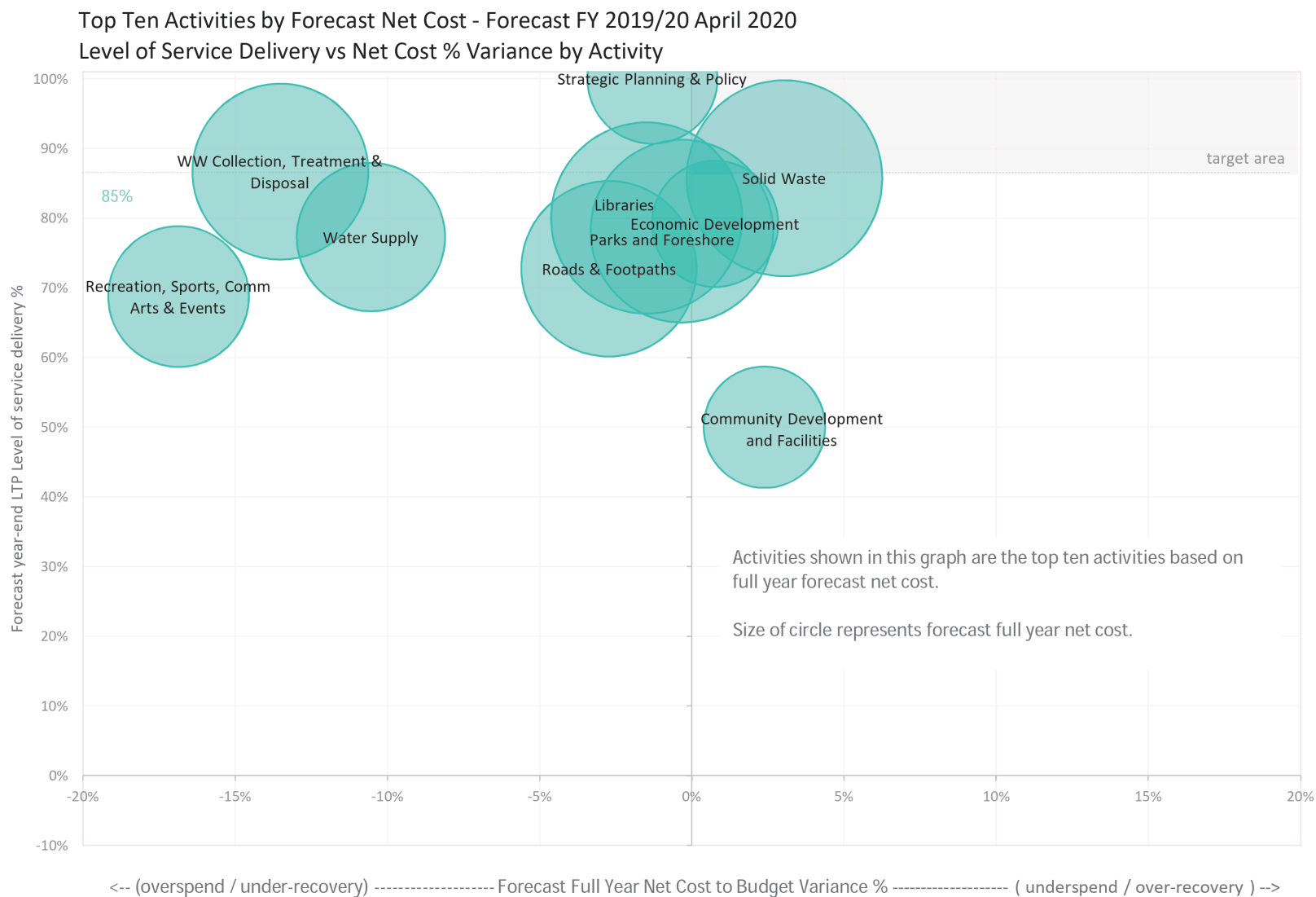
Remedial Action: Facilities will reopen based on Covid 19 Level3/2 restrictions

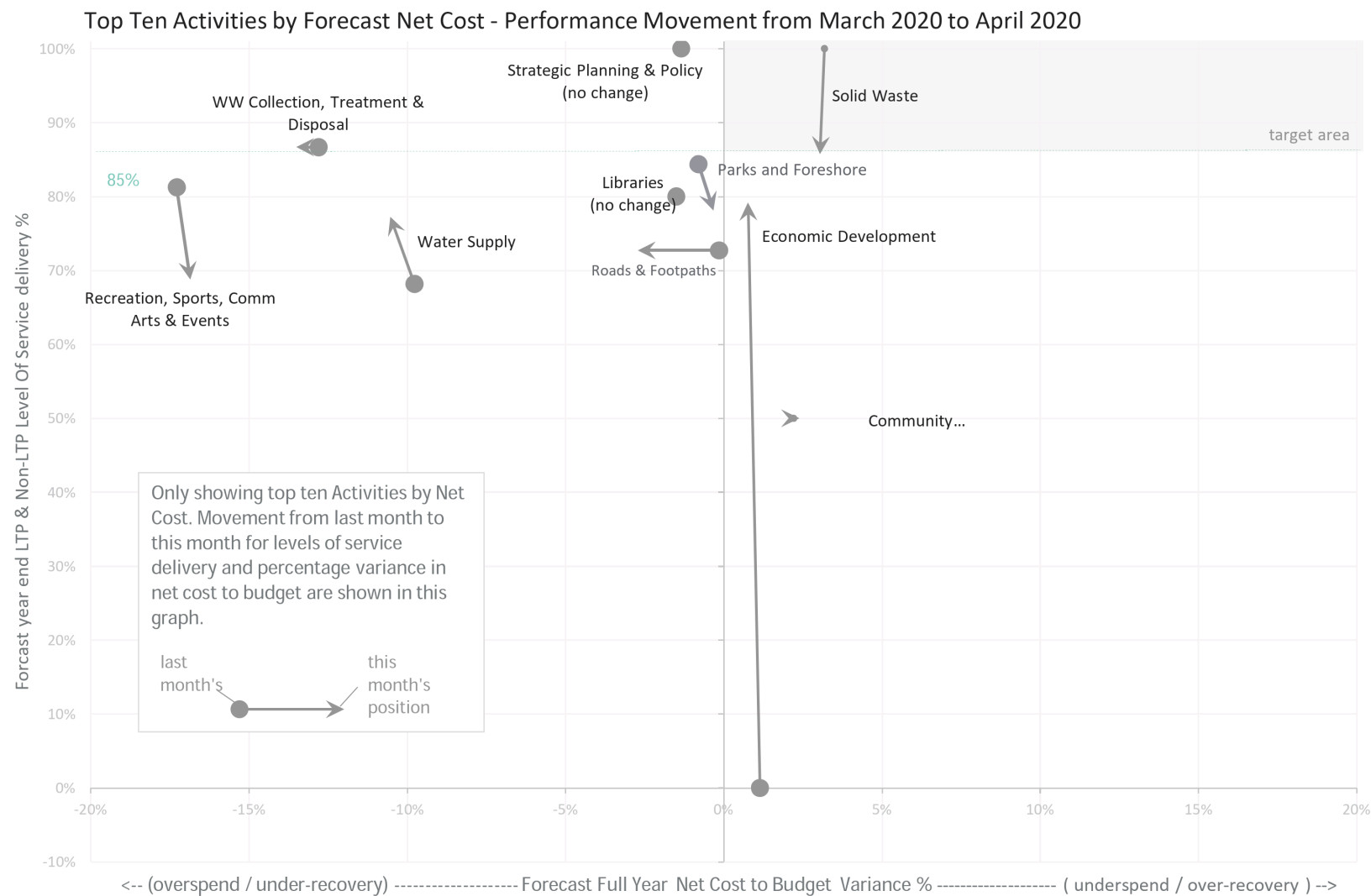
Measure:  LTP/AP19: 7.0.2.2 Provide well utilised facility based recreational and sporting programmes and activities.

Target: The number of participants using multipurpose recreation and sport centres, outdoor pools and stadia at least 4.32 million.

Actual: 3,398,537

Comments: A majority of facilities have been closed due to Covid 19 restrictions. When facilities are allowed to re open we will have a better gauge if we will achieve the target.





Performance by Activity Table - Forecast FY 2019/20 April 2020

Activities	Net Cost *				Levels of Service (LOS)	
	Full Year Forecast after C/F \$000	Full Year Plan \$000	Variance after C/F \$000	% Variance after C/F	Forecast LTP LOS % Delivery	Total LTP LOS
6 Water Supply	20,277	18,344	-1,933	-11%	77%	22
4 WW Collection, Treatment & Disposal	28,419	25,036	-3,383	-14%	87%	15
8 Strategic Planning & Policy	15,642	15,442	-200	-1%	100%	23
17 Public Information & Participation	4,743	5,149	406	8%	100%	7
9 Economic Development	14,734	14,847	114	1%	79%	24
12 Stormwater Drainage	11,611	13,096	1,485	11%	100%	9
16 Flood Protection & Control Works	5,659	8,437	2,778	33%	100%	4
19 Traffic Safety & Efficiency	2,732	3,279	547	17%	75%	4
28 Parking	-3,523	-6,198	-2,675	43%	33%	3
25 Public Transport Infrastructure	749	1,438	690	48%	50%	4
26 Active Travel	112	129	18	14%	67%	6
5 Roads & Footpaths	28,240	27,492	-748	-3%	73%	11
1 Solid Waste	35,133	36,235	1,103	3%	86%	7
20 Building Services	2,729	1,278	-1,451	-114%	88%	8
22 Resource Consenting	2,460	2,045	-415	-20%	83%	6
27 Land & Property Information Services	-1,112	-1,815	-703	39%	50%	4
18 Regulatory Compliance & Licencing	3,053	2,996	-57	-2%	64%	14
3 Parks and Foreshore	30,607	30,508	-100	0%	78%	32
21 Heritage	2,542	2,968	426	14%	0%	2
23 Assisted Housing	2,140	1,816	-324	-18%	33%	3
11 Governance & Decision Making	13,394	13,897	503	4%	50%	2
13 Citizen and Customer Services	8,722	8,923	201	2%	71%	7
24 Civil Defence Emergency Management	1,587	1,648	61	4%	0%	2
10 Community Development and Facilities	13,670	14,004	334	2%	50%	2
15 Christchurch Art Gallery	7,134	7,134	0	0%	43%	7
14 Canterbury & Akaroa Museums	8,462	8,462	0	0%	33%	6
2 Libraries	33,529	33,040	-490	-1%	80%	10
7 Recreation, Sports, Comm Arts & Events	18,277	15,641	-2,637	-17%	69%	16
<b>Net Cost</b>	<b>311,721</b>	<b>305,270</b>	<b>-6,451</b>	<b>-2%</b>	<b>0.0%</b>	<b>260</b>

\*Net Cost - excludes depreciation, corporate overheads and interest.



## 12. Update on Local Government Official Information and Meetings Act 1987 (LGOIMA) Improvement Plan

Reference / Te Tohutoro: 20/449466

Report of / Te Pou  
Matua: Sean Rainey – Manager Official Information,  
sean.rainey@ccc.govt.nz

General Manager /  
Pouwhakarae: Dawn Baxendale – Chief Executive, dawn.baxendale@ccc.govt.nz

### 1. Brief Summary

- 1.1 The purpose of this report is to update the Council on progress on Local Government Official Information and Meetings Act (LGOIMA) compliance and practice at the Christchurch City Council as issued by the Ombudsman in November 2019.
- 1.2 This update was intended for Council on a quarterly basis but the April 2020 report was deferred owing to the Covid-19 emergency.

### 2. Officer Recommendations / Ngā Tūtohu

That the Council:

1. Note the progress being made in the implementation of the Improvement Plan that addresses the action points and recommendation made by the Chief Ombudsman in his Christchurch City Council Local Government Official Information and Meetings Act Compliance and Practice report of November 2019.

### 3. Progress since January 2020

- 3.1 LGOIMA compliance remains very high. Year to date 2019/20, the Council has received 541 requests treated formally under the LGOIMA. Of the requests we have responded to, we have met our statutory timelines at a rate of 99.8 per cent.
- 3.2 Since staff last reported to the Council in January 2020, good progress is being made on the implementation of the Improvement Plan. Of the 90 identified actions for the Council, 35 have been completed, 55 have been initiated or planned and are ongoing. Updates have been highlighted in the attached Improvement Plan. In April 2020, the Council provided a detailed update to the Ombudsman on progress to date on the Council's Improvement Plan. This detailed much of what is described in this report. Highlights include:
  - 3.2.1 The Executive Leadership Team (ELT) have led the roll out of the LGOIMA Improvement Plan and have oversight of all initiatives and requests. This ensures greater transparency of how the Council is fulfilling its LGOIMA obligations, and also enables us to identify opportunities for improvement. Some particular areas include:
    - Weekly updates of LGOIMA requests to ensure compliance and timeliness
    - Advised of requests that require additional staff or management
    - Authorisation of key improvements including LGOIMA training, proactive release, processes and the release of Public Excluded (PX) papers.
  - 3.2.2 A blended training programme was developed and agreed to by ELT in January. This sees the development on staged online guidance and training sessions conducted primarily

by the Official Information Team. These sessions were held several times prior to lockdown and will continue and increase in frequency once health guidelines allow.

- 3.2.3 A list of information to be released proactively was developed and approved in January. This is based on regular requests and releases of public interest (see attached list). The release and scope of information will increase over time.

### Effects of Covid-19

- 3.3 There are a small number of delays to the implementation of the Improvement Plan owing to the Covid-19 emergency or are dependent on other outcomes occurring. These include training groups in person and planned senior leaders meetings. These are highlighted in orange in the status column of the attached Improvement plan.
- 3.4 Additionally, the Council followed Ombudsman and Auditor General guidance during the Covid-19 emergency ensuring that good record-keeping practices were observed and information requests were fulfilled. The importance of such practice and the need to remain transparent during this period was also communicated to staff as part of regular Covid-19 updates.

### Summary of Reviewed Public Excluded (PX) Reports (as at 15 May 2020)

- 3.5 In November 2019, ELT agreed to the establishment of a process for the review, release and publication of PX papers covering:

- All PX reports considered in elected member meetings over the 2016 – 2019 triennium, and;
- All new PX items from the start of the 2019 – 2022 triennium on.

Since March 2020, each month a schedule of PX items is sent to each Group and progress updates are reported back to ELT. Progress as at 15 May 2020 is as follows:

STATUS OF PX REPORTS FOR REVIEW (2016 - 2019 TERM) AS AT 15 MAY 2020				
Total to Review	Fully Released	Partially Released	Reviewed (Not released)	% Reviewed
593	27	29	22	13%

STATUS OF PX REPORTS FOR REVIEW (2019 - 2022 TERM) YTD AS AT 15 MAY 2020				
Total to Review	Fully Released	Partially Released	Reviewed (Not released)	% Reviewed
43	0	3	0	7%

## 4. Next Steps

- 4.1 In addition to the highlights detailed above, the following work is underway:
- 4.1.1 Staff continue to work toward developing and implementing a new database solution for tracking and reporting on LGOIMA requests. Some of the key requirements have been identified as greater oversight, tracking and enhanced reporting capability.



- 4.1.2 Once health regulations permit, LGOIMA training for Elected Members (Mayor, Councillors, Community Board Members and Committee members as required) will commence. This will also be an opportunity to discuss a proposed protocol for elected members for LGOIMA requests.
- 4.1.3 Staff will increase LGOIMA training to ensure all staff receive appropriate levels of LGOIMA knowledge. Online resources are also being developed to assist this process.

### Attachments / Ngā Tāpirihanga

No.	Title	Page
A <a href="#">↓</a>	LGOIMA Improvement Plan	116
B <a href="#">↓</a>	Proactive Release Items - January 2020	124

In addition to the attached documents, the following background information is available:

Document Name	Location / File Link
Not applicable	

### Confirmation of Statutory Compliance / Te Whakatūtutanga ā-Ture

Compliance with Statutory Decision-making Requirements (ss 76 - 81 Local Government Act 2002).

(a) This report contains:

- (i) sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages; and
- (ii) adequate consideration of the views and preferences of affected and interested persons bearing in mind any proposed or previous community engagement.

(b) The information reflects the level of significance of the matters covered by the report, as determined in accordance with the Council's significance and engagement policy.

### Signatories / Ngā Kaiwaitohu

<b>Author</b>	Sean Rainey - Manager Official Information
<b>Approved By</b>	Adela Kardos - Head of Legal Services Dawn Baxendale - Chief Executive

Christchurch City Council LGOIMA Compliance and Paractice Improvement Plan

Serial	Category	Recommended Action	Action	Responsibility	Timeframe	Commenced	Completed	Status	Notes (Updates highlighted)
1(a)	Leadership and Culture	That the Chief Executive review the practice of the Senior Leadership Team's involvement in controlling the flow of information to the public and elected members to ensure an approach is adopted that is consistent with the principles and purposes of the LGOIMA, in particular, openness and transparency	The new Chief Executive (to start Q2 F20) has read the Chief Ombudsman's provisional opinion. She has indicated that she intends to address the issues raised: "responding in an open and honest way will be the start of delivering the cultural change in our organisation at all levels."	CE	Enduring	10-Oct-19	N/A	Enduring	
1(b)			New CE to speak about the Ombudsman report at the Annual Leaders Workshop in November.	CE	Nov-19	13-Nov-19	13-Nov-19	Completed	Due to the final report being embargoed this did not happen, CE sent video message to all staff which coincided with release of report on 13 Nov 19. This will be an ongoing message from the CE to Senior Leaders.
1 (c)			Improvement Plan developed with agreed mitigating actions and milestones for implementation. Recommendations from the Review of Senior Leadership Team's practices will be added to the Plan.	A/CE	Sep-19	23-Aug-19	06-Sep-19	Completed	
1 (d)			Review of Senior Leadership practices	CE	Feb-20	Jan-20	Ongoing	Initiated	Commenced in January 2020. All LGOIMA improvements and initiatives have been championed and authorised by ELT.
2		Ensure the outcome of the review of Senior Leadership Team's practices is clearly understood by staff and any recommendations' are implemented	Communication of agreed practices	CE	Feb-20	Jan-20	Enduring	Initiated	See serial 1(d). Communications advocating transparency and openness have been provided by the CE and ELT. This will continue
3		Any amendments made to documents/records are transparent, with clear lines of accountability, and a record of the amendment is made	While the Council has the capability in its InfoCouncil and TRIM systems that capture and log changes, we will investigate whether this is fit for purpose and the look to make changes as required.	DOCE	Sep-19	06-Sep-19	30-Sep-19	Completed	Clarified that TRIM and InfoCouncil is fully capable of tracking all changes to documents and reports including author and date.
4 (a)		Establish a clear process for staff speaking up and raising concerns without fear of reprisal and ensure outcomes are clearly communicated back to staff	Council has a Protected Disclosures Act Policy that provides a mechanism to allow staff to speak up and raise concerns without fear of reprisal	Head of Risk & Audit	Sep-19	06-Sep-19	06-Sep-19	Completed	
4 (b)			Develop and implement plan to ensure staff are aware of the Protected Disclosures Act Policy and process. This is to be linked to the development of LGOIMA training and to be included as part of induction training.	Head of Risk & Audit	Dec-19		20-Dec-19	Completed	A new shared-services induction session for any staff leader has been developed, piloted and refined, and with regular sessions already scheduled throughout 2020. Additional awareness sessions and messaging for all staff are also scheduled annually.

Serial	Category	Recommended Action	Action	Responsibility	Timeframe	Commenced	Completed	Status	Notes (Updates highlighted)
4 (c)			CE /Acting CE to regularly communicate the existence of this policy and where to find it	CE	Enduring	06-Sep-19		Enduring	Ongoing on a regular basis
5 (a)		Regular consistent positive messaging by the Chief Executive and Senior Leaders about the importance of the LGOIMA and openness and transparency more generally in Council wide communications	Acting CE to send message to all staff about the importance of the LGOIMA and openness and transparency more generally in Council wide communications.	A/CE and CE	Enduring	06-Sep-19		Enduring	A/CE sent message to all staff CE sent video message to all staff on 13 Nov 19. Messaging also sent during Covid-19 lockdown.
5 (b)			Acting CE to include performance goal and target regarding adhering to LGOIMA and Information Management in Senior Leaders/ELT personal development plans	A/CE	Sep-19	06-Sep-19	30-Sep-19	Completed	Performance goal has been set for CE and cascaded to ELT and senior managers in FY19/20 PDP.
5 (c)			GMs/Senior Leaders to cascade performance and target goal into personal development plans of Senior Leaders/direct reports	ELT	Sep-19	06-Sep-19	30-Sep-19	Completed	Performance goal has been set for CE and cascaded to ELT and senior managers in FY19/20 PDP.
5 (d)			Acting CE to send message to all staff about the importance of the LGOIMA performance target	A/CE	Sep-19	06-Sep-19	30-Sep-19	Completed	
5 (e)			Plan and provide briefing on LGOIMA and Ombudsman's finding for the new CE	A/CE	Oct-19	06-Sep-19	10-Oct-19	Completed	
5 (f)			Arrange meeting for new CE with Office of Ombudsman Office	DOCE	Nov-19	10-Oct-19	29-Nov-19	Completed	CE met with the Ombudsman on 29 Nov 19.
5 (g)			Reference the Council's intentions around openness and transparency and availability of information in external documents	Head of PIP and CE	Enduring	06-Sep-19		Enduring	
6 (a)		Senior Leaders to role model behaviours consistent with a commitment to openness and transparency	Confirm expectations that Senior Leaders role model behaviours consistent with a commitment to openness and transparency.	ELT	Enduring	06-Sep-19		Initiated	
6 (b)			Workshop on LGOIMA at Senior Leaders quarterly meetings	OD and OCE	Mar-20			Planned	Initially booked for session on 19 February 2020. Delayed owing to Covid-19.
6 (c)			Include positive messaging on openness and transparency as part of regular all staff communications	Head of PIP	Enduring	06-Sep-19		Eduring	Ongoing on a regular basis
7		Complete the review of the structure of the Office of the Chief Executive to ensure the lines of decision-making and accountability are clear between the Director of the Office of the Chief Executive, the Senior Information Advisor, and the Chief Advisor to the Chief Executive	Review of the structure of the Office of the Chief Executive, including the clarification of the lines of decision-making and accountability between the Director of the Office of the Chief Executive, the Senior Information Advisor, and the Chief Advisor to the Chief Executive.	CE	Jun-19		23-Jun-19	Completed	Review completed by the previous CE with new appointments made by 23 Jun 19.
8 (a)		Ensure delegations for decisions on LGOIMA requests are clear, up to date and understood by Senior Leaders and staff	Change delegations register to delegate to the Director of the Office of Chief Executive the power of decision making under the LGOIMA relating to the provisions of Official Information.	Head of Legal	Sep-19	06-Sep-19	30-Sep-19	Completed	Closed

Serial	Category	Recommended Action	Action	Responsibility	Timeframe	Commenced	Completed	Status	Notes (Updates highlighted)
8 (b)			Incorporate explanation of delegations and decision making in updated LGOIMA training.	DOCE	Sep-19	06-Sep-19		Completed	Covered in current training sessions - expanded in finalised training programme.
9		Assign a Senior Manager with specific strategic responsibility and executive accountability for official information practice.	Assign to the Director of the Office of the Chief Executive the specific strategic responsibility and executive accountability for official information practice.	A/CE	Sep-19	06-Sep-19	06-Sep-19	Completed	Completed
10 (a)		Senior Leaders to champion a system for staff to identify and communicate opportunities for improvements to LGOIMA policies and practice, and proactive release	Develop a mechanism for staff to volunteer their suggestions for improvements to LGOIMA policies and practice and proactive release practices. This will be championed by ELT and senior leaders (Note that inviting all staff will help demonstrate that this is an organisational wide commitment).	DOCE	Dec-19	26-Nov-19	08-Dec-19	Initiated	Two questions added to Working@Council survey and communicated by organisation wide e-mail from CE on 26 Nov 19.
10 (b)			Include LGOIMA to agendas of Heads regular meetings	ELT	Enduring	06-Sep-19		Initiated	Memo sent to Heads of Service to encourage practice and add to relevant training.
11 (a)		Senior Leaders to set clear expectations that staff receive appropriate training on LGOIMA policies and procedures and make this expectation visible by attending training themselves	ELT set the example to other staff by attending inaugural LGOIMA training for leaders session.	ELT	May-20			Planned	Initially planned to be before 30 Mar 20. Delayed owing to Covid-19
11 (b)			Performance goal added to personal development plans of ELT/Senior Leaders	ELT	Sep-19	06-Sep-19	30-Sep-19	Completed	
11 (c)			Use internal Communications Team to publicise LGOIMA training	Head of PIP	Feb-20			Initiated	With training programme agreed to, this will be carried out on an ongoing basis
12		Include reference to LGOIMA compliance in job descriptions	Add reference to LGOIMA compliance to position descriptions as position descriptions are reviewed and renewed.	Head of HR	Enduring	06-Sep-19		Completed	Added to Position Descriptions 28 November 2019.
13 (a)		Consider how a proactive release policy, once developed, can be incorporated into the Council's external communications strategy to further increase engagement and public participation in decision making	Set up an inter-group project team to develop a proactive release policy.	DOCE	Nov-19		01-Nov-19	Completed	This project team includes DOCE, Official Information, Legal and Comms.
13 (b)			Develop a proactive release policy for approval by ELT	DOCE	Dec-19		20-Jan-20	Completed	List of subjects authorised by ELT on 20 Jan 20
13 (c)			Champion the provision of information for proactive release in line with the policy	ELT	Enduring	20-Jan-20		Completed	ELT approval on 20 Jan 20.
14 (a)	Organisation Structure, Staffing and Capability	Develop a LGOIMA training programme tailored to the needs of all staff, including for staff at induction, the Public Information and Participation (PIP) Team and Customer Services Teams	Establish an inter-group LOGIMA training team to develop a LGOIMA training programme.	DOCE	Nov-19		01-Nov-19	Completed	Group to include Official Information, Comms, Customer Services and Organisational Development.
14 (b)			Develop a LGOIMA training programme tailored to the needs of all staff, including for staff at induction, the Public Information and Participation (PIP) Team and Customer Services Teams, including staff at induction as well as regular training for delegated decision makers.	DOCE	Feb-20		01-Feb-20	Initiated	Developing blended training programme to cover all staff. Working with HR and Office of the Ombudsman. Authorised by ELT on 20 Jan 20.
14 (c)			Approve the LGOIMA training programme.	ELT	Feb-20		03-Feb-20	Completed	ELT approval of training plan on 20 Jan 20.



Serial	Category	Recommended Action	Action	Responsibility	Timeframe	Commenced	Completed	Status	Notes (Updates highlighted)
14 (d)			Implement the LGOIMA training programme.	Head of HR	Enduring	03-Feb-20		Initiated	From Q3 F20
15 (a)		Develop and implement more detailed, regular training for delegated decision makers, including Senior Leaders and for staff in the LGOIMA Team	Develop a more detailed training package for delegated decision makers, including Senior Leaders and for staff in the LGOIMA Team	DOCE	Dec-19		20-Dec-19	Initiated	Developing blended training programme to cover all staff. Working with HR and Office of the Ombudsman. Authorised by ELT on 20 Jan 20.
15 (b)			Approve the LGOIMA training programme.	ELT	Jan-20			Completed	ELT approval on 20 Jan 20.
15 (c)			Implement the LGOIMA training programme.	Head of HR	Enduring			Initiated	From Q3 F20
16 (a)		Ensure appropriate staff have access to, and understand how to use, the LGOIMA tracking spreadsheet to ensure back up is available if necessary	Develop a process map for the Council's LGOIMA processes in ProMapp	DOCE	Nov-19	16-Sep-19	06-Nov-19	Completed	Task completed. ELT to briefed 2 Dec 19. Changes made to process and authorised by ELT on 20 Jan 20.
16 (b)			Integrate the two Senior Advisors to the Chief Executive into the LGOIMA process and spreadsheet in order to build capacity in the Official Information Team.	DOCE	Nov-19	16-Sep-19	01-Nov-19	Completed	
17	Internal policies, procedures and resources	Consider undertaking a review of Information Management (IM) policies and guidance to ensure they are fit for purpose	Undertake a review of Information Management (IM) policies and guidance to ensure they are fit for purpose	CIO	Nov-19	16-Sep-19	01-Nov-19	Completed	
18		Ensure IM guidance is regularly reviewed and updated	Undertake an annual review of IM guidance and update as required.	CIO	Enduring	16-Sep-19		Completed	To be conducted annually in Q1 - See below
19 (a)		Ensure IM guidance and policy is visible and easily accessible for staff and, if guidance is stored in more than one IM system, ensure guidance is consistent across all platforms	Provide link to IM guidance and policy on organisational intranet	CIO	Dec-19		20-Dec-19	Completed	The IM guidance and policy is already available on the organisational Intranet (including e-learning) <a href="http://intranet.ccc.govt.nz/organisation/internal-policies">http://intranet.ccc.govt.nz/organisation/internal-policies</a>
19 (b)			Message regarding IM guidance and policy in CE all staff update	CIO	Dec-19		30-Jan-20	Completed	- e-learning modules are available on the intranet - By the 6th December changes will be made to have the policy more visible on the intranet frontpage. - addition to what has been recommended, the Information Management Team will complete the plan for the year ahead, to increase awareness and compliance to the PRA by January 30, 2020
20 (a)		Leaders to champion sound record keeping practice	Champion sound record keeping practice at annual leaders workshop on 5 November	CE	Nov-19	13-Nov-19	13-Nov-19	Completed	Included in video message to staff on 13 Nov 19.
20 (b)			Include periodic communication to staff from the CE on the importance of sound record keeping.	Head of PIP	Enduring	13-Nov-19		Enduring	To be included quarterly
20 (c)			ELT and Senior Leadership Group to champion sound record keeping practice	ELT	Enduring	16-Sep-19		Initiated	Also addressed in training and expectations set by review of senior leadership practices.
21 (a)		Prioritise the development of a proactive release policy with accountability for its delivery assigned	Set up an inter-group project team to develop a proactive release policy.	DOCE	Nov-19	16-Sep-19	01-Nov-19	Completed	

Serial	Category	Recommended Action	Action	Responsibility	Timeframe	Commenced	Completed	Status	Notes (Updates highlighted)
21 (b)		to a senior leader	Develop a proactive release policy for approval by ELT	DOCE	Dec-19		20-Jan-20	Completed	ELT approval on 20 Jan 20.
21 (c)			Champion the provision of information for proactive release in line with the policy	ELT	Enduring	20-Jan-20		Completed	ELT approval on 20 Jan 20.
22 (a)		Review and update LGOIMA guidance incorporating my suggestions	Set up an inter-group project team to review and update LGOIMA guidance incorporating the Ombudsman's suggestions	DOCE	Dec-19		01-Nov-19	Completed	
22 (b)			Complete a review and update LGOIMA guidance incorporating the Ombudsman's suggestions.	DOCE	Dec-19	16-Sep-19		Completed	
23		Ensure LGOIMA guidance is regularly reviewed and updated	Conduct an annual review of LGOIMA guidance to ensure LGOIMA practice is in accordance with best practice and update as required.	DOCE	Enduring	16-Sep-19		Completed	To be conducted annually in Q1
24		Consider amending template letters to include specific consideration of the public interest, where applicable	Amend template letters to include specific consideration of the public interest, where applicable.	DOCE	Sep-19	16-Sep-19	30-Sep-19	Completed	
25 (a)	Current Practices	Ensure that all public and media information requests, as well as property file requests, are handled in accordance with the provisions of the LGOIMA	Establish an Official Information Co-ordination Group (OICG) which includes subject matter experts from OCE, Business Solutions (LIMS and Property Files), PIP and Document Management	DOCE	Nov-19		01-Nov-19	Completed	
25 (b)			Ensure that all public and media information requests, as well as property file requests, are handled in accordance with the provisions of the LGOIMA through the Official Information Co-ordination Group	OICG	Enduring			Completed	Already underway but will re-iterate as part of OICG
26 (a)		Provide regular training to all Council teams that handle requests for information in any capacity	Set up an inter-group training team to develop a LGOIMA training programme.	DOCE	Nov-19		01-Nov-19	Initiated	
26 (b)			Develop a LGOIMA training programme	DOCE	Feb-20			Initiated	Approved by ELT 20 January 2020
26 (c)			Implement the LGOIMA training programme.	Head of HR	Enduring			Initiated	Training underway across CCC. Resources being developed and increased sessions will be held post Covid-19 lockdown.
27 (a)		Upgrade to a database (non-spreadsheet) system to track LGOIMA requests and decisions	Establish an Official Information Co-ordination Group (OICG)	DOCE	Nov-19		01-Nov-19	Completed	
27 (b)			Investigate and agree on a cross organisation database system to capture official information requests to the council and decisions	OICG	Mar-20		01-Mar-20	Initiated	Investigating alternative solutions to replace spreadsheet.
27 (C)			Implement a cross organisation database system to capture official information requests to the council and decisions		Mar-20		01-Mar-20	Initiated	Investigating alternative solutions to replace spreadsheet.
28 (a)		Record the reasoning behind LGOIMA decisions, including any consideration of the public interest and the results of any consultations with third parties	Develop a coversheet to record the reasoning behind LGOIMA decisions, including any consideration of the public interest and the results of any consultations with third parties.	DOCE	Oct-19	16-Sep-19	01-Oct-19	Completed	

Serial	Category	Recommended Action	Action	Responsibility	Timeframe	Commenced	Completed	Status	Notes (Updates highlighted)
28 (b)			Implement the use of coversheet to record the reasoning behind LGOIMA decisions, including any consideration of the public interest and the results of any consultations with third parties	DOCE	Enduring	16-Sep-19		Initiated	Completed coversheets will be saved to ensure a record of decision making is clear.
28 (c)			Ensure the process to record the reasoning behind LGOIMA decisions, including any consideration of the public interest and the results of any consultations with third parties is enshrined in the LGOIMA process and captured in ProMapp.	DOCE	Enduring	16-Sep-19		Initiated	Completed coversheets will be saved to ensure a record of decision making is clear.
28 (d)			Transition to a cross organisation database system with the ability to record the reasoning behind LGOIMA decisions, including any consideration of the public interest and the results of any consultations with third parties.	OICG	Mar-20	16-Sep-19		Initiated	As per serial 27(b) above
29 (a)		Record the administrative steps taken in respect of LGOIMA responses where relevant	Develop a coversheet and check list to record the administrative steps taken in respect of LGOIMA responses where relevant	DOCE	Nov-19	16-Sep-19	01-Nov-19	Completed	
29 (b)			Implement the use of a coversheet and checklist to record the administrative steps taken in respect of LGOIMA responses where relevant.	DOCE	Enduring	01-Nov-19		Completed	
29 (c)			Ensure the administrative steps taken in respect of LGOIMA responses where relevant is enshrined in the LGOIMA process and captured in ProMapp.	DOCE	Dec-19	16-Sep-19		Completed	
29 (d)			Transition to a cross organisation database system with the ability to record the administrative steps taken in respect of LGOIMA responses where relevant.	OICG	Mar-20			Initiated	April - Business Requirements for new database nearing completion.
30 (a)		Establish a formalised peer review process	Establish an Official Information Co-ordination Group (OICG)	DOCE	Nov-19		01-Nov-19	Initiated	As per serial 25(a) above.
30 (b)			Develop a formalised peer review process and capture this process in ProMapp.	OICG	Mar-20			Initiated	Process being developed and will be captured in ProMapp. Process will need to be adjusted once Council transitions to new database.
31 (a)		Ensure records are kept of workshops and briefings	Identify those workshops and briefings that require formal records.	ELT	Nov-19	11-Nov-19	11-Nov-19	Completed	Paper approved at ELT on 11 Nov 19
31 (b)			Undertake minuting of identified workshops and briefings.	Head Governance & Partnerships	Enduring	11-Nov-19		Initiated	
32 (a)		Provide training to staff who are processing elected member requests to ensure consistency of practice	Set up an inter-group project team to develop a LGOIMA training programme.	DOCE	Nov-19		01-Nov-19	Initiated	As per serial 14(a) above
32 (b)			Develop a LGOIMA training programme for staff who are processing elected member requests to ensure consistency of practice.	DOCE	Mar-20			Initiated	As per serial 14(b) above

Serial	Category	Recommended Action	Action	Responsibility	Timeframe	Commenced	Completed	Status	Notes (Updates highlighted)
32 (c)			Approve the LGOIMA training programme	ELT	Mar-20			Completed	Approved by ELT 20 January 2020
32 (d)			Implement the LGOIMA training programme.	Head of HR	Enduring			Initiated	Training underway across CCC. Resources being developed and increased sessions will be held post Covid-19 lockdown.
33 (a)		Ensure that requests from elected members are handled in accordance with LGOIMA	Develop a process for the handling of elected member requests that is in accordance with LGOIMA and ensure this is captured in ProMapp	DOCE	Nov-19	16-Sep-19	01-Nov-19	Initiated	All Elected Member queries captured through LGOIMA process. This will be formalised once EM training and protocols have been held post Covid-19 lockdown.
33 (b)			Ensure requests from elected members are handled using the Council process.	DOCE	Enduring	16-Sep-19		Initiated	Currently through the OCE process. All are handled under the provisions of the LGOIMA.
34 (a)		Review the practice of sending all LGOIMA requests to the Mayor's office and develop a protocol between the Council and elected members to clarify elected member involvement in LGOIMAs	Establish an Official Information Co-ordination Group (as identified above).	DOCE	Nov-19		01-Nov-19	Initiated	As per serial 25(a) above
34 (b)			Develop a protocol between the Council and elected members to clarify elected member involvement in LGOIMAs and ensure this is captured in ProMapp	OICG	Feb-20		01-Feb-20	Initiated	Will provide to Elected Members as part of LGOIMA training to be delivered once Covid-19 lockdowns are lifted.
35 (a)		Ensure the Mayor's advisor is not a participant in the weekly meeting where LGOIMA requests are discussed	Change weekly LGOIMA meeting to an emerging issues meeting, structured so the representative from the Mayor's Office is not present when LGOIMA requests are discussed.	DOCE	Sep-19	16-Sep-19	16-Sep-19	Completed	
35 (b)			Ensure the developed protocol between the Council and elected members to clarify elected member involvement in LGOIMAs is followed by staff at the emerging issues meeting	DOCE	Dec-19		01-Feb-20	Initiated	Date of implementation to move to Q3 F20 to be consistent with serial 34 (b)
36	Performance and Monitoring	Consider analysing LGOIMA request data and collecting more comprehensive data on the Council's handling of LGOIMA requests	Establish an Official Information Co-ordination Group	DOCE	Nov-19		01-Nov-19	Initiated	Can currently but expected to be able to provide greater data once new systems are in place.
37		Consider providing the Senior Leadership Team with a monthly report on LGOIMA requests	Provide ELT with a regular report on LGOIMA requests	DOCE	Enduring	14-Oct-19		Initiated	Weekly reports now provided to ELT.
38		Consider ways to include requests handled by the PIP Team and Customer Services Team, as well as elected member requests and property file requests, in LGOIMA statistical reporting	Establish an Official Information Co-ordination Group	DOCE	Nov-19		01-Nov-19	Initiated	As above



Serial	Category	Recommended Action	Action	Responsibility	Timeframe	Commenced	Completed	Status	Notes (Updates highlighted)
39		Consider developing a formal quality assurance process for LGOIMAs	Develop a formal quality assurance process for LGOIMAs and capture this process in ProMapp	OICG	Feb-20		01-Feb-20	Initiated	Process being developed and will be captured in ProMapp. Process will need to be adjusted once Council transitions to new database.
40		Consider how staff can quickly and easily access previous LGOIMA decisions	Identify how staff can better access previous LGOIMA decisions.	OICG	Dec-19		16-Dec-19	Initiated	Identifying ways of increasing release of previous decisions. Will integrate with greater resources on line for staff and publically.

Proactive Information to Release - 2020

	Item	Responsibility	Frequency	Date
1	Mayor, elected member and staff travel	Finance & Commercial	Quarterly	March/June/September/December
2	P Card expenses	Finance & Commercial	Quarterly	March/June/September/December
3	Hospitality expenses	Finance & Commercial	Quarterly	March/June/September/December
4	Elected Member Catering	Finance & Commercial	Annually	November
5	Taxi Chits	Finance & Commercial	Quarterly	March/June/September/December
6	Elected Member Meeting Attendance	Community Support, Governance & Partnerships	Quarterly	March/June/September/December
7	Pool contamination	Recreation & Sports	Annually	November
8	Parking infringements	Transport	Annually	November
9	Dog names/registrations	Consenting & Compliance	Annually	November
10	Dog attacks/menacing dogs	Consenting & Compliance	Annually	November
11	Christmas lights & decorations	Events and Facilities Management	Annually	November
12	Contractors	People & Capability	Quarterly	March/June/September/December
13	LGOIMA requests	Office of the Chief Executive	Monthly	February
14	Staffing Costs	People & Capability	Annually	November
15	Staffing Figures	People & Capability	Annually	November
16	Staff Gift register	Corporate Services	Annually	November
17	Official Information Improvement Plan	Performance & Reporting	Quarterly	March/June/September/December
18	Environmental Scan for the LTP	Performance & Reporting	Quarterly	March/June/September/December
19	Cost of communications	Public Information & Participation	Annually	November
20	Most Popular Library Books	Libraries	Annually	November

## 13. Civic Financial Services - Appointment of Proxy to vote at the Annual General Meeting 2020 and voting instructions

Reference / Te Tohutoro: 20/324145

Report of / Te Pou Matua: Linda Gibb, Performance Advisor, linda.gibb@ccc.govt.nz

General Manager / Pouwhakarae: Carol Bellette, General Manager Finance and Commercial, carol.bellette@ccc.govt.nz

### 1. Executive Summary / Te Whakarāpopoto Matua

- 1.1 The purpose of this report is to seek the Council's appointment of a proxy and alternate to vote at the Civic Financial Services (Civic) Annual General Meeting (AGM) on 19 June 2020 and to voting instructions for the Council's representative.
- 1.2 The report has been written as a result of receiving the AGM documents from Civic on 14 May 2020 which require notices of proxy and voting decisions to be received from shareholders by 18 June 2020.

### 2. Officer Recommendations / Ngā Tūtohu

That the Council:

1. Approves the appointment of Carol Bellette, General Manager Finance and Commercial as the Council's proxy to vote at the Civic Financial Services' Annual General Meeting (AGM) in June 2020 and to appoint the Chair of the Civic Financial Services board as alternate;
2. Agrees to vote in favour of the Christchurch City Council's candidates for directorships – Ms Jen Crawford and Ms Louise Edwards – at the Civic Financial Services Annual General Meeting;
3. Agrees to vote in favour of the Christchurch City Council-initiated resolution on superannuation scheme membership fees which provides that effective from 1 April 2021 the Board returns the management fee charged to the members of the SuperEasy and SuperEasy KiwiSaver Superannuation Schemes back to 0.50% and that the Board tables options on changing superannuation fee structures to shareholders detailing the effect if any on the payment of future dividends; and
4. Agrees to vote in favour of the ordinary business that is on the agenda - approving the Minutes of the prior year's AGM and Appointment and Remuneration of Auditor.

### 3. Reason for Report Recommendations

- 3.1 The Civic Notice of Meeting includes the standard ordinary business – approving the Minutes of the prior year's AGM, receiving and considering the Annual Report for the year ending 31 December 2019, and Appointment and Remuneration of Auditor. It also presents the following key shareholder resolutions:
  - 3.1.1 Election of directors to the board, the candidates being the Christchurch City Council's nominees, Ms Jen Crawford and Ms Louise Edwards, and incumbent directors retiring by rotation and standing for re-election, Mr Anthony Gray and Mr Basil Morrison; and

3.1.2 That the Civic board returns the management fee charged to the Super Easy and SuperEasy KiwiSaver Superannuation Schemes back to 0.50% effective from 1 April 2021 as per the following shareholder resolution:

1. *It is noted that the Board, effective from 1 April 2020, has made the decision to reduce the management fee charged to the members of the SuperEasy and SuperEasy KiwiSaver Superannuation Schemes from 0.50% to 0.44% per annum. This has the effect of reducing the extent of funds that might otherwise be available for distribution to shareholders in favour of benefiting the superannuation scheme members.*
2. *That effective from 1 April 2021 the Board returns the management fee charged to the members of the SuperEasy and SuperEasy KiwiSaver Superannuation Schemes back to 0.50%.*
3. *That the Board tables options on changing superannuation fee structures to shareholders detailing the effect, if any, on the payment of future dividends.*

- 3.2 To enable the Christchurch City Council to exercise its 12.6% share of voting rights in Civic in favour of its tabled alternative resolutions relating to new directors and superannuation fund administration fees to members.
- 3.3 The Council is the second largest individual shareholder (Auckland Council has 19.51%) and its votes could be material to outcomes.

#### 4. Alternative Options Considered

- 4.1 The alternative option is to forgo voting at the Civic AGM, which would be an unusual option given the Council is the proponent of the two key resolutions to be discussed at the AGM.

#### 5. Detail

##### Background

- 5.1 Civic has funds under management of more than \$420 million from superannuation investments. Prior to the Canterbury earthquakes, Civic's main purpose was providing insurance products and services to local government but its main business activity is now administering superannuation schemes - SuperEasy employer scheme and SuperEasy KiwiSaver which are restricted to local government employees only. Civic does not itself undertake investment of the member contributions; these are passed through to Civic's private sector fund managers for investment in a fund type of the member's choosing (e.g. conservative, balanced, growth).
- 5.2 Civic Financial Services (Civic) is exempted as a Council-controlled organisation (CCO) under the Local Government Act 2002 (LGA) due to its insurance activities which were governed by a different (but now repealed) statute.
- 5.3 Over the past year staff have reported to the Council noting two key Civic issues:
- the board of five lacks diversity, its membership is weighted towards providing the board with insurance expertise (whereas its business is largely superannuation administration) and the average tenure of members is 10 years; and
  - the board decided that Civic will not pay a dividend to its shareholders over the Statement of Intent time period. Instead it will use the funds to offset a fee cut to members of the SuperEasy superannuation schemes.

#### 6. Policy Framework Implications

##### Strategic Alignment

- 6.1 The decisions are not related to the [Council's Long Term Plan \(2018 - 2028\)](#) and strategic priorities (e.g. addressing climate change challenges).

### Policy Consistency

- 6.2 The decision is consistent with Council's Plans and Policies. Specifically, good governance is a core tenet of the Council's Policy for the Appointment and Remuneration of Directors.

### Impact on Mana Whenua

- 6.3 The decision does not involve a significant decision in relation to ancestral land or a body of water or other elements of intrinsic value, therefore this decision does not specifically impact Mana Whenua, their culture and traditions.

### Climate Change Impact Considerations

- 6.4 Not applicable.

### Accessibility Considerations

- 6.5 Not applicable.

## 7. Resource Implications

### Capex/Opex

- 7.1 There are no financial implications for the Council. Although the proposal is for fees to be reinstated to previous levels which should lead to Civic earning a surplus which it could return to shareholders by way of dividends, the quantum of any distribution will not be material.

## 8. Legal Implications

### Statutory power to undertake proposals in the report

- 8.1 Companies Act 1993.

### Other Legal Implications

- 8.2 This report has not been reviewed and approved by the Legal Services Unit.

## 9. Risk Management Implications

- 9.1 Not applicable.

## Attachments / Ngā Tāpirihanga

No.	Title	Page
A <a href="#">A</a>	Civic Financial Services Notice of AGM June 2020	129

In addition to the attached documents, the following background information is available:

Document Name	Location / File Link
Not applicable	

## Confirmation of Statutory Compliance / Te Whakatūtutanga ā-Ture

Compliance with Statutory Decision-making Requirements (ss 76 - 81 Local Government Act 2002).

(a) This report contains:

- (i) sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages; and

- (ii) adequate consideration of the views and preferences of affected and interested persons bearing in mind any proposed or previous community engagement.
- (b) The information reflects the level of significance of the matters covered by the report, as determined in accordance with the Council's significance and engagement policy.

### Signatories / Ngā Kaiwaitohu

<b>Author</b>	Linda Gibb - Performance Monitoring Advisor
<b>Approved By</b>	Len Van Hout - Manager External Reporting & Governance Diane Brandish - Head of Financial Management Carol Bellette - General Manager Finance and Commercial (CFO)



## NOTICE OF MEETING

Notice is hereby given that the Annual General Meeting of Civic Financial Services Limited will be held via Zoom conference on Friday 19 June 2020 commencing at 3.00pm for the purpose of transacting the following business:

**(Please note the new time for this meeting which has changed from the notice we sent out on 16 March 2020)**

### ORDINARY BUSINESS

1. **Apologies**  
To receive apologies.
2. **Minutes of 2019 Annual General Meeting**  
To approve Minutes of the AGM held 21<sup>st</sup> June 2019.
3. **Annual Report and Financial Statements**  
To receive and consider the Annual Report which includes financial statements for the year ended 31 December 2019 and the report of the auditor therein.
4. **Directorate**  
To approve the appointment of two Directors in accordance with the Constitution.  
  
Basil Morrison and Anthony Gray retire from office by rotation in accordance with the Constitution of the Company. Both Directors have been nominated by the board for re-election.  
  
Jen Crawford and Louise Edwards have each been nominated by Christchurch City Council as a Director and offer themselves for election.  
  
Resumes received from each of the candidates are attached.
5. **Appointment and Remuneration of Auditor**  
To record the appointment of the Auditor-General as auditor (pursuant to Section 207 of the Companies Act 1993 and Section 15 of the Public Audit Act 2001) to hold office until the conclusion of the next Annual General Meeting and to authorise the Directors to determine the remuneration for the auditor for the year.  
Note: The Auditor-General has appointed Mr Silvio Bruinsma of Deloitte to undertake the audit.
6. **To transact any other business that may be properly brought before the meeting.**  
To this end, the following resolutions have been added to the agenda at the request of Christchurch City Council, in its capacity as a shareholder of Civic:
  1. *It is noted that the Board, effective from 1 April 2020, has made the decision to reduce the management fee charged to the members of the SuperEasy and SuperEasy KiwiSaver Superannuation Schemes from 0.50% to 0.44% per annum. This has the effect of reducing the extent of funds that might otherwise be available for distribution to shareholders in favour of benefiting the superannuation scheme members.*
  2. *That effective from 1 April 2021 the Board returns the management fee charged to the members of the SuperEasy and SuperEasy KiwiSaver Superannuation Schemes back to 0.50%.*
  3. *That the Board tables options on changing superannuation fee structures to shareholders detailing the effect, if any, on the payment of future dividends.*

Attached are:

- Statement from Christchurch City Council giving the background to its resolutions.
- Statement from Civic's Board providing background as to why it **does not** support the resolutions proposed by Christchurch City Council.

ATTENDANCE VIA ZOOM: PROXIES/APPOINTED REPRESENTATIVES AND VOTING

A shareholder entitled to attend and vote at the AGM may appoint a proxy for this meeting to cast its vote. A shareholder may also appoint a representative to attend the meeting, pursuant to Clause 14.3 of the Constitution of the Company.

Additionally, as the meeting is to take place via Zoom conference:

- 1) Voting on resolutions will take place by way of proxy appointment and accordingly:
  - a. Each shareholder must submit its proxy appointment form specifying the votes it intends to make at the AGM, no later than one business day before the AGM.
  - b. At the AGM, when the time comes to vote on resolutions each validly appointed proxy will be asked by the Returning Officer to confirm their vote in accordance with their proxy appointment form submitted in advance of the meeting.
  - c. Votes confirmed at the AGM will be valid for the purpose of determining the outcome of the vote.
  - d. Votes on resolutions will only be valid if a proxy appointment form is submitted to the Returning Officer in advance of the AGM. No votes on resolutions by representatives during the AGM will be valid.
- 2) Details regarding participation in the meeting, including the link to join, will only be provided to properly appointed representatives and proxies.

A completed proxy form/notice in writing of appointment of a representative signed by the shareholder must be provided to the Returning Officer (by email) by 3.00pm one business day before the start of the meeting i.e. 18<sup>th</sup> June 2020.

By Order of the Board  
Glenn Watkin  
Chief Financial Officer  
14 May 2020

Returning Officer:  
Dominika Mitchell  
Associate, Dentons Kensington Swan  
Dominika.mitchell@dentons.com





Civic Financial Services Limited  
Proxy Form

\_\_\_\_\_ of  
(Shareholder Name)

\_\_\_\_\_ being a shareholder of Civic Financial Services Limited, hereby appoints  
(Location)

\_\_\_\_\_ of \_\_\_\_\_ contact email  
(Name) (Employer)

[insert] or, failing him/her

\_\_\_\_\_ of \_\_\_\_\_ contact email  
(Name) (Employer)

[insert] as its proxy to vote for and on its behalf at the Annual General Meeting of Shareholders of Civic Financial Services Limited, to be held via Zoom conference on 19th June 2020 and at any adjournment of that meeting.

The proxy will vote as directed below:

Agenda Item

1. Receive apologies.

In Favour (✓)	Against (✓)
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2. Approve the Minutes of the AGM held 21 June 2019.

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3. To receive the Annual Report

To receive the Annual Report which includes the financial statements for the year ended 31 December 2019 and the report of the auditor therein.

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4. To elect two Directors Please only vote for a maximum of two candidates. Should votes be cast in favour of more than two directors all of the shareholder's votes in this section will be invalidated

**Basil Morrison** who retires in terms of the Constitution and being eligible and having been nominated by the Board, offers himself for re-election.

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**Tony Gray** who retires in terms of the Constitution and being eligible and having been nominated by the Board, offers himself for re-election.

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**Jen Crawford** who has been nominated by Christchurch City Council and offers herself for election.

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**Louise Edwards** who has been nominated by Christchurch City Council and offers herself for election.

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5. Appointment and Remuneration of Auditor

To record the appointment of the Auditor-General as auditor (pursuant to Section 207 of the Companies Act 1993 and Section 15 of the Public Audit Act 2001) to hold office until the conclusion of the next Annual General Meeting and to authorise the Directors to determine the remuneration for the auditor for the year.

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Civic Financial Services Ltd • 116 Lambton Quay • PO Box 5521, Wellington 6140 • Email: admin@civicfs.co.nz

www.civicfs.co.nz • Tel: 04 978 1250 • Fax: 04 978 1260

Agenda Item

In Favour (✓)	Against (✓)
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6 Other business submitted by Christchurch City Council

- 6.1 It is noted that the Board, effective from 1 April 2020, has made the decision to reduce the management fee charged to the members of the SuperEasy and SuperEasy KiwiSaver Superannuation Schemes from 0.50% to 0.44% per annum. This has the effect of reducing the extent of funds that might otherwise be available for distribution to shareholders in favour of benefiting the superannuation scheme members.
- 6.2 That effective from 1 April 2021 the Board returns the management fee charged to the members of the SuperEasy and SuperEasy KiwiSaver Superannuation Schemes back to 0.50%.
- 6.3 That the Board tables options on changing superannuation fee structures to shareholders detailing the effect, if any, on the payment of future dividends.

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EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

\_\_\_\_\_  
Signature(s) of Shareholder                      Position(s) Held

Please return to: Returning Officer, Dominika Mitchell, Dentons Kensington Swan, by email  
[Dominika.mitchell@dentons.com](mailto:Dominika.mitchell@dentons.com) prior to 3.00pm 18 June 2020.

#### ATTENDANCE AT MEETINGS OF THE COMPANY

The Constitution provides for members to be represented at meetings of the Company only by proxies or appointed representatives.

Clause 14.3 (as amended in May 2004) provides:

“A shareholder may exercise the right to vote by being present by a representative or by proxy.

The representative or proxy for a shareholder is entitled to attend and be heard and vote at a meeting of shareholders as if the representative or proxy were a shareholder.

A proxy must be appointed in writing signed by the shareholder and the notice must state whether the appointment is for a particular meeting or a specified term not exceeding twelve months.

No proxy is effective in relation to a meeting unless a copy of the notice of appointment is produced to the registered office of the company not later than twenty-four hours before the start of the meeting.

A shareholder may appoint a representative to attend a meeting of shareholders on its behalf in the same manner as that in which it could appoint a proxy”.

Accordingly, proxies/notification of appointed representatives must be emailed to [Dominika.mitchell@dentons.com](mailto:Dominika.mitchell@dentons.com) (and copied to me) by 3.00pm 18 June 2020.

*It would be appreciated if shareholders, when considering who to appoint as their representative/proxy holder, would contact Glenn Watkin thereby facilitating a quorum for the AGM.*

Glenn Watkin  
Chief Financial Officer  
Phone: (04) 978 1252  
Email: [glenn.watkin@civicfs.co.nz](mailto:glenn.watkin@civicfs.co.nz)  
Fax: (04) 978 1260

## **Basil Morrison, CNZM, JP**

### **Skills and Experience**

Basil has worked and been involved in Local Government over many years acquiring a wealth of knowledge of Local Government and community issues at international, national, regional and district level. He is a highly skilled Chairperson and Board Director with significant public and private sector governance experience involving key leadership roles within many Local Government and community organisations. His experience has included:

- witnessing and understanding considerable change in the role of Local Government
- establishing successful working relationship between Local Government and Central Government
- championing concerns of rural communities, regional development, conservation and tourism
- serving on a large number of hearings panels
- leading regional civil defence and emergency management issues
- extensive involvement in community, sporting and charitable organisations
- under the RMA sitting on panels to consider District Plans, the Proposed Auckland Unitary Plan, Waitangi Tribunal and Special Housing Legislation

### **Current Appointments**

- Republic of Uganda's Honorary Consul in New Zealand
- Director of Civic Financial Service Ltd
- Waitangi Tribunal Member
- Chairman of the Zealand Local Government Superannuation Board of Trustees
- Accredited Resource Management Act Commissioner since 2005
- Independent Hearings Commissioner for Auckland Council
- Thames-Coromandel District Council Hearings Panel
- Waikato Regional Council Hearings Panel

### **Previous New Zealand and International Appointments**

- Chairman of the Local Government Commission
- Chair of the Commonwealth Local Government Forum
- President of Local Government New Zealand (LGNZ) Nov 2000-July 2008
- Regional Councillor for Environment Waikato from 2004-2007
- Mayor of the Hauraki District from 1989-2004
- Member of the Hurunui/Kaikoura Earthquakes Recovery Act Review Panel
- Director of Government SOE Landcorp Farming

### **Services to Local Government**

- Companion of the New Zealand Order of Merit
- Recipient of the 1990 Medal for Local Government Services
- Justice of the Peace since 1985

## Anthony Trevor Gray

Mobile: 021 939 593

Home phone number: 06 877 1950

Address: 20 Sandown Lane, Chambers Estate, Havelock North

Date of Birth: 20 August 1952

### Personal Profile

#### Qualifications

- Accountants Professional Examinations – awarded a Fellowship in 1993.

#### Professional Memberships

- Institute of Chartered Accountants New Zealand and Australia member of the Chartered Accountants College (Awarded Fellow Chartered Accountant FCA – 1993). Served on various Institute of Chartered Accountants Committees, including the Council (six years) and the Executive Board (two years).
- INFINZ (1997) (Resigned 2010)
- Institute of Directors (1996)
- Chartered Member-Institute of Directors
- Sub Committee Member-East Coast Branch –Institute of Directors

### Current Directorships

- Eastland Group Limited and Chair of Audit, Finance and Risk Committee
  - Gisborne Airport Limited
  - Eastland Port Limited
  - Eastland Network Limited
- Civic Financial Services Limited and member of Risk and Audit Committee
- Trustee Civic Property Pool
- Local Government Mutual Funds Trustee Limited
- Ngāti Pūkenga Investments Limited-Chair
- Artemis Nominees Limited
- Quality Roding and Services (Wairoa) Limited and Chair of Audit and Risk committee
- Tatau Tatau o Te Wairoa Commercial Limited-Chair
- Hawke's Bay Food Innovation Hub-Establishment Board Chair

### Previous Significant Directorships

- Sky Network Television Limited (also Audit Committee)
- CLEAR Communications Limited (also audit Committee)
- Avalon Television Studios Limited
- Broadcast Communications Limited
- Television Australia (Pty) Limited
- Gennett Services Limited (Chairman)
- Horizon Pacific Television Limited
- South Pacific Pictures Limited
- Asia Business News (Singapore) Limited
- Teamtalk New Zealand Limited (Independent Director)
- Rotokawa Generation Limited
- Rotokawa Joint Venture Limited
- Southdown Co-generation Limited
- Board Member Hastings District Council Maintenance Group

- Board Member – Omarunui LFG Limited Partnership Advisory Board
- Maungaharuru Tangitu Limited and member of Audit and Risk Committee
- Ngati Apa Developments Limited-member of Audit Committee

### Employment History

Executive Project Adviser  
Hastings District Council  
*July 2015-Present*

Special Projects Manager  
Hastings District Council  
*February 2015- July 2015*

Chief Financial Officer  
Hastings District Council  
*August 2009- February 2015*

General Manager Secretariat and Group Monitoring  
Te Rūnanga o Ngāi Tahu  
*March 2008- August 2009*

Contract Chief Financial Officer  
Wickliffe Limited  
*February 2007- July 2007*

Overseas travel, rest and recreation  
*September 2006- February 2007*

Chief Financial Officer/ Group Finance Manager  
Mighty River Power Limited  
*September 1999- September 2006*

Financial Consultant  
TVNZ, Tourism Holdings limited and CFO Maui Worldwide  
*July 1998- September 1999*

Director of Finance, Chief Financial Officer and Director of Investment  
TVNZ  
*October 1986- July 1998*

### Interests

- Golf
- Fishing
- Motorcycling
- Horse Racing (part owner)
- General Sports

## Jen Crawford

- 20+ years' experience as a specialist lawyer in NZ and the UK.
- Professional chartered director.
- Particular expertise in risk management, regulatory compliance, planning, local government and professional services.
- Strong governance skills with current directorships include Independent Chair of Ashton Wheelans Chartered Accountants and Regenerate Christchurch Board Member/Risk, Audit and Finance Committee Chair. Member of the External Advisory Group to the Christchurch City Council 2021-2031 Long Term Plan. Past governance roles include Ngāi Tahu Seafood Limited, Arts Centre of Christchurch Trust and University of Canterbury Foundation.
- Governance experience includes leadership of chartered accountant and business advisory firm
  - Ashton Wheelans Ltd including oversight and direction for a new management structure; strategic oversight of major strategic project undertaken by Ngāi Tahu Seafood Ltd and maintenance of key stakeholder relationships within Te Rūnanga o Ngāi Tahu; led negotiations with the Crown, Christchurch City Council, Ngāi Tahu and Heritage NZ to modernise governance arrangements (The Arts Centre of Christchurch Trust Act 2015).
- Executive experience – consultancy legal services to clients, peer support Institute of Directors Canterbury Branch. Equity partner (Anderson Lloyd 2003-2017) and senior legal counsel on project consenting and infrastructure development, Head of Department 2016-2017.

## Louise Edwards

- Good understanding of the superannuation and insurance regulatory and compliance regime that Civic operates under through experience as Chief Executive at Perpetual Trust, and as a director on the boards of National Provident Fund, Credit Union Baywide and Co-op Money.
- In-depth understanding of investment management and capital projects built up from many years working in the financial services sector, in particular latterly as Chief Executive of Rata Foundation managing and monitoring an investment portfolio of over \$620 million and on the board of National Provident Fund (superannuation funds of \$1.8 billion).
- Strong financial acumen and understanding of risk – working as an accountant for many years - excellent financial and analytical skills and extensive experience chairing Audit and Risk Committees at a board level (currently chairing two Audit and Risk Committees).
- Roles at chief executive level have built up good strategic thinking skills and the ability to look beyond operation detail to ensure investment returns are optimised within the appropriate risk parameters.



## Reasons to support the resolutions proposed by Christchurch City Council

### Background

In December 2019, the Board, after informal consultation proposed and implemented a reduction in the management fee charged to members of the SuperEasy and SuperEasy KiwiSaver Superannuation Schemes.

The Christchurch City Council has questioned management of Civic to determine whether the process for making such a decision, favouring members over shareholders was in the best interest shareholders.

Given the limited ownership structure of Civic, the Christchurch City Council contends that all shareholders should have been given a formal opportunity to review all options and to provide feedback on a decision that would likely affect future dividend streams.

The Christchurch City Council appreciates that SuperEasy and SuperEasy KiwiSaver Superannuation Schemes have some of the lowest management fees in the industry, which already reduces the potential for future dividend streams to shareholders.

Civic has provided Christchurch City Council the following fee-related information (as at September 2019):

Management Fees	New %	Old %	Other restricted schemes (average) %	Default schemes (average) %
Conservative Funds	0.44	0.50	0.95	0.65
Balanced Funds	0.44	0.50	1.02	0.88
Growth Funds	0.44	0.50	1.03	0.93

A snapshot from Civic's 2019 Annual Report on the schemes shows the following:

- the SuperEasy schemes are described as featuring low member charges;
- 94% (69 from 73) councils have appointed Civic as preferred provider of KiwiSaver (for those employees not nominating other KiwiSaver schemes);
- Funds under management are \$420 million, up 50% since 2016;
- There are 10,734 members of Civic's superannuation funds which is around 40% of all local government employees. Member numbers have increased 6.7% since 2016.

Christchurch City Council's assessment of the information provided by Civic shows that the rationale for a reduction in member fees is not immediately apparent.

### Conclusion

The Christchurch City Council proposes that the above resolutions be put to the 2019/20 annual general meeting in order to formally recognise the actions by the Board to reduce the management fees and requests that the management fee be reinstated to 0.50% and that the Board, tables options including the effect, if any, on the payment of future dividends.



**The Board of Civic Financial Services Ltd DOES NOT support the resolutions proposed by Christchurch City Council**

Background to the Board's decision to reduce the management fee charged to members of its superannuation schemes from 0.50% pa 0.44% pa are;

1. The Board's view is that Civic Financial Services and the companies that preceded it have always been in operation for the benefit of local government.
2. When providing insurance, the Board's view was that the majority of shareholders felt that the company's primary role was to keep the insurance market honest; paying a dividend was seen as secondary to that primary role.
3. The Board now sees its major role as being the "holding company" providing superannuation schemes for those employed in local government.
4. Having not paid a dividend since 2009 apart from the special dividend on the sale of Civic Assurance House paid in August 2019, the company's financial projections for the 2020 year showed that funds were available to pay a dividend to shareholders.
5. Civic's primary source of income is from the management fees it receives from the members of the company's superannuation schemes. The Board felt that reducing the Schemes' management fee would secure and enhance Civic's income in the future.
6. The Board resolved to use the funds that could have been used to pay a dividend to shareholders to reduce the management fee charged to members of the company's superannuation schemes. The Board made the decision to reduce fees, to not only give benefit to existing members but also to help attract new members which enhances the income of the company.
7. When considering whether to pay a dividend or reduce the management fees to members of the company's superannuation schemes, the Board considered the materiality on any dividend payable to its shareholders. The total dividend to be distributed amongst all of the 73 shareholders could have been \$186,316.

## 14. Local Government Funding Agency - Council-controlled Organisation Lending and other matters

Reference / Te Tohutoro: 20/625984

Report of / Te Pou  
Matua: Diane Brandish, Head of Financial Management,  
diane.brandish@ccc.govt.nz

General Manager /  
Pouwhakarae: Carol Bellette, GM Finance and Commercial,  
carol.bellette@ccc.govt.nz

### 1. Executive Summary / Te Whakarāpopoto Matua

- 1.1 The purpose of this report is to appoint elected members to execute documentation for the changes to the Local Government Funding Agency (LGFA) loan documents. This report has been written in response to the public excluded resolution passed in October 2018 where Council agreed to vote in favour of changes to the LGFA's foundation policies to allow the LGFA lending to Council-controlled organisation directly, to allow the LGFA to test covenants on a Group basis, to increase the amount of borrower notes issued from 1.6% to 2.5% to local authorities when borrowing; and other minor changes to loan documentation. See Public Excluded Council Resolution CNCL/2018/00270 dated 31 October 2018.
- 1.2 The decisions in this report are of low significance in relation to the Christchurch City Council's Significance and Engagement Policy. The level of significance was determined by reference back to the original decision in October 2018.

### 2. Officer Recommendations / Ngā Tūtohu

That the Council:

1. Note Council voted at the Local Government Funding Agency (LGFA) 2019 Annual General Meeting in favour of:
  - a. The LGFA lending to Council-controlled organisation directly;
  - b. The LGFA testing of covenants on a Group basis;
  - c. Increase in the amount of borrower notes issued from 1.6% to 2.5% to local authorities when borrowing; and
  - d. Other minor changes to loan documentation.
2. Note that the LGFA require two elected members to execute the Amendment and Restatement Deeds.
3. Appoint the Mayor and Deputy Mayor to execute the necessary Amendment and Restatement Deeds in relation to the LGFA loan documents.
4. Note that the Chief Executive will sign the Section 118 Certificates on behalf of the Christchurch City Council.

### 3. Reason for Report Recommendations / Ngā Take mō te Whakatau

- 3.1 At the 31 October 2019 Council meeting, Council voted in favour of the shareholder resolution that the LGFA be able to lend to Council-controlled organisation directly
- 3.2 Councillors delegated the execution of all the necessary document to implement the changes to the LGFA loan documents.

### 4. Detail / Te Whakamahuki

#### Background – proposed amendments to LGFA

- 4.1 The purpose of the proposed amendments is to:
  - enable approved council-controlled organisations to borrow directly through the LGFA borrowing programme (on the basis of a guarantee from and/or sufficient uncalled capital issued to the parent local authority);
  - allow a local authority to apply to LGFA to be tested at the group level rather than at the parent level for compliance with LGFA covenants; Section 7.5 of the Multi-issuer deed has been amended to allow testing on the local authority and the Group by agreement with LGFA, similar to the bespoke covenant options in the foundation policies.
  - increase the amount of borrower notes that must be issued to a local authority when it is borrowing from 1.6% to 2.5% in the Note Subscription Agreement; and
  - make certain other minor technical improvements to the borrowing programme (including to facilitate the provision of committed standby borrowing facilities).
- 4.2 To implement these changes, certain of the documentation for the borrowing programme will need to be amended. This includes the execution of the following documents:
  - 4.2.1 An Amendment and Restatement Deed in relation to the Multi-Issuer Deed (Attachment A);
  - 4.2.2 An Amendment and Restatement Deed in relation to the Notes Subscription Agreement (Attachment B); and
  - 4.2.3 An Amendment and Restatement Deed in relation to the Guarantee and Indemnity (Attachment C).
- 4.3 The Board of the LGFA require that all the amendment and restatement deeds are to be executed by elected members and not Council staff (Attachment D).
- 4.4 The LGFA Board has assented to the Section 118 Certificates (Attachments E and F) being executed by the Chief Executive.

### 5. Policy Framework Implications / Ngā Hīraunga ā- Kaupapa here

#### Strategic Alignment / Te Rautaki Tīaroaro

- 5.1 This report does not support the [Council's Long Term Plan \(2018 - 2028\)](#).

#### Policy Consistency / Te Whai Kaupapa here

- 5.2 The decision is consistent with Council's Plans and Policies.

### Impact on Mana Whenua / Ngā Whai Take Mana Whenua

- 5.3 The decision does not involve a significant decision in relation to ancestral land or a body of water or other elements of intrinsic value, therefore this decision does not specifically impact Mana Whenua, their culture and traditions.

## 6. Legal Implications / Ngā Hīraunga ā-Ture

### Other Legal Implications / Ētahi atu Hīraunga-ā-Ture

- 6.1 The Deeds of Amendment have been reviewed and approved by LGFA (with the assistance of LGFA's legal counsel, Russell McVeagh) and by the LGFA Shareholders' Council (with the assistance of Simpson Grierson).
- 6.2 This report has not been reviewed and approved by the Legal Services Unit.

## Attachments / Ngā Tāpirihanga

No.	Title	Page
A ➡	Amendment and Restatement Deed (Multi-issuer Deed) <i>(Under Separate Cover)</i>	
B ➡	Amendment and Restatement Deed (Notes Subscription Agreement) <i>(Under Separate Cover)</i>	
C ➡	Amendment and Restatement Deed (Guarantee and Indemnity) <i>(Under Separate Cover)</i>	
D ➡	Extract from Execution Table (relevant CCC Page only) <i>(Under Separate Cover)</i>	
E ➡	S118 Certificate - Guarantee <i>(Under Separate Cover)</i>	
F ➡	S118 Certificate - Borrower <i>(Under Separate Cover)</i>	

In addition to the attached documents, the following background information is available:

Document Name	Location / File Link
Not applicable	

## Confirmation of Statutory Compliance / Te Whakatūtutanga ā-Ture

Compliance with Statutory Decision-making Requirements (ss 76 - 81 Local Government Act 2002).

(a) This report contains:

- (i) sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages; and
- (ii) adequate consideration of the views and preferences of affected and interested persons bearing in mind any proposed or previous community engagement.

(b) The information reflects the level of significance of the matters covered by the report, as determined in accordance with the Council's significance and engagement policy.

## Signatories / Ngā Kaiwaitohu

<b>Authors</b>	Len Van Hout - Manager External Reporting & Governance Linda Gibb - Performance Monitoring Advisor
<b>Approved By</b>	Diane Brandish - Head of Financial Management Carol Bellette - General Manager Finance and Commercial (CFO)

## 15. Post COVID-19 Committee Delegation reinstatement and Schedule

Reference / Te Tohutoro: 20/688526

Report of / Te Pou Matua: Megan Pearce, Manager Hearings and Council Support,  
megan.pearce@ccc.govt.nz

General Manager / Pouwhakarae: Mary Richardson, General Manager Citizens and Community,  
mary.richardson@ccc.govt.nz

### 1. Executive Summary / Te Whakarāpopoto Matua

- 1.1 The purpose of this report is for the Council to consider the reinstatement of delegations to the Council's Finance and Performance Committee that were revoked by the Council at 11.59pm on 24 March 2020, as part of its response to COVID-19. Delegations are attached to this report as **Attachment A**. It is proposed that the Finance and Performance Committee be reinstated in time for a meeting on Thursday 2 July 2020.
- 1.2 The Council is also asked to reinstate the full, amended membership of the Audit and Risk Management Committee (ARMC) that had been amended during the COVID-19 response lockdown period.
- 1.3 In addition this report also proposes that the Council approves the following amendments to the Council's meeting schedule:
  - 1.3.1 That the Council cancels the scheduled recess in July and replaces it with a week in August and one in September/October.
  - 1.3.2 That the Council hold an additional meeting in July to consider reports that would ordinarily have gone to committees. There is currently only one Council meeting scheduled in July.
- 1.4 The decisions in this report are of low significance in relation to the Christchurch City Council's Significance and Engagement Policy. The level of significance was determined by the fact that the decision required is a reinstatement of previous delegations, temporarily revoked as part of the Council's response to COVID-19, and additional meetings required to continue the business of the Council.
- 1.5 At its meeting on 24 March 2020, the Council resolved that at 11.59pm on 24 March 2020 delegations to the Council's committees and subcommittees, except the Audit and Risk Management Committee would be revoked in response to the COVID-19 pandemic. Urgent matters usually considered by Committees could be brought to one of a number of Council meetings scheduled over the COVID-19 response period.
- 1.6 Although the ARMC delegations were not revoked under the emergency COVID-19 provisions, the membership was amended by delegating decision-making within the Terms of Reference to the Chairperson, Deputy Chairperson, the Deputy Mayor and Michael Rondel (one of the external members on the Committee). It is now appropriate that the emergency provisions be revoked and the full (revised) ARMC membership be reinstated.

## 2. Officer Recommendations / Ngā Tūtohu

That the Council:

1. As of 11.59pm, Thursday 25 June 2020 reinstates all delegations to the Finance and Performance Committee that were revoked by Council at 11.59pm on 24 March 2020 (delegations as shown in Attachment A) and schedules upcoming Finance and Performance Committee meetings as follows:
  - a. Thursday 2 July 2020 commencing at 9.30am; and
  - b. Wednesday 12 August commencing at 9.30am.
2. Revokes the Council's decision of 24 March 2020 which amended the Terms of Reference for the Audit and Risk Management Committee by delegating decision-making within the Terms of Reference to the Chairperson, Deputy Chairperson, the Deputy Mayor and Michael Rondel (one of the external members on the Committee).
3. Reinstates the Audit and Risk Management Committee Terms of Reference as attached (Attachment A) to reflect that full membership is reinstated including the recently appointed Member, Jacqueline Robertson Cheyne.
4. Approves the cancellation of the two week recess currently scheduled for July 2020 and replace it with two, one week recesses as follows:
  - a. One week recess from 3 August to 9 August 2020; and
  - b. One week recess from 28 September to 4 October 2020.
5. Confirms that an ordinary meeting of the Council be held on the morning of Thursday 23 July 2020 (noting that the Audit and Risk Management Committee has a scheduled meeting in the afternoon).

## 3. Reason for Report Recommendations / Ngā Take mō te Whakatau

### Finance and Performance Committee

- 3.1 There are a number of reports that the Finance and Performance Committee would usually receive as part of its purpose to oversee, monitor and make decisions regarding the financial and non-financial performance of the Council and its subsidiaries and the Council's operational and capital expenditure.
- 3.2 Given the Committee's purpose and the impact the COVID-19 crisis has had on the Council, it is prudent that the Finance and Performance Committee be reinstated as soon as practicable to support the oversight and monitoring of the Council's performance in the areas covered by the Committee's terms of reference.
- 3.3 It is proposed that the Finance and Performance Committee delegations be reinstated from 11.59pm on 25 June 2020 to ensure the Council can continue to make any decisions on matters that fall under the terms of reference of the Committee prior to its physical reinstatement.
- 3.4 A subsequent report will be provided to Council at a later date proposing the reinstatement of other Council committees. It is proposed that the Council consider additional committees commencing in August 2020.



### Audit and Risk Management Committee (ARMC)

- 3.5 At its extraordinary meeting on 24 March 2020, the Council amended the Terms of Reference for the Audit and Risk Management Committee (ARMC) by delegating decision-making within the Terms of Reference to the Chairperson, Deputy Chairperson, the Deputy Mayor and Mr Michael Rondel (the 'emergency ARMC delegations'). The Council simultaneously extended Mr Rondel's membership of the Audit and Risk Management Committee from the date his then current term expired while the interim arrangements were in place. The terms of independent ARMC members, Mr Rondel and Mr Mark Russell, were due to shortly expire at that time, and a selection process for replacement independent members was underway.
- 3.6 The selection process for replacement independent members was able to continue, and in its public excluded session on 14 May 2020, the Council resolved to reappoint Mr Rondel for two years, overtaking the interim extension of his membership, and appointed Ms Robertson Cheyne as a new independent member for three years. These selections took effect from 1 June 2020.
- 3.7 The emergency ARMC delegations are no longer required and it is appropriate that the Council now revokes the amendment they made to the Terms of Reference for the ARMC, and restores delegated decision-making within the Terms of Reference to the full membership, which as of 1 June 2020 has been Independent Chair, Ms Kim Wallace, Deputy Chair Councillor Sam MacDonald, Mayor Dalziel, Deputy Mayor Turner, Councillor Pauline Cotter, Mr Rondel and Ms Robertson Cheyne.

### Council's Meeting Schedule

- 3.8 The Council currently has two weeks of recess scheduled for July (13 July to 24 July 2020). Due to the revised Annual Plan timeframes as a result of the COVID-19 situation, it is recommended that the Council cancels the scheduled July recess and replace it with two, one week recess periods. It is recommended that the first of these recess periods be in the week commencing 3 August 2020, at the conclusion of the adoption of the Annual Plan.
- 3.9 It is proposed that the second recess week be in the week commencing 28 September 2020. This falls within the school holidays.

## 4. Alternative Options Considered / Ētahi atu Kōwhiringa

- 4.1 Consideration was given to reinstating the whole committee structure earlier than the proposed August timeframe. However, given the extensive time commitment of the revised Annual Plan, this was deemed not practical. Governance officers, many senior staff and elected members will be heavily involved in the revised Annual Plan process and will not have capacity to undertake the workload associated with the committee structure concurrently with the Annual Plan. Consideration was also given to the time commitment for the Council to undertake both the Annual Plan consideration and committees concurrently.

## 5. Policy Framework Implications / Ngā Hīraunga ā- Kaupapa here

### Strategic Alignment /Te Rautaki Tīaroaro

- 5.1 This report supports the Council's Strategic Priority of "*enabling active and connected communities to own their future*".
- 5.2 This report supports the [Council's Long Term Plan \(2018 - 2028\)](#):
- 5.2.1 Activity: Governance & Decision Making
- Level of Service: 4.1.22 Provide services that ensure all Council and Community Board Meetings are held with full statutory compliance - 100% compliance

### **Policy Consistency / Te Whai Kaupapa here**

5.3 The decision is consistent with Council's Plans and Policies.

### **Impact on Mana Whenua / Ngā Whai Take Mana Whenua**

5.4 The decision does not involve a significant decision in relation to ancestral land or a body of water or other elements of intrinsic value, therefore this decision does not specifically impact Mana Whenua, their culture and traditions.

### **Climate Change Impact Considerations / Ngā Whai Whakaaro mā te Āhuarangi**

5.5 There are no specific climate change considerations associated with these decisions as they relate to the scheduling of meetings and delegated authority.

### **Accessibility Considerations / Ngā Whai Whakaaro mā te Hunga Hauā**

5.6 There are no specific accessibility considerations associated with these decisions as they relate to the scheduling of meetings and delegated authority..

## **6. Resource Implications / Ngā Hīraunga Rauemi**

### **Capex/Opex / Ngā Utu Whakahaere**

6.1 Cost to Implement – Costs include the provision of physical and information technology infrastructure, staff support and elected member remuneration. All costs are covered under existing budgets.

6.2 Maintenance/Ongoing costs – See above.

6.3 Funding Source – Existing approved budgets derived from levels of service.

### **Other / He mea anō**

6.4 The principle resource implication is the capacity of the relevant Council officers, and Elected Members to deliver the Annual Plan within the timeframe required. In order to achieve this, meeting time needs to be prioritised for the Annual Plan.

## **7. Legal Implications / Ngā Hīraunga ā-Ture**

### **Statutory power to undertake proposals in the report / Te Manatū Whakahaere Kaupapa**

7.1 Clause 32 of Schedule 7 of the Local Government Act 2002 provides for the delegation of decision making (with exception) to committees and other subordinate decision-making bodies. The proposals in this report are consistent with the Act, and are merely reinstating some of the previously delegated authority given to the Finance and Performance, and Audit and Risk Committees.

### **Other Legal Implications / Ētahi atu Hīraunga-ā-Ture**

7.1 There is no legal context, issue or implication relevant to this decision.

7.2 This report has not been reviewed and approved by the Legal Services Unit.

## **8. Risk Management Implications / Ngā Hīraunga Tūraru**

8.1 The COVID-19 precautions already in place in regards to holding public meetings will be extended to any new scheduled Council or committee meetings. Meeting procedures are assessed and amended as Alert Levels are amended. Current measures include, (but not limited to) contact tracing, limited physical attendance in meeting rooms, and not serving refreshments.

8.2 Attendance via audio or audio visual link is provided as an alternative to physical attendance.

## Attachments / Ngā Tāpirihanga

No.	Title	Page
A <a href="#">↓</a>	Terms of Reference	150

In addition to the attached documents, the following background information is available:

Document Name	Location / File Link
Not applicable	Not applicable

## Confirmation of Statutory Compliance / Te Whakatūtutanga ā-Ture

Compliance with Statutory Decision-making Requirements (ss 76 - 81 Local Government Act 2002).

(a) This report contains:

- (i) sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages; and
- (ii) adequate consideration of the views and preferences of affected and interested persons bearing in mind any proposed or previous community engagement.

(b) The information reflects the level of significance of the matters covered by the report, as determined in accordance with the Council's significance and engagement policy.

## Signatories / Ngā Kaiwaitohu

<b>Authors</b>	Samantha Kelly - Team Leader Hearings & Committee Support Megan Pearce - Manager Hearings and Council Support
<b>Approved By</b>	John Filsell - Head of Community Support, Governance and Partnerships Mary Richardson - General Manager Citizens & Community

**FINANCE AND PERFORMANCE COMMITTEE OF THE WHOLE - TERMS OF REFERENCE / NGĀ  
ĀRAHINA MAHINGA**

Chair	Deputy Mayor Turner
Deputy Chair	Councillor MacDonald
Membership	The Mayor and all Councillors
Quorum	Half of the members if the number of members (including vacancies) is even, or a majority of members if the number of members (including vacancies) is odd
Meeting Cycle	Monthly
Reports To	Council

***Delegations***

The Council delegates to the Finance and Performance Committee authority to oversee and make decisions on:

Capital Programme and operational expenditure

- Monitoring the delivery of the Council's Capital Programme and associated operational expenditure, including inquiring into any material discrepancies from planned expenditure.
- As may be necessary from time to time, approving amendments to the Capital Programme outside the Long-Term Plan or Annual Plan processes.
- Approving Capital Programme business and investment cases, and any associated operational expenditure, as agreed in the Council's Long-Term Plan.

Approving any capital or other carry forward requests and the use of operating surpluses as the case may be.

Approving the procurement plans (where applicable), preferred supplier, and contracts for all capital expenditure where the value of the contract exceeds \$15 Million (noting that the Committee may sub delegate authority for approval of the preferred supplier and /or contract to the Chief Executive provided the procurement plan strategy is followed).

Approving the procurement plans (where applicable), preferred supplier, and contracts, for all operational expenditure where the value of the contract exceeds \$10 Million (noting that the Committee may sub delegate authority for approval of the preferred supplier and/or contract to the Chief Executive provided the procurement plan strategy is followed).

Non-financial performance

- Reviewing the delivery of services under s17A.
- Amending levels of service targets, unless the decision is precluded under section 97 of the Local Government Act 2002.
- Exercising all of the Council's powers under section 17A of the Local Government Act 2002, relating to service delivery reviews and decisions not to undertake a review.

#### Council Controlled Organisations

- Monitoring the financial and non-financial performance of the Council and Council Controlled Organisations.
- Making governance decisions related to Council Controlled Organisations under sections 65 to 72 of the Local Government Act 2002.
- Exercising the Council's powers directly as the shareholder, or through CCHL, or in respect of an entity (within the meaning of section 6(1) of the Local Government Act 2002) in relation to –
  - (without limitation) the modification of constitutions and/or trust deeds, and other governance arrangements, granting shareholder approval of major transactions, appointing directors or trustees, and approving policies related to Council Controlled Organisations; and
  - in relation to the approval of Statements of Intent and their modification (if any).

#### Development Contributions

- Exercising all of the Council's powers in relation to development contributions, other than those delegated to the Chief Executive and Council officers as set out in the Council's Delegations Register.

#### Property

- Purchasing or disposing of property where required for the delivery of the Capital Programme, in accordance with the Council's Long-Term Plan, and where those acquisitions or disposals have not been delegated to another decision-making body of the Council or staff.

#### Loans and debt write-offs

- Approving debt write-offs where those debt write-offs are not delegated to staff.
- Approving amendments to loans, in accordance with the Council's Long-Term Plan.

#### Insurance

- All insurance matters, including considering legal advice from the Council's legal and other advisers, approving further actions relating to the issues, and authorising the taking of formal actions (Sub-delegated to the Insurance Subcommittee as per the Subcommittees Terms of Reference)

#### Annual Plan and Long Term Plan

- Provides oversight and monitors development of the Long Term Plan (LTP) and Annual Plan.
- Approves the appointment of the Chairperson and Deputy Chairperson of the External Advisory Group for the LTP 2021-31.

#### Submissions

- The Council delegates to the Committee authority:  
To consider and approve draft submissions on behalf of the Council on topics within its terms of reference. Where the timing of a consultation does not allow for consideration of a draft submission by the Council or relevant Committee, that the draft submission can be considered and approved on behalf of the Council.

#### **Limitations**

- The general delegations to this Committee exclude any specific decision-making powers that are delegated to a Community Board, another Committee of Council or Joint Committee. Delegations to staff are set out in the delegations register.
- The Council retains the authority to adopt policies, strategies and bylaws.

***Chairperson may refer urgent matters to the Council***

As may be necessary from time to time, the Committee Chairperson is authorised to refer urgent matters to the Council for decision, where this Committee would ordinarily have considered the matter. In order to exercise this authority:

- The Committee Advisor must inform the Chairperson in writing the reasons why the referral is necessary
- The Chairperson must then respond to the Committee Advisor in writing with their decision.

If the Chairperson agrees to refer the report to the Council, the Council may then assume decision-making authority for that specific report.

**AUDIT AND RISK MANAGEMENT - TERMS OF REFERENCE / NGĀ ĀRAHINA MAHING**

Chair	Kim Wallace (Independent)
Deputy Chair	Councillor MacDonald
Membership	The Mayor Deputy Mayor Turner Councillor Cotter  External Members Mr Michael Rondel Ms Jacqueline Robertson Cheyne
Quorum	Half of the members if the number of members (including vacancies) is even, or a majority of members if the number of members (including vacancies) is odd.
Meeting Cycle	Quarterly and as required
Reports To	Council

***Purpose***

To assist the Council to discharge its responsibility to exercise due care, diligence and skill in relation to the oversight of:

- the robustness of the internal control framework;
- the integrity and appropriateness of external reporting, and accountability arrangements within the organisation for these functions;
- the robustness of risk management systems, process and practices;
- internal and external audit;
- accounting policy and practice;
- compliance with applicable laws, regulations, standards and best practice guidelines for public entities; and
- the establishment and maintenance of controls to safeguard the Council's financial and non-financial assets.

The foundations on which this Committee operates, and as reflected in this Terms of Reference, includes: independence; clarity of purpose; competence; open and effective relationships and no surprises approach.

***Procedure***

- In order to give effect to its advice the Committee should make recommendations to the Council and to Management.
- The Committee should meet the internal and the external auditors without Management present as a standing agenda item at each meeting where external reporting is approved, and at other meetings if requested by any of the parties.
- The external auditors, the internal audit manager and the co-sourced internal audit firm should meet outside of formal meetings as appropriate with the Committee Chair.
- The Committee Chair will meet with relevant members of Management before each Committee meeting and at other times as required.



## ***Responsibilities***

### Internal Control Framework

- Consider the adequacy and effectiveness of internal controls and the internal control framework including overseeing privacy and cyber security.
- Enquire as to the steps management has taken to embed a culture that is committed to probity and ethical behaviour.
- Review the processes or systems in place to capture and effectively investigate fraud or material litigation should it be required.
- Seek confirmation annually and as necessary from internal and external auditors, attending Councillors, and management, regarding the completeness, quality and appropriateness of financial and operational information that is provided to the Council.

### Risk Management

- Review and consider Management's risk management framework in line with Council's risk appetite, which includes policies and procedures to effectively identify, treat and monitor significant risks, and regular reporting to the Council.
- Assist the Council to determine its appetite for risk.
- Review the principal risks that are determined by Council and Management, and consider whether appropriate action is being taken by management to treat Council's significant risks. Assess the effectiveness of, and monitor compliance with, the risk management framework.
- Consider emerging significant risks and report these to Council where appropriate.

### Internal Audit

- Review and approve the annual internal audit plan, such plan to be based on the Council's risk framework. Monitor performance against the plan at each regular quarterly meeting.
- Monitor all internal audit reports and the adequacy of management's response to internal audit recommendations.
- Review six monthly fraud reporting and confirm fraud issues are disclosed to the external auditor.
- Provide a functional reporting line for internal audit and ensure objectivity of internal audit.
- Oversee and monitor the performance and independence of internal auditors, both internal and co-sourced. Review the range of services provided by the co-sourced partner and make recommendations to Council regarding the conduct of the internal audit function.
- Monitor compliance with the delegations policy.

### External Reporting and Accountability

- Consider the appropriateness of the Council's existing accounting policies and practices and approve any changes as appropriate.
- Contribute to improve the quality, credibility and objectivity of the accounting processes, including financial reporting.
- Consider and review the draft annual financial statements and any other financial reports that are to be publicly released, make recommendations to Management.
- Consider the underlying quality of the external financial reporting, changes in accounting policy and practice, any significant accounting estimates and judgements, accounting implications of new and significant transactions, management practices and any significant disagreements between Management and the external auditors, the propriety of any related party transactions and compliance with applicable New Zealand and international accounting standards and legislative requirements.



- Consider whether the external reporting is consistent with Committee members' information and knowledge and whether it is adequate for stakeholder needs.
- Recommend to Council the adoption of the Financial Statements and Reports and the Statement of Service Performance and the signing of the Letter of Representation to the Auditors by the Mayor and the Chief Executive.
- Enquire of external auditors for any information that affects the quality and clarity of the Council's financial statements, and assess whether appropriate action has been taken by management.
- Request visibility of appropriate management signoff on the financial reporting and on the adequacy of the systems of internal control; including certification from the Chief Executive, the Chief Financial Officer and the General Manager Corporate Services that risk management and internal control systems are operating effectively;
- Consider and review the Long Term and Annual Plans before adoption by the Council. Apply similar levels of enquiry, consideration, review and management sign off as are required above for external financial reporting.
- Review and consider the Summary Financial Statements for consistency with the Annual Report.

#### External Audit

- Annually review the independence and confirm the terms of the audit engagement with the external auditor appointed by the Office of the Auditor General. Including the adequacy of the nature and scope of the audit, and the timetable and fees.
- Review all external audit reporting, discuss with the auditors and review action to be taken by management on significant issues and recommendations and report to Council as appropriate.
- The external audit reporting should describe: Council's internal control procedures relating to external financial reporting, findings from the most recent external audit and any steps taken to deal with such findings, all relationships between the Council and the external auditor, Critical accounting policies used by Council, alternative treatments of financial information within Generally Accepted Accounting Practice that have been discussed with Management, the ramifications of these treatments and the treatment preferred by the external auditor.
- Ensure that the lead audit engagement and concurring audit directors are rotated in accordance with best practice and NZ Auditing Standards.

#### Compliance with Legislation, Standards and Best Practice Guidelines

- Review the effectiveness of the system for monitoring the Council's compliance with laws (including governance legislation, regulations and associated government policies), with Council's own standards, and Best Practice Guidelines.

#### Appointment of Independent Members

- Identify skills required for Independent Members of the Audit and Risk Management Committee. Appointment panels will include the Mayor or Deputy Mayor, Chair of Finance & Performance Committee and Chair of Audit & Risk Management Committee. Council approval is required for all Independent Member appointments.
- The term of the Independent members should be for three years. (It is recommended that the term for independent members begins on 1 April following the Triennial elections and ends 31 March three years later. Note the term being from April to March provides continuity for the committee over the initial months of a new Council.)

- Independent members are eligible for re-appointment to a maximum of two terms. By exception the Council may approve a third term to ensure continuity of knowledge.

***Long Term Plan Activities***

Consider and review the Long Term and Annual Plans before adoption by the Council. Apply similar levels of enquiry, consideration, review and management sign off as are required above for external financial reporting.

## 16. Aligning the Membership of the Christchurch Momentum Committee and the Central City Momentum Working Group

Reference / Te Tohutoro: 20/249505

Report of / Te Pou  
Matua: David Corlett, Committee and Hearings Advisor,  
David.Corlett@ccc.govt.nz

General Manager /  
Pouwhakarae: Brendan Anstiss, General Manager Strategy and Transformation,  
brendan.anstiss@ccc.govt.nz

### 1. Executive Summary / Te Whakarāpopoto Matua

- 1.1 The purpose of this report is to seek Council approval to align the membership of the Christchurch Momentum Committee (the Committee) and the Central City Momentum Working Group (the Working Group). This report has been written in response to a verbal request at a recent briefing by members of the Committee for alignment in membership to facilitate a more streamlined and joined up process.
- 1.2 The decision in this report is of low significance in relation to the Christchurch City Council's Significance and Engagement Policy. The level of significance was determined by considering the impact of adding additional elected members to both the Committee and the Working Group.
- 1.3 Proposed terms of reference to reflect the change in membership of both the Committee and Working Group are set out in Attachment A. Meetings of both the Committee and Working Group will be bi-monthly, or as required.

### 2. Officer Recommendations / Ngā Tūtohu

That the Council:

1. Agree to align the membership of the Christchurch Momentum Committee and the Central City Momentum Working Group.
2. Agree that Central City Momentum Working Group members Councillors Sam MacDonald and Jake McLellan be appointed as additional members of the Christchurch Momentum Committee.
3. Agree that Christchurch Momentum Committee members Councillors Jimmy Chen, Catherine Chu, James Daniels, Phil Mauger and Sara Templeton be appointed as additional members of the Central City Momentum Working Group.

### 3. Reason for Report Recommendations / Ngā Take mō te Whakatau

- 3.1 This report has been prepared following a verbal request from members of the Christchurch Momentum Committee. The recommendations respond to the request that the membership of the Committee and the Working Group be the same.
- 3.2 Meetings of both the Committee and the Working Group are to be held bi-monthly, or as required.

## Attachments / Ngā Tāpirihanga

No.	Title	Page
A <a href="#">↓</a>	Amended Terms of Reference for the Christchurch Momentum Committee and Central City Momentum Working Group	159

In addition to the attached documents, the following background information is available:

Document Name	Location / File Link
Not applicable	Not applicable

## Confirmation of Statutory Compliance / Te Whakatūtutanga ā-Ture

Compliance with Statutory Decision-making Requirements (ss 76 - 81 Local Government Act 2002).

(a) This report contains:

- (i) sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages; and
- (ii) adequate consideration of the views and preferences of affected and interested persons bearing in mind any proposed or previous community engagement.

(b) The information reflects the level of significance of the matters covered by the report, as determined in accordance with the Council's significance and engagement policy.

## Signatories / Ngā Kaiwaitohu

<b>Author</b>	David Corlett - Committee and Hearings Advisor
<b>Approved By</b>	Megan Pearce - Manager Hearings and Council Support Brendan Anstiss - General Manager Strategy and Transformation Dawn Baxendale - Chief Executive

**CHRISTCHURCH MOMENTUM COMMITTEE - TERMS OF REFERENCE / NGĀ  
ĀRAHINA MAHINGA**

<b>Co-Chairs</b>	The Mayor and Councillor Gough (with only one chairing at any time)
<b>Membership</b>	Deputy Mayor Turner Councillor Jimmy Chen Councillor Catherine Chu Councillor James Daniels Councillor Phil Mauger Councillor Sara Templeton Councillor Jake McLellan Councillor Sam MacDonald
<b>Quorum</b>	Half of the members if the number of members (including vacancies) is even, or a majority of members if the number of members (including vacancies) is odd.
<b>Meeting Cycle</b>	Bi-monthly or as required
<b>Reports To</b>	Council

***Areas of Focus***

The Christchurch Momentum Committee will work to ensure Christchurch thrives and prospers as a modern, sustainable 21<sup>st</sup> century city.

It will oversee the implementation of a number of strategies including:

- Central City Action Plan
- International Relations
- Visitor Strategy
- Antarctic Strategy

Working with ChristchurchNZ on matters relating to the Committee's Terms of Reference (noting the Council's powers and responsibilities as a shareholder of ChristchurchNZ are still exercised by the Finance and Performance Committee).

It will work to strengthen relationships with central Government, Environment Canterbury, neighbouring territorial authorities and iwi to ensure the best outcomes for Christchurch and to ensure the city continues to move forward.

- It will encourage opportunities for growth and new research and development ventures.

### Central City Momentum Working Group – Terms of Reference

Chair	Councillor Gough
Membership	Councillor McLellan (Deputy Chair) Mayor Dalziel Deputy Mayor Turner Councillor MacDonald Councillor Jimmy Chen Councillor Catherine Chu Councillor James Daniels Councillor Phil Mauger Councillor Sara Templeton
Quorum	Three
Meeting Cycle	Bi-monthly or as required
Reports To	City Momentum Committee
Focus	Task based

#### Purpose:

The Central City Momentum Working Group will work with staff and any invited guests to support the refresh and delivery of the cross-agency Central City Action Plan, in particular any mechanisms and processes to implement the Council's identified actions.

This includes advice, feedback, driving and championing the development and implementation of programmes and projects under the three core themes:

- Amenity and activation, including
  - Vacant Sites Programme
  - Activation, lighting and enlivening of public or public-facing spaces
  - Barrier Sites Programme
- People, including
  - Central City Residential Programme ('Project 8011')
  - Coordinated marketing and promotion of the central city
- Growth, including
  - ChristchurchNZ initiatives supporting strategies to encourage investment, economic development and visitor attraction. This will be an advisory role only.

And any other matter referred to the Working Group by the Committee.

#### Involvement of External Parties

External parties may be co-opted for a period or a specific task, based on relevant experience or sector knowledge.

#### Status:

The Central City Momentum Working Group does not have the status of a Committee, and the Council's Standing Orders accordingly do not apply to its meetings.

## 17. Development Contributions - Central City Rebate Schemes

Reference / Te Tohutoro: 20/673172

Report of / Te Pou  
Matua: Gavin Thomas, Principal Advisor Economic Policy  
gavin.thomas@ccc.govt.nz

General Manager /  
Pouwhakarae: Brendan Anstiss, GM Strategy and Transformation  
brendan.anstiss@ccc.govt.nz

### 1. Executive Summary / Te Whakarāpopoto Matua

- 1.1 The purpose of this report is to have elected members decide whether a revised central city development contributions rebate schemes should continue past the current expiry date of 30 June 2020; and, if so, on what basis.
- 1.2 The report includes analysis of the rebate schemes in the context of Covid-19 and within the context of the Council's signalled strategic and tactical economic recovery directions.
- 1.3 The decisions in this report have been assessed as being of low to medium significance in relation to the Council's Significance and Engagement Policy. The level of significance was determined by considering the potential impact on a relatively small number of central city property developers being between low and high (but with no means of quantifying by developer or development), the financial cost to the Council being of low significance, and a medium level of general public interest.

#### Development contributions rebate policy

- 1.4 The Local Government Act 2002 (LGA) enables territorial local authorities to require developers to pay development contributions to help fund infrastructure provided to service growth development. Development contribution requirements must be framed within the provisions of the Act and the Council's Development Contributions Policy (DCP). This requires a consistent and transparent approach to be taken when assessing and collecting development contributions, with little scope for adapting to meet the Council's broader strategic objectives.
- 1.5 The Council's Development Contributions Rebate Policy, which is a separate policy from the DCP, was established to enable the Council to promote strategic objectives by providing financial incentives (rebates) for strategically desirable development that provides community-wide benefit.

#### Central city development contribution rebate schemes

- 1.6 The central city development contributions rebate schemes, sitting under the Rebate Policy, were established to encourage post-earthquake redevelopment in the central city. The central city was targeted for promotion of development due to the importance of a thriving central city to a successful modern city and the degree of damage to buildings in the central city.
- 1.7 The residential scheme was established in 2014 and, as currently authorised, rebates all development contributions for residential development within the 4 Avenues. The scheme limits the development contribution revenue to be foregone to \$20 million. As at April 2020 the value of rebates confirmed was \$12.9 million with over 1,000 residential units being developed with the support of the scheme. The financial position of the scheme is detailed in Table 1.
- 1.8 The non-residential rebate scheme was established in 2015 and rebates all development contributions for non-residential (commercial) development in the commercial central city business zone of the Christchurch District Plan. The scheme has a \$5 million limit. As at April

2020 the value of rebates confirmed was \$2.7 million. The current financial position is detailed in Table 2.

- 1.9 Revenue from development contributions is used to repay debt funding used to provide growth infrastructure. The rebates are revenue foregone rather than a direct cost to Council. The rebates are therefore funded from borrowing in the first instance which is then repaid from rates over a 30 year period. This method of funding is appropriate under the Council's Revenue and Financing Policy as it recognises the community-wide benefit from having a vibrant and successful central city.
- 1.10 There are also significant long term rates revenue benefits for the Council (and other existing ratepayers) from increases to the capital value resulting from new developments in the central city. Our analysis has shown that these benefits outweigh the cost of the schemes within a relatively short period.

### **Responding to COVID-19**

- 1.11 It is expected the post-COVID-19 recession will result in negative impacts on house prices and commercial rents, and subsequently on confidence in the residential and commercial property sectors. Development is expected to decline in the short term.
- 1.12 The central city remains a preferred location for new residential development from a Council strategic and efficiency point of view. It is possible that the combination of low interest rates, easier access to mortgage loans and continuation of the residential rebate scheme could combine to make the central city a more attractive development proposition vis-à-vis other parts of the city.
- 1.13 The central city commercial property sector has different challenges ahead. Historically, the central city has struggled to re-attract businesses (to the same level as existing pre-earthquakes) due to high rents and the long period of displacement, although this was improving prior to Covid 19. Property owners have provided discounted rents and other significant incentives to attract quality tenants.
- 1.14 A recession and limitations on retail and hospitality activity will put further downward pressure on demand for central city commercial space and will have similar effects throughout the city. New commercial development in the central city may, therefore, exacerbate the existing lack of demand for space in the short to medium term – therefore, with limited need for supply incentives.

### **Opportunity to consider options regarding the future of the rebate schemes**

- 1.15 The Council has the opportunity to consider options other than simply having the schemes expire on 30 June 2020. In summary, analysis in this report has found:
  - Both schemes are well-aligned to the Council's central city strategic outcomes to increase the residential population and encourage urban regeneration.
  - Both rebate schemes are considered to have contributed to achieving the outcomes sought with the residential scheme in particular seen as having ongoing value.
  - The non-residential scheme may have served its purpose and wasn't seen by developers staff interviewed as an important factor in development decisions going forward.
  - The residential rebate scheme was strongly supported by developers staff interviewed and is seen as a significant enabler in the provision of affordable central city housing – consistent with Council strategic objectives for central city residential living.
  - Post-COVID-19, the residential rebate scheme could further promote the central city as a comparatively more attractive development location vis-à-vis other city locations.



- 1.16 The Council has also instructed staff to look at options for precluding properties used for short term guest accommodation from receiving or retaining a rebate. Staff recommend that the rebate scheme criteria be amended to require developers to register a restrictive covenant in favour of the Council on the title of the development site that precludes use of the property for short term guest accommodation or for any other business or commercial purpose. The covenant would include a liquidated damages provision to enable the Council to recover the value of the rebate from the owner of the property, in the event of default with the terms of the covenant. The developer would be responsible for the costs of registering the covenant.

#### **Preferred Option**

- 1.17 Extend the residential rebate scheme by removing the expiry date, and undertake another detailed review of the scheme during the period of the next Long Term Plan (2021-24) – while retaining the existing funding limit;
- 1.18 Have the residential scheme criteria include a requirement for a restrictive covenant to be registered on the title of the development site before being eligible for a rebate. The covenant would preclude the use of a property for guest accommodation or other commercial or business purposes;
- 1.19 Close the non-residential rebate scheme on 30 June 2020 or when the funding limit is reached, whichever is reached first.

## **2. Officer Recommendations / Ngā Tūtohu**

That the Council:

1. Adopts the revised Central City Residential Development Contributions Rebate Scheme Criteria 2020 (Attachment A) to take effect from 1 July 2020, noting that the revised criteria removes the expiry date of the scheme, meaning the scheme will continue until either the funding limit is reached or the Council decides to close the scheme, whichever is earliest;
2. Delegates to the Head of Legal Services to approve the content of a template covenant that will be registered against the title of properties before receiving a development contributions rebate under this scheme, to preclude the use of a residential development for short term guest accommodation or other commercial or business purposes.;
3. Agrees that the central city non-residential development contributions rebate scheme will close according to its current criteria - when the expiry date of 30 June 2020 is reached or the funding limit is reached, whichever occurs first.

## **3. Reason for Report Recommendations / Ngā Take mō te Whakatauranga**

#### **Advantages**

- 3.1 Responds to feedback from developers that the residential rebate scheme has enabled some development to proceed that wouldn't have without the rebate.
- 3.2 Provides the opportunity to more fully explore options to:
- refine the residential rebate scheme criteria to deliver better outcomes (such as urban design, limitations based on usage, environmental efficiency and responding to impacts of COVID-19)
  - leverage the residential rebate scheme with Christchurch 8011 initiatives
- 3.3 Demonstrates commitment to Council priorities regarding central city residential regeneration.

- 3.4 Responds to feedback from developers that the non-residential rebate scheme has achieved its purpose and that there is little benefit in it continuing.
- 3.5 Enables the Council to ensure the residential rebate scheme is targeting residential use only, which is considered important for promoting the central city as an attractive residential location.

#### **Disadvantages**

- 3.6 Further (as yet undetermined) financial commitment may be required if Council considers and decides this in the future.
- 3.7 Monitoring and enforcing the terms of restrictive covenants being placed on properties receiving a rebate will require resourcing.
- 3.8 Some developers may consider the new covenant condition for the scheme puts their development at a disadvantage to earlier developments which received a rebate without this condition.

## **4. Alternative Options Considered / Ētahi atu Kōwhiringa**

### **Option One: Status quo – both central city rebate schemes expire 30 June 2020**

#### **Advantages**

- 4.1 The financial commitment will be less than originally provided for.
- 4.2 Follows the original intent of the schemes – to be available for a fixed period of time to encourage faster development.

#### **Disadvantages**

- 4.3 Evidence suggests the residential rebate scheme has enabled some development to proceed that may not have without the rebate – closing both schemes would mean this would no longer occur.
- 4.4 Closing both schemes would leave the Council with no supply side incentives for residential development in the central city.
- 4.5 Council withdrawing support for residential development in the central city may be perceived as being at odds with its stated priorities in this area.
- 4.6 Doesn't promote intensified efficient residential development in the central city.

### **Option Two: Extend both rebate schemes and increase funding limits (say five years plus further funding)**

#### **Advantages**

- 4.7 Evidence suggests the residential rebate scheme has enabled some development to proceed that may not have without the rebate – this enables the scheme to continue.
- 4.8 May promote development during the forecast post-COVID-19 recession.
- 4.9 Possible future opportunities to leverage Christchurch 8011 initiatives.
- 4.10 Shows commitment to the Council's priorities of central city regeneration.
- 4.11 Gives developers a further period of certainty regarding development contributions.
- 4.12 Defers the impacts of development contributions previous use credits expiring.

#### **Disadvantages**

- 4.13 Further (as yet undetermined) Council financial commitment may be required.

- 4.14 Feedback from developers suggests the non-residential rebate scheme has achieved its purpose (with little or no benefit in continuing).
- 4.15 Non-residential development in the central city in the short to medium term is likely to exacerbate pre-existing oversupply of and low demand for central city commercial space.

#### Other options considered and discounted

- 4.16 Have the covenant preclude use of a property for long term residential rental as well as short term guest accommodation. Long term residential rental options are considered an integral part of the central city residential.
- 4.17 Have a cap on the value of rebates able to be claimed by a single developer. The aim of the proposed changes to the scheme are to discourage a certain type of development (that used for short term guest accommodation) rather than to discourage development per se. Enforcement of a provision of this type would be problematic as developers can operate using multiple company structures.
- 4.18 Change the scheme to be a rates rebate. A rates rebate would need to be funded from operational expenditure in the year the rebate is given rather than being loan funded over 30 years as the development contributions rebate is. Changing to a rates rebate would therefore significantly increase the cost providing development incentives.

## 5. Detail / Te Whakamahuki

### Central city residential strategic issues and objectives

- 5.1 Increasing the population of the central city has been a Council priority since 2007 when it adopted the Greater Christchurch Urban Development Strategy. Following the Canterbury earthquakes of 2010/11 the population of the central city fell from 8290 (estimated resident population) a low of 5050 in 2014.
- 5.2 In 2018 the Council approved the Christchurch Central City Residential Programme (Project 8011) as a key action of the Council's strategic priority: *Maximising opportunities to develop a vibrant, prosperous and sustainable 21st Century City*. The aspiration is to increase the residential population of the central city from 6,000 in 2018 to 20,000 people in 2028.
- 5.3 The central city development contributions rebate scheme is a key intervention to achieve three of the six Project 8011 goals:
  - **Encourage delivery.** The risks of development are reduced, feasibility is improved.
  - **Support delivery.** Effective support and advice is provided to and used by Central City housing developers.
  - **Accelerate delivery.** Delivery of Central City housing is accelerated and sustained.
- 5.4 Interviews with developers found unanimous support for the continuation of the residential rebate scheme. This is consistent with research undertaken for the Council by Development Christchurch Ltd. (DCL). The DCL report into central city residential development found:

*"The Development Contribution rebate scheme scored well. The issue seems to be a pain point for developers. There are two ways to consider it. A standard central city development contribution of \$22K as against an affordable end product of \$450K to \$550K does not seem to be significant. However, in the context of a profit and risk margin for the developer of 20% being \$90-\$110K, not having to pay development contributions has a large effect on the profitability of*

*the project. The development contribution rebate scheme seems to be effective and it is recommended it is resourced and continued beyond its current timeframe”.*<sup>2</sup>

- 5.5 Any as-of-right incentive that can demonstrate an increase in the developer’s margin on a project may help a developer to secure development finance. Access to finance is often one of the major hurdles to overcome in commencing a housing development project.
- 5.6 Economic forecasts are for the COVID-19 pandemic and recession to result in a 5 – 10 per cent fall in house prices. This will make it difficult for new development to compete with existing housing at reduced prices. However, mortgage interest rates are at historic lows and the Reserve Bank has removed loan to value ratio limits on bank lending which is expected to attract first home buyers and investors into the housing market. There may also be central city land owners who need to cash in holdings over the short to medium term.
- 5.7 This all points to the possibility that central city residential development may become more attractive vis-à-vis other parts of the city. This indicates that continuation of the residential rebates would help to further incentivise central city development.

**Reasons for excluding properties used for short term guest accommodation or any other business or commercial use from receiving or retaining a rebate**

- 5.8 Precluding developments used for guest accommodation or any other business or commercial purpose from receiving or retaining development contributions rebates is sought for the following reasons:
  - The residential rebate scheme is targeted at boosting residential development and population in the central city and not at promoting business or commercial use of residential development.
  - The Council’s resource consent and urban design teams believe some central city developments have been designed and built in a way that makes them suitable only for guest accommodation and not for long term residential living. While this activity (short term guest accommodation) is permitted in the central city, the availability of development contributions rebates for such purposes is not required.
  - Residential properties which receive a rebate and are then used for short term guest accommodation are unfairly competing with purpose-built accommodation developments. In post-COVID-19 this is particularly detrimental to the recovery of the city’s accommodation sector.

**Central city non-residential strategic issues and objectives**

- 5.9 The central city non-residential development contributions rebate scheme is less directly connected to wider Council strategic and tactical responses to commercial development in the central city. The Council’s focus in the central business district has been on infrastructure repair and provision, streetscape and activation. It has also been an active partner in promotion of the central city and its opportunities.
- 5.10 Interviews with commercial developers (undertaken pre-COVID-19) indicated the non-residential rebate scheme may have served its purpose. Developers said the rebates had limited effect on their development decision-making and that demand for commercial space was driving investment decisions.
- 5.11 The central city commercial property sector appears to have different challenges ahead than the residential sector. The central city has struggled to attract businesses due to a variety of

<sup>2</sup> “Christchurch City Council – Barriers to Christchurch Central City Residential Development” Development Christchurch Limited. 2019. Pg 4.

reasons including relatively high operating costs and low footfall. Property owners have provided a range of incentives to attract tenants.

- 5.12 The expected post-COVID-19 recession and limitations on retail and hospitality activity put further downward pressure on central city commercial rents (and will have similar effects on commercial property throughout the city). New commercial development in the central city may, therefore, exacerbate the demand problem in the short to medium term.
- 5.13 The Council may be better to focus its efforts on central city (and wider city) business retention rather than on new commercial property development.

### Detailed current position of the central city development contribution rebate schemes

- 5.14 The following tables detail the current financial position of the rebate schemes.

*Table 1: Current position of the residential rebate scheme as at 11 May 2020 (ex. GST)*

Value of rebates confirmed to date	\$13.05 million
Developments with rebates confirmed	109
Residential units built receiving confirmed rebates	1,175
Average value of confirmed rebate per development	\$119,725
Value of rebates pending confirmation	\$5.6 million
Developments pending confirmation	34
Residential units pending confirmation	532
Unallocated funding	\$1.35 million
<b>Residual unconfirmed plus unallocated funding</b>	<b>\$6.95 million</b>

*Table 2: Current position of the non-residential rebate scheme as at 11 May 2020 (ex. GST)*

Value of rebates confirmed to date	\$2.74 million
Developments with rebates confirmed	29
Average value of confirmed rebate per development	\$94,483
Value of rebates pending confirmation	\$807,259
Developments pending confirmation	8
Unallocated funding	\$1.46 million
<b>Residual unconfirmed plus unallocated funding</b>	<b>\$2.26 million</b>

### Views of developers:

- 5.15 We interviewed six developers on their views about the rebate schemes. A thematic summary of those interviews is Attachment 2 to this report.
- Residential developers believe the residential rebates have had a positive effect on residential development, with developers saying some developments wouldn't have proceeded without the rebates being available.

- Commercial developers indicated the non-residential rebate scheme has served its purpose. Developers said the rebates had limited impact on their development decision-making and that demand for commercial space was now driving investment.
  - All non-residential developers we interviewed strongly supported continuation of the residential rebate scheme.
- 5.16 The Council will be aware there are members of the public who don't agree with, and don't believe developers should be offered this rebate scheme, which does come at some cost to ratepayers. In making a decision on this report, the Council should also consider their views on this issue.
- 5.17 Developers have not been specifically asked about the recent proposal to add a mechanism to the scheme that prevents a residential development being used for short term guest accommodation or other non-residential purposes. It is likely there will be mixed views about the proposed introduction of such a requirement. Some apartment developments may already include similar restrictive provisions. They can be included for the benefit of future property owners and are generally enforceable between those owners. Such restrictions can make a development more attractive to future residential buyers. On the other hand, some developers may believe this new requirement puts them at a disadvantage compared to earlier developments that received a rebate without such a requirement.

#### Financial and rates implications:

- 5.18 A developed property has a significantly higher capital value than an undeveloped lot and pays more in rates. New development increases the overall capital value of the district and spreads the rates requirement more widely. This means that (all other things being equal) new development results in existing ratepayers paying less in rates.
- 5.19 The effect development has had on the rates of properties that have received a development contributions rebate are included in Table 3. This shows the change in rates for indicative actual examples – and the relatively short payback period from the investment.

*Table 3: Differences in rates for properties before and after development showing rebate provided*

Location and type of Development	Rates Before Redevelopment	DC Rebate Provided	Rates After Redevelopment
4 Aves residential	\$ 2,307	\$21,660	\$13,474
4 Aves apartment complex	\$10,630	\$373,978	\$60,117
Central city – mixed use building	\$11,249	\$61,760	\$97,392
Central city - commercial	\$79,535	\$478,864	\$271,804

- 5.20 The examples above show a theoretical payback period of the rebate provided ranging from less than one year to 7.5 years. While this isn't additional revenue for the Council per se, it does spread the cost of rates across an increased total capital value which reduces rates increases for existing ratepayers.

#### Other issues to be considered

##### *Expiry of previous use credits*

- 5.21 The Council's Development Contributions Policy provides for credits that reflect the previous demand a property placed on infrastructure. The credits apply for 10 years. This means redevelopment on a like-for-like basis isn't required to pay development contributions and intensified development on a particular site is only required to pay development contributions for demand on infrastructure over and above the previous use demand.

- 5.22 Credits attached to development lots in the central city will begin to expire in large numbers from September 2020 in line with post-earthquake building demolitions. This will increase the draw on rebate funding if the rebates continue past the current 30 June 2020 expiry date.
- 5.23 The possible draw on rebate funding will also depend on future central city development contributions charges, the overall quantum of intensification development and any limits the Council puts on rebate funding such as new criteria or any limits on rebates available.

## 6. Policy Framework Implications / Ngā Hīraunga ā- Kaupapa here

### Strategic Alignment /Te Rautaki Tīaroaro

#### Alignment with strategic planning and delivery:

- 6.1 **Community outcomes.** The central city development contributions rebate schemes are intended to enable the Council to promote achievement of the following community outcomes:
- Vibrant and thriving city centre – the rebate schemes are designed to promote city centre residential and commercial development
  - Sufficient supply of, and access to, a range of housing - the rebate schemes are designed to promote city centre residential development and the housing options that provides
  - Great place for people, business and investment - the rebate schemes are designed to make the Christchurch city an attractive and interesting place to be and to attract investment relative to other locations
- 6.2 **Strategic priorities.** The central city development contributions rebate schemes are intended to enable the Council to promote achievement of the following strategic priorities:
- Meeting the challenge of climate change through every means available – the schemes promote intensive development offering living and working in the central city using active and public transport, reducing our greenhouse gas emission per person.
  - Accelerating the momentum the city needs – the rebates are intended to promote development in the central city, providing economic momentum for Christchurch.
- 6.3 This report supports the [Council's Long Term Plan \(2018 - 2028\)](#):
- 6.3.1 Activity: Strategic Planning and Policy
- Level of Service: 17.0.1.2 Advice to Council on high priority policy and planning issues that affect the City. Advice is aligned with and delivers on the governance expectations as evidenced through the Council Strategic Framework. - Annual strategy and policy work programme is aligned to Council Strategic Framework, and is submitted to Executive Leadership Team and Council as required

### Policy Consistency / Te Whai Kaupapa

- 6.4 The decision is consistent with Council's Plans and Policies. Encouraging development in the central city promotes achievement of goals in the following Council plans and strategies:
- Christchurch District Plan
  - Central City Action Plan
  - Development Contributions Rebate Policy
  - Central City Recovery Plan
  - Christchurch Transport Strategy

### Impact on Mana Whenua / Ngā Whai Take Mana Whenua

- 6.5 The decision does not involve a significant decision in relation to ancestral land or a body of water or other elements of intrinsic value, therefore this decision does not specifically impact Mana Whenua, their culture and traditions.

### Climate Change Impact Considerations / Ngā Whai Whakaaro mā te Āhuarangi

- 6.6 Intensive residential development in the central city is likely to reduce Christchurch's per capita greenhouse gas emissions as central city residents can live, work and play in the central city and have easy access to active travel and public transport infrastructure.
- 6.7 Intensive commercial development in the central city is likely to reduce Christchurch's per capita greenhouse gas emissions by supporting the efficient provision and use of active and public transport options to access the central city.

## 7. Resource Implications / Ngā Hīraunga Rauemi

### Opex/Opex / Ngā Utu Whakahaere

- 7.1 Cost to implement – There is an upfront cost estimated to be \$1,500 + GST for the drafting of a covenant template. All costs associated with registering covenants on titles to meet rebate eligibility requirements will be paid by developers.
- 7.2 There will be a cost if proactive monitoring and enforcement is to be undertaken. The cost of this will depend on the approach taken. The Council can claim court costs associated with bringing a High Court claim to enforce the breach of a covenant but can't claim costs associated with monitoring and enforcement.
- 7.3 Maintenance/Ongoing costs - The Council's current cost of servicing debt is approximately \$58,000 per year for every \$1 million of debt. Table 4 shows the cost of servicing debt from rebates and the impact on rates.

Table 4: Impact of Foregoing Development Contribution Revenue

Scheme	DC revenue foregone to date	Annual cost to service debt	Impact on rates (rates revenue @ \$500m)
Residential	\$13.05 million	\$756,900	0.15%
Non-residential	\$2.74 million	\$158,920	0.03%
<b>Total</b>	<b>\$15.79 million</b>	<b>\$915,820</b>	<b>0.18%</b>
Total if residential scheme is fully subscribed	\$22.7 million	\$1,316,600	0.26%

- 7.4 Funding Source - rebates are revenue foregone. That revenue would have been used to repay loans used to fund growth assets. The rebates are therefore debt funded and repaid from rates over the funding period of relevant assets (normally 30 years). The rebates are funded by the ratepayers who pay rates for the affected activities, e.g. ratepayers paying for water supply fund the rebates for that activity.



## 8. Legal Implications / Ngā Hīraunga ā-Ture

### Statutory power to undertake proposals in the report / Te Manatū Whakahaere Kaupapa

- 8.1 There are no statutory requirements or limits that affect the Council's ability to operate development contribution rebate schemes.

### Other Legal Implications / Ētahi atu Hīraunga-ā-Ture

- 8.1 Advice has been sought from the Legal Services Unit to identify the most appropriate mechanism to preclude residential properties being used for guest accommodation receiving or retaining a development contributions rebate.
- 8.2 Adding a condition to the rebate scheme that before the rebate is provided the developer must register a covenant in favour of the Council will allow Council to take action to enforce the covenant terms. This would involve formal court proceedings (e.g. injunction) to prevent ongoing use as guest accommodation, but the covenant could also include liquidated damages provisions which would require the owner to reimburse the Council for its loss for the breach, which would appropriately be damages equivalent to the rebate allowed, and enforcement costs. The covenant would be drafted so as to allow Council to recover enforcement costs from the owner. The covenant would be registered against the head title, before subdivision, so would bind all future owners, and would only be removed with Council agreement.
- 8.3 This report has been reviewed and approved by the Legal Services Unit.

## 9. Risk Management Implications / Ngā Hīraunga Tūraru

- 9.1 There is a risk that if both development contributions rebate schemes were to close at 30 June 2020 this could be seen as a withdrawal of commitment to the regeneration of the central city.
- 9.1.1 Caused by:
- Possible impact on confidence of the development community
- 9.1.2 This will result in:
- Some planned developments may not proceed
  - Possible reputational damage to the Council
- 9.2 Risk analysis and assessment
- The risk is considered to be low as the closure date of the schemes has been publically available in the rebate scheme criteria and in letters to developers advising them of their rebate and the conditions of the schemes.

## Attachments / Ngā Tāpirihanga

No.	Title	Page
A <a href="#">↓</a>	Draft Development Contributions Rebate Scheme Criteria - Christchurch Central City Residential 2020	173
B <a href="#">↓</a>	Development Contribution Rebate Review - Developer Interview Summary	175
C <a href="#">↓</a>	Development Contributions Central City Non-residential Rebate - Heatmap	178
D <a href="#">↓</a>	Development Contributions Central City Residential Rebate - Heatmap	179

In addition to the attached documents, the following background information is available:

Document Name	Location / File Link
Central City Residential Development Contributions Rebate Criteria 2015	<a href="https://ccc.govt.nz/assets/Documents/Consents-and-Licences/development-contributions/CentralCityResidentialRebateCriteria.pdf">https://ccc.govt.nz/assets/Documents/Consents-and-Licences/development-contributions/CentralCityResidentialRebateCriteria.pdf</a>
Central City Non-residential Development Contributions Rebate Criteria 2015	<a href="https://ccc.govt.nz/assets/Documents/Consents-and-Licences/development-contributions/CentralCityBusinessZoneNonResidentialRebateCriteria.pdf">https://ccc.govt.nz/assets/Documents/Consents-and-Licences/development-contributions/CentralCityBusinessZoneNonResidentialRebateCriteria.pdf</a>
Development Contributions Rebate Policy 2019	<a href="https://ccc.govt.nz/the-council/plans-strategies-policies-and-bylaws/policies/building-and-planning-policies/development-contributions-rebate-policy/">https://ccc.govt.nz/the-council/plans-strategies-policies-and-bylaws/policies/building-and-planning-policies/development-contributions-rebate-policy/</a>

## Confirmation of Statutory Compliance / Te Whakatūtutanga ā-Ture

Compliance with Statutory Decision-making Requirements (ss 76 - 81 Local Government Act 2002).

(a) This report contains:

- (i) sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages; and
- (ii) adequate consideration of the views and preferences of affected and interested persons bearing in mind any proposed or previous community engagement.

(b) The information reflects the level of significance of the matters covered by the report, as determined in accordance with the Council's significance and engagement policy.

## Signatories / Ngā Kaiwaitohu

<b>Authors</b>	Gavin Thomas - Principal Advisor Economic Policy Judith Cheyne - Associate General Counsel
<b>Approved By</b>	Emma Davis - Head of Strategic Policy Brendan Anstiss - General Manager Strategy and Transformation

## Draft Christchurch Central City Residential Development Contributions Rebate Scheme Criteria (2020)

<b>Strategic rationale for scheme - what we want to achieve</b> <b>Contributes to achieving community outcomes:</b> Liveable City <ul style="list-style-type: none"> <li>Vibrant and thriving city centre</li> <li>Sufficient supply of, and access to, a range of housing</li> </ul> Prosperous Economy <ul style="list-style-type: none"> <li>Great place for people, business and investment</li> </ul> <b>Contributes to achieving strategic priorities:</b> <ul style="list-style-type: none"> <li>Meeting the challenge of climate change through every means available</li> <li>Accelerating the momentum the city needs</li> </ul> <b>Consistent with the strategic goals of:</b> <ul style="list-style-type: none"> <li>Christchurch District Plan</li> <li>Greater Christchurch Urban Development Strategy (UDS)</li> </ul> <b>Expected impacts of this rebate scheme are:</b> <ul style="list-style-type: none"> <li>Enable some marginal developments to proceed</li> <li>The central city has a variety of housing options</li> <li>The central city has a comparative advantage as a development and investment location</li> <li>The central city is seen as an attractive place to live – we have increasing population in the central city</li> </ul>	
Criteria	Description
Location(s)	Any location within the Four Avenues of the central city (the area bounded by Bealey, Fitzgerald, Moorhouse and Deans Avenues).  Properties on the Four Avenues but not on the central city side of those roads are not eligible.
Type of development	Any residential development or residential component of a mixed use development. The rebate excludes any property used for any purpose other than residential. For the avoidance of doubt, this includes using the property for short term guest accommodation or any other business purpose.
Requirement for restrictive covenant	A restrictive covenant in favour of the Council must be registered against the property title(s) associated with the development to enable a development to be eligible for a rebate.  The covenant will require the full development contribution rebate to be paid if the conditions of the covenant are breached. The conditions of the covenant will limit the use of residential units within the development to residential use only. This excludes using a residential unit for short term guest, hostel or rental accommodation or any other commercial or business activity.  The Council will provide a covenant precedent which must be completed and registered by the Council's solicitors at the developer's cost.  The Council will only release the covenant from the land titles on payment of the development contribution that has been rebated for the residential unit concerned.
Extent of rebate	100 per cent of development contributions required subject to the rebate and scheme limits detailed below.
Trigger to receive notice of eligibility for rebate	A complete resource consent or building consent application is lodged with the Council on or after 1 July 2015.  A development contribution assessment is prepared when the complete consent application is received by the Council. The developer will then be advised in writing of eligibility and conditions for a rebate to be confirmed.  Transitional arrangements: Unconfirmed rebates under the 2013 or 2015 Central City Residential Development Contributions Rebate Schemes will be required to meet the conditions of this 2020 rebate scheme.

Trigger to receive confirmation of rebate	<p>There are two requirements for confirmation of rebate:</p> <ol style="list-style-type: none"> <li>1. A restrictive covenant in favour of the Council is registered on the development title(s) – see “requirement of covenant” above</li> <li>2. First building inspection is passed (and rebate funding is still available).</li> </ol> <p>For staged developments under a single consent the rebate is confirmed once all stages have passed first building inspection and covenants have been registered.</p> <p>For staged developments under multiple consents the trigger for the rebate being confirmed will be determined by the Council’s Development Contributions team on a case-by-case basis.</p>
Apportioning the value of the rebate across multiple units	<p>The total development contribution rebate will be allocated evenly to each residential unit within the development.</p> <p>The value of the rebate provided will be included in the covenant registered on the development.</p>
Rebate limit per development	<p>The maximum development contributions rebate for a single development is \$1 million. Development contributions for a development in excess of this limit are required to be paid as required for any development contribution charge.</p> <p>A single development includes all staged development components.</p> <p>Applications for rebates of development contributions in excess of \$1 million for a single development will be considered by the Finance and Performance Committee of the Council on a case-by-case basis.</p>
Total scheme funding limit	<p>The limit on the total funding available (from the central city development contributions residential rebate scheme inception in 2014) is \$20 million.</p> <p>When the funding is exhausted no further rebates or deferrals will be available unless specifically provided for by the Council.</p>
Extinguishing of all previous demand credits	<p>All previous demand credits associated with a lot for which a development contributions rebate is provided will be considered to be extinguished.</p> <p>This means in future the lot will hold only previous demand credits associated with the new development and only in accordance with the Council’s Development Contributions Policy in effect at the time of any future development.</p>
Duration of scheme	<p>This rebate scheme will expire when the total scheme funding is fully allocated or when decided by the Council.</p>

Adopted by the Council on XXXXXXXXXX

## Development Contributions Central City Rebate Review - February 2020

### Summary of interviews with developers

#### 1. Purpose of interviews

- 1.1 As part of analysing the efficacy of the Council's central city development contribution rebate schemes we wanted to know the view of developers who had received a rebate(s). While we were aware developers had a vested interest in promoting the rebate schemes as being successful and in seeing the schemes continue, we believe the views of developers would provide us with unique insights into how the schemes were likely to make a difference in development decisions.
- 1.2 This information would be used alongside quantitative data regarding rebate take-up and location of development

#### 2. Methodology

- 2.1 Developers were randomly selected from all developers who had received a central city development contributions rebate in the past. These developers were contacted and asked if they would participate in an interview to capture their views on the rebate schemes and how they were administered.
- 2.2 1.2 Six developers agreed to interviews, three residential developers and three non-residential developers. The interviews took place in January and February 2020. The interviews were based on a structured set of questions with opportunities to explore particular issues as they arose. Interviews were undertaken by Council staff – Principal Advisor Economic Policy and Policy Analyst.

#### 3. Summary of responses

##### 3.1 *General understanding of the rebate schemes:*

All of the developers interviewed knew about development contributions and that they would be assessed for them. They were also all aware of the rebate, although some commercial developments received the rebate on a pro-rata basis, as the scheme was introduced after the development had commenced.

Overall feedback was that development contributions are a factor but by no means the only thing that influences development.

All developers felt passionately about the central city and all agreed that it is important more people are living in the city. With respect to the residential rebate, they said that the Council should be doing what it can to facilitate a thriving central city; they were, however, less convinced on the need for the non-residential rebate.

##### 3.2 *Central city land:*

Land cost, the unavailability of appropriate land and land banking were all mentioned as barriers to development in the central city. Many developers commented on how much more expensive land is in the central city, especially compared to city-fringe suburbs and Greenfield areas.

##### 3.3 *Greenfield v Central City:*

Several developers noted that it is much easier to develop in Greenfields areas as opposed to the central city. Their comments included that the land is cleaner, there are less traffic management issues, less potential for affected parties to oppose, and the consenting process is more predictable. Comments were made that the rebates help to level the playing field.

**3.4 Feasibility of Development:**

Several developers noted that the demand for central city living isn't really there. Because land is expensive, margins are tight and feasibility becomes a major issue. Developers also noted that development is a numbers game and a question of profitability (vs non-central city suburbs). One developer said the rebate helped to keep the sale price within the range that was acceptable to buyers.

It was noted that development contributions impact the risk profile and inform the price a development can be offered to market and therefore the feasibility of development [in making sure units aren't so expensive that they won't sell]. Timeframes can be quite tight with respect to confirming financing.

The de-risking of development was a common theme in the developer interviews. One developer said the rebates can be the difference between developments going ahead or not; another noted that the rebates helped keep the bank on side. Another developer asked if we could look at ways to confirm the rebate before first building inspection. Banks will not take the rebate into account with servicing and equity calculations so developers need to front the difference until the rebate is confirmed.

Several developers also noted that there also isn't really much of a market for commercial buildings in the central city. Multiple developers mentioned that it is often difficult to find quality tenants who were willing to pay central city rents. Expectation is that the number of workers in central city will keep growing, however.

**3.5 Planning/ Urban Design/ Commissioner Issues:**

All developers pointed to issues in the consenting processes as barriers to development. Consenting processing times was a common complaint, as was planning regulations. Overwhelmingly, developers identified urban design requirements as a barrier to development, and many noted that the panel presented an element of risk since they did not know what their outcome would have been.

A lengthy planning process and urban design rules that are perceived as arbitrary by developers were both identified as issues which increase developer's costs. This is often due to needing external consultants to get through much of the planning process.

**3.6 Future Decision Making:**

All developers said the rebate would affect their decision making in the future (even though some did not intend to develop in the city in the immediate future).

**3.7 Alternative Incentives:**

Regarding extending the life of credits, one developer said that it discourages growth and encourages developers/owners to hold onto land.

Another comment was that Council needs to think about the additional expenses that come with apartment living, such as Body Corporate fees; suggested lower rates for city dwellers to help offset this. Another suggestion was for Private Development Agreements instead of development contributions, such as ring-fenced development contributions in return for infrastructure.

One developer noted that properties will still be sold at market rates, regardless of whether the developer has paid development contributions, so all the rebate probably does is line the developers' pockets.

Another suggestion was to require upgrades (like Home Star 6); the developer who raised this suggested the additional cost of meeting this standard per unit are only a couple of thousand dollars - which is negligible in the scheme of things, but improves the liveability of homes.

One developer did not think other incentives will have any effect on development. It is not cheap to develop or buy land in the city and so something like a rates holiday would not impact bigger sites. Maybe smaller developments could sell better/faster with some kind of rates remission.

**3.8 Other:**

Developers were less consistent as to whether this rebate has actually brought down the costs to buyers. One said it brought costs down to meet the market but another said it likely lined the pocket of developers.

Many developers mentioned that they were watching Fletcher's and were concerned with the apparent slow sales. Demand does not seem to be there and it appears there is disconnect between what Fletcher's are building and what people actually want to buy.

One developer said that the Council needs to create an environment that people want to visit, and noted that the availability and cost of central city parking counteracted this.

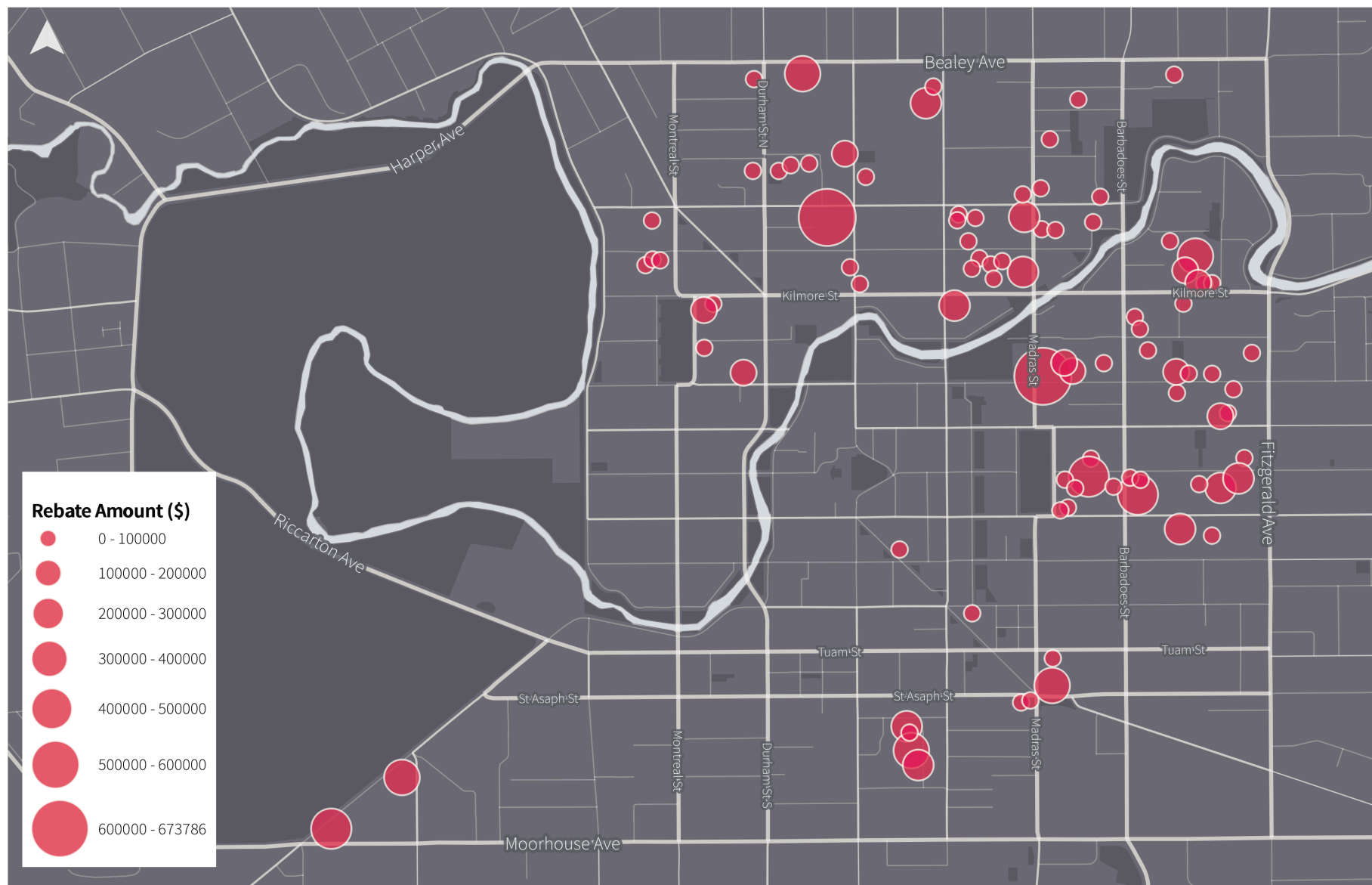




Central City Non-Residential Development Contributions Rebates

Prepared by Monitoring & Research, January 2020





Central City Residential Development Contributions Rebates

Prepared by Monitoring & Research, January 2020



Report from Reserves Act Hearings Panel – 20 May 2020

## 18. Hearings Panel - Proposed Ground Lease at Ngā Puna Wai Sports Hub for Netsal Centre

Reference / Te Tohutoro: 20/656654

Report of / Te Pou Matua: Councillor Scandrett – Hearings Panel Chairperson

General Manager /  
Pouwhakarae:

### 1. Hearings Panel Consideration / Te Whaiwhakaarotanga

#### 1. Purpose and Origin of Report

- 1.1 The Hearings Panel has no decision-making powers but, in accordance with its delegation, has considered the written and oral submissions received, and all other relevant information presented on the ground lease at Ngā Puna Wai Sports Hub for the Netsal Centre proposal and is now making recommendations to the Council.
- 1.2 The Council, as the final decision-maker, should put itself in as good a position as the Hearings Panel having heard all the parties. It can do so by considering this report which includes a summary of the written and verbal submissions that were presented at the hearings, the Council Officer report which was presented to the hearings panel (refer **Attachment A**) any additional information received and the Hearings Panel's considerations and deliberations as outlined below. A link to the written submissions are available via the Hearings Panel [agenda](#).

#### 2. Proposal

- 2.1 The proposal before the hearings panel related exclusively to whether a ground lease should be granted by the Christchurch City Council to Netsal for the purpose of building a Netsal facility located at Ngā Puna Wai.
- 2.2 Netsal is owned by the Christchurch Netball Centre Incorporated (CNC), being the entity responsible for community netball in Christchurch and No 6 Federation of New Zealand Football (Fusal), known as Mainland Football.
- 2.3 Netsal has been established to develop, own and operate a 10-court indoor sports facility in Christchurch that will be able to accommodate a range of other indoor sports organisations and diverse community groups.
- 2.4 The proposed Netsal building is located in the south-west side of Ngā Puna Wai. The building footprint is approximately 9,930m<sup>2</sup> and the proposed lease area is approximately 13,240m<sup>2</sup>. The leased area is 150.3 metres long on the north and south sides and 89.9 metres wide on the east and west sides, (refer **Attachment C**)
- 2.5 A Land Use Resource Consent (RMA/2020/512) (refer **Attachment B**) has been granted to Netsal for construction of the site. No work can commence on the site until a lease has been approved by the Council, as the land owner, and documentation has been finalised. The Consent addresses many of the concerns raised by the submitters. Netsal still needs to apply for a Building Consent to commence any building works of the facility.

- 2.6 The proposed location for Netsal in Ngā Puna Wai is on a recreation reserve and subject to the Reserves Act 1977. A ground lease is proposed for the Netsal building and under section 54(1)(b) Reserves Act 1977 whereby public consultation and a hearings panel was required before a lease could be considered by the Council.

### 3. Submissions received and the Hearings Panel process

- 3.1 A total of 93 submissions (including one late submission) were received on the proposal. Seventy submitters, (76%) supported the proposed lease and twenty two submitters (24%) opposed the lease. Sixteen submissions were received from official organisations of which, twelve supported and four did not support the proposed lease. A detailed submission analysis was presented to the hearings panel and can be found in the report to the hearings panel (refer **Attachment A**).
- 3.2 The hearings panel comprised of Councillors Tim Scandrett (Chair), Melanie Coker and Anne Galloway. A meeting of the hearings panel convened on Wednesday 20 May 2020 to give those submitters who wished to present to the hearings panel an opportunity to do so. The meeting was open to the public by audio-visual and livestreamed and a total of 15 submitters presented.

### 4. Potential reasons to support the proposal

- 4.1 The majority of submitters (70) were in support of the lease, a number of reasons were put forward for the hearings panel to consider.

#### The need for indoor courts

- 4.2 Submitters highlighted that the Netsal facility would address the need for indoor courts for football, netball and other sports due to the shortage of indoor facilities within Christchurch.
- 4.3 Submitters emphasised the disadvantages of playing Netball outside at Hagley Park such as:
- 4.3.1 Cancelled matches and events due to adverse weather;
  - 4.3.2 Health and safety of players as outdoor courts can be hard on the knees and ankles;
  - 4.3.3 Cost and maintenance of outdoor courts;
  - 4.3.4 Current car parking issues at Hagley park; and
  - 4.3.5 No ability for flexible playing times.

#### Wider benefits for Christchurch

- 4.4 Submitters emphasised the great opportunity and wider benefits the fit for purpose indoor facility would bring to Christchurch. The indoor courts would allow Christchurch to be able to attract and host regional and national indoor sporting competitions, which currently isn't possible due to the lack of suitable facilities, therefore highlighting the city wide benefits. In addition, the facility would also be available to hire by other sporting bodies and for community use.

#### Benefits of being co-located within the existing sports hub

- 4.5 Some submitters highlighted the benefits of locating the facility at the existing sports hub at Ngā Puna Wai, enhancing it as a central major sporting venue. The facility would be able to take advantage of the current services on the site as well as the accessibility for the wider Christchurch community.

### Benefits for netball, football and other sports

- 4.6 As discussed above both football and netball emphasised the necessity for indoor courts to allow both sports to develop, grow and follow New Zealand's lead in the way sport is progressing and changing. The facility would also support futsal as a growing sport.
- 4.7 Submitters commented that having a central location with flexible playing times during the week and on weekends would increase participation in sports and improve people's health and wellbeing. Flexible playing times would give residents easier access to participate and encourage younger participants who could play after school.

## 5. Potential reasons to not support the proposal

- 5.1 There were also many concerns and issues presented against the proposal for the hearings panel to consider.

### Car parking, traffic and access concerns

- 5.2 Many submitters were concerned about:
  - 5.2.1 The increased volume of traffic and congestion that would occur at Ngā Puna Wai and on the surrounding streets. Comments were made that traffic in the area was already an issue and any additional activities would exacerbate the problem.
  - 5.2.2 The increase in car parking issues at Ngā Puna Wai, the surrounding streets and during events. Submitters were concerned that the number of car parks provided by the facility would not be enough to cater for additional numbers attending. In addition, concerns were raised that the facility would reduce the number of car parks required for the Canterbury A&P show. Two submitters provided photos which are available in the [Hearings Panel Minutes Attachments](#).
  - 5.2.3 Access into Ngā Puna Wai - Many submitters, including those in support, highlighted the need for improved entry and exit access at Ngā Puna Wai. It was noted that Augustine Drive entrance was at full capacity and other entrances such as Wigram Road, McMahon Drive and Haytons Road could be developed.
- 5.3 The hearings panel acknowledged that these issues were of concern and clearly evident throughout submissions. The hearings panel were advised that a comprehensive Traffic Management Plan (TMP) could be undertaken for the site including the surrounding streets, to provide options on how these issues could be addressed and mitigated. It was noted that the resource consent requires that an alternative access would be required by 2028. The hearings panel also discussed traffic calming measures on surrounding streets and alternative travel methods to Ngā Puna Wai such as a shared cycleway and public transport options.

### Location

- 5.4 Some submitters felt that the facility should be located elsewhere in Christchurch and some felt there were other possible options on the Ngā Puna Wai site which would be better suited. This concern was shared by at least one panel member.
- 5.5 The hearings panel was advised that due to provisions under the Reserves Act, to move the location of the building would require a new process to start from the beginning, including public notification, consultation and hearings. Council Officers also commented that this may also require the applicant to seek a new or amended resource consent. In addition, the applicant confirmed with their benefactor that the project would not proceed should there be any further delay.

### Relationships between sporting bodies at Ngā Puna Wai

- 5.6 Existing sporting bodies at Ngā Puna Wai raised concerns in regards to the relationship management and partnership between all parties using Ngā Puna Wai. The hearings panel took note of these concerns and addressed these as part of the lease agreement.

### Other issues

- 5.7 **Visual impact** - Some submitters were concerned with the visual impact the building would have on neighbouring properties and with the loss of community fields, reducing the amenity of the park. The hearings panel were advised that the Reserves Act does allow for this type of activity and options for landscaping and vegetation could be explored to soften the impact.
- 5.8 **Lighting** - Existing lighting issues were also raised. The hearings panel were advised that as part of the lease, lighting could be set up with automatic timers.
- 5.9 **Construction** - Disruption and noise during the construction was raised as a further concern. The hearings panel was advised that trucks accessing the site during construction could be expected to use alternative entrances to reduce the impact on residents.
- 5.10 **Disconnect for netball clubs** - Some submitters raised concerns regarding a disconnect between netball clubs and felt that the move from Hagley Park would reduce participation numbers and increase fees. The hearing panel acknowledged that this was an issue for netball to address.

## 6. Final recommendations

- 6.1 After considering the written and oral submissions, the hearings panel raised a number of questions with Council Officers relating to the issues. The hearings panel also received a Memorandum from Council Officers which provided responses to further questions arising (refer **Attachment H**).
- 6.2 Following the additional information provided, the hearings panel were of a mind to recommend that the lease be granted, subject to a number of clauses and additional recommendations to address concerns raised by local organisations and residents.
- 6.3 This was not a unanimous decision of the hearings panel. The hearings panel acknowledged that access, traffic management and parking were key concerns that need to be addressed and mitigated. This was a complex issue, however, the majority of the hearings panel felt that the main issues would be addressed through the recommendations and therefore were balanced against the benefits the facility would have for Christchurch and Ngā Puna Wai.

## 2. Hearings Panel Recommendation to Council

That the Council:

1. Receives and considers the information in the report, the submissions and all other relevant information received on the Proposed Ground Lease at Ngā Puna Wai Sports Hub for Netsal Centre.
2. Approves the granting of a ground lease, subject to section 54(1)(b) of the Reserves Act 1977 to Netsal Sports Centre Limited for a period up to 33 years over a portion of land consisting of 13,240m<sup>2</sup> being part of Lot 3 DP 73928, CB 42C/1204, at Nga Puna Wai, 138 Wigram Road, Sockburn at an annual rental set in accordance with the Council's Sports Lease Charges Policy.
3. Authorises the Property Consultancy Manager to administer, negotiate and conclude the terms and conditions of the lease, including the following:
  - a. Requests that the lease contains a clause requiring Netsal during the lease term to engage in a collaborative and partnering way with other sporting bodies that occupy Ngā Puna Wai.
  - b. Requests that the lease contains a clause requesting that trucks relating to the construction are expected to use alternative entrances to Ngā Puna Wai, such as Wigram Road and McMahon Drive, and not using Augustine Drive or Curletts Road unless absolutely necessary.
  - c. Requests that the lease contains a clause for all external lighting for both parking and the building to be on a timer, as is other lighting in Ngā Puna Wai which automatically turns off at 10.00pm.
4. Requests staff to develop a comprehensive Traffic Management Plan (TMP) with input from existing operational parties within Ngā Puna Wai including:
  - a. Mitigating the amount of parking on residential streets and encouraging parking within Ngā Puna Wai grounds itself, such as use of the community fields.
  - b. Both internal traffic and parking issues within Ngā Puna Wai and surrounding residential streets.
5. Requests staff to consider options for traffic calming measures on surrounding residential streets and leading in to Ngā Puna Wai, and report back to the Halswell-Hornby-Riccarton Community Board for consideration.
6. Requests staff to investigate the future of a shared cycleway from Curletts Road to Ngā Puna Wai.
7. Requests staff to work with Environment Canterbury on options for future travel plans for public transport to and from Ngā Puna Wai.
8. Requests staff to report back to the Council on options for the development of an additional entrance at Ngā Puna Wai for the inclusion in the draft 2021-2031 Long Term Plan. Noting that the primary concern of the majority of submitters related to the impact on the existing entrance off Augustine Drive.
9. Requests staff to investigate possible options to soften the impact of the building on the adjoining neighbours.

## Attachments

No.	Title	Page
A <a href="#">↓</a>	Council Officer Report on the Proposed Ground Lease at Nga Puna Wai Sports Hub for Netsal Centre	187
B <a href="#">↓</a>	Netsal Land Use Resource Consent - RMA/2020/512	201
C <a href="#">↓</a>	Netsal Sports Centre Limited Lease Proposal - Nga Puna Wai	225
D <a href="#">↓</a>	Netsal Consultation Leaflet - Proposed Lease	237
E <a href="#">↓</a>	Legal Advice Netsal Considered to be a Voluntary Organisation	239
F <a href="#">↓</a>	Netsal Reserve Act 1977- Lease Sections	242
G <a href="#">↓</a>	Dealing Unilaterally (Lease)	244
H <a href="#">↓</a>	Memorandum to the Hearings Panel - Officer Response to Panel Questions - 21 May 2020	247



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## 4. Proposed Ground Lease at Ngā Puna Wai Sports Hub for Netsal Centre

Reference / Te Tohutoro: 20/321059

Report of / Te Pou  
Matua:

Russel Wedge, Team Leader Parks Policy & Advisory,  
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David Kuru, Team Leader Parks Recreation & Planning,  
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General Manager /  
Pouwhakarae:

Mary Richardson, General Manager Citizens & Community,  
mary.richardson@ccc.govt.nz

### 1. Executive Summary / Te Whakarāpopoto Matua

- 1.1 The purpose of this report is for the Hearings Panel to:
  - 1.1.1 Consider the submissions received through the public consultation process and all other relevant information presented, for a ground lease requested by Netsal Sports Centre Limited (referred to as Netsal) in Ngā Puna Wai; and
  - 1.1.2 Deliberate and make a recommendation to the Council, as the decision maker, to determine whether a ground lease for Netsal should proceed or not.
- 1.2 The decisions in this report are of medium significance in relation to the Christchurch City Council's Significance and Engagement Policy. The level of significance was determined by the moderate level of city-wide interest in the lease, the likely impact on those people affected and the moderate benefits to the wider community in carrying out the decision.
- 1.3 The community engagement and consultation outlined in this report and attachments reflects this assessment.
- 1.4 At the close of the public consultation period, 92 submissions were received. Seventy submitters (76%) supported the proposed lease and 22 submitters (24%) opposed the lease.
- 1.5 A Land Use Resource Consent (RMA/2020/512) has been granted to Netsal for construction of the site (refer **Attachment A**, Netsal Land Use Resource Consent - RMA/2020/512). No work can commence on the site until a lease has been approved by the Council, as the land owner, and documentation has been finalised. The Consent addresses many of the concerns raised by the submitters. Netsal still needs to apply for a Building Consent to commence any building works of the facility.
- 1.6 Netsal is an organisation that has been established specifically to develop, own and operate a 10-court indoor sports facility. Netsal is owned by Christchurch Netball Centre Incorporated and No 6 Federation of New Zealand Football (FUTSAL), known as Mainland Football.
- 1.7 The proposed location for Netsal in Ngā Puna Wai is on a recreation reserve and subject to the Reserves Act 1977. A ground lease is proposed for the Netsal building and under section 54(1)(b) Reserves Act 1977, public consultation and a Hearing are required before a lease can be considered by the Council.

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## 2. Officer Recommendations / Ngā Tūtohu

That the Hearings Panel recommends that the Council:

1. Receives and considers the information in the report, the submissions and all other relevant information received on the Proposed Ground Lease at Ngā Puna Wai Sports Hub for Netsal Centre.
2. Approves the granting of a ground lease, subject to section 54(1)(b) of the Reserves Act 1977 to Netsal Sports Centre Limited for a period up to 33 years over a portion of land consisting of 13,240m<sup>2</sup> being part of Lot 3 DP 73928, CB 42C/1204, at Nga Puna Wai, 138 Wigram Road, Sockburn at an annual rental set in accordance with the Council's Sports Lease Charges Policy.
3. Authorises the Property Consultancy Manager to administer, negotiate and conclude the terms and conditions of the lease.

## 3. Reason for Report Recommendations / Ngā Take mō te Whakataua

- 3.1 The Netsal facility will be located within a larger sporting complex (Ngā Puna Wai) that already has good accessibility for the wider Christchurch community.
- 3.2 Based within the Ngā Puna Wai Hub, Netsal will have opportunities to collaborate with sports bodies, find efficiencies and improve the level of service and opportunity for people wishing to play, participate in active recreation and play sport.
- 3.3 As part of the Ngā Puna Wai Hub Netsal will be able to work with volunteers and philanthropic and community partnerships to reduce costs for sports organisations and participants, improving their sustainability and access.
- 3.4 Integration with the existing Ngā Puna Wai sporting hub will provide accessibility for users, their families, spectators and the wider community who want to use or view other facilities and activities within the sporting hub, as a major city sporting venue.
- 3.5 The Netsal facility will be able to attract and host regional and national indoor sporting competitions, which are currently not possible due to a lack of suitable facilities.
- 3.6 The transfer of netball from Hagley Park to the Ngā Puna Wai Hub will create opportunities to return a large area of Hagley Park to greenspace in the future.

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#### 4. Alternative Options Considered / Ētahi atu Kōwhiringa

- 4.1 The following options were considered but ruled out:
  - 4.1.1 To locate Netsal in another location in Ngā Puna Wai – there is a shortage of open space large enough to accommodate the facilities without compromising or building over existing sporting activities and facilities such as stormwater retention basins.
  - 4.1.2 To locate Netsal in another park or reserve within the city – Netsal will be able to support and contribute towards the Ngā Puna Wai sports hub by providing the participants, their families, spectators and the wider community access to a wide range of sporting activities in a centralised location throughout the year. Netsal will be able to work collaboratively with the other sporting groups in Ngā Puna Wai to support and contribute towards assisting one another in raising the awareness and participation of their respective sports. Netsal as part of Ngā Puna Wai will be able to use and contribute towards the existing infrastructure such as close transport access for vehicles and cyclists; car parking; and stormwater treatment facilities.

#### 5. Detail / Te Whakamahuki

##### Opportunity / Ngā take, Ngā Whaihua rānei Netsal

- 5.1 Netsal is owned by the Christchurch Netball Centre Incorporated (CNC), being the entity responsible for community netball in Christchurch and No 6 Federation of New Zealand Football (Futsal), known as Mainland Football.
- 5.2 Netsal has been established to develop, own and operate a 10-court indoor sports facility in Christchurch that will be able to accommodate a range of other indoor sports organisations and diverse community groups (refer **Attachment B**, Netsal Sports Centre Limited Lease Proposal – Ngā Puna Wai).
- 5.3 Netsal will complement the sporting activities already being offered at Ngā Puna Wai by offering a multi-court indoor facility that has not previously been available in the Sports Hub. The facilities will be available to other groups when the courts are not in use by Netsal.

##### Proposed new Netsal building

- 5.4 The proposed Netsal building is located in the south-west side of Ngā Puna Wai. The building footprint is approximately 9,930m<sup>2</sup> and the proposed lease area is approximately 13,240m<sup>2</sup>. The leased area is 150.3 metres long on the north and south sides and 89.9 metres wide on the east and west sides (refer **Attachment C**, Netsal Consultation Leaflet – Proposed Lease).
- 5.5 The leased area will include approximately 52 car parks located next to the north and west side of the building. These will be for the exclusive use of the facility. The remaining car parks around the east, north and west sides of the building will be available to the public and park users at all times. The building has a service driveway entered from Augustine Drive that leads to the rear of the building where the service delivery entrance is located.

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## 6. Public Consultation

### Public Consultation / He Kōrerorero mo te Katoa

- 6.1 At the Council meeting of 13 February 2020 the Council resolved CNCL/2020/00018:
1. *Approve the commencement of public consultation pursuant to section 54(1)(b) of the Reserves Act 1977 for a lease on a Recreation Reserve of 13,240m<sup>2</sup> to Netsal Sports Centre Limited over the proportion of land Lot 3 DP 73928 for a term of 33 years (minus 1 day) in Ngā Puna Wai*
  2. *Agree that a hearings panel be convened (date to be confirmed) to consider all written and oral submissions and report to Council for a decision by 30 June 2020.*
- 6.2 Public consultation commenced on 4 March 2020 and closed on 6 April 2020, with 92 submissions received. All submissions were received on the 'Have your say' webpage.
- 6.3 The consultation process consisted of:
- 6.3.1 An e-newsletter for the Ngā Puna Wai Sports Hub sent to 721 subscribers, with a 38.9% open rate, including to eleven owners of property in the immediate area, who live elsewhere.
  - 6.3.2 Consultation information was hand delivered to approximately 40 immediate neighbours on Templetons Road, Augustine Drive and Euphrasie Drive.
  - 6.3.3 Approximately 360 emails were sent to key stakeholders including Canterbury Agricultural Park, Ngā Puna Wai sports hub partners and people who submitted to the *Ngā Puna Wai and Canterbury Agricultural Park Management Plan 2010*.
  - 6.3.4 Five Newsline items were published on the Council website and via social media before the public consultation opened. An additional Newsline article advising the commencement of the consultation period was also released.
  - 6.3.5 The consultation document was available at: Te Hapua Service Centre in Halswell; the Civic Office; onsite as part of consultation signage; and at the entrance to the Ngā Puna Wai sports hub (refer **Attachment C**, Netsal Consultation Leaflet – Proposed Lease)
  - 6.3.6 A public drop-in information session was held on site on Tuesday 17 March 2020. Council officers and representatives of Netsal were present. Approximately 20 members of the public attended.
- 6.4 At the close of consultation, 92 submissions were received. Seventy submitters (76%) supported the proposed lease and 22 submitters (24%) opposed the lease. Sixteen submissions were received from official organisations of which, 12 supported and four did not support the proposed lease. All submissions were received on the 'Have your say' webpage.

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Submissions that opposed the proposed lease

6.5 A summary of the main reasons submitters oppose the proposed lease:



Reasons for opposing the lease	Staff comments
Increased traffic / poor access	<p>The Land Use Resource Consent considered the effects of the proposed Netsal building on the transport network and agreed that there would be an increase in traffic both at the Halswell Road/Augustine Drive intersection and along Augustine Drive. The traffic assessment is based on traffic modelling undertaken by the consultant Novo Group. The outcomes of the modelling were the intersection could sustain the level of anticipated traffic until the year 2028, after which an additional or alternative access into Ngā Puna Wai would be required.</p> <p>There is no quick or easy solution to an additional or alternative future access way into Ngā Puna Wai. Staff are considering options for improving vehicle and cycle access for inclusion in the LTP from all of the existing alternative access points. The Council has 8 years under the Resource Consent conditions to resolve the access issues, which will require full and extensive public consultation.</p> <p>The Resource Consent noted that it could not consider the additional traffic on Augustine Drive as it is a local road.</p>
Parking shortage	<p>The Land Use Resource Consent assessed the Netsal proposal for car parking and noted that while the proposed number of car parks provided by Netsal will exceed the District Plan requirement for car parking it will not always meet the actual or required number of car parks available. The Consent acknowledged that there may be unlawful car parking (over driveways) on Augustine Drive and that the Council may need to carry out enforcement during peak times.</p> <p>The Consent also noted that on-street car parking will be required during major events and conditioned Netsal to have a Major Events</p>



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	Traffic Management Plan in place if it wanted to hold an event (up to 3 events permitted a year).
Change to Management Plan	<p>The management plan acknowledges that the Open Space 2 Zone, where the Netsal building is proposed is an area in grass that is currently being used for formal and informal recreational activities, although should the need arise this area could be used for some other form of recreation e.g. The management plan, <i>section 6.3 Reserve Area (Open Space 2 zone and Conservation 3 Zone)</i> "that the recreation reserve is able to be considered for development and use of sports fields and associated facilities in the event demand, need and requirements increases" (page 43).</p> <p>The proposed Netsal building is for recreation purposes that complies with the section 54(1)(b) Reserves Act 1977 permitting a lease for recreational activities and the District Plan Zoning. The management plan does not prohibit or restrict the development of the open grass area for a recreational sports building.</p>
Loss of view	<p>The Land Use Resource Consent has advised the Netsal building is permitted by the District Plan. Ngā Puna Wai is a metropolitan sports park and the development of the park as a major sporting hub is part of the strategic long-term plan. The residents adjacent to the proposed Netsal site have enjoyed views of trees, grass and open space although there has never been a guarantee Ngā Puna Wai would always remain undeveloped. The Resource Consent requires Netsal to minimise the visual impact of its building by creating a one metre high bund and to plant trees along it. As the trees on and around the bund grow, the visual impact of the building will be reduced.</p>
Increased noise	<p>The Land Use Resource Consent assessed if the proposed Netsal facility would breach the residential noise limits. The Resource Consent determined that there may be a technical non-compliance at the point of the bridge (on Augustine Drive) but this was considered minor and the noise levels at all other boundaries, including residential, would be within the permitted District Plan rule standards.</p> <p>Netsal have acknowledged there could (temporality) be noise during the construction of the building but they would ensure to keep within the District Plan noise standards.</p>
Light Pollution	<p>The proposed lights for the Netsal facility will comply with the District Plan lighting standards. The Land Use Resource Consent requires Netsal to comply with the District Plan rules to ensure any lights from the Netsal facility will not affect residents.</p> <p>The nearest residents are over 100 metres away and there are trees between the residents and the Netsal building. The Resource Consent requires a one metre high bund to be built and planted with trees to provide additional screening for the residents from the proposed Netsal building.</p>
Close to residents	<p>The building is approximately 100 metres away from residential properties. The proposed Netsal building complies with the District Plan zoning and open space requirements and a Land Use Resource Consent has been granted. The Netsal building is being located on a recreation reserve that is zoned and classified for recreational</p>

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	purposes. The use of the Netsal building complies with the purpose of Ngā Puna Wai as a recreational park and the reserve management plan. The location of the proposed building will be in compliance with Building Act requirements and situated to allow the continued use of the walkway/cycle path.
Loss of grass fields	One of the grass fields will be used for the Netsal development. This field has not been used for recreation activities to date. Some of the area has been used for overflow on site car parking and this is likely to continue. There will still be one large green space available for formal and informal recreational activities and the public can use any of the other open green space in Ngā Puna Wai when not in use by a sporting group.
Construction disruption	During the construction of the building there will be building related effects for residents. The effects will be temporary (duration of construction). The Land Use Resource Consent has considered the effects on the residents and has included consent conditions to minimise the effects such as requiring construction contractors to provide an Environmental Management Plan.
Should be in the city	Ngā Puna Wai is a unique facility that provides a wide range of recreational activities. The Netsal proposal will add significant value to the site by providing an all-weather indoor sporting facility and a venue for many different community groups to utilise. Ngā Puna Wai is the preferred park or reserve in the city to accommodate the size of this facility; provide the infrastructure required such as close transport access for vehicles and cyclists; car parking space; and stormwater treatment facilities.
Speeding vehicles	The proposed Netsal facility should reduce the possibility of vehicles speeding due to an increase in the number of vehicles travelling to and from the facility, making it more difficult to have an open clear stretch of road. Parks staff are exploring additional speed control measures to manage speeds within the park.

6.6 Other issues raised by fewer than three submitters were:

- Exclusive use of public land (2)
- Not enough room in the reserve (2)
- Increased hours of activity in the sports hub (1)
- Loss of private property value (1)
- Not a suitable development in sports hub (1)
- Proposed lease to the north of Ngā Puna Wai, adjacent to edge of the motorway (7)
- Another access into the sports hub, such as the motorway underpass from Wigram Road, would alleviate perceived transport issues (6).

6.7 Eight submitters were critical of the Council's consultation process continuing into the start of the National Alert Level 4 period.

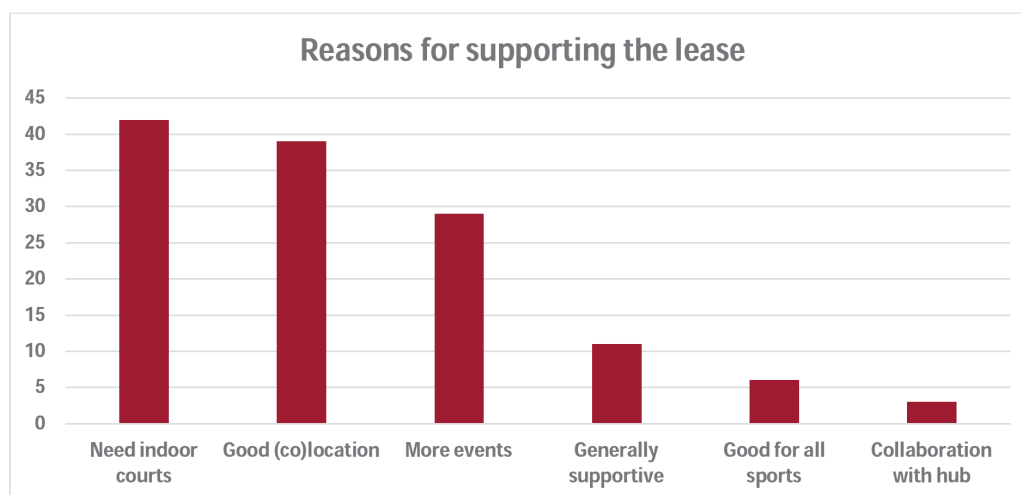
**Submitters that supported the proposed lease**

6.8 The majority of submitters (70) were in support of the lease (76%) and 26 submitters were based on a proforma submission, where the points raised in each submission were identical.

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This resulted in a high occurrence of three themes (refer below - namely, the need for indoor courts, the benefits of being located within the sports hub and the potential for hosting a variety of events).



6.9 Submitters in support of the lease believed the Netsal Centre would:

- Have wider benefits for Christchurch (16)
- Be good for netball as a sport (8)
- Support Futsal as a growing sport that needs more facilities (7)
- Provide benefits for players (indoors) (7)
- Improve people's health and wellbeing (7)
- Counter the disadvantages to playing at Hagley Park - outside (4)
- Increase participation (1)
- Be able to be hired for community use (1)
- Increase the use of the reserve (2)
- Block wind into the sports hub (1)

6.10 Supporters of the lease also felt that there should be some changes to accommodate the Netsal Centre:

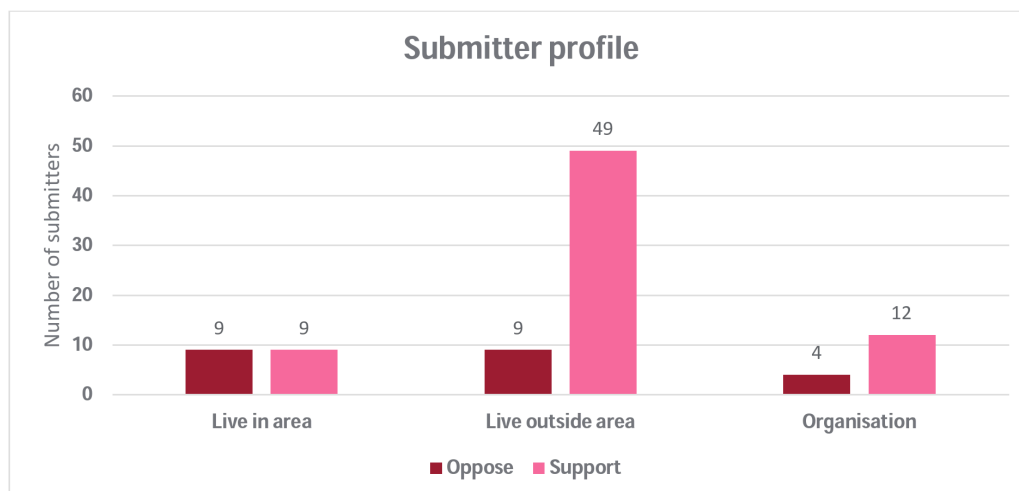
- More car parking (4)
- Other access into Ngā Puna Wai (2)
- Reduced speeding (2)
- No fence between Netsal Centre and path (1)
- No traffic through Canterbury Agricultural Park (1)
- Not to disrupt current activity in the sports hub (1)

### Submitter profile

6.11 Submissions have been divided into those who live locally (Halswell, Aidanfield, Hillmorton), those who live elsewhere and those who were submitting on behalf of a recognised organisation.



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6.12 Only two submissions were received from individuals living outside of the Christchurch City rating area. Both were in support of the proposal.

## 7. Policy Framework Implications / Ngā Hiraunga ā- Kaupapa here

### Strategic Alignment /Te Rautaki Tīaroaro

7.1 This report supports the [Council's Long Term Plan \(2018 - 2028\)](#):

7.1.1 Activity: Recreation, Sport, Community Arts & Events

- Level of Service: 7.0.1.6 Provide citizens access to fit-for-purpose recreation and sporting facilities. - 13 leased recreation and sporting facilities are available for community use.

### Policy Consistency / Te Whai Kaupapa here

7.2 The decision is consistent with Council Plans and Policies. There is a current *Ngā Puna Wai and Canterbury Agricultural Park Management Plan 2010* approved by the Council in 2010 with amendments made and approved in 2015. Leasing and licencing is considered within Section 4.1.6 of the Management Plan.

### Impact on Mana Whenua / Ngā Whai Take Mana Whenua

7.3 The decision does not involve a significant decision in relation to ancestral land or a body of water or other elements of intrinsic value, therefore this decision does not specifically impact Mana Whenua, their culture and traditions. Note: the waterway of the Heathcote is protected by an esplanade reserve that is a separate parcel of land to the recreation reserve in Ngā Puna Wai, where the lease area to Netsal is proposed.

### Climate Change Impact Considerations / Ngā Whai Whakaaro mā te Āhuarangi

7.4 Not applicable to approving a ground lease. Climate change considerations will be addressed in the Building consent application for the proposed building.

### Accessibility Considerations / Ngā Whai Whakaaro mā te Hunga Hauā

7.5 Not applicable to approving a ground lease. Accessibility considerations will be addressed in the Building consent application for the proposed building.

## 8. Resource Implications / Ngā Hiraunga Rauemi

### Capex/Opex / Ngā Utu Whakahaere

- 8.1 Cost to implement the preferred option – limited to the cost to prepare and seal the lease (estimated at \$1,500).
- 8.2 Maintenance/Ongoing costs – the lease to Netsal will include their responsibility for maintenance and on-going costs of the leased land.
- 8.3 Funding Source – the implementation of the lease agreement is part of the Parks Units planning operational budget.
- 8.4 Impact on Rates – all costs recovered in lease rental.

## 9. Legal Implications / Ngā Hiraunga ā-Ture

### Statutory power to undertake proposals in the report / Te Manatū Whakahaere Kaupapa

- 9.1 The Delegations Register (August 2019), Part D – Sub-Part 1 – Community Boards
  - 9.1.1 Determines decisions by the Council (metropolitan decisions) if the nature of the activity is such that decision-making on a district-wide basis will better promote the interests of all communities having regard to the following factors:
  - 9.1.2 The impact of the decision will affect communities city-wide due to the proposed ground lease to Netsal being for a building to accommodate the netball and Futsal players citywide, rather than the local Community Board area.
  - 9.1.3 The significance of the activity (as assessed in accordance with the Council's Significance and Engagement Policy).
  - 9.1.4 The Council's Significance and Engagement assessment determines this proposal as medium and meets the criteria of a metropolitan decision for consideration by Council.
  - 9.1.5 Other Legal Implications / Ētahi atu Hiraunga-ā-Ture
- 9.2 There is a legal context relevant to this decision relating to the voluntary organisation status:
  - 9.2.1 This report has not been reviewed and approved by the Legal Services Unit, however, the Unit have reviewed and advised on whether Netsal Sports Centre Limited could be considered to be a "voluntary organisation" for the purposes of a proposed lease of recreation reserve under s54(1)(b) of the Reserves Act 1977.
  - 9.2.2 The Legal Services Unit have advised that based on the provisions of the constitution of Netsal, they believe Netsal would satisfy the Reserves Act definition of "voluntary organisation" (Refer **Attachment D**, Legal Advice Netsal considered to be a Voluntary Organisation).

## 10. Risk Management Implications / Ngā Hiraunga Tūraru

- 10.1 There are minimal risks, if any, at this stage as the proposed lease is compliant with the Reserves Act 1977 and the consultation process has complied with the Reserves Act 1977 and the Local Government Act 2002.
- 10.2 There are minor risks that can be mitigated within the terms and conditions of the lease agreement, such as failure of Netsal to maintain and develop the building.

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## 11. Additional Information - Land status, Leasing and Reserves Act 1977

### Land description

11.1 Details of the area where the facility is planned for are included in the table below:

<b>Legal Description</b>	Lot 3 Deposited Plan 73928
<b>Reserve classification</b>	Recreation Reserve, subject to the Reserves Act 1977
<b>Gazetted</b>	Gazette Notice 2012, p1470
<b>Certificate of Title</b>	42C/1204
<b>Status</b>	Fee simple title, Recreation Reserve, subject to the Reserves Act 1977. Vested in the Christchurch City Council on 10 April 1997 and classified by Christchurch City Council resolution on 10 December 2009.
<b>Area</b>	3.49810

11.2 The park is in the Open Space 2 (District Recreation and Open Space) Zone in the Christchurch District Plan.

11.3 Many parks in the Open Space 2 Zone have substantial physical resources within them such as gymnasiums, clubrooms, changing sheds and toilet facilities.

11.4 Environmental results anticipated from facilities within this are:

- Provision for a high level of public use of open spaces and recreation areas within the zone.
- The provision of buildings and facilities necessary to facilitate both formal and informal recreation, consistent with overall maintenance of an open space character that is not dominated by buildings and hard surfacing.

## 12. Ground Lease

### Reserves Act 1977 – Ground Lease

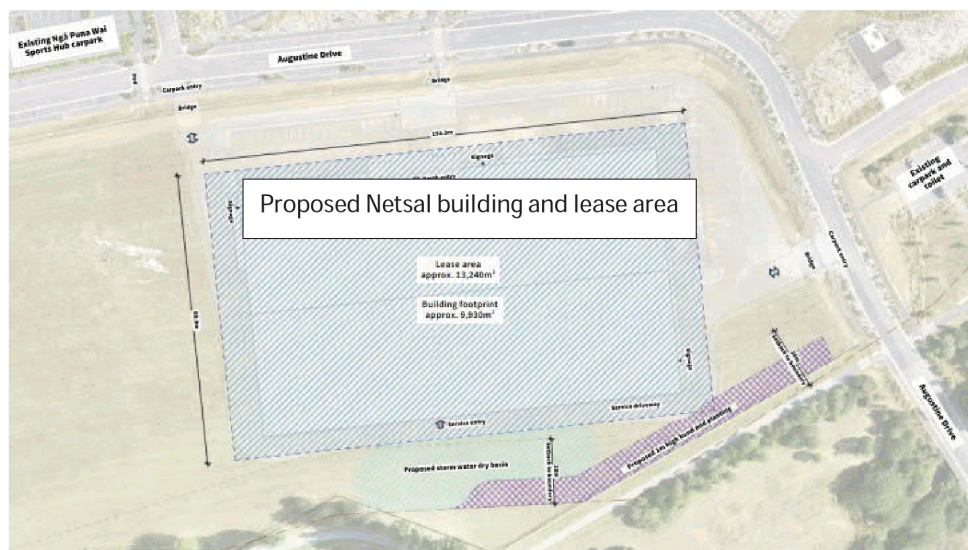
12.1 The proposed area of land in Ngā Puna Wai for the Netsal facility is held under the Reserves Act 1977 as Recreation Reserve and the ground lease for the facility is subject to (Refer **Attachment E**, for further information on these sections):

- Section 54(1)(b) Reserves Act 1977, which permits a lease to any voluntary organisation for buildings associated recreational activities.
- Section 54(2) Reserves Act 1977, which governs the public notification and consultation process, in accordance with sections 119 and 120.

### 12.2 Lease Details

- Property description: Pt Lot 3 DP 73928, CB 42C/1204
- Leased area: 13,240 sqm including formed car park around building for exclusive use of lessee (refer concept plan below)
- Term of Lease: 3 x 11 year terms- Total 33 years
- Annual Rent: Set in accordance with Council's Sports Lease Charges Policy. (refer 12.2 below)
- Rent Review: 3 yearly

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- 12.3 Annual Rent - the rental charges for Recreation and Sports Organisations apply to not for profit organisations. Netsal is considered a 'voluntary organisation' with not for profit status (Refer **Attachment D**, Legal Advice Netsal considered to be a Voluntary Organisation) and would qualify for the leasing policy. The policy generally applies to properties under 10,000sqm, which the Netsal leased area of 13,240sqm exceeds. In the absence of an alternative policy, the rent calculation method (below) has been applied to provide consistency with other sports clubs. Note: the rent rate/sqm is updated every three years and is due to be updated on 1 June 2020, figures below are indicative only.

Leased Area	Area Assessed	2017 Rate per m <sup>2</sup>	Excl GST	Including 15% GST
Building Footprint	13240	\$0.8667	\$11,475.11	\$13,196.37
Greenspace Area	0	\$ 0.2167	\$ -	\$ -
Total	13240		\$11,475.11	\$13,196.37

**The Ngā Puna Wai and Canterbury Agricultural Park Management Plan 2010**

- 12.4 There is a current park Management Plan for Ngā Puna Wai Sports Hub approved by the Council in 2010 with amendments made and approved in 2015. Leasing and licencing is in conformity and contemplated in Section 4.1.6 of the Management Plan.

**Minister of Conservation Consent**

- 12.5 The prior consent of the Minister of Conservation is not required for the administering body to grants a lease or licence where:
- The administering body of the recreation reserve is a territorial authority or regional council; and
  - The reserve is vested in that territorial authority or regional council; and
  - A management plan for that reserve has been approved in accordance with section 41 of the Reserves Act 1977; and
  - The lease or licence is in conformity with and contemplated by that management plan.
- 12.6 The above criteria has been complied with and therefore the Minister's approval is not required.



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**Dealing Unilaterally – Netsal – Available to Other Groups**

- 12.7 Netsal was formed in response to a demand for an indoor sporting facility to meet the needs of Christchurch Netball Centre Incorporated and No 6 Federation of New Zealand Football (Futsal) known as Mainland Football. The Christchurch Netball Centre Incorporated is responsible for community netball in Christchurch.
- 12.8 The two sporting organisations have been working together for a number of years to provide an indoor facility that will meet the current and future needs of their sports. The Netsal facility will be available to other sporting groups that want to use an indoor sporting facility when it is not in use by Netsal.
- 12.9 The following sporting groups will be able to use the Netsal facility when the facility is available: basketball, korfbal, volleyball, indoor hockey, handball, tennis, bowls, physical and intellectual disabled sports groups and activities, seniors and retired sports groups and activities, multi-cultural groups and associated activities.
- 12.10 There are a number of relevant legal considerations when making a decision about the proposal received and the future use of the property. These matters are outlined in **Attachment F, Dealing Unilaterally (Lease)** in relation to Ngā Puna Wai Sports Hub.

**Ngā Puna Wai Sports Hub**

- 12.11 Ngā Puna Wai is Council owned land at 189 Wigram Road, Sockburn and comprised in Computer Freehold Register CB/42C/1204. The area is classified as a recreation reserve and subject to the Reserves Act 1977. The Ngā Puna Wai Sports Hub Trust is based in Ngā Puna Wai.
- 12.12 Ngā Puna Wai Sports Hub Trust was established to support and promote the development, governance, strategic planning, operation and use of a community facility at Ngā Puna Wai for:
- Sports competition, events, programmes and activities in athletics, tennis, hockey and rugby league at local, regional, national and international levels and to be a place to showcase these sports.
  - Other sports competitions, events, programmes and activities at local, regional, national and international levels of other sports to meet the needs of many sports in Christchurch.
  - Local community sport and recreation for casual participation, with a vibrant social environment and sports education and participation.
- 12.13 The Strategic vision and direction for the operation and development of Ngā Puna Wai and Canterbury Agricultural Park is detailed in the Ngā Puna Wai and Canterbury Agricultural Park Management Plan 2010.
- 12.14 The addition of the proposed Netsal facility is consistent with the Goals, Objectives and Policies of the Ngā Puna Wai and Canterbury Agricultural Park Management Plan.
- 12.15 The collaborative partnership approach aligns with the Council's strategic priority to 'enable active citizenship and connected communities'. The aim is to continue this approach through the facility operations to support more people, being more active, more often.

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**Attachments / Ngā Tāpirihanga**

No.	Title	Page
A	Netsal Land Use Resource Consent - RMA/2020/512	
B	Netsal Sports Centre Limited Lease Proposal - Nga Puna Wai	
C	Netsal Consultation Leaflet - Proposed Lease	
D	Legal Advice - Netsal Considered a Voluntary Organisation	
E	Netsal Reserve Act 1977 Lease sections	
F	Dealing Unilaterally (Lease)	

In addition to the attached documents, the following background information is available:


Document Name	Location / File Link
Not Applicable	Not Applicable

**Confirmation of Statutory Compliance / Te Whakatūtutanga ā-Ture**

Compliance with Statutory Decision-making Requirements (ss 76 - 81 Local Government Act 2002).	
(a) This report contains:	
(i) sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages; and	
(ii) adequate consideration of the views and preferences of affected and interested persons bearing in mind any proposed or previous community engagement.	
(b) The information reflects the level of significance of the matters covered by the report, as determined in accordance with the Council's significance and engagement policy.	

**Signatories / Ngā Kaiwaitohu**

<b>Authors</b>	Russel Wedge - Team Leader Parks Policy & Advisory David Kuru - Team Leader Parks Recreation & Planning
<b>Approved By</b>	Kelly Hansen - Manager Parks Planning & Asset Management Angus Smith - Manager Property Consultancy Andrew Rutledge - Head of Parks Brent Smith - Principal Advisor Citizens & Community

Resource Management Act 1991	Christchurch City Council 
<b>Report / Decision on a Resource Consent Application</b> (Sections 95A, 95B and 104 / 104C)	

**Application number:** RMA/2020/512  
**Applicant:** Netsal Sports Centre Limited  
**Site address:** 189 Wigram Road, Hillmorton  
**Legal description:** Pt Lot 3 DP 73928  
**Zone:** Open Space Metropolitan Facilities Zone  
Open Space Water and Margins Zone  
Residential Suburban Zone  
**Overlays and map notations:** Environmental Asset Waterway  
Network Waterway  
Water Body Setback  
Flood Management Area  
Fixed Minimum Floor Level Overlay  
Liquefaction Management Area  
Significant Feature  
Nga Wai Lakes, Rivers and Streams  
Site of Ecological Significance  
**Activity status:** Restricted Discretionary  
**Application:** Major sports facility comprising indoor netball / futsal courts

**Proposed activity**

The applicant seeks resource consent to establish indoor netball / futsal courts within the Nga Puna Wai Sports Hub / recreation reserve. Existing activities at Nga Puna Wai include athletics, hockey, rugby league, and tennis.

The proposal is described in detail in Section 1.2 of the application. The key aspects are:

- A major indoor sports facility within a purpose built building 9,930m<sup>2</sup> in area, with a maximum height of 12.4m. The building will accommodate:
  - Ten netball / futsal courts with six stadiums for seating;
  - A café;
  - Ancillary offices split between ground and first floors;
  - A medical room;
  - A gymnasium; and
  - A storage area.
- The facility will operate during daytime hours only, seven days per week, within the following hours<sup>1</sup>:
  - Netball – 9.00am to 9.45pm during weekdays and 8.00am to 9.45pm weekends.
  - Futsal – 9.00am to 9.00pm during weekdays and 9.00am to 9.00pm weekends.
  - Office – 8.00am to 6.00pm during weekdays and closed weekends.
- The maximum number of persons will be 800 people, except for up to three times per year where events with up to 1,000 people may occur (see Figure 1, note that Netball and Futsal will not operate at the same time).
- Vehicle access will be via Augustine Drive. 118 car parking spaces will be provided for the dedicated use of the facility, accommodated to the north and east of the building.
- A stormwater basin will be established to the south of the building.
- Construction of a 1m high bund to the south of the building.
- Landscaping along the northern and southern boundaries.
- Signage on the northern, eastern, and western elevations of the building.

<sup>1</sup> Confirmed in email from agent dated 13<sup>th</sup> March (Council ref. 20/282239) and updated Acoustic Assessment (Council ref. 20/287734).

	Netball		Futsal	
	Peak Number of Visitors Onsite at any One Time	Number of Occurrences per Year	Peak Number of Visitors Onsite at any One Time	Number of Occurrences per Year
Winter Weekend Visitor Peak	800 People	2 days a week for 22 weekends	500 People	2 days a week for 22 weekends
Winter Weekday Visitor Peak	800 People	5 days a week for 22 weekends	500 People	5 days a week for 22 weekends
Summer Weekday Visitor Peak	600 People	4 days a week for 22 weekends	500 People	4 days a week for 22 weekends
Periodically Local/National Tournaments	Up to 1000 People	Up to 3 times per Year	Up to 800 People	Up to 2 times per Year
Other Sports	500 People	Up to 5 times per Year		
Office	Up to 100 People	5 days a week for 48 weeks		

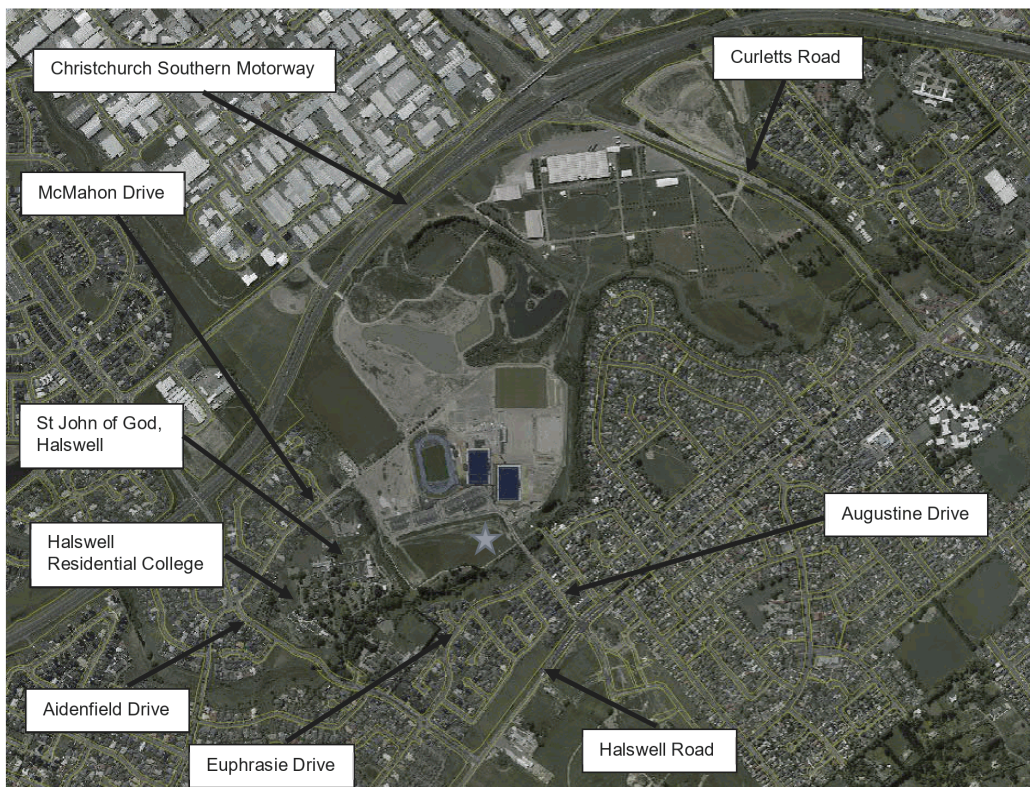
Figure 1. Anticipated maximum number of persons using the facility.

#### Description of site and existing environment

The application site and surrounding environment are described in Section 2 of the application, with the consenting background outlined in Section 3. I agree with the applicant's description and note the following points:

- The proposed building will be located in the southern part of Nga Puna Wai, between the existing hockey fields / athletics track to the north and the Heathcote River to the south (see Figure 2 and Figure 3). The area is currently an open grass field.
- Between the proposed building and the Heathcote River is a shared pedestrian and cycling path which runs around the perimeter of the site. The Little River Link Major Cycleway is located to the north and east of Nga Puna Wai.
- South of the Heathcote River are residential properties, separated from the proposed building by approximately 100m. The area between the building and residential properties includes grassed areas and mature vegetation.
- To the west of Nga Puna Wai is the Halswell Residential College and St John of God, Halswell. The Halswell Residential College is a school for students with intellectual difficulties and complex behaviours. St John of God provides residential and respite support to people living with physical or neurological impairments.





**Figure 2.** Application site and surrounds, with approximate location of building shown with blue star.

- The consenting background for the site includes:
  - RMA/2017/21 to undertake bulk earthworks across Nga Puna Wai and the adjoining Wigram Basin site. This included site preparation works for future construction of a sports facility. The application was granted on a non-notified basis by Commissioner Ken Lawn in February 2017.
  - RMA/2017/965 to construct and operate a sports hub facility at Nga Puna Wai (Stage 1), including; an athletics track and field facility, two hockey pitches, two rugby league fields, two grassed community fields, 12 tennis courts, a central hub building with reception, administration, café, and small scale retail, and accessory buildings. The application also saw car parking areas constructed, with a total of 459 car parking spaces and 150 cycle parking spaces. Vehicle access would be from Augustine Drive only. The application was granted on a non-notified basis by Commissioner David Mountfort in June 2017. The consent is subject to eighteen conditions (general, construction, noise, traffic, lighting, and a review condition). Of note, Conditions 12 to 14 set requirements for Major Event Traffic Management Plans to be prepared and certified by the Christchurch Transport Operations Centre. The current proposal does not seek to amend that consent, however, has volunteered the same conditions relating to major events.
  - RMA/2017/1245 to vary RMA/2017/21 to increase the hours of operation during which bulk earthworks could be undertaken, adding the ability to do works on Sundays. The application was granted on a non-notified basis by Commissioner Ken Lawn in June 2017.
  - RMA/2018/2599 to vary RMA/2017/965 to remove the weather protection of 51 staff cycle parks. The application was granted on a non-notified basis by Commissioner David Mountfort in November 2018.
  - RMA/2019/2770 to vary RMA/2017/965 to enable outdoor lighting of Hockey Field 1 to a level that enables television broadcast. The application was granted on a non-notified basis by Commissioner David Mountfort in December 2019.

I have included the decisions and most recent consent document for RMA/2017/965, RMA/2018/2599, and RMA/2019/2770 as **Appendix A**.

- Nga Puna Wai is accessed solely from Augustine Drive to the south, a local road in the District Plan roading hierarchy. An access has been formed up to the edge of the Nga Puna Wai Sports Hub to / from McMahon Drive to the west, however, the existing resource consent does not provide for its use. There are no formed accesses for use to / from the site to Wigram Road to the north or Curletts Road to the east.



- The carriageway of Augustine Drive is in excess of 9m wide and provides for two way traffic with on-street parking on both sides of the Road.
- The site falls within the Nga Puna Wai and Canterbury Agricultural Park Management Plan 2010 (incorporating amendments 12 March 2015). This management plan shows the location of the proposed building as open park / recreation areas or car parking to service the recreation activities. The Park Management Plan is attached as **Appendix B**).



**Figure 3.** Application site and surrounds, with approximate location of building shown with blue star. Shared cycle / pedestrian path is visible south of the star.

#### Interested neighbours

During the processing of this resource consent application I have received correspondence from Chris and Zoe Simcock, who own and occupy a residential property on the corner of Euphrasie Drive and Augustine Drive. I have attached correspondence from Mr and Mrs Simcock as **Appendix C**. In this they set out their opposition to the proposal citing the following:

- The Nga Puna Wai and Canterbury Agricultural Park Management Plan 2010 shows the area of the proposed building as grass playing fields and sealed car parking, which create a buffer between the recreation facilities and the residential zone to the south. They purchased their property on the understanding that the bordering recreational land would not be built on in accordance with the Park Management Plan.
- Traffic concerns, with Euphrasie Drive and Augustine Drive narrow streets designed for residential use rather than to service a major sport facility. They note that there are no other accesses to the site and that they have seen increases in the number of vehicles travelling along the streets, and parking within them.
- Lighting of the existing outdoor areas is especially bright on winter nights.
- Disruption during construction associated with noise, large numbers of vehicles accessing the site, and dust.
- Noise effects of the existing activities and concerns that the additional activities will add to this.
- Effects of the proposed building on residential amenity including, but not limited to, the visual impact.
- Loss of value of the properties that border Nga Puna Wai.
- They note that there is ability for the facility to be accommodated in other locations or within Nga Puna Wai away from residential neighbours.

- They are concerned that time pressures and the Covid-19 lockdown may restrict the ability for neighbours to have a say on the proposal.

I address these points in the following assessment.

I undertook a site visit on 19<sup>th</sup> March 2020 and attach the photographs from that as **Appendix D**.

#### Activity status

#### Christchurch District Plan

The wider site sits within a number of zones in the Christchurch District Plan. The area in which the proposed activity occurs is located almost exclusively within the Open Space Metropolitan Facilities Zone and wholly within the Liquefaction Management Area. The exception to this is the existing vehicle access connecting to Augustine Avenue, which crosses the Open Space Water and Margins Zone. I note that this access is existing and no changes are proposed in relation to it, however, there will be an increase in the number of vehicles using it.

I note that the Open Space Metropolitan Facilities zone includes specific rules for activities located within the Open Space Metropolitan Facilities Zone (Canterbury Agricultural Park) Development Plan (shown in Appendix 18.11.1). Nga Puna Wai is not located within the development plan area.

The proposal requires resource consent for a restricted discretionary activity under the following rules:

Activity status rule	Standard not met	Reason	Matters of control or discretion	Notification clause
6.1.5.1.3 RD1	6.1.5.2.1 Zone noise limits outside Central City	Vehicles crossing the Open Space Water Margins Zone will exceed the permitted noise standard of 55 dB L <sup>AEq</sup> during daytime hours by less than 10 dB.	6.1.8 Noise matters of discretion.	N/A
6.8.4.1.3 RD1	6.8.4.2.4 Signs attached to buildings	The maximum permitted area of signage attached to a building in the Open Space Metropolitan Facilities zone is 3m <sup>2</sup> , with a max height of 4m or façade height (whichever is lower). Three signs are proposed, each 27m <sup>2</sup> and a max height of 7.8m.	6.8.5.1 All signs and ancillary support structures.	Shall not be publicly or limited notified
7.4.2.3 RD1	7.4.3.1 Minimum and maximum number and dimensions of car parking spaces required	The proposed mobility spaces shall be 3.5m wide, where a maximum of 3.6m is required.	7.4.4.2 Parking space dimensions.	N/A
7.4.2.3 RD1	7.4.3.10 High trip generators	The proposed activity is classified as a high trip generator as it will result in more than 50 vehicle trips per peak hour.	7.4.4.19 - High trip generators: - Access and manoeuvring; - Design and layout; - Heavy vehicles; and - Network effects.	Shall not be publicly or limited notified

For completeness I note that:

- Activities (other than quarrying activities) that trigger the high trip generator rule (7.4.3.10) cannot be publicly or limited notified where the activity is permitted in the zone that it is located and direct vehicle access is not from a state highway or crosses a KiwiRail railway line. The application site is accessed from Augustine Drive, which is a local road in the District Plan roading hierarchy. Halswell Road is a State Highway in this Location (75), however, access is not obtained directly from this road.
- Signage that requires consent under Rule 6.1.5.1.3 RD1 cannot be publicly notified and can only be limited notified to the New Zealand Transport Agency where it concerns a road under its control, which is not the case here.



- There are no restrictions on notification in relation to dimensions of parking space numbers under Rule 7.4.2.3 RD1, nor noise under Rule 6.1.5.1.3 RD1.
- The acoustic assessment prepared by Novo Group has been reviewed by Ms Isobel Stout, Senior Environmental Health Officer at Christchurch City Council. Other than a technical non-compliance at that part of the vehicle access where it changes from local road to a private access within the Open Space Water and Margins Zone (discussed below), Ms Stout has confirmed that the proposal meets the permitted daytime noise levels (which extend from 7.00am to 10.00pm). Use of the facilities are not sought during night-time hours.
- Outdoor lighting is proposed for the use of the carpark and building during hours of darkness when the facility is in use. The applicant has volunteered conditions requiring outdoor lighting to be established in accordance with District Plan requirements. This includes confirmation from a suitably qualified lighting specialist that requirements have been met relating to light spill and glare.
- The applicant has confirmed that construction works will be carried out in accordance with NZS 6803:1999 – Construction Noise. This accords with Rule 6.1.6.1.1 P2 of the District Plan.
- Earthworks associated with the proposal are either permitted or exempt under Chapter 8 'Earthworks' of the District Plan. The applicant has confirmed that earthworks within the building footprint will not occur until building consent has been granted (exemption 8.9.3(a)(iv)). Notwithstanding this, the applicant has volunteered conditions relating to erosion and sediment control for the earthworks that will take place.
- A stormwater attenuation basin is proposed to the south of the building. It will be located outside the waterbody setback and relevant overlays. The basin is permitted under Rule 11.8.1 P2 of the District Plan. As part of the works a connection will be created between the stormwater basin and public network (being the Heathcote River), these works are permitted under Rule 11.8.1 P1 of the District Plan. The earthworks related to the stormwater basin and connection are exempt from Chapter 8 'Earthworks' under exemption 8.9.3(a)(vi), and from Chapter 6.6 'Water body setbacks' in accordance with clause 6.6.3(h)(vii).
- No consenting requirements are triggered in relation to the setbacks from waterbodies, significant feature overlay, Nga Wai lakes, rivers and streams overlay, or the site of ecological significance overlay, with works occurring outside the relevant overlays / setbacks.
- Council's Water Capacity team has confirmed that there is a DN250 PE100 main at the site that can provide a water supply for firefighting in accordance with Rule 18.5.2.7 'Water supply for firefighting' of the District Plan. I have included an advice note relating to this matter.

#### National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES)

The NES controls soil disturbance on land where an activity on the Hazardous Activities and Industries List (HAIL) is being carried out, has been carried out, or is more likely than not to have been carried out. The wider application site has been identified as HAIL land on the Environment Canterbury Listed Land Use Register. However, Ms Isobel Stout, Environmental Health Officer at Christchurch City Council, has confirmed that the area in which earthworks are proposed is not contaminated or subject to the NES.

#### Written approvals [Sections 95D, 95E(3)(a) and 104(3)(a)(ii)]

No written approvals have been provided with the application.

#### NOTIFICATION ASSESSMENT

#### Adverse effects on the environment and affected persons [Sections 95A, 95B, 95E(3) and 95D]

When assessing whether adverse effects on the **environment** will be, or are likely to be, more than minor, any effects on the owners and occupiers of the application site and adjacent properties must be disregarded (section 95D(a)). The assessment of **affected persons** under section 95E includes persons on adjacent properties as well as those within the wider environment.

As a restricted discretionary activity, assessment of the effects of this proposal is limited to the matters of discretion for the rules breached, and any relevant Recovery Plan or Regeneration Plan.

The objectives and policies in the District Plan set the context for assessing the effects of the application. I have reviewed the District Plan and consider that the following objectives and policies are relevant:

- Open Space: Objective 18.2.1.1 'Provision of open spaces and recreation facilities', Objective 18.2.1.2 'Natural open space, water bodies and their margins', 18.2.1.3 'Character, quality, heritage and amenity', Policy 18.2.2.1 'The role of open space and recreation facilities', Policy 18.2.2.2 'Multifunctional use,

accessibility, and recovery', Policy 18.2.2.3 'Safety', Policy 18.2.2.4 'Water bodies and their margins', and Policy 18.2.2.5 'Environmental effects'.

- Transport: Objective 7.2.1 'Integrated transport system for Christchurch District', Policy 7.2.1.2 'High trip generating activities', Policy 7.2.1.3 'Vehicle access and manoeuvring', Policy 7.2.1.4 'Requirements for car parking and loading', Policy 7.2.1.5 'Design of car parking areas and loading areas', and Policy 7.2.1.6 'Promote public transport and active transport'.
- Noise: Objective 6.1.2.1 'Adverse noise effects' and Policy 6.1.2.1.1 'Managing noise effects'.
- Signage: Objective 6.8.2.1 'Signage', Policy 6.8.2.1.1 'Enabling signage in appropriate locations', Policy 6.8.2.1.2 'Controlling signage in sensitive locations', Policy 6.8.2.1.3 'Managing the potential effects of signage', and Policy 6.8.2.1.4 'Transport safety'.

The relevant objectives and policies will be discussed in more depth in a following section. Notably, Policy 18.2.2.1 'The role of open space and recreation facilities' states the purpose of the Open Space Metropolitan Facilities zone as:

*"These spaces accommodate public and private major sports facilities, larger recreation facilities, marine recreation facilities, and motorised sports facilities on sites that provide:*

- a. Sufficient land area to accommodate large scale buildings and structures, car and cycle parking areas and, where necessary, buffer areas to minimise reverse sensitivity;*
- b. ...;*
- c. Capacity for multifunctional use, co-location of complementary or compatible activities and for hosting city, regional, national and international events which provide entertainment to residents and visitors;*
- d. )..."*

Sections 95D(b) and 95E(2)(a) allow the adverse effects of activities permitted by the District Plan or an NES to be disregarded (the "permitted baseline"). In this instance the Open Space Metropolitan Facilities zone provides for recreation activities and major sports facilities and a range of activities that are ancillary to those, subject to built form standards (with which the proposal complies). Ancillary activities permitted by the District Plan include gymnasiums, food and beverage outlets, offices, guest accommodation, and conference facilities. For any of these activities the high trip generator rule (7.4.3.10) will likely be the main restriction between a permitted activity and one requiring consent, the trigger for which is more than 50 vehicle trips per peak hour (3pm to 7pm weekdays) or 250 heavy vehicle movements.

In the context of this planning framework, I consider that the potential effects of the activity relate to transport, visual amenity (signage), and noise. I note that the District Plan precludes public or limited notification of the high trip generator and signage rules triggered. However, as the proposal breaches standards relating to noise and the width of mobility parking spaces, which do not preclude notification, a notification decision is required

For clarity, the applicant has accepted all conditions at the end this report, which I have considered to form part of the proposal for the purposes of considering effects.

### Transport

The proposal triggers two District Plan transportation standards; the dimensions of mobility spaces and the high trip generator. I discuss each of these below. In this instance the high trip generator rule provides discretion over access and manoeuvring, design and layout, heavy vehicles, and network effects.

This assessment of traffic effects has been informed by Ms Lauren Boyce, Transportation Engineer at WSP Opus, who has reviewed the integrated transport assessment by Novo Group and associated modelling undertaken (**Appendix E**). In the course of processing the consent a Request for Information was issued relating to modelling, which has resulted in the applicant updating the modelling year to align with Council's updated CAST modelling (2028).

#### Mobility Parking Space Dimensions

Ms Boyce has provided the following assessment of the mobility parking space dimensions:

*"The Novo TA report states that the mobility parking spaces will be a 2.5m wide and 5.0m long with an immediately adjacent shared space of 1.0m wide and 5.0m long, giving an effective space width of 3.5m, when the District Plan requirement is for mobility spaces to be 3.6m wide and 5.0m long.*

*AS/NZS 2890.6 Off-street parking for people with disabilities requirement for mobility space dimensions is for a dedicated (non-shared) space that is 2.4m wide and a shared area on one side that is 1.1m wide, giving a*

*total shared width of 3.5m wide. While the width of the mobility spaces does not comply with the District Plan, the total available width complies with the total space width required under AS/NZS 2890.6 therefore, on this basis, we consider this to be a **minor non-compliance**.”*

The relevant matter of discretion (7.4.4.2 ‘Parking space dimensions’) requires consideration of the safety and useability of the parking spaces. In light of the above assessment from Ms Boyce, I am satisfied that the mobility spaces will be safe and useable. Adverse effects associated with this non-compliance will be less than minor.

#### Access and Manoeuvring (Safety and Efficiency)

This matter of discretion includes:

*Whether the provision of access and on-site manoeuvring area associated with the activity, including vehicle loading and servicing deliveries, affects the safety, efficiency, accessibility (including for people whose mobility is restricted) of the site, and the transport network (including considering the road classification of the frontage road).*

I note that the site access is formed to a suitable standard and that the manoeuvring and vehicle loading areas have been designed in line with District Plan requirements. I consider that adverse effects associated with this matter will be less than minor.

#### Design and Layout

This matter of discretion sets out:

*Whether the design and layout of the proposed activity maximises opportunities, to the extent practicable, for travel other than by private car, including providing safe and convenient access for travel by such modes.*

I consider that the proposal provides sufficient opportunities for travel other than by private car. It includes bicycle parking and end of trip facilities for staff who travel by bicycle. As noted by Mr Chesterman, the wider site includes provision for cycling and walking, and there is a cycling and walking path to the south of the proposed building. Ms Boyce has also commented on the wider context:

*“The ITA provides limited information on opportunities for connections to existing and proposed cycle and pedestrian networks however, through discussions with Novo Group, CCC and Inovo Projects, it was identified the site is situated to connected with existing cycle routes and cycle lanes (such as Little River Link Major Cycleway and the cycle lanes on Halswell Road). Future development will connect Monsaraz Drive with Sparks Road and the Quarryman’s Trail Major Cycleway which will also provide a connection to the site for pedestrians and cyclists from the southeast. With improved pedestrian and cycle linkages the number of vehicle movements to the site may result in a reduced level of traffic generation for the site.”*

#### Heavy Vehicles

This matter of discretion is only relevant to activities that generate more than 250 heavy vehicle trips per day. It is not germane to this application.

#### Network Effects

This matter of discretion sets out the following considerations:

*Having particular regard to the level of additional traffic generated by the activity and whether the activity is permitted by the zone in which it is located, whether measures are proposed to adequately mitigate the actual or potential effects on the transport network arising from the anticipated trip generation (for all transport modes) from the proposed activity, including consideration of cumulative effects with other activities in the vicinity, proposed infrastructure, and construction work associated with the activity.*

The above relates to whether measures are proposed to adequately mitigate the actual or potential effects on the transport network arising from the anticipated trip generation from the proposed activity. The District Plan directs that particular regard must be had to the level of traffic generated and whether the activity is permitted in the zone when assessing proposals. I note that the site is zoned for a metropolitan sports facility and the activity itself is permitted in the zone.



The most obvious effects relating to the level of traffic generated will be felt by the residents of Augustine Drive. There will be a noticeable increase in the number of vehicles travelling along the street to access Nga Puna Wai, and I note that residents have expressed concerns with traffic generation and on street parking. The transport assessment from Ms Boyce identifies that there is likely to be on street parking associated with the Netsal activity because, while the proposal exceeds District Plan requirements for car parking, it will not meet the anticipated / actual demand for parking at all times. Ms Boyce has calculated that when the Netsal activity has 800 people in attendance there is likely to be an estimated demand for 84 to 147 parking spaces for Nga Puna Wai that is not accommodated by parking on site (i.e. including the existing activities)<sup>2</sup>. However, the matters of discretion under the District Plan for the high trip generator rule do not extend to cover traffic effects on amenity for adjoining residential areas. This includes amenity effects associated with overspill parking. The matters of discretion are confined to the actual or potential effects on the transport network. The additional levels of noise and activity generated by the activity on Augustine Drive are, therefore, not a relevant consideration for this application. I also note that traffic on roads is exempt from needing to comply with the noise standards in Chapter 6.1. Due to the restricted discretionary status of the activity, traffic generation and noise effects of vehicles on public roads on residential amenity are not able to be taken into account.

Ms Boyce notes that a significant overflow of parking on residential streets could cause safety issues with vehicles hindering access to properties. I understand that this concern relates to vehicles parking unlawfully (e.g. over residential vehicle crossings). Ms Boyce has suggested that to ensure drivers are parking lawfully Council may need to carry out enforcement during peak times. I do consider this an appropriate response given that a complying number of spaces are provided on the application site, however, am also of a view that the applicant should take measures to address the concern through the education of its members around not parking illegally and being respectful of neighbours. A Major Events Traffic Management Plan needs to be in place for the major events proposed in this application (three times a year). The applicant has accepted conditions of consent to this effect. In addition, I do note that there are open fields within Nga Puna Wai that are used for informal parking during major events for Stage 1 that could be used to reduce overspill parking if required. I have turned my mind to whether this should be imposed as a condition of consent, however, as the applicant is already providing more than the permitted number of car parks required by the District Plan I have not sought to do so. I do highlight the inclusion of a s128 review condition in the proposed conditions (adopted by the applicant), which would allow Council to review the conditions of consent if overspill parking does cause a safety concern.

With respect to network effects, both Ms Boyce and Novo Group have identified the capacity of the Halswell Road / Augustine Drive / Monsaraz Boulevard intersection to accommodate the additional movements as the key constraint. In particular, the main concern seems to be the ability for vehicles travelling southwest along Halswell Road to turn right into Augustine Drive. The original modelling indicated that the intersection was unable to accommodate the additional movements associated with the Netsal activity at peak times<sup>3</sup>, however, updated modelling based on more robust inputs identified that the intersection could accommodate the traffic at all times. The modelling has been undertaken to the year 2028. Novo Group have identified that at 2028 the intersection will be operating at its effective capacity. They have suggested that additional access locations for Nga Puna Wai should be explored, but highlight that there are a number of years until the need for this would be critical.

The updated modelling, and the underlying assumptions have been reviewed by Ms Boyce, who has accepted them as appropriate. Ms Boyce comments:

*"The SIDRA modelling indicates the Halswell Road/Augustine Drive/Monsaraz Drive intersection is likely to operate satisfactorily with the proposed Netsal development up until at least 2028. Beyond this time capacity can be improved at the intersection by providing an additional access to the site."*

In light of the assessments from Novo Group and Ms Boyce, I accept that the proposed activity is able to be accommodated within the transport network until at least 2028. For clarity, I note that the current CAST model, upon which the modelling for this proposal was based, uses the timeframes of 2028 and 2038. The applicant did not undertake modelling to the 2038 timeframe, an approach that I agree with. I consider the 2028 horizon to be appropriate for this assessment of effects. I echo the comments made by Novo Group and Ms Boyce in suggesting that an additional access to Nga Puna Wai be provided in the longer term. This also aligns with comments from Mr and Mrs Simcock.

I note that the transport modelling has been undertaken on the basis of the anticipated visitor numbers set out in Figure 1. It has assumed a maximum capacity of 800 persons. The modelling has shown that the transport network, and specifically the Halswell Road / Augustine Drive / Monsaraz Boulevard intersection, can accommodate this level of day-to-day traffic. The applicant has accepted conditions setting the maximum capacity

<sup>2</sup> Ms Boyce does note that it is not clear whether the vehicle occupancy rate and actual parking demand for Stage 1 is higher or lower than set out in the transport assessment undertaken at that time, which could affect the actual number of overspill vehicles (e.g. if lower, more Netsal visitors would be expected to park in vacant spaces within Nga Puna Wai).

<sup>3</sup> When occupied by 800 persons but not at lower levels of occupation.

as 800 persons, with the exception of up to three time per year where up to 1,000 persons may attend. Such larger events would trigger additional requirements as major events (discussed below).

In line with the existing consent for activities occurring at Nga Puna Wai, the applicant has volunteered conditions relating to the management of major events. This requires that a Major Events Traffic Management Plan be prepared for large events and references the framework provided for the existing resource consent / Stage 1 of development. Following consultation with Ms Shelley Perfect and Ms Boyce from WSP Opus, I have included an advice note relating to what is considered to be a major event in this instance (more than 800 persons).

With regard to the cumulative effects of combining the existing activities occurring at Nga Puna Wai with those proposed, I note that the modelling undertaken has accounted for those activities and been undertaken in accordance with the most accurate traffic data available at this time.

Turning to construction work associated with the activity, the applicant has accepted a condition of consent requiring the preparation and implementation of a Construction Traffic Management Plan. I consider this to be appropriate mitigation.

#### Conclusion as to Transport Effects

Overall, I consider that adverse effects of the proposal as it relates to transport will be less than minor. In reaching this position I have relied upon the assessment of Ms Boyce and the modelling undertaken by Novo Group, which Ms Boyce considers to be appropriate for this use. I highlight that this assessment is restricted to the matters within my discretion and have not considered amenity effects on neighbouring residents resulting from increased traffic along the surrounding local roads.

#### Visual Amenity

With regard to visual amenity, I highlight that the location and design of the proposed building and associated car parking areas are permitted by the District Plan. The extent of my discretion is restricted to the proposed signage only.

The applicant has proposed three signs, one each on the northern, eastern, and western elevations of the building. Each sign is 27m<sup>2</sup> in area with a maximum height of 7.8m, for a total of 81m<sup>2</sup> of on building signage. Each letter will be 1.5m tall. The applicant has confirmed that the signs will not be illuminated and that they will be flush with the building. The application plans show the signage lettering as white text on the black background of the building. The permitted standard for on building signage within the Open Space Metropolitan Facilities zone on this building is 3m<sup>2</sup> in area for each building and a maximum height of 4m. The proposed signage is shown in Figure 4 below.

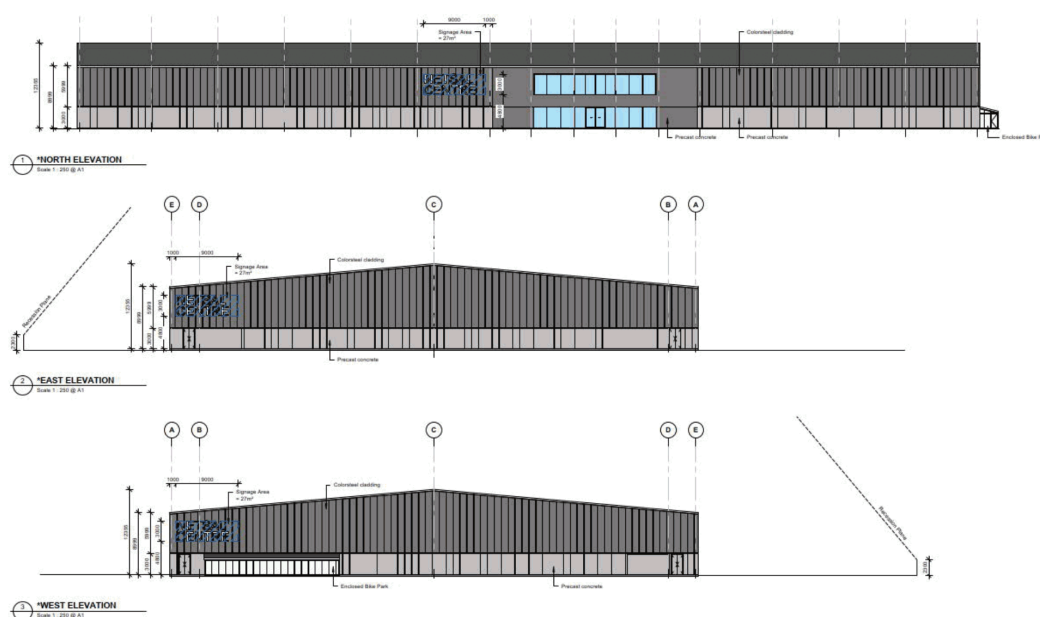


Figure 4. Building elevations with areas of signage shown in blue.



The signage will be predominantly seen from within the wider Nga Puna Wai site itself. The closest neighbouring residential properties are those along Augustine Drive and Euphrasie Drive, approximately 100m distant to the southeast. Views of the signage from the residential properties will be obscured by existing vegetation within the Nga Puna Wai reserve. The proposed bund and planting south of the building will further reduce views of the signage, particularly when planting matures. All three signs will be visible from within Nga Puna Wai itself, including from a public walking / cycling path around the perimeter of the site.



Figure 5. Aerial showing approximate location of proposed building (blue) and signage (red).

The matters of discretion for the proposed signs are contained within clause 6.8.5.1 'All signs and ancillary support structures' of the District Plan. This includes matters 'a' to 'h', discussed below.

- a. *Whether the scale, design, colour, location and nature of the signage will have impacts on the architectural integrity, amenity values, character, visual coherence, and heritage values of:*
  - i. *the building and the veranda on which the signage is displayed and its ability to accommodate the signage;*
  - ii. *the surrounding area (including anticipated changes in the area);*
  - iii. *residential activities; and*
  - iv. *heritage items or heritage settings, open spaces, protected trees or areas possessing significant natural values.*

The key consideration with regard to the signage is its scale. I consider the design to be minimalistic (each sign consisting only of the words 'Netsal Centre'), the colour unobtrusive (white on the black background of the building), the general location is suitable (being set back from adjoining properties), and the nature of the signage appropriate (being directly related to the activity). However, the scale of the signage is considerably larger than what is permitted for open space zones.

I do consider that the building is of a scale that it can accommodate the proposed signage, noting its size. I agree with the applicant's planner that relative to the scale of the building the proposed signs are proportional.

The surrounding area includes residentially zoned properties to the south and the Nga Puna Wai open space reserve, within which the building will sit. As discussed above, views of the signage from residential sites will be obscured by existing vegetation. While I expect that some residential properties will be able to see the building from some locations, views of the signage will be largely obscured and, where visible, would be from oblique angles at a considerable distance. Furthermore, any views of the signage would be seen within the context of the building, with which the signage is not out of scale. I consider that any effects of the signage on the owners and occupiers of the nearby residential properties will be less than minor.

There will be views of the signage from within the Open Space Metropolitan Facilities zone and the Open Space Water and Margins zone. This will include views from the cycling / walking track that goes around the perimeter of the site, as well as the parking areas and sports fields to the north and west of the proposed building. There is little existing signage within the Nga Puna Wai reserve, and none of the scale proposed. However, again I agree with the applicant's planner that the size of the signage will be appropriate within the context of the building to which it will be affixed (which itself is permitted). The colour and simple nature of the signage further reduce visual impacts.

- b. *Whether the extent of the impacts of the signage are increased or lessened due to:*
- the design, dimensions, nature and colour of the sign or support structure;*
  - the level of visibility of the sign; and*
  - vegetation or other mitigating features.*

I consider that the design, nature, and colour of the signs lessen the extent of impacts for the reasons outlined above. The dimensions of the signs do increase the extent of impacts compared to permitted signage, noting that it will be visible from greater distances within Nga Puna Wai (although views are reduced by existing vegetation to the south). The signage has been orientated to be principally visible from within the application site, and I note that no signage is proposed along the southern building elevation (that facing residential properties and the cycling / walking path).

There is existing vegetation on site that will minimise views of the building from the residential properties to the southeast. In addition, the applicant will be installing a 1m high bund with plantings, as well as planting some landscaping between the building and vehicle access.

- c. *Whether the signage combines with existing signage on the building, the site or in the vicinity, to create visual clutter or set a precedent for further similar signage.*

There is no existing signage on the building or within close proximity of the building location within the site. I do not consider there to be concerns with regard to visual clutter. In terms of precedent, I note that any similar proposals would also require resource consent, which would enable consideration of clutter.

- d. *Whether there are any special circumstances or functional needs relating to the activity, building, site or surroundings, which affect signage requirements, including:*
- operational, safety, directional, and functional requirements;*
  - its size, scale or nature; and*
  - the length of the road frontage.*

I do not consider there to be special circumstances relating to the activity, building, site, or surrounds which affect signage requirements. I do, however, consider there to be a functional requirement, being the identification of the building for its proposed use within the context of the Nga Puna Wai site that includes an array of recreational activities. Within this setting the proposed signage will provide direction to users. I do consider that this could be achieved with smaller sized signage, however, again note the size of the building itself, which can accommodate the signage proposed.

There is no road frontage to consider in this instance.

- e. *Whether the signage:*
- enlivens a space or screens unsightly activities;*
  - will result in an orderly and co-ordinated display; and*
  - relates to the business or activity on the site and the necessity for the business or activity to identify and promote itself.*

I agree with the applicant's planner that the proposed signage will result in an orderly and coordinated display that is related to the activity occurring on site. The signage is specific to the activity and will identify and promote the activity.

- f. *For small-scale, grouped poster signage, the nature and extent of any management and maintenance regime in place including keeping the posters current, and the posters and sites on which they are installed clean and free of graffiti.*

This matter is not relevant to the proposal.



- g. *The potential of the signage to cause distraction or confusion to motorists and/or adversely affect traffic safety due to its location, visibility, and/or content, including size of lettering, symbols or other graphics.*

Noting the location of the signage, as well as its simple design, I do not consider it likely to result in distraction or confusion to motorists. In contrast, the identification of the use of the building will assist in wayfinding.

- h. *Where the site is within the Akaroa Heritage Area, the matters set out in Rule 9.3.6.3.*

This matter is not relevant as the site is not within the Akaroa Heritage Area.

#### Conclusion as to Visual Amenity Effects

Overall, I consider that adverse effects of the proposed signage will be less than minor. In reaching this position I have had regard to the scale, design, colour, location, and nature of the signage, mitigating factors that will reduce visibility of the signs (particularly vegetation), and the functional requirement to identify the building for its intended use.

#### **Noise**

As with the previous consent for Stage 1 of development of Nga Puna Wai (RMA/2017/965) the proposal has been assessed as requiring resource consent for a restricted discretionary activity where the vehicle traffic from the activity crosses from the application site to Augustine Drive, over the existing vehicle bridge which crosses the Opawaho / Heathcote River and which is located in the Open Space and Water Margins zone. I note that the applicants acoustic assessment states that compliance will be achieved, however, I have received advice from Ms Isobel Stout, Senior Environmental Health Officer at Christchurch City Council that it will breach the permitted standard and consent is required under Rule 6.1.5.1.3 RD1. While there is some disagreement as to whether the standard is breached, the experts agree that this non-compliance is a technicality with minimal noise effects. I accept this assessment and note that no persons are directly affected by the non-compliance. Traffic noise on the bridge will be noticeable to users of the existing walkway along the river on busy days, however, this site has been set aside and zoned for a metropolitan sports facility and traffic accessing the site is a necessary part of the activity. Any adverse effects on users of the walkway as a result of traffic using the accessway will be confined to the vicinity of the bridge and the vehicle access and I, therefore, consider any adverse effects of this non-compliance will be less than minor.

#### **Matters Raised by Neighbours**

In light of the correspondence received from Mr and Mrs Simcock, I address their concerns specifically here:

- Incompatibility, or otherwise, with the Reserve Management Plan. The Reserve Management Plan outlines the proposed use for the subject land area for outdoor sports field and parking purposes, which could be seen as an amenity buffer. However, it is difficult to give much weight to this aspect of the Management Plan from an effects perspective because it is not a statutory planning document, the matters of discretion don't extend to considering amenity buffers and the use, location and scale of the building is permitted and consistent with the purpose of the underlying zoning (refer to Objective 18.2.1.1 'Provision of open spaces and recreation facilities' and Policy 18.2.2.1 'The role of open space and recreation facilities').
- Concerns have been raised with regard to transport effects. The concerns largely relate to the effects of additional traffic on the residential amenity of those persons living along Augustine Drive and Euphrasie Drive. As noted above, my discretion does not extend to the effects of additional traffic on residential amenity, so I am unable to turn my mind to this matter.
- The existing lighting has been identified as an issue by Mr and Mrs Simcock. With respect to this I note that the applicant has proposed conditions ensuring that lighting of the new facility complies with District Plan standards. As such, I consider this appropriate.
- Disruption from construction is not an uncommon concern where a neighbouring property is being developed. In this case I note that the applicant has confirmed they will conform with construction standards relating to noise and a construction management plan will be submitted and approved by Council prior to works starting.
- Noise more generally has been discussed above. The proposal has been found to have a technical non-compliance at that part of the site zoned Open Space Water and Margins zone, however, will comply at all other boundaries (including the residentially zoned properties to the south).
- Concerns have also been raised around visual impacts of the proposal. As discussed above, the building itself is permitted by the District Plan. The scope of my discretion is restricted to effects of the proposed signage, which I have discussed above and consider effects associated with which to be less than minor.

- There are concerns that the proposal could result in the loss of value of the residential properties that border Nga Puna Wai. This is not a matter over which I have discretion. In a similar vein, while there may be other locations in which the facility can be accommodated, this report must consider the effects of the proposed location. I highlight that that the application complies with the activity specific and built form standards of the Open Space Metropolitan Facilities Zone, and is permitted under those rules.
- The concerns raised regarding timing and the Covid-19 lockdown do not, in my view, impact upon the ability to make a decision on notification of a resource consent under Section 95 of the Resource Management Act. If the decision-maker determines that the consent should be notified the Covid-19 lockdown may impact the ability to undertake that notification process if the lockdown continues for an extended period of time. This is a procedural matter and will need to be dealt with by Council as required.

### Conclusion as to Effects

Section 95D of the Resource Management Act requires that I disregard effects on persons who own or occupy the land on which the activity will occur and any land adjacent to that land for consideration of public notification. As the proposal is for a restricted discretionary activity, I must also disregard any effect of the activity that does not relate to a matter over which the District Plan provides discretion. It is important to note that this includes disregarding effects of additional traffic movements on the residential amenity of those persons living along Augustine Drive and Euphrasie Drive. Having regard to the matters within my discretion, I consider that adverse effects of the environment will be less than minor.

Section 95E of the Resource Management Act relates to limited notification. Again, my discretion is restricted to specific matters relating to the rule breaches. Having regard to the matters within my discretion, I consider that adverse effects on persons will be less than minor.

Overall, I consider that any adverse effects on the wider environment will be less than minor and that there will be no affected persons.

### Notification tests [Sections 95A and 95B]

Sections 95A and 95B set out the steps that must be followed to determine whether public notification or limited notification of an application is required.

PUBLIC NOTIFICATION TESTS – Section 95A	
<b>Step 1: Mandatory notification – section 95A(3)</b>	
➤ Has the applicant requested that the application be publicly notified?	No
➤ Is public notification required under s95C (following a request for further information or commissioning of report)?	No
➤ Is the application made jointly with an application to exchange reserve land?	No
<b>Step 2: If not required by Step 1, notification is precluded if any of these apply – section 95A(5)</b>	
➤ Does a rule or NES preclude public notification for all aspects of the application?	No
➤ Is the application a controlled activity?	No
➤ Is the application a restricted discretionary or discretionary activity for a subdivision?	No
➤ Is the application a restricted discretionary or discretionary activity for residential activity on land that, under the District Plan, is intended to be used solely or principally for residential purposes?	No
➤ Is the application a boundary activity?	No
<b>Step 3: Notification required in certain circumstances if not precluded by Step 2 – section 95A(8)</b>	
➤ Does a rule or NES require public notification?	No
➤ Will the activity have, or is it likely to have, adverse effects on the environment that are more than minor (discussed above)?	No
<b>Step 4: Relevant to all applications that don't already require notification – section 95A(9)</b>	
➤ Do special circumstances exist that warrant the application being publicly notified?	No

In accordance with the provisions of section 95A, the application **must not be publicly notified**.

LIMITED NOTIFICATION TESTS – Section 95B	
<b>Step 1: Certain affected groups/persons must be notified – sections 95B(2) and (3)</b>	
➤ Are there any affected protected customary rights groups or customary marine title groups?	No
➤ If the activity will be on, adjacent to, or might affect land subject to a statutory acknowledgement - is there an affected person in this regard?	No
<b>Step 2: If not required by Step 1, notification is precluded if any of the following apply – section 95B(6)</b>	
➤ Does a rule or NES preclude limited notification for all aspects of the application?	No
➤ Is this a land use consent application for a controlled activity?	No
<b>Step 3: Notification of other persons if not precluded by Step 2 – sections 95B(7) and (8)</b>	
➤ Are there any affected persons under s95E, i.e. persons on whom the effects are minor or more than minor, and who have not given written approval (discussed above)?	No
<b>Step 4: Relevant to all applications – section 95B(10)</b>	
➤ Do special circumstances exist that warrant notification to any other persons not identified above?	No

In accordance with the provisions of section 95B, the application **must not be limited notified**.

#### Recovery Plans and Regeneration Plans

Section 60 of the Greater Christchurch Regeneration Act 2016 requires that decisions and recommendations on resource consent applications are not inconsistent with Recovery Plans and Regeneration Plans. For restricted discretionary activities such plans are an additional matter over which discretion is restricted.

I am satisfied that processing this application on a non-notified basis will not be inconsistent with any Recovery Plans or Regeneration Plans.

#### Notification recommendation

That, for the reasons outlined above, the application be processed on a **non-notified** basis pursuant to sections 95A and 95B of the Resource Management Act 1991.

**Reported and recommended by:** Nathan Harris, Planner

**Date:** 13<sup>th</sup> April 2020

**Reviewed by:** Paul Lowe, Principal Advisor

**Date:** 14<sup>th</sup> April 2020

#### Notification decision

That the above recommendation be accepted for the reasons outlined in the report.

#### Commissioner:

Name: David Mountfort

Signature: 

Date: 16 April 2020

## SECTION 104 ASSESSMENT

### Actual and potential effects on the environment [Section 104(1)(a)]

The adverse effects on the environment are assessed in the preceding section 95 discussion, and that assessment is equally applicable here. In addition, I note that the proposal will have a positive effect through the provision of an indoor multi-court sporting facility.

Overall, I consider effects of the proposed activity on the environment will be acceptable. The applicant has offered / accepted a number of conditions that will serve to reduce effects on persons and the environment.

### Relevant objectives, policies, rules and other provisions of the Plan [Section 104(1)(b)(vi)]

Regard must be had to the relevant objectives and policies in the District Plan. In this instance, the relevant objectives and policies relate to open space, signage, transport, and noise.

#### Open Space

The District Plan includes three objectives and nine policies relevant to the open space zones. I note from the outset that major sports facilities are permitted in the Open Space Metropolitan Facilities zone and that built form standards for the zone are met. The matters requiring consent relate to signage, transport, and noise only. Notwithstanding this, the applicant has provided an assessment against the Open Space objectives and policies, with which I am in agreeance.

I do not re-state the points made by the applicant here, instead focussing on those policies most relevant to the proposal and the matters raised by the neighbouring property owners.

Policy 18.2.2.1 'The role of open space and recreation facilities' seeks to provide for public open spaces and recreation facilities consistent with the role of the open space, while avoiding activities that do not have a practical or functional need to be located within open space. The proposal is consistent with the role of the Open Space Metropolitan Facilities zone which seeks to accommodate public and private major sports facilities, and there is a practical need to locate the activity within the Nga Puna Wai site.

As relevant to this proposal, Policy 18.2.2.2 'Multifunctional use, accessibility and recovery' seeks to increase the capacity of open space and recreation facilities by:

- Promoting compatible multi-functional uses;
- Maximising utilisation of metropolitan facilities while maintaining the open space amenity; and
- Maintaining and enhancing accessibility of open spaces by providing appropriately located entrances, public access ways, frontages to public roads, and waterways, and wherever practicable connectivity to the wider open space and transport network.

The proposal will provide a multi-functional building, the use of which will be compatible with other recreation activities occurring at Nga Puna Wai. It will increase utilisation of land zoned Open Space Metropolitan Facilities zone and will provide a metropolitan facility for which there is demand in the Christchurch area. I consider that the proposal will maintain the open space amenity of the wider Nga Puna Wai site, noting the location of open fields to the west of the proposed building, and the general sense of spaciousness throughout the site. I highlight that there is a suitable buffer zone between the proposed building and residential sites to the south, with this zoned Open Space Water and Margins zone and including a large amount of vegetation between the residential sites and proposed building. The proposal will not alter existing entrances to Nga Puna Wai. Notwithstanding this, the activity will connect with other activities within Nga Puna Wai (with access taken from a formed accessway), and Nga Puna Wai connects to the wider transport network. I take Mr and Mrs Simcock's point that a facility the size of Nga Puna Wai would ideally be serviced by more than a single residential street. While I am not in disagreement with this notion, I note the above assessment with regard to effects on the transport network, which found that it is able to accommodate the development.

Policy 18.2.2.5 'Environmental effects' seeks to ensure the scale, layout and design of open spaces and the facilities within them are appropriate to the locality and context, and that adverse effects are managed. I note that the activity has been considered acceptable through alignment with the permitted standards for the Open Space Metropolitan Facilities zone. As such, any consideration of this should be restricted to transport, signage, and noise matters. I discuss each of these below, however also note that 18.2.2.5(a)(iv) seeks to mitigate adverse noise, glare, dust and traffic effects. I consider the proposal to be consistent with this. I highlight that the applicant has volunteered conditions of consent which assist in mitigating noise and traffic effects. As discussed above,



the scale, layout and design of the building and associated structures is consistent with the role and function of the open space and its anticipated level of spaciousness and character.

I do note that the applicant has not provided an assessment against Objective 18.2.1.2 'Natural open space, water bodies and their margins', which seeks to protect, maintain and enhance the inherent qualities of natural open spaces and water bodies and maintain or enhance accessibility to those spaces and water bodies. They have, however, assessed the proposal against Policy 18.2.2.4 'Water bodies and their margins'. For clarity, the proposal complies with permitted activity requirements relating to the Open Space Water and Margins Zone, and I consider it to be consistent with the policy framework.

Overall, I consider the proposal to be consistent with the Open Space objectives and policies of the District Plan. I have not deliberated on each of the provisions here, noting my general agreement with the assessment provided by the applicant. Instead, this section has focussed on those matters raised by concerned neighbours. For clarity, I have reviewed all the objectives and policies of the Open Space chapter of the District Plan and consider the proposal to be consistent with them, as relevant to the proposal and relating to matters within the scope of my discretion.

### Signage

Objective 6.8.2.1 'Signage' and Policies 6.8.2.1.1 'Enabling signage in appropriate locations', 6.8.2.1.2 'Controlling signage in sensitive locations', 6.8.2.1.3 'Managing the potential effects of signage' and 6.8.2.1.4 'Transport safety' are relevant to this proposal. This framework seeks to enable signage in a way that supports the needs of businesses, infrastructure and community activities while managing adverse effects. Particularly relevant in this instance, Policy 6.8.2.1.1 seeks to enable signage as an integral component of community activities, while Policy 6.8.2.1.2 requires Council to ensure that the character and amenity values of residential and open space zones are protected from adverse visual and amenity effects from large areas or numbers of signs. Policy 6.8.2.1.3 requires that where considering Policies 6.8.2.1.1 and 6.8.2.1.2, Council ensure that the size, number, location, design, appearance and standard maintenance of signs does not detract from, and where possible contributes to the character and visual amenity of the surrounding area and public realm, integrates with and does not detract from the building design as the primary visual element, and are in proportion to the scale of buildings and the size of the site. For the reasons discussed above, I consider the proposed signage to be appropriate to its locale. I note that while the scale is large, other aspects of its design help minimise adverse effects (including the colour and minimal elements), that it integrates with the façade of the building and does not detract from the integrity of the building design while maintaining the building as the primary visual element, and is in proportion to the scale of the building and large size of the site. I do not consider the proposed signage to cause obstruction or distraction for motorists, pedestrians, or other road users (Policy 6.8.2.1.4).

### Transport

Objective 7.2.1 'Integrated transport system for Christchurch District' seeks an integrated transport system that is safe and efficient, responsive to needs, supports communities, reduces dependency on private motor vehicles and promotes the use of public and active transport, and is managed using the one network approach<sup>4</sup>. In this instance, and noting that my discretion is restricted to those matters over which the District Plan specifies, I consider the relevant policies to consist of:

- Policy 7.2.1.2 'High trip generating activities'. This policy requires the adverse effects of high trip generating activities on the transport system be managed through assessing their location and design, with regard to the extent that they accord with ten points. It is worth highlighting that this policy applies to all high trip generating activities, however, the matters of discretion for high trip generating activities differs depending on the specifics of that. In this instance, Council's discretion extends to access and manoeuvring, design and layout, heavy vehicles, and network effects. I consider that the proposal adequately manages adverse effects on those aspects of the transport system within my discretion and, when considered on balance, is consistent with the policy. I note:
  - The activity is permitted in the zone in which it is located (matter i).
  - The proposal is located in an urban area (matter ii). While it will generate additional traffic movements, modelling shows that these movements can be accommodated within the transport network until at least 2028. Around 2028 modelling shows that the Halswell Road / Augustine Drive / Monsaraz Boulevard intersection will be operating near the limits of its capacity. This is related to anticipated changes in the wider area (strongly influenced by greenfield development) which will increase traffic movements through the intersection. Accordingly a number of network improvements/ changes may be required and could include an additional access to Nga Puna Wai to accommodate that future growth.

<sup>4</sup> This approach considers the transport networks as a whole, noting that effects on the network may extend beyond the immediate vicinity.

- The site is accessible by different transport modes, particularly cycling (matter iii). I note the concerns raised during the processing of the Stage 1 consent that there were not appropriate connections to bus routes. While I understand this has not changed, I do consider that the proposal provides appropriate provision for alternative transport modes through the cycle parking and associated facilities.
- For the reasons discussed in the above assessment of effects I consider that the proposal does not compromise the safe, efficient, and effective use of the transport system (matter iv).
- The proposal does not require changes to the existing transport network in the short- to mid-term, in that way optimising use of the existing system (matter v).
- I do not consider that the proposal 'maximises positive transport effects', although highlight that conditions have been volunteered to mitigate adverse effects (matter vi).
- While the activity is permitted within the zone (and therefore matter vii is not relevant), I do not consider the proposal to have significant adverse effects on those transport matters within my discretion to consider.
- Matter viii seeks to mitigate other transport effects and effects on the amenity values of the surrounding environment. As discussed above, I do not consider that the matters of discretion for this proposal allow me to consider amenity effects on the surrounding residents associated with overspill parking or additional traffic movements.  
Notwithstanding the above, I do note the conditions volunteered by the applicant relating to major events. These require that comprehensive management plans be put in place for larger activities, including those netball events where up to 1,000 people may visit the site. I note that the conditions are the same as that for the Stage 1 consent and note that to meet these conditions a single comprehensive management plan could be submitted for all activities occurring at Nga Puna Wai.
- The proposal provides for the transport needs of people whose mobility is restricted through the provision of suitable mobility parking spaces (matter ix).
- The proposal integrates with the transport system in so much that it can be accommodated in the short- to medium-term (matter x). The modelling undertaken suggests that by approximately 2028 there will be a requirement for an additional access to Nga Puna Wai.
- Policy 7.2.1.3 'Vehicle access and manoeuvring'. This requires that vehicle access and manoeuvring be compatible with the road classification and ensures the safety and efficiency of the transport network. I note that the proposal does not seek to alter the existing access and provides sufficient manoeuvring on site to accommodate vehicles.
- Policy 7.2.1.4 'Requirements for car parking and loading'. This policy requires that car parking and loading spaces provide for the expected needs of an activity that manages adverse effects. It provides for a reduction in the number of parking spaces in certain circumstances. The proposal provides 17 more car parking spaces than required by the District Plan when the permitted parking reduction factors are applied. As such, I consider it provides for the needs of the activity as anticipated by the District Plan. I do acknowledge the comments from Ms Boyce that there is likely to be overspill parking in the surrounding area, however, consider that adverse effects over which I have discretion can be managed.
- Policy 7.2.1.5 'Design of car parking areas and loading areas'. This requires that car parking and loading areas are designed to operate safely and efficiently, function and be formed in a way that is compatible with the character and amenity values of the surrounding environment, and is accessible for people whose mobility is restricted. Taking account of the assessment of effects, I consider this policy to be met as relevant to the mobility dimension rule breach.
- Policy 7.2.1.6 'Promote public transport and active transport'. I consider the proposal accords with this policy insofar as it provides appropriate cycle parking for staff and visitors. I also highlight that it is located in proximity to cycleways.

When considered in an overall sense, I consider the proposal to be consistent with the transport policy framework as relevant to this proposal (subject to conditions around limiting capacity) and within my scope of consideration.

#### Noise

The proposal will accord with the relevant objective and policy of the noise chapter of the District Plan, being Objective 6.1.2.1 'Adverse noise effects' and Policy 6.1.2.1.1 'Managing noise effects'. I consider that adverse noise effects will be managed to levels consistent with the anticipated environment.

#### Conclusion as to Objectives and Policies

For the reasons discussed above I consider the proposal to be consistent with the relevant objectives and policies of the District Plan.



**Relevant provisions of a National Environmental Standard, National Policy Statement, Regional Plan, Regional Policy Statement or Coastal Policy Statement [Section 104(1)(b)]**

The District Plan gives effect to the higher order documents referred to in s104(1)(b), including the Regional Policy Statement and Regional Plans. As such, there is no need to specifically address them in this report.

**Other relevant matters [Section 104(1)(c)]**

Section 104(1)(c) states that when considering an application for a resource consent the consent authority must, subject to Part 2, have regard to *“any other matter the consent authority considers relevant and reasonably necessary to determine the application”*. In this instance, the Nga Puna Wai and Canterbury Agricultural Park Management Plan 2010, prepared under the Reserves Act, may be considered relevant. Consideration of a management plan prepared under the Reserves Act is not a mandatory consideration and when considering how much weight such plans should be given it depends on the specific circumstances. For example, where reserve management plans are recognised in the district plan as a relevant method, or where objectives and policies refer to the functions and purposes of reserves greater weight may be given.

In this instance, Section 18.3 ‘How to interpret and apply the rules’ of the Open Space chapter of the District Plan states that: *“Reference should also be made to any other applicable rules or constraints within other legislation of ownership requirements including the following:*

- i. Reserves Act...”*

This requires that reference be made, but does not necessitate alignment or otherwise with management plans of the Reserves Act. The District Plan does not otherwise link to the Reserves Act in any meaningful way in this instance, and I note that while the objectives and policies of the Open Space zone in the District Plan refer to the roles of reserves those roles are set within that policy framework itself (as opposed to referring to roles set within the Park Management Plan). As such, I consider that reference should be given to the Nga Puna Wai and Canterbury Agricultural Park Management Plan 2010, however, this in itself should not be determinative.

The Nga Puna Wai and Canterbury Agricultural Park Management Plan 2010 is a broad document, setting out a range of goals, objectives and policies for the wider area and the recreation reserve specifically. Part B Section 4 of the Park Management Plan sets out management objectives and policies. I have reviewed these objectives and policies and consider that in so far as my discretion extends, the proposal is consistent with the Park Management Plan.

I acknowledge the comments made by Mr and Mrs Simcock that the fact that the Reserve Management Plan shows the area in which the proposed building is located as open fields and parking areas set an expectation that development would occur in that manner. However, I highlight that for the purposes of my assessment, the District Plan provides for that location as a permitted activity and the location of the building / activity is not a matter over which my discretion extends.

**Part 2 of the Resource Management Act [Section 104(1)]**

Taking guidance from the most recent case law<sup>5</sup>, the District Plan is considered to be the mechanism by which the purpose and principles of the Act are given effect to in the Christchurch District. It was competently prepared through an independent hearing and decision-making process in a manner that appropriately reflects the provisions of sections 5-8 of the Act.

Accordingly no further assessment against Part 2 is considered necessary.

**Section 104(3)(d) notification consideration**

Section 104(3)(d) states that consent must not be granted if an application should have been notified and was not. No matters have arisen in the assessment of this application which would indicate that the application ought to have been notified.

**Recovery Plans and Regeneration Plans**

Granting consent to this application will not be inconsistent with any Recovery Plans or Regeneration Plans.

<sup>5</sup> R J Davidson Family Trust v Marlborough District Council [2018] NZCA 316

**Section 104 Recommendation**

That, for the above reasons, the application **be granted** pursuant to Sections 104, 104C, 108 and 108AA of the Resource Management Act 1991, subject to the following conditions:

1. The development shall proceed in accordance with the information and plans submitted with the application, including the email received 13<sup>th</sup> March 2020, the updated acoustic assessment dated 16<sup>th</sup> March 2020, and the Request for Information Response received 7<sup>th</sup> April 2020. The Stamped Approved Plans have been entered into Council records as RMA/2020/512 19 pages.

Landscaping

2. Prior to the commencement of works, landscape plans for the Netsal site in general accordance with landscaping shown on page 3 of RMA/2020/512 are to be submitted to the Council Parks Unit for acceptance. All landscaping is to be carried out in accordance with the Accepted plans prior to occupancy. All landscaping required by this condition is to be carried out in accordance with the Accepted Plan(s) at the Consent Holder's expense, unless otherwise agreed.

Advice Note:

- (i) Any underground infrastructure across Council reserve land will require an easement in compliance with section 48(1) Reserves Act 1977 prior to the completion of the work, at the Consent Holders expense.
- (ii) The final landscaping plans submitted to Council's Parks Unit for acceptance will include planting that achieves visual softening and screening of the Netsal building from the shared pedestrian / cycle path and residential properties to the south at all times of the year.

Utilities

3. The stormwater basin identified on page 2 of RMA/2020/512 shall be subject to a right to drain water (in gross) in favour of Christchurch City Council.
4. The stormwater basin identified on page 2 of RMA/2020/512 shall be installed and maintained through a separate agreement between the Ngā Puna Wai Centre and CCC Three Waters. No works shall occur until this agreement is in place.

Advice Note: The separate agreement shall account for:

- (i) Installation, maintenance, and decommissioning of the stormwater facility;
- (ii) The surface water drainage from the new communal car parking area associated with the lease building; and
- (iii) Accommodate the attenuation stormwater run-off from the lease building area.

Erosion and Sediment Control

5. Prior to the commencement of any construction work, the consent holder shall prepare an Erosion and Sediment Control Plan (ESCP) covering all earthwork associated with the consented development. The ESCP shall be designed by a suitably qualified persons and a design certificate (template available on request form CCC) supplied with the ESCP. The performance criteria for the ESCP, unless directed otherwise by the Subdivision Engineering section of Council will be based on Environment Canterbury's Erosions and Sediment Control Toolbox for Canterbury (ESCT).

The ESCP shall include:

- a. Drawings and specifications of designated sediment and dust control measures;
  - b. A map showing the location of all works including any areas of protection of natural assets and habitats (if applicable).
  - c. A programme of works including a proposed timeframe and completion date;
  - d. Installation of devices until the site is stabilised (i.e. grassed); and
  - e. Inspection and maintenance schedules for the sediment and dust control measures.
6. The accepted ESCP shall be implemented on site over the construction phase. No earthworks shall commence on site until:

- a. The contractor has received a copy of all resource consents; and
- b. The ESCP has been installed.

Transport

7. An approved Traffic Management Plan (TMP) shall be implemented for the earthworks / construction activity and no works are to commence until such time as the TMP has been installed. The TMP shall be prepared by an STMS accredited person, submitted through the web portal [www.myworksites.co.nz](http://www.myworksites.co.nz) and approved by the Christchurch Transport Operation Centre – please refer to [www.tmpforchch.co.nz](http://www.tmpforchch.co.nz).
8. The maximum number of persons on site associated with the proposed activity at any one time is 800, except for other local / national tournaments which may occur up to three times per year where the maximum number of persons may be 1,000.
9. A booking system shall be maintained at all times for all sporting activities and records shall be made available on request by a Council Compliance Officer.
10. Prior to operation of the proposed activity, the Consent Holder shall submit to Council an Activity Management Plan detailing how the maximum number of persons will be managed in accordance with Condition 8. The Activity Management Plan shall be prepared with the assistance of a suitably qualified and experienced transport planner or engineer and include, but not be limited to, the following matters:
  - a. All activities that are to be undertaken on the site;
  - b. The overall management of the facility;
  - c. Hours of operation for all event types and activities;
  - d. The expected number of participants and supporters present for specific games and events (e.g. consider sport types, team size, and age grades);
  - e. Details of the booking system used by the Consent Holder;
  - f. Details of any additional measures used to control the number of persons on site at any one time (e.g. number of courts in use, hours of operation for offices and deliveries);
  - g. Self-monitoring measures and reporting requirements; and
  - h. Non-compliance contingency measures.

11. The Activity Management Plan shall be provided to Council, Attention: Team Leader Compliance and Investigations for certification via email to [rcmon@ccc.govt.nz](mailto:rcmon@ccc.govt.nz) at least 20 working days prior to the operation of the facility. This Activity Management Plan is to be certified by the Team Leader (or their nominee) as meeting the requirements of Condition 8 prior to the activity occurring and, once certified, will thereafter form part of the Approved Consent Document.

Note: The Team Leader will either certify, or refuse to certify, the Activity Management Plan within 10 working days of receipt. Should the Team Leader refuse to certify the Activity Management Plan, then they shall provide a letter outlining why certification is refused based on the parameters contained in this condition.

12. Should the Team Leader refuse to certify the Activity Management Plan, the Consent Holder shall submit a revised Activity Management Plan to the Team Leader for certification. The certification process shall follow the same procedure and requirements as outlined in Conditions 10 and 11.
13. The Activity Management Plan may be amended at any time by the Consent Holder. Any amendments to the Activity Management Plan shall be submitted by the Consent Holder to the Team Leader for certification. Any amendments to the Activity Management Plan shall be:
  - a. For the purposes of improving the measures outlined in the Activity Management Plan for achieving the Activity Management Plan purpose (see Condition 8); and
  - b. Consistent with the conditions of this resource consent.

If the amended Activity Management Plan is certified, then it becomes the certified Activity Management Plan for the purposes of Condition 10 and will thereafter form part of the Approved Consent Document.

14. If there are three instances of non-compliance with Condition 8 that are validated by a Compliance Officer in writing, the Team Leader Compliance and Investigations can require an update to the Activity Management Plan following the process set out in Conditions 10 to 12.
15. All activities undertaken on site shall comply with the relevant certified Activity Management Plan.

16. The Consent Holder shall undertake measures to educate visitors to its facility about parking legally and being respectful of neighbouring residents. This information may be provided on its website, to visitors at the time of booking, and / or within the facility itself (e.g. posters).
17. A Major Event Traffic Management Plan (METMP) shall be prepared and implemented for any event listed in Table 3-1 (page 9) of the 'Nga Puna Wai Sports Hub - Major Event Traffic Management Plan – Framework Version', dated 26 May 2017 (Council ref. 20/367262), and for any other major events as necessary.

Advice Note: A major event includes Netsal activities where more than 800 people are on site.

18. A Major Event Traffic Management Plan shall be prepared in accordance with the 'Ngā Puna Wai Sports Hub – Major Event Transport Management Plan (Framework Version)' dated 26 May 2017 and shall also include provisions relating to:
  - a. Notification of all residents in surrounding streets of upcoming events, including (and not limited to) McMahon Drive, Augustine Drive and all streets where overspill parking may occur;
  - b. Temporary restriction of access to some surrounding roads to residents only;
  - c. The implementation of temporary traffic and parking management measures, as deemed necessary by the Christchurch City Council and/or New Zealand Transport Agency.
  - d. Measures to minimise sediment being dragged onto the public road network.
  - e. Measures to manage movements at the intersection of Halswell Road and Augustine Drive.
  - f. Implementation of the above, and any other measures required by the Christchurch City Council and/or New Zealand Transport Agency, using the Code of Practice for Temporary Traffic Management (CoPTTM) as a reference.
19. Major Traffic Management Plans shall be submitted to and certified by the Christchurch Transport Operation Centre.

#### Lighting

20. Prior to the installation of any outdoor lighting at the site, the consent holder shall submit a report and lighting design to the Council prepared by a suitably qualified expert to demonstrate that all proposed outdoor lighting on the site will comply with the District Plan Rule 6.3.4.1 (Control of Glare) and Rule 6.3.5.1 (Control of Light Spill).

#### Noise

21. The construction activities shall be managed and controlled in accordance with NZS6803:1999.
22. Standard screening shall be installed for heating, ventilation and air conditioning units.

#### Review

23. Pursuant to Section 128 of the Resource Management Act 1991, the Council may review conditions by serving notice on the consent holder within a period of one month of any six month period following the date of this decision, in order to deal with any adverse effects on the environment which may arise from the exercise of this consent and which it is appropriate to deal with at a later stage.

#### **Advice Notes:**

- The Council will require payment of its administrative charges in relation to monitoring of conditions, as authorised by the provisions of section 36 of the Resource Management Act 1991. The current monitoring charges are:
  - (i) A monitoring programme administration fee of \$102.00 to cover the cost of setting up the monitoring programme; and
  - (ii) A monitoring fee of \$175.50 for the first monitoring inspection to ensure compliance with the conditions of this consent; and
  - (iii) Time charged at an hourly rate if more than one inspection, certification of conditions, or additional monitoring activities (including those relating to non-compliance with conditions), are required.



The monitoring programme administration fee and inspection fees will be charged to the applicant with the consent processing costs. Any additional monitoring time will be invoiced to the consent holder when the monitoring is carried out, at the hourly rate specified in the applicable Annual Plan Schedule of Fees and Charges.

- There is a DN250 PE100 main at this site that can provide water services for firefighting in accordance with Rule 18.5.2.7 'Water supply for firefighting'. It is recommended that the applicant confirm the available pressure for fire flow design by carrying out a pressure test, where the target source pressure for this zoning will be 450 kPa and a target sprinkler pressure (available pressure at connection point) is 350 kPa. Any fire sprinkler systems should be designed for the minimum of actual pressure of 350 kPa.
- This resource consent has been processed under the Resource Management Act 1991 and relates to planning matters only. You will also need to comply with the requirements of the Building Act 2004 and any other legislative requirements (including but not limited to Environment Canterbury Regional Plans, health licence, liquor licence, archaeological authority, certificate of title restrictions such as covenants, consent notices, encumbrances, right of way or easement restrictions, landowner approval where required).
- For more information about the building consent process please contact our Duty Building Consent Officer (phone 941 8999) or go to our website <https://ccc.govt.nz/consents-and-licences/>
- You will need to obtain separate permission from the Council as owner of the land before you may carry out the proposed activity on this site. Please contact Joanne Walton, Policy Advisor Greenspace, Network Planning Team, on 941 8999.
- This site may be an archaeological site as defined and protected under the provisions of the Heritage New Zealand Pouhere Taonga Act 2014. Archaeological sites are defined in the HNZPTA as any place in New Zealand where there is physical evidence of pre-1900 occupation, regardless whether the site is known or not, recorded in the NZAA Site Recording Scheme or not, or listed with Heritage New Zealand or the local council. Authority from Heritage New Zealand is required for any work that affects or may affect an archaeological site. Please contact the Heritage New Zealand regional archaeologist on 03 363 1880 or [archaeologistcw@heritage.org.nz](mailto:archaeologistcw@heritage.org.nz) before commencing work on the land.

**Reported and recommended by:** Nathan Harris, Planner

**Date:** 13<sup>th</sup> April 2020

**Reviewed by:** Paul Lowe, Principal Advisor

**Date:** 14<sup>th</sup> April 2020

#### Section 104 Decision

That the above recommendation be accepted for the reasons outlined in the report.

☒ I have viewed the application and plans.

☒ I have read the report and accept the conclusions and recommendation.

#### Decision maker notes

I note that the proposal is inconsistent with the Nga Puna Wai and Canterbury Agricultural Park Management Plan 2010, prepared under the Reserves Act, as described above by Mr Harris. That is unfortunate. However to the best of my knowledge the Reserves Act, and management plans prepared under it do not prevail over the Resource Management Act and a district plan prepared under it. It is regrettable that there are these two statutory systems that both involve planning for reserves but are not integrated with each other. At best this sends conflicting signals and is likely to cause confusion.

The Management Plan is a relevant "other matter" for consideration in this case under section 104 (1)(c). However such consideration has to be limited to the matters that are listed in the district plan for consideration for this application.

A particular example is the issue of effects on the residential amenity neighbourhood of increased traffic and on-street parking that may occur. If this was one of the matters over which the district plan restricts its discretion, then whatever the management plan had to say on that issue would have been relevant. However as traffic effects on residential amenity are not a relevant consideration then the management plan is also not relevant to that issue.

Put another way, the fact that the management plan shows a different activity on this part of the site does not prevail over the opportunity to apply for the Netsal facility on this site under the RMA under the district plan.

As stated by Mr and Mrs Simcock, the proposal also seems to be contrary to the Ngā Puna Wai Master Plan, which allocated the site of this application for open playing fields and car parking with the intention of maintaining a separation between the sports hubs and residential housing.

Like the Reserve Management Plan, this master plan is not a statutory plan that would override the district plan. Rather, it is a plan intended to guide the Council in its decision -making over the wider Nga Puna Wai reserve. The Council is able to make decisions about how it allocates this site and seems to have widely different plans to guide it.

I note it is up to the Council, as the landowner and reserve controlling authority to decide which version of its plans it prefers, by a separate process from this resource consent, if it has not already done so. A resource consent is simply an enabling document that does not remove the obligation of the consent holder to separately obtain the consent of the landowner. It is for the Council to decide how to allocate the land in its other role as landowner and reserve controlling authority and I have no role in that. If the Council decides to proceed with the Netsal facility on this site, I strongly encourage it to amend the Reserve Management Plan and the Master Plan accordingly.

As far as the resource consent application itself is concerned, I agree with and adopt the conclusions and recommendations of Mr Harris in his report. The resource consent is appropriate to be granted.

**Commissioner:**

Name: David Mountfort

Signature: 

Date: 16 April 2020

# Ground Lease Proposal

(Christchurch City Council)

## Netsal Sports Centre Limited

Hereinafter referred to as Netsal



Stephen Barry  
Consultant to Board  
January 2020



## Introduction

Netsal has been established to develop, own and operate a 10-court indoor sports facility in Christchurch.

Netsal is owned by the Christchurch Netball Centre Incorporated (CNC), being the entity responsible for community netball in Christchurch and No 6 Federation of New Zealand Football (Futsal) and known as Mainland Football.

Netsal is a tax exempt not for profit organisation formed specifically to own and operate the Centre on behalf of CNC and Futsal. Both of these organisations are Incorporated Societies. The Constitution of Netsal specifically provides for its shareholders (now and in the future) to be Charitable or Tax-exempt Incorporated Societies or equivalent and for no private individual or commercial entity to derive any financial benefit from Netsal other than in the ordinary course of its business.

Netball and Futsal have for several years been working together to progress this Joint Venture (NETSAL) aimed at:

1. Providing an indoor facility to meet the current and future needs of their respective sports
2. Providing a facility capable of use by a wide range of other sports at times that complement the use by Netball and Futsal as the shareholders in the Netsal

Netsal are fortunate to have a commitment from a generous New Zealander, who is willing to contribute \$10 million to this project. Without this, contribution the project would not be possible.

There is a clear and manifest need for a facility of this nature in Christchurch. The City is lagging significantly behind other centres in New Zealand in terms of the provision of facilities of this nature for sports and the community. While this is in part attributable to the long-term impact of the earthquakes it is also reflective of a lack of funding and expertise available to “grass roots sport” for projects of this nature.

The Netsal project will have an immediate, significant and positive impact on this.

## Business Vision, Mission and Values

### Vision

To successfully develop and operate a world class Indoor Sports facility for the long-term benefit of Netball, Futsal and other sports and community groups in Christchurch.

### Missions

The Netsal Missions are defined by the 5 “P’s”:

<b>Place</b>	-	To deliver a world class home for sport in Christchurch
<b>Product</b>	-	To meet the needs of Netball, Futsal and other users
<b>Person</b>	-	To develop a professional and results focussed team
<b>Professional</b>	-	To operative as the “benchmark” for Sports facilities
<b>Performance</b>	-	To be profitable for future success of Netball and Futsal

### Values

The Netsal Values are based on the word **SPORT**:

<b>Strong</b>	-	We are focussed on delivering our Vision and Missions
<b>Proud</b>	-	We exist to support the Christchurch community
<b>Organised</b>	-	We are professional and run a sharp business
<b>Respect</b>	-	We are supportive, friendly and customer focussed
<b>Tenacious</b>	-	We are always seeking to improve and innovate

## The Need

### Wider Sport and Community Need

There is a manifest shortage of quality multi court indoor facilities in Christchurch. The City is one of the few in New Zealand where there is not at least one multi court indoor facility meeting the wider needs of sport and the community. This is unacceptable in New Zealand's third largest City.

As a result, many sports in Christchurch are operating dis-jointed competitions over multiple geographically spread sites creating inefficiency and limiting participation and growth.

The effect of this is to have seen:

1. A whole generation of Christchurch youth impacted by lack of access to sport and recreation
2. Material mental health and well-being impacts on the community associated with inadequate facilities
3. Inequality in facilities for growth of female sport in comparison to male dominated codes
4. Inability for sports to grow and diversify
5. Inability to host National/Regional events and to showcase sport in Christchurch

Sport and recreation are critical to the health and well being of New Zealanders.

### Netball Need

Netballs need in Christchurch is pressing and has been for some time. It lags other main New Zealand cities in terms of participation growth and this is regarded as being largely attributable to the lack of indoor facilities and certainly one capable of delivery in a single location.

Other factors underpinning this need include:

1. Substandard external courts exposed to vandalism
2. High and on-going cost of court and facilities maintenance
3. Winter weather causing frequent cancelations/loss of days, unpleasant and unsafe playing conditions
4. Impact of hard-court surfaces on netball players remaining in the game long term
5. Poorly accessible central location with limited car parking causing frequent traffic flow challenges in surrounding streets and posing safety risks

Christchurch Netball currently has over 5700 participants and over 45 affiliated Clubs and Schools. Netball remains the highest female participation sport in New Zealand with a multicultural reach of 74% New Zealand European and 24% Maori and other ethnicities.

Netball is therefore far reaching and requires substantial investment in infrastructure to support existing players more appropriately and to grow and further diversify participation.

#### Futsal Need

With Football now New Zealand largest team participation sport and Futsal one of the fastest growing games, the need for indoor courts to allow this growth is critical. Futsal is a sport that is most commonly played indoors and the availability of indoor court space on participation rates is clearly evidenced in the following statistics

Participation per 1000 of population in:

Dunedin	-	1 in 100
Wellington	-	1 in 300
Christchurch	-	1 in 500

On this basis participation in Christchurch is 20% of that in Dunedin and 60% of that being achieved in Wellington.

While the demographic profile of Dunedin is heavily influenced by the student population, the overwhelming reason for this variance is the difference in the availability of scale indoor facilities in each location as follows:

Dunedin	-	21 Court Edgar Centre Indoor Facility
Wellington	-	12 Court ASB Centre and multiple other Multi Court facilities

#### Other Sports and Activities

The lack of indoor court space in Christchurch has wider sporting and community group impacts including but not limited to impacts on the following sports:

- . Basketball
- . Korfball
- . Volleyball
- . Indoor Hockey
- . Handball
- . Tennis
- . Bowls
- . Physically and Intellectually Disabled sports groups and activities
- . Seniors and retired sports groups and activities
- . Multi-cultural groups and associated activities

## The Location and Advantages

The Nga Puna Wai Sports Hub has been identified by Netsal as the best location for this development for the following reasons:

1. The location provides good accessibility to the wider Christchurch community given that it is spread over a large geographical area
2. Integration with the existing Nga Puna Wai sporting hub will provide the community access to a wide range of sporting uses in a centralised location throughout the year.

The convenience to users, their families, spectators and the wider community of this synergy will be significant.

3. The various sports operating from Nga Puna Wai will be able to work collaborate and leverage/support each other to increase awareness and participation in their respective sports.

The impact of increased participation on physical and mental wellbeing in the community will be significant.

The development, subject to granting of the ground lease, resource and building consents being in place is targeted for commencement of Construction in the last quarter of 2020 with completion and opening targeted prior to the end of October 2021.

The attached shows:

1. Images of the proposed completed building (various).
2. Site Plan
3. Elevations (Various)
4. Summary of construction method and materials

## The Business

### Business Model

Netsal will own and operate the Netsal Sports Centre.

Netsal is a tax exempt not for profit organisation formed specifically to own and operate the Centre on behalf of CNC and Futsal. Both of these organisations are Incorporated Societies. The Constitution of Netsal specifically provides for its shareholders (now and in the future) to be Charitable or Tax-exempt Incorporated Societies or equivalent and for no private individual or commercial entity to derive any financial benefit from Netsal other than in the ordinary course of its business.

Netsal will operated as a separate entity by its shareholders who will pay for space on the same base as any other Sporting or Community entity. Any profit from Netsal's operations will be used to maintain the building and where possible to pay a dividend to CNC and Futsal as a return on their investment in Netsal.

Netsal will employ and/or contract staff to fill clearly identified roles associated with the establishment, operation and growth of the Netsal Sports Centre.

### Operations

The Netsal Sports Centres hours of operation will be established and modified to meet the needs of end users who will hire individual courts on a contractual or casual basis.

Initially the hours of operation will be Monday to Sunday 8am to 10pm for 12 months of the year., subject to certain constraints during the month of November associated with

The Centre will also have a full range of facilities and services to support the operations of the courts along with first floor office and meeting space

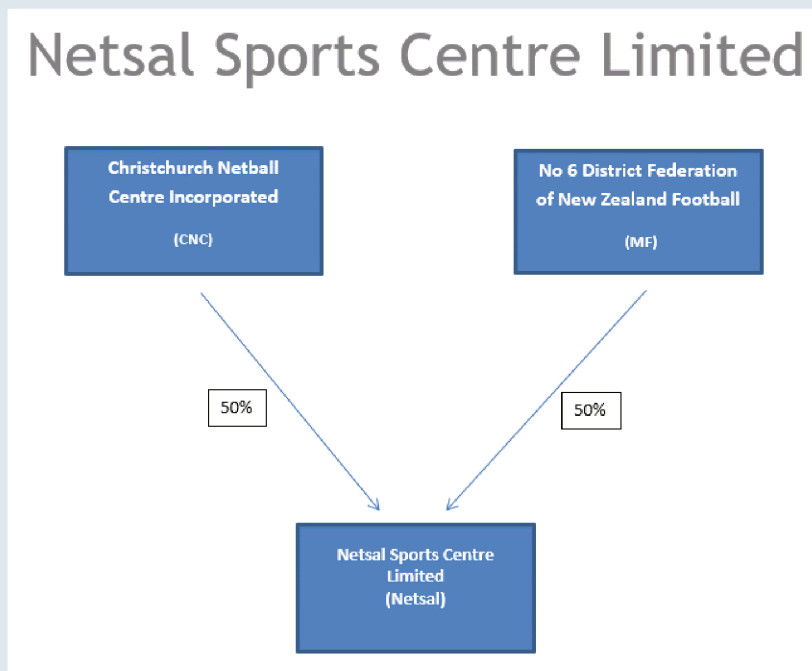
### Key Users

Netball and Futsal as shareholders will be the principal users of the 10-court facility.

The Centre will also be available to other users who will be targeted based upon there expected use times of the year, days of week and daily times in order to try and maximise overall utilisation of the facility

## Business Structure and Ownership

### Ownership Structure and Details



**NETSAL SPORTS CENTRE LIMITED (7587156) Registered** Last updated on 18 Jul 2019

To maintain this company [log on here](#)

[View as Single Page](#)
[Certificate of Incorporation](#)
[Company Extract](#)
[Annual return extract](#)
[Print](#)

Company Summary		Addresses	Directors (2)	Shareholdings (2)	Documents (5)	PPSR Search	NZBN
Company number:	7587156						
NZBN:	9429047555471						
Incorporation Date:	18 Jul 2019						
Company Status:	Registered						
Entity type:	NZ Limited Company						
Constitution filed:	No						
AR filing month:	June						
	<a href="#">Annual return extract</a>						
Ultimate holding company	No						

**Additional NZBN Information**

Trading Name(s):

Phone Number(s):

Email Address(es):

Website(s):

Industry: R911353 Sports venue

Classification(s): operation nec

[View all NZBN details](#)



<a href="#">Company addresses:</a>	<b>Registered Office</b> C/- Duns Limited, Level 1, 100 Moorhouse Avenue, Addington, Christchurch, 8011 , New Zealand <b>Address for service</b> C/- Duns Limited, Level 1, 100 Moorhouse Avenue, Addington, Christchurch, 8011 , New Zealand <a href="#">View all addresses</a>
<a href="#">Directors</a>	Showing 2 of 2 directors Julian Craig BOWDEN 68 Crofton Road, Harewood, Christchurch, 8051 , New Zealand Christine Muriel RODDA 2 Seager Lane, Hillmorton, Christchurch, 8024 , New Zealand

Lawyer - Jeroen Vink/Clare O'Neill  
Cavell Leitch, Christchurch

Accountant - Ian Jefferis  
Duns Limited, Christchurch

Banker - TBC

### Christchurch Netball Centre Incorporated



Number	219497	<a href="#">View Certificate Of Incorporation</a>
Name	CHRISTCHURCH NETBALL CENTRE INCORPORATED	<a href="#">EMAIL CERTIFICATE</a>
Incorporated	21-MAY-1946	
Current Status	REGISTERED	
Organisation Type	Incorporated Society	
<a href="#">Print This Page</a>		
<b>Previous Names</b> (Names changed prior to 1992 may not be recorded)		
Name		Date Changed
CANTERBURY NETBALL UNION (INCORPORATED)		27-SEP-1999
CANTERBURY NETBALL ASSOCIATION INCORPORATED		07-NOV-1989
<b>Address Details</b>		
Registered Office		
455 Hagley Avenue		
Christchurch		
Address for Communication		
P O Box 9318		
Christchurch		
<b>Officers/Trustees</b>		
Name		Date Appointed:
MCLAY, Megan Jane		12-MAY-2008
(Officer)		
91 Carlton Mill Road, Merivale, Christchurch, 8014		

### No 6 District Federation of New Zealand Football



Number  
Name

[View Certificate Of Incorporation](#)

[EMAIL CERTIFICATE](#)

Incorporated  
Organisation Type

Incorporated Society

[Print This Page](#)

#### Status Details

Current Status	Registered		
Previous Status	Struck Off	From 17th June 2004	To 24th September 2004
	Registered	29th November 2000	17th June 2004

#### Previous Names

Name	Date Changed
NO. 6 DISTRICT FEDERATION OF NEW ZEALAND SOCCER INCORPORATED	28-MAY-2008

#### Address Details

Registered Office  
C/-Mainland Football  
127 Cranford Street  
St Albans  
Christchurch

Address for Communication  
P O Box 21122  
Christchurch

#### Officers/Trustees

Name	Date Appointed:
ANDERSON, Chris (Board Member) 13 Claremont Avenue, Papanui, Christchurch	30-APR-2014
ARMSTRONG, John (Board Member) 10 Zeehaen Place, Britannia Heights, Nelson 7010	30-APR-2015
BOWDEN, Julian (Administrator) 59 Springfield Road, St Albans, Christchurch 8014	01-JUL-2015
CLARKE, Eddie (Board Member) 46 Stonebridge Way, Prebbleton 7604	30-APR-2011
GILBERTSON, Warren (Board Member) 5 Redwood Place, Karoro, Greymouth 7805	30-APR-2015
HICKFORD, Allan (Deputy Chairman) 28 Woodside Common, Westmorland, Christchurch 8025	30-APR-2014
RHODES, Craig (Chairman) 8 Napoleon Close, Harewood, Christchurch 8051	30-APR-2012
WARD, Simon (Board Member) 17 Armour Place, Halswell, Christchurch	30-APR-2013

## **Governance and Management**

### **Shareholders**

Netsals Constitution has been structured and will be approved by the Department of Internal Affairs and the Inland Revenue Department to give it tax exempt status.

This will allow Netsal to operate as a limited liability company while being exempt from income tax, retaining that significant benefit. This is achieved primarily by the Constitution:

1. Providing for current and future shareholders being limited to Incorporated Societies or similar with their own tax exempt or charitable status
2. Precluding any individual receiving any form of financial benefit from it other than in the ordinary course of Netsals business

### **Directors**

The Netsal Board will comprise 4 Directors as follow:

1. 1 Director from each of CNC and MF
2. 1 Independent Director appointed by each Shareholder

The two independent Directors have yet to be appointed but will be prior to Netsal entering into any substantive Contractual arrangement in respect to the Netsal project.

### **Management**

The exact Management and staffing needs of Netsal have yet to be fully evaluated beyond the clearly identified need for a skilled and experienced General Manager to be attracted and appointed to lead and manage the business and to deliver the expectations outlined in this document.

## Financial

### Capital and Debt Structure

Netsal will have the following initial capital/quasi capital structure:

Share Capital	\$	Nom
Shareholders Loans	\$	5,000,000
Benefactors Donation	\$	10,000,000
<b>Total</b>		<b>\$15,000,000</b>

The Netsal development has a projected capital cost of \$20,000,000.

The balance of \$5,000,000 of funding required to complete the development will come from a range of charitable donations from organisations such as the Lotteries Commission, NZ Community Trust, Rata Foundation and others along with a small commercial loan.

The project will not proceed until all funding is in place and there will be no request form or requirement for direct funding from the Christchurch City Council.

### Operating Financial Structure

Netsal will operate as a GST registered tax-exempt company.

Netball and Futsal as the primary users of the court space will be invoiced for use.

.



### Lease details

The ground lease application is for 13,240m<sup>2</sup> on the south-west side of Ngā Puna Wai Reserve (land Lot 3 DP 73928) for a term of 33 years less one day.

Fees and charges for the ground lease will be in-line with the Council's Long Term Plan.

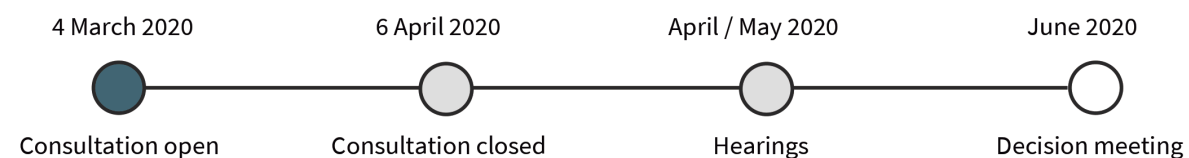
While the Netsal Centre is a significantly sized building it leaves enough room for the future development of community fields, as set out in the Ngā Puna Wai Masterplan. If the indoor courts are built, additional parking will be provided at the popular sports hub.

You can view detailed plans including parking, landscaping and full building dimensions online - [ccc.govt.nz/haveyoursay](http://ccc.govt.nz/haveyoursay), or contact us using the details below.

### Landscaping

Landscaping for the development is determined through the building's resource consent. At this stage it is proposed that a bund is installed between the walkway and the building, with plants on top to screen the building from the nearest neighbours on Euphrasie Drive.

### Timeline:



### To comment on the plan and find out more

Go online [ccc.govt.nz/haveyoursay](http://ccc.govt.nz/haveyoursay)

Speak to Tessa Zant  
03 941 8935

Christchurch City Council  
PO Box 73016  
Christchurch 8154

Tessa.Zant@ccc.govt.nz

Consultation open until 5pm Monday 6 April 2020

## HAVE YOUR SAY

# Ground lease at Ngā Puna Wai Sports Hub for Netsal Centre

Consultation open until Monday 6 April 2020

[ccc.govt.nz/haveyoursay](http://ccc.govt.nz/haveyoursay)

### The application

Netsal, an organisation set up by Christchurch Netball, and Mainland Football, has been actively looking for a suitable site for a joint indoor court facility. They have approached Council for a ground lease to develop a Netsal Centre at Ngā Puna Wai Sports Hub.

Christchurch Netball own and operate the Christchurch Netball Centre in Hagley Park. However, this site is subject to weather and there's a shortage of high quality multi-court indoor facilities in Christchurch. The city is one of the few in New Zealand where there is not at least one multi court indoor facility.

Post-earthquake, Christchurch Netball was offered funding from a private benefactor for a new purpose-built, indoor netball facility. They teamed up with Mainland Football Federation to find a good location for a major city sporting venue, able to accommodate a range of other indoor sports organisations and diverse community groups.

Netsal Sports Centre Limited has applied for a ground lease for approximately 13,240m<sup>2</sup> in Ngā Puna Wai Reserve, within the existing sports hub. A hearings panel will consider all community feedback before making a recommendation to Council.



### Why Ngā Puna Wai is a good location

Ngā Puna Wai Sports Hub is in an ideal position to accommodate a multi-court indoor facility. Locating the Netsal Centre within a larger sporting hub will mean convenient and easy access for athletes, spectators and the public. The Netsal Centre will also complement the sporting activities already happening at Ngā Puna Wai.

### Talk to the team

If you have anything you would like to discuss with council staff or the Netsal project team you can join us for a 'walk and talk' on the proposed lease site.

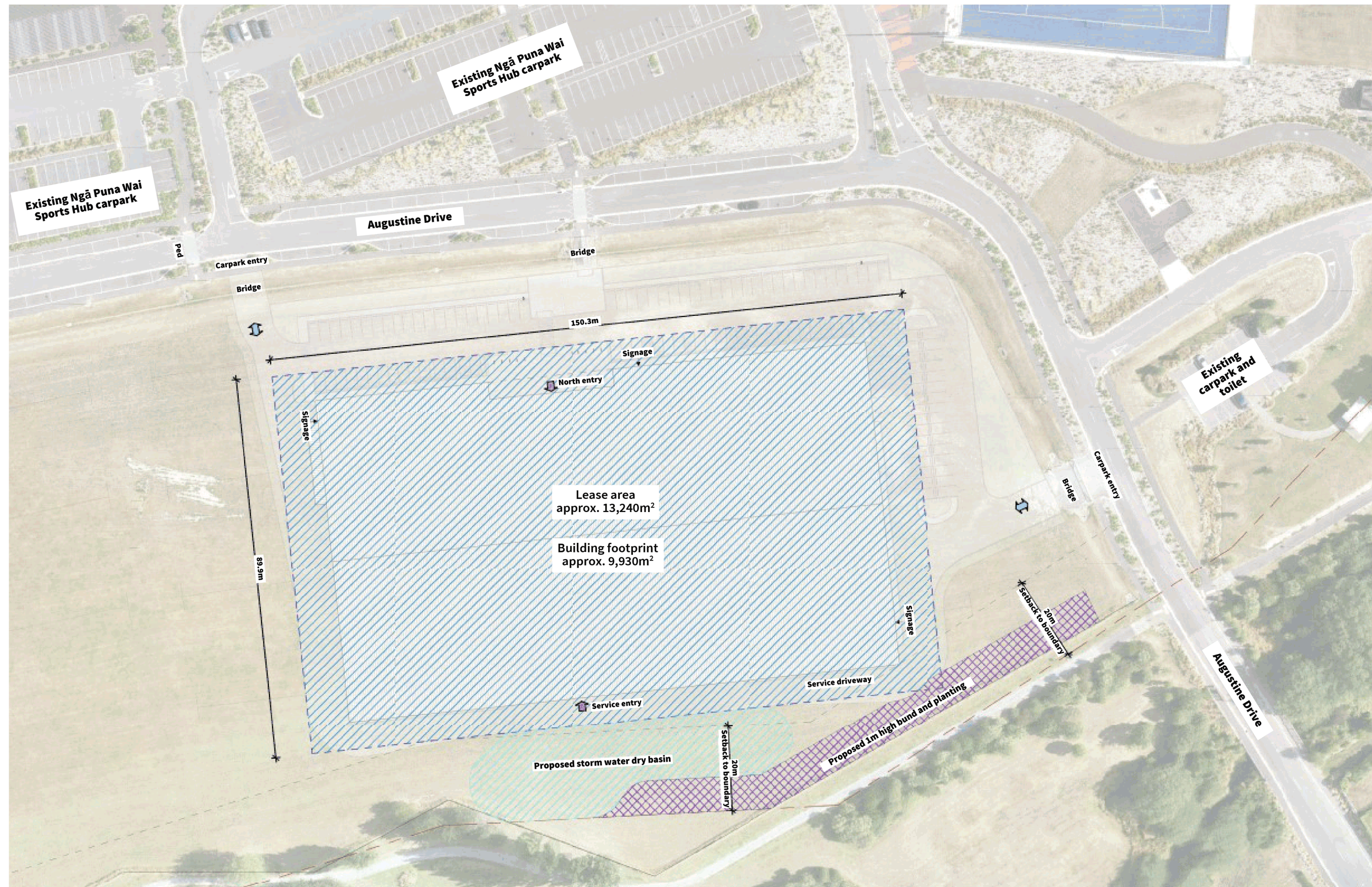
Tuesday 17 March 2020

Any time between 4.30 - 6.30pm

Ngā Puna Wai Sports Hub - immediately to your left as you enter  
Augustine Drive



## Proposed lease area and associated landscaping for Netsal Centre







O'Connor, Robert

■ Wedge, Russel

**Netsal Sports Centre Limited (lex21671)**

You forwarded this message on 20/01/2020 9:47 a.m..

Hi Russel,

You have asked for advice on whether Netsal Sports Centre Limited ("Netsal") could be considered to be a "voluntary organisation" for the purposes of a proposed lease of recreation reserve under s54(1)(b) of the Reserves Act 1977 ("Act").

In this context you have supplied me with a copy of Netsal's constitution and the following excerpt from Netsal's lease application:

Netsal is a tax exempt not for profit organisation formed specifically to own and operate the Centre on behalf of CNC and Futsal. Both of these organisations are Incorporated Societies. The Constitution of Netsal specifically provides for its shareholders (now and in the future) to be Charitable or Tax-exempt Incorporated Societies or equivalent and for no private individual or commercial entity to derive any financial benefit from Netsal other than in the ordinary course of its business.

Section 2 of the Act defines "voluntary organisation" as a "body of persons (whether incorporated or not) not formed for private profit".

To verify the statement from the excerpt from Netsal's lease application I have reviewed Netsal's constitution.

The constitution contains the following provisions:

- a) Clauses 19 and 20 which require that no part of Netsal's funds are to be used or made available for use for private pecuniary profit of any shareholder of Netsal:



**19. No private pecuniary profit**

- 19.1. The Board shall ensure that no part of the Company's funds are used or made available for use for private pecuniary profit of any proprietor, member or Shareholder of the Company, provided that for avoidance of doubt the Company shall be permitted to incur the reasonable market value costs and expenses necessary or required to achieve the purposes set out in clause 2.2 and to apply or make available funds to the A Shareholder and the B Shareholder in their capacity as amateur game or sport promoters.

**20. Alteration of constitution**

- 20.1. Notwithstanding the provisions of clause 10.2, no alteration to, or revocation of, this Constitution, or new constitution adopted for the Company, shall:

- 20.1.1. Enable the Company to apply or make available any part of its funds for private pecuniary profit of any proprietor, member or Shareholder of the Company, provided that for avoidance of doubt the Company shall be permitted to incur the reasonable market value costs and expenses necessary or required to achieve the purposes set out in clause 2.2 and to apply or make available funds to the A Shareholder and the B Shareholder in their capacity as Amateur game or sport promoters;
- 20.1.2. Remove the Board's power to refuse or delay the registration of a transfer of shares if the shares are not being transferred to an Amateur game or sport promoter; or
- 20.1.3. Enable any shares to be sold or transferred by any shareholder to any transferee who or which is not an Amateur game or sport promoter.

- b) Under clauses 8 and 9 shareholders of Netsal are entitled to receive distributions and dividends from the company. Clause 19.1 also permits these payments to be made.
- c) However, the original (and current) shareholders of Netsal are Christchurch Netball Centre Incorporated and No 6 District Federation of New Zealand Football Incorporated, both of which are 'not for profit' incorporated societies whose rules prevent private pecuniary profit.
- d) Clauses 5.3.1.5 and 5.14 prevent any of the shares in Netsal being transferred by the existing shareholders to any party which is not charitable or an "Amateur game or sport promoter".
- e) "Amateur game or sport promoter" is defined in clause 1.1.4 as follows:

1.1.4. **Amateur game or sport promoter** means any society or association (including a Company), whether incorporated or not, which is, in the opinion of the Commissioner of Inland Revenue, established substantially or primarily for the purpose of promoting any amateur game or sport, if that game or sport is conducted for the recreation or entertainment of the general public, and if no part of the funds of the society or association is used or available to be used for the private pecuniary profit of any proprietor, member or shareholder of that society or association.

- f) Thus, whilst shareholders may receive dividends or distributions from Netsal, shareholders themselves must meet the requirements of the above definition. That definition includes the requirement that no part of the funds of the shareholder may be used or available to be used for the private pecuniary profit of any shareholder of the shareholder of Netsal.
- g) Finally, clause 20 prevents the Netsal constitution from being changed to amend the above arrangements.

Accordingly, on the basis of the above provisions of the constitution of Netsal, my view is that Netsal would satisfy the Reserves Act definition of "voluntary organisation".

I trust that my above comments assist.

Please don't hesitate to contact me should any of the above require clarification.

Regards

**Robert O'Connor**  
Associate General Counsel  
Legal Services Unit

-  03 941 8575
-  [robert.o'connor@ccc.govt.nz](mailto:robert.o'connor@ccc.govt.nz)
-  Te Hononga Civic Offices, 53 Hereford Street, Christchurch
-  PO Box 73015, Christchurch 8154
-  [ccc.govt.nz](http://ccc.govt.nz)

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Christchurch  
City Council 

### Netsal – Reserve Act 1977

The following sections of the Reserves Act 1977 are relevant to the ground lease proposed for Netsal at Nga Puna Wai:

#### Reserves Act 1977 – Ground Lease

- 1.1 The proposed area of land in Ngā Puna Wai for the Netsal facility is held under the Reserves Act 1977 as Recreation Reserve and the ground lease for the facility is subject to **section 54(1)(b) Reserves Act 1977**:

*lease to any voluntary organisation part of the reserve for the erection of stands, pavilions, gymnasiums, and, subject to [sections 44](#) and [45](#), other buildings and structures associated with and necessary for the use of the reserve for outdoor sports, games, or other recreational activities, or lease to any voluntary organisation any such stands, pavilions, gymnasiums, and, subject to section 44, other buildings or structures already on the reserve, which lease shall be subject to the further provisions set out in [Schedule 1](#) relating to leases of recreation reserves issued pursuant to this paragraph:*

*provided that a lease granted by the administering body may, with the prior consent of the Minister given on the ground that he or she considers it to be in the public interest, permit the erection of buildings and structures for sports, games, or public recreation not directly associated with outdoor recreation:*

- 1.2 **Section 54(2) Reserves Act 1977**, governs the public notification and consultation process:

*Before granting any lease or licence under subsection (1) (other than a lease or licence to which the second proviso to paragraph (d) applies), the administering body shall give public notice in accordance with [section 119](#) specifying the lease or licence proposed to be granted, and shall give full consideration in accordance with [section 120](#) to all objections and submissions in relation to the proposal received pursuant to the said section 120.*

- 1.3 **Section 119(1)(b) Reserves Act 1977**, in relation to Recreation Reserves states:

*where the notification relates to any other reserve or proposed reserve, it shall be published—*

- (i) once in a newspaper circulating in the area in which the reserve or proposed reserve is situated; and*
- (ii) in such other newspapers (if any) as the administering body decides*

- 1.4 **Section 120(1) Reserves Act 1977**, in relation to Recreation Reserves states

- a) any person or organisation may object to the Minister or administering body, as the case may be, against, or make submissions with respect to, the proposal; and*
- b) every such objection or submission shall be made in writing, and shall be sent to the Minister or administering body at the place specified in the notice and*

*before a date specified in the notice, being not less than 1 month after the date of publication of the notice*

- c) where the objector or person or organisation making the submission so requests in his or her or its objection or submission, the Minister or administering body, as the case may be, shall give the objector or that person or organisation a reasonable opportunity of appearing before... the administering body or a committee thereof or a person nominated by the administering body in support of his or her or its objection or submission; and*
- d) the Minister or the administering body, as the case may be, shall give full consideration to every objection or submission received before deciding to proceed with the proposal*

1.5 **Section 120(2) Reserves Act 1977** states:

*Every public notice to which subsection (1) applies shall specify the right to object or make submissions conferred by this section and the place to which and the date by which any objections or submissions are to be sent.*

### Dealing Unilaterally – Legal Considerations

- 1.1 The Council must consider and meet the requirements of section 14 of the Local Government Act 2002 (LGA) in particular:
  - (1)(a) Conduct its business in an open, transparent, and democratically accountable manner,
  - (1)(f) Undertake any commercial transactions in accordance with sound business practices.
  - (1)(g) Ensure prudent stewardship and the efficient and effective use of its resources in the interests of its district or region, including planning effectively for the future management of its assets.
- 1.2 The Council must ensure that it complies with the relevant policies adopted. In this instance there are two relevant policies recorded:
  - 1.2.1 Property – process for disposal of Council property is “That the Council’s policy of publically tendering properties for sale unless there is a clear reason for doing otherwise be confirmed as applying to all areas of the City with the exception of the area in which the (interim) Central City Board is active in pursuit of Council revitalisation goals”. (Adopted 16 December 2000) (A property is considered to be “disposed” if a lease is granted for a term of 6 months or more.)
  - 1.2.2 Property – Leasing Council Property is “where the Council recognises there is only one logical lessee for a public property, the Council will unilaterally deal with that lessee.” This includes facilities linked to contracts including but not limited to buildings on parks and reserves and not for profit organisations. (Adopted December 2015)
- 1.3 On this occasion, the Council is proposing to enter into a ground lease agreement for a building on a reserve with Netsal who are uniquely placed to manage indoor sports to sports bodies throughout Christchurch.
- 1.4 It also supports Council strategies:
  - Supports Council’s Strengthening Communities Strategy by:
    - Helping to build and sustain a sense of local community
    - Ensuring that the community has access to facilities that meets their needs.
    - Increasing participation in community recreation and sport programmes and events
    - Enhancing the safety of communities and neighbourhoods.
    - Improving basic life skills so that all residents can participate in society.
  - Supports Council’s Physical Recreation and Sport Strategy 2002 by:
    - Increasing participation in physical recreation and sports which in turn promotes better health and reduces health care costs and contributes to people’s quality of life.
- 1.5 In addition it is useful and supportive to consider the Ministry of Business, Innovation and Employment 'Unsolicited Unique Proposals - How to deal with uninvited bids'; guidance for government entities dated May 2013 that recommends when evaluating

an unsolicited proposal it needs to be ensured that there is a sound business case to support the decision to accept the unique unsolicited proposal.

- 1.6 The purpose of the MBIE Guidance on Unsolicited Proposals is to provide a methodology for considering unsolicited proposals in a way that:
- is transparent and fair to everyone;
  - encourages the supplier community to put forward good ideas;
  - promotes objectivity; and
  - supports decisions based on sound fact and evidence.
- 1.7 Having given consideration to the above factors, staff are of the view that the proposal benefits the community and outweighs any benefits that may be realised from an open tender process.

#### **Legal Considerations – Accepting the Proposal and Granting a Lease**

- 1.8 Decision Making sections 76 – 82 LGA
- Section 76 provides that “Every decision made by a local authority must be made in accordance with such of the provisions of sections 77, 78, 80, 81 and 82 as are applicable”. In summary those sections provide:
  - Section 77 a local authority must, in the course of the decision-making process, seek to identify all reasonably practicable options for the achievement of the objective of a decision and in doing so assess the options in terms of their advantages and disadvantages.
  - Section 78 the views and preferences of persons likely to be affected by, or to have an interest in, the matter must be considered.
  - Section 79 provides that in considering how to achieve compliance with sections 77 and 78 they must consider the significance of the matter in accordance with its Significance and Engagement Policy.
  - Section 80 sets out the matters that need to be clearly identified when making a decision that is inconsistent i.e. the inconsistency, reason for it and any intention of the local authority to amend the policy or plan to accommodate the decision.
  - Section 81 provides contributions to decision making by Maori.
  - Section 82 sets out the principles of consultation.
- 1.9 Section 78 does not require the Council to undertake a consultation process of itself but the Council must have some way of identifying the views and preferences of interested and affected persons.
- 1.10 Importantly and specific to this property is Section 97 LGA which provides that if the Council is proposing to transfer the control of a “strategic asset” to or from the Council, the Council must not make that decision, unless:
- The decision is explicitly provided for in its LTP; and
  - The proposal to provide for the decision was included in a consultation documents in accordance with section 93E.

- 1.11 The Significance and Engagement Policy sets out the list of “strategic assets”. In particular, the Policy lists as “strategic assets”, community facilities as follows:

*Community Facilities*

- (i) Christchurch Town Hall;*
- (j) Christchurch Art Gallery and its permanent collection;*
- (k) all land and buildings comprising the Council's social housing portfolio;*
- (l) all public library facilities;*
- (m) all parks and reserves owned by or administered by the Council;*
- (n) all public swimming pools;*
- (o) all waterfront land and facilities owned or operated by the Council, including wharves, jetties, slipways, breakwaters and seawalls;*
- (p) cemeteries and listed heritage buildings and structures.*

*“All” or “its” means the asset as a whole.*

- 1.12 Where a “strategic asset” is a network or has many components, decisions may be made in respect of individual components within the network without those components being regarded as strategic, unless such decisions are considered to significantly alter the level of service provided by the Council.
- 1.13 Paragraph 5.27 (m) uses the word “all”, and it suggests that parks and reserves are treated separately.
- 1.14 The granting of a ground lease to Netsal is not considered a strategic asset as the Council maintains ownership of the land and does not significantly alter the level of service provided by the Council.



## Citizens & Community Group

# Memo

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Re: **Ground Lease at Ngā Puna Wai Sports Hub for Netsal Centre**  
Date: 21/05/2020  
To: CCC Hearings Panel for Ground Lease at Ngā Puna Wai Sports Hub for Netsal Centre  
CC: Samantha Kelly, Team Leader Hearings & Committee Support  
From: Andrew Rutledge, Head of Parks

---

## Purpose

This memo is to answer questions that have arisen from the Ground Lease at Ngā Puna Wai Sports Hub for Netsal Centre Hearing Panel.

## Background

Further to the Hearings Panel held on Wednesday 20 June 2020, the Panel requested answers to the following questions:

1. *Are we able to get some wording from the legal team that the hearings panel could use in a resolution to Council regarding the lease and asking Netsal to engage/work with the Nga Puna Wai partnership members?*

Yes

The lease can contain a clause requiring Netsal during the lease term to engage in a collaborative and partnering way with the other sporting bodies that occupy Nga Puna Wai.

2. *Is the hearings panel able to include in a resolution to Council about prioritising development of Wigram Rd as an official road and access way to Nga Puna Wai, including indicating the years we would like to see this work underway?*  
*Staff have indicated that this will be put up as a priority bid for the Annual Plan and Long Term Plan.*

Yes the Hearings Panel could do this. I presume that it wouldn't take the form of a condition of approval of the lease, but would stand as a separate resolution

3. *Is the hearings panel able to include in a resolution to Council about requesting that trucks relating to construction are expected to use alternative entrances to Nga Puna Wai, such as Wigram Rd and McMahon Drive, and not using Augustine Drive unless absolutely necessary?*

*This would also include, excluding access via Curletts Rd and traveling through the A & P grounds. This is especially important as a key concern for the Riding for the Disabled.*

Yes, and this could go in the lease if that was thought necessary.

4. *Is the hearings panel able to get some more clarity about the measures in a traffic management plan? I would like reassurance that this will include mitigating the amount of parking on residential streets and encouraging parking within the Nga Puna grounds itself, even if that is on the community fields. Some potential specifics would actually be very helpful.*

*We would like to word along the lines of Council working with the A&P show and local Residence Associations and all other stake holders to produce an integrated Traffic Management Plan and Parking plan which would encompass both the internal traffic and parking issues within Nga Puna Wai and the surrounding residential Streets*

The panel can include a resolution requiring staff to develop a comprehensive Traffic Management Plan (TMP) with input from the existing operational parties within Nga Puna Wai that includes consideration of Questions 4, and 5.

5. *Andrew mentioned traffic calming on Augustine Drive. Just to check, was this just within the area of Ngā Puna Wai? If so, could these be extended out into the residential area? Were the traffic calming steps which Andrew spoke about inside Ngai Puna Wai or on Augustine Dr and other streets? Can traffic calming work include other streets surrounding and leading to Ngai Puna Wai.*

Yes new traffic calming measures have been recently completed within the Park Boundaries.

We can request that Transport consider options for traffic calming be presented to the Community Board for consideration.

6. *Is the hearings panel able to include in a resolution to Council the request that car park lighting is on a timer or motion sensor? Can we get confirmation that all external lighting for both parking and the building will be on a timer as other lighting in Ngā Puna Wai which we believe automatically turns off at 10.00pm. Can this be confirmed please?*

Yes this can be included in the lease.

7. *Can we word somehow that we would want confirmation that Netsal will be part of the overall family of sporting bodies that make Ngā Puna Wai.*

See the response to Question 1

8. *The key issue is the pressure on the local residence with the increase of traffic and lack of infrastructure to support the increase traffic pressure. We need assurance that the development of the Wigram Rd entrance is a priority.*

*And could the Wigram Road entrance be promoted, (once established) promoted and seen as the main entrance to Ngā Puna Wai.*

Yes once complete. The panel could pass a resolution that staff report back to Council on options for the development of an additional entrance to Nga Puna Wai for inclusion in the draft 2021-2031 Long Term Plan

9. *There are a lot of DCs in Wigram and the surrounding areas generated which should be used to support the above mitigations mentioned. Can this be looked into?*

The development contributions (DCs) collected from the subdivision developments in this area are collected on a city wide catchment basis and used to fund the growth components of projects across the city, within the catchments. The DCs collected from the subdivisions are not identified as coming from one particular area or targeted to be used in the area they were collected, such as the Wigram area.

Any projects in Nga Puna Wai will need to be assessed against the DC Policy as to their eligibility for partial funding from DCs.

10. *Public Transport, can discussions with ECan start as public transport would be vital to reduce the pressure on traffic and the environment. As a sporting hub such as this should be seen in the same light as a Key Activity Centre.*

This will done as a component of the Comprehensive Traffic Management Plan development. ECan not Council will be the decision makers on whether or not would be able to have a route added

11. *Could we have an update on the Haytons Rd Wigram Rd intersection upgrade please?*

The Wigram Road/ Haytons Road intersection is to be upgraded. The Haytons Rd Wigram Rd intersection upgrade is currently in detailed design and construction is expected to start late 2020/early 2021

The Parks and Transport Units will collaborate on the solution to ensure that the best outcome is achieved should the Wigram Road entrance to Nga Puna Wai be funded in the LTP as discussed in the hearing.

12. *Am I able to ask additional questions of Netsal to understand why finding a site in partnership with the A&P Assoc didn't work?*

The panel would need to agree to invite Netsal back for further questions.

13. *Has Council has explored with the A&P assoc all options for this facility on the land surrounding NPW leased by them.*

Discussions on options between Netsal and CAPA occurred between those two parties. Council was not involved other than in term of technical support. It was up to those parties to determine options on land that CAPA has access over not Council.

Council explored all other areas that do not have existing rights or current active use over them.

14. *If we wanted to investigate other options what implications would this have for Council and Netsal?*

No implications for Council other than additional cost to complete that work and then complete another public notification process, so primarily staff costs.

Netsal has confirmed with their benefactor that the project would not proceed should there be any further delay. If this position was to change, Netsal would be exposed to additional survey and geotechnical costs as and potentially costs associated to a modified or new resource consent.

15. *If the Panel decides not to agree to the lease being given; does the decision then go to Council?*

The Council is the final decision-maker therefore any recommendations will need to go to the Council for final decision.

**Report from Halswell-Hornby-Riccarton Community Board – 3 March 2020**

## **19. Ilam Road/Middleton Road/Riccarton Road Intersection - Safety Improvements**

**Reference / Te Tohutoro:** 20/692646

**Report of / Te Pou Matua:** Adrian Thein, Project Manager – Consultant, Project Management, Transport, [adrian.thein@ccc.govt.nz](mailto:adrian.thein@ccc.govt.nz)

**General Manager / Pouwhakarae:** David Adamson, General Manager City Services, [david.adamson@ccc.govt.nz](mailto:david.adamson@ccc.govt.nz)

### **1. Consideration / Te Whaiwhakaarotanga**

- 1.1 The Halswell-Hornby-Riccarton Community Board (the Board) considered a staff report on the Ilam Road/Middleton Road/Riccarton Road Intersection Safety Improvements on 4 February 2020: . At the meeting the Board left the report to lie on the table. Link to meeting agenda: [https://christchurch.infocouncil.biz/Open/2020/02/HHRB\\_20200204\\_AGN\\_4454\\_AT.PDF](https://christchurch.infocouncil.biz/Open/2020/02/HHRB_20200204_AGN_4454_AT.PDF)
- 1.2 The Board reconsidered the same staff report on 3 March 2020. Link to supplementary agenda for that meeting: [https://christchurch.infocouncil.biz/Open/2020/03/HHRB\\_20200303\\_AGN\\_4456\\_AT\\_SUP.PDF](https://christchurch.infocouncil.biz/Open/2020/03/HHRB_20200303_AGN_4456_AT_SUP.PDF)
- 1.3 The staff report considered is attached to this report as Attachment A. Supporting documents are provided under separate cover as Attachment C.
- 1.4 At its meeting on 3 March 2020 the Board did not agree with plan and staff recommendations for the safety improvements for the Ilam Road/Middleton Road/Riccarton Road Intersection (preferred Option 1C). The Board however remains supportive of the overall project.
- 1.5 Following its consideration, the Board resolved to recommend that the flow of traffic between Ilam Road and Middleton Roads be retained. The Board understands that this would have an impact for traffic flow on Riccarton Road and if its recommendation is accepted, work will be required to amend the plan and the technical details to allow for this.
- 1.6 The Board recommendations to Council are detailed in Section 2 of this report. The original staff recommendations in Section 3, and the Board's decision making in Section 4.
- 1.7 Council officers have provided an additional Memo (Attachment B) to provide the Council with:
  - 1.7.1 Further advice regarding the Board recommendations and why this option was ruled out.
  - 1.7.2 The process and requirements relating to delegations for Council decision making on this matter.

## 2. Recommendation to Council

That the Council resolve:

1. That the vehicle traffic flow from Middleton Road through to Ilam Road is maintained, noting that this is a main route to the University of Canterbury.
2. That there be double phasing of the Riccarton Road traffic signals to enable satisfactory public transport flow.

*Explanatory Notes:*

3. *The Board is concerned that the 7,000 vehicles per day currently using Middleton Road will be displaced on to local residential streets such as Lochee Road and Balgay Street which are very narrow.*

*This proposal will prevent any gridlock on Riccarton Road if only a left turn is provided from Middleton Road.*

4. *If the recommendation is accepted, officers will need to amend the plan and make adjustments to the technical details.*

## 3. Officer Recommendations / Ngā Tūtohu

That the Council and the Waipuna/Halswell-Hornby-Riccarton Community Board:

1. Note for the purposes of the following resolutions:
  1. An intersection is defined by the position of kerbs on each intersecting roadway; and,
  2. The resolution is to take effect from the commencement of physical road works associated with the project as detailed in the agenda staff report; and,
  3. If the resolution states "Note 1 applies", any distance specified in the resolution relates to the kerb line location referenced as exists on the road immediately prior to the Community Board meeting of 4 February 2020; and,
  4. If the resolution states "Note 2 applies", any distance specified in the resolution relates to the approved kerb line location on the road resulting from the resolution, as approved.

### Part A

2. That the Waipuna/Halswell-Hornby-Riccarton Community Board endorse Option 1C for the Ilam Road/Middleton Road/Riccarton Road - Safety Improvements project and recommend to the Council that the project be approved, along with the following traffic control resolutions:
3. Approve all traffic controls, except for the speed limit, at the intersection of Riccarton Road with Middleton Road and Ilam Road, be revoked. Note 1 applies.
4. Approve that the intersection of Riccarton Road with Ilam Road be controlled by traffic signals, in accordance with section 6.2 of the Land Transport Traffic Control Devices Rule 2004, as detailed in Attachment A of the agenda staff report.
5. Approve that a special vehicle lane for the use of west bound buses and cycles only, be established on the south side of Riccarton Road, commencing at its intersection with

Middleton Road, and extending in a westerly direction for a distance of 60 metres as detailed in Attachment A of the agenda staff report. This special vehicle lane is to apply at all times. This special vehicle lane is authorised under clause 18 of the Christchurch City Council Traffic and Parking Bylaw 2017, and is therefore to be added to the Register of Roads or Traffic Lanes Restricted to Specific Classes of Vehicles.

6. Approve that a special vehicle lane for the use of westbound cycles only, be established on the south side of Riccarton Road, commencing at a point 90 metres east of its intersection with Middleton Road, and extending in an easterly direction for a distance of 65 metres as detailed in Attachment A of the agenda staff report. This special vehicle lane is to apply at all times. This special vehicle lane is authorised under clause 18 of the Christchurch City Council Traffic and Parking Bylaw 2017, and is therefore to be added to the Register of Roads or Traffic Lanes Restricted to Specific Classes of Vehicles.
7. Approve that a special vehicle lane for the use of eastbound buses and cycles only, be established on the north side of Riccarton Road, commencing at a point 58 metres west of its intersection with Ilam Road, and extending in a westerly direction for a distance of 41 metres as detailed in Attachment A of the agenda staff report. This special vehicle lane is to apply at all times. This special vehicle lane is authorised under clause 18 of the Christchurch City Council Traffic and Parking Bylaw 2017, and is therefore to be added to the Register of Roads or Traffic Lanes Restricted to Specific Classes of Vehicles.
8. Approve that a special vehicle lane for the use of eastbound buses and cycles only, be established on the north side of Riccarton Road, commencing at its intersection with Ilam Road, and extending in an easterly direction for a distance of 54 metres as detailed in Attachment A of the agenda staff report. This special vehicle lane is to apply at all times. This special vehicle lane is authorised under clause 18 of the Christchurch City Council Traffic and Parking Bylaw 2017, and is therefore to be added to the Register of Roads or Traffic Lanes Restricted to Specific Classes of Vehicles.
9. Approve that a special vehicle lane for the use of southbound cycles only, be established on the east side of Ilam Road, commencing at its intersection with Riccarton Road, and extending in a northerly direction for a distance of 27.5 metres as detailed in Attachment A of the agenda staff report. This special vehicle lane is authorised under clause 18 of the Christchurch City Council Traffic and Parking Bylaw 2017, and is therefore to be added to the Register of Roads or Traffic Lanes Restricted to Specific Classes of Vehicles.
10. Approve that a special vehicle lane for the use of northbound cycles only, be established on the west side of Ilam Road, commencing at its intersection with Riccarton Road, and extending in a northerly direction for a distance of 27.5 metres as detailed in Attachment A of the agenda staff report. This special vehicle lane is authorised under clause 18 of the Christchurch City Council Traffic and Parking Bylaw 2017, and is therefore to be added to the Register of Roads or Traffic Lanes Restricted to Specific Classes of Vehicles.
11. Approve that the pathway on the east side of Middleton Road, commencing at its intersection with Riccarton Road and extending in a southerly direction for a distance of 52 metres, be resolved as a bi-directional shared pedestrian/bicycle pathway. This shared path is authorised under clause 18 of the Christchurch City Council Traffic and Parking Bylaw 2017, and is therefore to be added to the Register of Roads or Traffic Lanes Restricted to Specific Classes of Vehicles.



12. Approve that the pathway on the west side of Middleton Road, commencing at a point 52 metres south of its intersection with Riccarton Road and extending in a southerly direction for a distance of 16.5 metres, be resolved as a bi-directional shared pedestrian/bicycle pathway. This shared path is authorised under clause 18 of the Christchurch City Council Traffic and Parking Bylaw 2017, and is therefore to be added to the Register of Roads or Traffic Lanes Restricted to Specific Classes of Vehicles.

### Part C

That the Waipuna/Halswell-Hornby-Riccarton Community Board resolve to:

13. Approve all traffic controls, except for the speed limit, at the intersection of Field Terrace with Riccarton Road, be revoked. Note 1 applies.
14. Approve that all traffic controls, except the speed limit, on Riccarton Road, commencing at its intersection with Ilam Road and extending in an easterly direction for a distance of 156 metres, be revoked. Note 1 applies.
15. Approve that all traffic controls, except the speed limit, on Riccarton Road, commencing at its intersection with Middleton Road and extending in a westerly direction for a distance of 75.5 metres, be revoked. Note 1 applies.
16. Approve that all traffic controls, except the speed limit, on Ilam Road, commencing at its intersection with Riccarton Road and extending in a northerly direction for a distance of 27.5 metres, be revoked. Note 1 applies.
17. Approve that all traffic controls, except the speed limit, on Middleton Road, commencing at its intersection with Riccarton Road and extending in a southerly direction for a distance of 81.5 metres, be revoked. Note 1 applies.
18. Approve the lane markings, kerb alignments and road surfacing, on Riccarton Road commencing at its intersection with Ilam Road and extending in an easterly direction for a distance of 156 metres, as detailed in Attachment A of the agenda staff report. Note 2 applies.
19. Approve the lane markings, kerb alignments, traffic islands and road surfacing, on Riccarton Road commencing at its intersection with Middleton Road and extending in a westerly direction for a distance of 75.5 metres, as detailed in Attachment A of the agenda staff report. Note 2 applies.
20. Approve the lane markings, kerb alignments, traffic islands and road surfacing on Ilam Road commencing at its intersection with Riccarton Road and extending in a northerly direction for a distance of 27.5 metres, as detailed in Attachment A of the agenda staff report. Note 2 applies.
21. Approve the lane markings, kerb alignments, traffic islands and road surfacing, on Middleton Road commencing at its intersection with Riccarton Road and extending in a southerly direction for a distance of 81.5 metres, as detailed in Attachment A of the agenda staff report. Note 2 applies.
22. Approve the lane markings, kerb alignments, traffic islands and road surfacing, on Field Terrace commencing at its intersection with Riccarton Road and extending in a southerly direction for a distance of 20 metres, as detailed in Attachment A of the agenda staff report. Note 2 applies.
23. Approve the lane markings, kerb alignments and road surfacing at the intersection of Riccarton Road with Ilam Road, as detailed in Attachment A of the agenda staff report.

24. Approve the lane markings, kerb alignments, traffic islands and road surfacing at the intersection of Riccarton Road with Middleton Road, as detailed in Attachment A of the agenda staff report. Note 2 applies.
25. Approve the lane markings, kerb alignments, traffic islands and road surfacing at the intersection of Riccarton Road with Field Terrace, as detailed in Attachment A of the agenda staff report. Note 2 applies.
26. Approve that the Riccarton Road eastern approach, to its intersection with Ilam Road, kerb side lane be restricted to left turn only into Middleton Road, except for buses and cycles, as detailed in Attachment A of the agenda staff report.
27. Approve that the Riccarton Road western approach, to its intersection with Ilam Road, kerb side lane be restricted to left turn only into Ilam Road, except for buses and cycles, as detailed in Attachment A of the agenda staff report.
28. Approve that a Give Way control be placed against Middleton Road at its intersection with Riccarton Road, as detailed in Attachment A of the agenda staff report.
29. Approve that the right turn be restricted from Middleton Road at its intersection with Riccarton Road, as detailed in Attachment A of the agenda staff report.
30. Approve that the U turn be restricted from Riccarton Road west approach at its intersection with Ilam Road, as detailed in Attachment A of the agenda staff report.
31. Approve that a Give Way control be placed against Field Terrace at its intersection with Riccarton Road, as detailed in Attachment A of the agenda staff report.
32. Approve that the right turn be restricted from Field Terrace at its intersection with Riccarton Road, as detailed in Attachment A of the agenda staff report.
33. Approve that the right turn be restricted from Riccarton Road west approach at its intersection with Field Terrace, as detailed in Attachment A of the agenda staff report.
34. Approve that all existing parking and stopping restrictions on the north side of Riccarton Road, commencing its intersection with Ilam Road and extending in an easterly direction for a distance of 126 metres, be revoked. Note 1 applies.
35. Approve that all existing parking and stopping restrictions on the south side of Riccarton Road, commencing its intersection with Middleton Road and extending in an easterly direction for a distance of 156 metres, be revoked. Note 1 applies.
36. Approve that all existing parking and stopping restrictions on the north side of Riccarton Road, commencing its intersection with Ilam Road and extending in a westerly direction for a distance of 99 metres, be revoked. Note 1 applies.
37. Approve that all existing parking and stopping restrictions on the south side of Riccarton Road, commencing its intersection with Middleton Road and extending in a westerly direction for a distance of 75.5 metres, be revoked. Note 1 applies.
38. Approve that all existing parking and stopping restrictions on the east side of Ilam Road, commencing its intersection with Riccarton Road and extending in a northerly direction for a distance of 27.5 metres, be revoked. Note 1 applies.
39. Approve that all existing parking and stopping restrictions on the west side of Ilam Road, commencing its intersection with Riccarton Road and extending in a northerly direction for a distance of 27.5 metres, be revoked. Note 1 applies.

40. Approve that all existing parking and stopping restrictions on the east side of Middleton Road, commencing its intersection with Riccarton Road and extending in a southerly direction for a distance of 81.5 metres, be revoked. Note 1 applies.
41. Approve that all existing parking and stopping restrictions on the east side of Field Terrace, commencing its intersection with Riccarton Road and extending in a southerly direction for a distance of 15 metres, be revoked. Note 1 applies.
42. Approve that all existing parking and stopping restrictions on the west side of Field Terrace, commencing its intersection with Riccarton Road and extending in a southerly direction for a distance of 15 metres, be revoked. Note 1 applies.
43. Approve that the stopping of vehicles be prohibited at any time on the north side of Riccarton Road, commencing at the intersection with Ilam Road and extending in an easterly direction for a distance of 40 metres, as detailed in Attachment A of the agenda staff report. Note 2 applies.
44. Approve that a Bus Stop be created on the north side of Riccarton Road commencing at a point 40 metres east of its intersection with Ilam Road and extending in an easterly direction for a distance of 14.5 metres, as detailed in Attachment A of the agenda staff report. Note 2 applies.
45. Approve that the stopping of vehicles be prohibited at any time on the north side of Riccarton Road, commencing at the intersection with Ilam Road and extending in a westerly direction for a distance of 99 metres, as detailed in Attachment A of the agenda staff report. Note 2 applies.
46. Approve that the stopping of vehicles be prohibited at any time on the south side of Riccarton Road, commencing at the intersection with Middleton Road and extending in a westerly direction for a distance of 60 metres, as detailed on Attachment A of the agenda staff report. Note 2 applies.
47. Approve that a Bus Stop be created on the south side of Riccarton Road commencing at a point 60 metres west of its intersection with Middleton Road and extending in a westerly direction for a distance of 14.5 metres, as detailed in Attachment A of the agenda staff report. Note 2 applies.
48. Approve that the stopping of vehicles be prohibited at any time on the south side of Riccarton Road, commencing at the intersection with Middleton Road and extending in a easterly direction for a distance of 156 metres, as detailed in Attachment A of the agenda staff report. Note 2 applies.
49. Approve that the stopping of vehicles be prohibited at any time on the east side of Ilam Road, commencing at the intersection with Riccarton Road and extending in a northerly direction for a distance of 27.5 metres, as detailed in Attachment A of the agenda staff report. Note 2 applies.
50. Approve that the stopping of vehicles be prohibited at any time on the west side of Ilam Road, commencing at the intersection with Riccarton Road and extending in a northerly direction for a distance of 27.5 metres, as detailed in Attachment A of the agenda staff report. Note 2 applies.
51. Approve that the stopping of vehicles be prohibited at any time on the east side of Middleton Road, commencing at the intersection with Riccarton Road and extending in a southerly direction for a distance of 60 metres, as detailed in Attachment A of the agenda staff report. Note 2 applies.

52. Approve that the stopping of vehicles be prohibited at any time on the west side of Middleton Road, commencing at the intersection with Riccarton Road and extending in a southerly direction for a distance of 22 metres, as detailed in Attachment A of the agenda staff report. Note 2 applies.
53. Approve that the stopping of vehicles be prohibited at any time on the west side of Middleton Road, commencing at a point 36.5 metres south of its intersection with Riccarton Road and extending in a southerly direction for a distance of 45 metres, as detailed in Attachment A of the agenda staff report. Note 2 applies.
54. Approve that the stopping of vehicles be prohibited at any time on the west side of Field Terrace, commencing at its intersection with Riccarton Road and extending in a southerly direction for a distance of 15 metres, as detailed in Attachment A of the agenda staff report. Note 2 applies.
55. Approve that the stopping of vehicles be prohibited at any time on the east side of Field Terrace, commencing at its intersection with Riccarton Road and extending in a southerly direction for a distance of 15 metres, as detailed in Attachment A of the agenda staff report. Note 2 applies.
56. Approve that all road markings on Riccarton Road, commencing at its intersection with Clyde Road and extending in a westerly direction for a distance of 191.5 metres, be revoked.
57. Approve that all road markings on Riccarton Road, commencing at its intersection with Clyde Road and extending in an easterly direction for a distance of 82 metres, be revoked.
58. Approve that all existing parking and stopping restrictions on the south side of Riccarton Road, commencing its intersection with Euston Street and extending in an easterly direction for a distance of 12 metres, be revoked.
59. Approve that all existing parking and stopping restrictions on the north side of Riccarton Road, commencing its intersection with Clyde Road and extending in a westerly direction for a distance of 191.5 metres, be revoked.
60. Approve the lane markings and road surfacing, on Riccarton Road commencing at its intersection with Clyde Road and extending in a westerly direction for a distance of 191.5 metres, as detailed in Attachment A of the agenda staff report.
61. Approve the lane markings and road surfacing, on Riccarton Road commencing at its intersection with Clyde Road and extending in an easterly direction for a distance of 82 metres, as detailed in Attachment A of the agenda staff report.
62. Approve that the stopping of vehicles be prohibited at any time on the south side of Riccarton Road, commencing at the intersection with Euston Street and extending in an easterly direction for a distance of 12 metres, as detailed in Attachment A of the agenda staff report.
63. Approve that the stopping of vehicles be prohibited at any time on the north side of Riccarton Road, commencing at the intersection with Clyde Road and extending in a westerly direction for a distance of 165.5 metres, as detailed in Attachment A of the agenda staff report.
64. Approve that a bus parking area be created on the north side of Riccarton Road commencing at a point 165.5 metres east of its intersection with Clyde Road and

extending in a westerly direction for a distance of 14 metres, as detailed in Attachment A of the agenda staff report.

65. Approve that the stopping of vehicles be prohibited at any time on the north side of Riccarton Road, commencing at a point 179.5 west of its intersection with Clyde Road and extending in a westerly direction for a distance of 12 metres, as detailed in Attachment A of the agenda staff report.
66. Approve that all road markings on Riccarton Road, commencing at its intersection with Waimairi Road and extending in an easterly direction for a distance of 113 metres, be revoked.
67. Approve the lane markings on Riccarton Road commencing at its intersection with Waimairi Road and extending in a westerly direction for a distance of 113 metres, as detailed in Attachment A of the agenda staff report.

#### 4. Halswell-Hornby Riccarton Community Board Decision / Te Whaiwhakaarotanga

The Officer recommendations were moved by Mike Mora and seconded by Jimmy Chen.

Helen Broughton moved by way of amendment:

That the Waipuna/Halswell-Hornby-Riccarton Community Board recommends to the Council:

1. That the vehicle traffic flow from Middleton Road through to Ilam Road is maintained, noting that this is a main route to the University of Canterbury.
2. That there be double phasing of the Riccarton Road traffic signals to enable satisfactory public transport flow.

Explanatory Notes:

1. The Board is concerned that the 7,000 vehicles per day currently using Middleton Road will be displaced on to local residential streets such as Lochee Road and Balgay Street which are very narrow.

Also, this proposal will prevent any gridlock on Riccarton Road if only a left turn is provided from Middleton Road.

2. If the amendments are accepted, the traffic engineers would need to make adjustments to the technical details.

The amendment was seconded by Mark Peters and a division was requested and declared **carried** by 5 votes to 2 votes, the voting being as follows:

**For:** Andrei Moore, Helen Broughton, Catherine Chu, Debbie Mora and Mark Peters




**Against:** Mike Mora and Jimmy Chen

The amendment was then put to the meeting as the substantive motion, and declared carried.

Helen Broughton/Mark Peters

**Carried**

## Attachments

No.	Title	Page
A 	Staff report: Ilam Road/Middleton Road/Riccarton Road Intersection - Safety Improvements	260
B 	Memo Intersection Safety Project - Ilam Riccarton Middleton Roads	285
C 	Attachments to Staff report: Ilam Road/Middleton Road/Riccarton Road Intersection - Safety Improvements ( <i>Under Separate Cover</i> )	

In addition to the attached documents, the following background information is available:

Document Name	Location / File Link
Halswell-Hornby-Riccarton Community Board Supplementary Meeting Agenda – 3 March 2020	<a href="https://christchurch.infocouncil.biz/Open/2020/03/HHRB_20200303_AGN_4456_AT_SUP.PDF">https://christchurch.infocouncil.biz/Open/2020/03/HHRB_20200303_AGN_4456_AT_SUP.PDF</a>
Halswell-Hornby-Riccarton Community Board Meeting Minutes – 3 March 2020	<a href="https://christchurch.infocouncil.biz/Open/2020/03/HHRB_20200303_MIN_4456_AT.PDF">https://christchurch.infocouncil.biz/Open/2020/03/HHRB_20200303_MIN_4456_AT.PDF</a>
Halswell-Hornby-Riccarton Community Board Meeting Agenda – 4 February 2020	<a href="https://christchurch.infocouncil.biz/Open/2020/02/HHRB_20200204_AGN_4454_AT.PDF">https://christchurch.infocouncil.biz/Open/2020/02/HHRB_20200204_AGN_4454_AT.PDF</a>

Waipuna/Halswell-Hornby-Riccarton Community Board  
04 February 2020

Christchurch  
City Council 

## 8. Ilam Road/Middleton Road/Riccarton Road Intersection - Safety Improvements

Reference / Te Tohutoro: 19/1483937

Adrian Thein – Project Manager

Presenter(s) / Te kaupāhō: William Homewood – Traffic Engineer

Philippa Upton – Engagement Advisor

### 1. Purpose of Report / Te Pūtake Pūrongo

- 1.1 To request that the Waipuna/Halswell-Hornby-Riccarton Community Board endorse the preferred design (Option 1C) for the Ilam Road/Middleton Road/Riccarton Road Intersection - Safety Improvement project, approve the associated traffic control resolutions for the preferred design, and further that the Board recommend to the Council that it approve the project and associated traffic control resolutions.

### 2. Executive Summary / Te Whakarāpopoto Matua

- 2.1 This intersection has an identified safety issue and has been ranked using the safe systems approach and is ranked the seventh most dangerous intersection in Christchurch.
- 2.2 Options to provide the required safety improvements at this intersection are limited due to the offset layout of Middleton Road and Ilam Road, and also due to space restrictions due to the surrounding commercial and residential properties at this intersection.
- 2.3 Maintaining network efficiency for public transport along Riccarton Road it being noted that Riccarton Road Stage 1 Bus Priority Stage 1 (between Deans Avenue and Matipo Street) is currently in construction and due for completion in mid-2020.
- 2.4 This intersection connects the approved Nor'West Arc Major Cycleway project which is currently proposed to commence construction in 2020, the external funding from the NZ Transport Agency is however currently being confirmed.
- 2.5 The preferred option maintains overall capacity on the network, some vehicle trips will be redistributed due to the closing of the right turn movements in and out of Middleton Road. Small scale improvements at other intersections are proposed as part of this project to cater for the redistribution of vehicles.
- 2.6 The proposal provides a safe connection for the approved Nor'West Arc Major Cycle Route which runs along Middleton Road and Ilam Road.

### 3. Staff Recommendations / Ngā Tūtohu

For the purposes of the following resolutions:

- (1) An intersection is defined by the position of kerbs on each intersecting roadway; and,
- (2) The resolution is to take effect from the commencement of physical road works associated with the project as detailed in the agenda staff report; and,
- (3) If the resolution states "Note 1 applies", any distance specified in the resolution relates the kerb line location referenced as exists on the road immediately prior to the Community Board meeting of 4 February 2020; and,



Waipuna/Halswell-Hornby-Riccarton Community Board  
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(4) If the resolution states "Note 2 applies", any distance specified in the resolution relates to the approved kerb line location on the road resulting from the resolution, as approved.

Part A

That the Waipuna/Halswell-Hornby-Riccarton Community Board endorse Option 1C for the Ilam Road/Middleton Road/Riccarton Road - Safety Improvements project and recommend to the Council that the project be approved, along with the following traffic control resolutions:

1. Approve all traffic controls, except for the speed limit, at the intersection of Riccarton Road with Middleton Road and Ilam Road, be revoked. Note 1 applies.
2. Approve that the intersection of Riccarton Road with Ilam Road be controlled by traffic signals, in accordance with section 6.2 of the Land Transport Traffic Control Devices Rule 2004, as detailed in Attachment A of the agenda staff report.
3. Approve that a special vehicle lane for the use of west bound buses and cycles only, be established on the south side of Riccarton Road, commencing at its intersection with Middleton Road, and extending in a westerly direction for a distance of 60 metres as detailed in Attachment A of the agenda staff report. This special vehicle lane is to apply at all times. This special vehicle lane is authorised under clause 18 of the Christchurch City Council Traffic and Parking Bylaw 2017, and is therefore to be added to the Register of Roads or Traffic Lanes Restricted to Specific Classes of Vehicles.
4. Approve that a special vehicle lane for the use of westbound cycles only, be established on the south side of Riccarton Road, commencing at a point 90 metres east of its intersection with Middleton Road, and extending in an easterly direction for a distance of 65 metres as detailed in Attachment A of the agenda staff report. This special vehicle lane is to apply at all times. This special vehicle lane is authorised under clause 18 of the Christchurch City Council Traffic and Parking Bylaw 2017, and is therefore to be added to the Register of Roads or Traffic Lanes Restricted to Specific Classes of Vehicles.
5. Approve that a special vehicle lane for the use of eastbound buses and cycles only, be established on the north side of Riccarton Road, commencing at a point 58 metres west of its intersection with Ilam Road, and extending in a westerly direction for a distance of 41 metres as detailed in Attachment A of the agenda staff report. This special vehicle lane is to apply at all times. This special vehicle lane is authorised under clause 18 of the Christchurch City Council Traffic and Parking Bylaw 2017, and is therefore to be added to the Register of Roads or Traffic Lanes Restricted to Specific Classes of Vehicles.
6. Approve that a special vehicle lane for the use of eastbound buses and cycles only, be established on the north side of Riccarton Road, commencing at its intersection with Ilam Road, and extending in an easterly direction for a distance of 54 metres as detailed in Attachment A of the agenda staff report. This special vehicle lane is to apply at all times. This special vehicle lane is authorised under clause 18 of the Christchurch City Council Traffic and Parking Bylaw 2017, and is therefore to be added to the Register of Roads or Traffic Lanes Restricted to Specific Classes of Vehicles.
7. Approve that a special vehicle lane for the use of southbound cycles only, be established on the east side of Ilam Road, commencing at its intersection with Riccarton Road, and extending in a northerly direction for a distance of 27.5 metres as detailed in Attachment A of the agenda staff report. This special vehicle lane is authorised under clause 18 of the Christchurch City Council Traffic and Parking Bylaw 2017, and is therefore to be added to the Register of Roads or Traffic Lanes Restricted to Specific Classes of Vehicles.
8. Approve that a special vehicle lane for the use of northbound cycles only, be established on the west side of Ilam Road, commencing at its intersection with Riccarton Road, and

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- extending in a northerly direction for a distance of 27.5 metres as detailed in Attachment A of the agenda staff report. This special vehicle lane is authorised under clause 18 of the Christchurch City Council Traffic and Parking Bylaw 2017, and is therefore to be added to the Register of Roads or Traffic Lanes Restricted to Specific Classes of Vehicles.
9. Approve that the pathway on the east side of Middleton Road, commencing at its intersection with Riccarton Road and extending in a southerly direction for a distance of 52 metres, be resolved as a bi-directional shared pedestrian/bicycle pathway. This shared path is authorised under clause 18 of the Christchurch City Council Traffic and Parking Bylaw 2017, and is therefore to be added to the Register of Roads or Traffic Lanes Restricted to Specific Classes of Vehicles.
10. Approve that the pathway on the west side of Middleton Road, commencing at a point 52 metres south of its intersection with Riccarton Road and extending in a southerly direction for a distance of 16.5 metres, be resolved as a bi-directional shared pedestrian/bicycle pathway. This shared path is authorised under clause 18 of the Christchurch City Council Traffic and Parking Bylaw 2017, and is therefore to be added to the Register of Roads or Traffic Lanes Restricted to Specific Classes of Vehicles.

Part C

That the Waipuna/Halswell-Hornby-Riccarton Community Board resolve to:

11. Approve all traffic controls, except for the speed limit, at the intersection of Field Terrace with Riccarton Road, be revoked. Note 1 applies.
12. Approve that all traffic controls, except the speed limit, on Riccarton Road, commencing at its intersection with Ilam Road and extending in an easterly direction for a distance of 156 metres, be revoked. Note 1 applies.
13. Approve that all traffic controls, except the speed limit, on Riccarton Road, commencing at its intersection with Middleton Road and extending in a westerly direction for a distance of 75.5 metres, be revoked. Note 1 applies.
14. Approve that all traffic controls, except the speed limit, on Ilam Road, commencing at its intersection with Riccarton Road and extending in a northerly direction for a distance of 27.5 metres, be revoked. Note 1 applies.
15. Approve that all traffic controls, except the speed limit, on Middleton Road, commencing at its intersection with Riccarton Road and extending in a southerly direction for a distance of 81.5 metres, be revoked. Note 1 applies.
16. Approve the lane markings, kerb alignments and road surfacing, on Riccarton Road commencing at its intersection with Ilam Road and extending in an easterly direction for a distance of 156 metres, as detailed in Attachment A of the agenda staff report. Note 2 applies.
17. Approve the lane markings, kerb alignments, traffic islands and road surfacing, on Riccarton Road commencing at its intersection with Middleton Road and extending in a westerly direction for a distance of 75.5 metres, as detailed in Attachment A of the agenda staff report. Note 2 applies.
18. Approve the lane markings, kerb alignments, traffic islands and road surfacing on Ilam Road commencing at its intersection with Riccarton Road and extending in a northerly direction for a distance of 27.5 metres, as detailed in Attachment A of the agenda staff report. Note 2 applies.
19. Approve the lane markings, kerb alignments, traffic islands and road surfacing, on Middleton Road commencing at its intersection with Riccarton Road and extending in a southerly

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- direction for a distance of 81.5 metres, as detailed in Attachment A of the agenda staff report. Note 2 applies.
20. Approve the lane markings, kerb alignments, traffic islands and road surfacing, on Field Terrace commencing at its intersection with Riccarton Road and extending in a southerly direction for a distance of 20 metres, as detailed in Attachment A of the agenda staff report. Note 2 applies.
  21. Approve the lane markings, kerb alignments and road surfacing at the intersection of Riccarton Road with Ilam Road, as detailed in Attachment A of the agenda staff report.
  22. Approve the lane markings, kerb alignments, traffic islands and road surfacing at the intersection of Riccarton Road with Middleton Road, as detailed in Attachment A of the agenda staff report. Note 2 applies.
  23. Approve the lane markings, kerb alignments, traffic islands and road surfacing at the intersection of Riccarton Road with Field Terrace, as detailed in Attachment A of the agenda staff report. Note 2 applies.
  24. Approve that the Riccarton Road eastern approach, to its intersection with Ilam Road, kerb side lane be restricted to left turn only into Middleton Road, except for buses and cycles, as detailed in Attachment A of the agenda staff report.
  25. Approve that the Riccarton Road western approach, to its intersection with Ilam Road, kerb side lane be restricted to left turn only into Ilam Road, except for buses and cycles, as detailed in Attachment A of the agenda staff report.
  26. Approve that a Give Way control be placed against Middleton Road at its intersection with Riccarton Road, as detailed in Attachment A of the agenda staff report.
  27. Approve that the right turn be restricted from Middleton Road at its intersection with Riccarton Road, as detailed in Attachment A of the agenda staff report.
  28. Approve that the U turn be restricted from Riccarton Road west approach at its intersection with Ilam Road, as detailed in Attachment A of the agenda staff report.
  29. Approve that a Give Way control be placed against Field Terrace at its intersection with Riccarton Road, as detailed in Attachment A of the agenda staff report.
  30. Approve that the right turn be restricted from Field Terrace at its intersection with Riccarton Road, as detailed in Attachment A of the agenda staff report.
  31. Approve that the right turn be restricted from Riccarton Road west approach at its intersection with Field Terrace, as detailed in Attachment A of the agenda staff report.
  32. Approve that all existing parking and stopping restrictions on the north side of Riccarton Road, commencing its intersection with Ilam Road and extending in an easterly direction for a distance of 126 metres, be revoked. Note 1 applies.
  33. Approve that all existing parking and stopping restrictions on the south side of Riccarton Road, commencing its intersection with Middleton Road and extending in an easterly direction for a distance of 156 metres, be revoked. Note 1 applies.
  34. Approve that all existing parking and stopping restrictions on the north side of Riccarton Road, commencing its intersection with Ilam Road and extending in a westerly direction for a distance of 99 metres, be revoked. Note 1 applies.
  35. Approve that all existing parking and stopping restrictions on the south side of Riccarton Road, commencing its intersection with Middleton Road and extending in a westerly direction for a distance of 75.5 metres, be revoked. Note 1 applies.

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36. Approve that all existing parking and stopping restrictions on the east side of Ilam Road, commencing its intersection with Riccarton Road and extending in a northerly direction for a distance of 27.5 metres, be revoked. Note 1 applies.
37. Approve that all existing parking and stopping restrictions on the west side of Ilam Road, commencing its intersection with Riccarton Road and extending in a northerly direction for a distance of 27.5 metres, be revoked. Note 1 applies.
38. Approve that all existing parking and stopping restrictions on the east side of Middleton Road, commencing its intersection with Riccarton Road and extending in a southerly direction for a distance of 81.5 metres, be revoked. Note 1 applies.
39. Approve that all existing parking and stopping restrictions on the east side of Field Terrace, commencing its intersection with Riccarton Road and extending in a southerly direction for a distance of 15 metres, be revoked. Note 1 applies.
40. Approve that all existing parking and stopping restrictions on the west side of Field Terrace, commencing its intersection with Riccarton Road and extending in a southerly direction for a distance of 15 metres, be revoked. Note 1 applies.
41. Approve that the stopping of vehicles be prohibited at any time on the north side of Riccarton Road, commencing at the intersection with Ilam Road and extending in an easterly direction for a distance of 40 metres, as detailed in Attachment A of the agenda staff report. Note 2 applies.
42. Approve that a Bus Stop be created on the north side of Riccarton Road commencing at a point 40 metres east of its intersection with Ilam Road and extending in an easterly direction for a distance of 14.5 metres, as detailed in Attachment A of the agenda staff report. Note 2 applies.
43. Approve that the stopping of vehicles be prohibited at any time on the north side of Riccarton Road, commencing at the intersection with Ilam Road and extending in a westerly direction for a distance of 99 metres, as detailed in Attachment A of the agenda staff report. Note 2 applies.
44. Approve that the stopping of vehicles be prohibited at any time on the south side of Riccarton Road, commencing at the intersection with Middleton Road and extending in a westerly direction for a distance of 60 metres, as detailed on Attachment A of the agenda staff report. Note 2 applies.
45. Approve that a Bus Stop be created on the south side of Riccarton Road commencing at a point 60 metres west of its intersection with Middleton Road and extending in a westerly direction for a distance of 14.5 metres, as detailed in Attachment A of the agenda staff report. Note 2 applies.
46. Approve that the stopping of vehicles be prohibited at any time on the south side of Riccarton Road, commencing at the intersection with Middleton Road and extending in a easterly direction for a distance of 156 metres, as detailed in Attachment A of the agenda staff report. Note 2 applies.
47. Approve that the stopping of vehicles be prohibited at any time on the east side of Ilam Road, commencing at the intersection with Riccarton Road and extending in a northerly direction for a distance of 27.5 metres, as detailed in Attachment A of the agenda staff report. Note 2 applies.
48. Approve that the stopping of vehicles be prohibited at any time on the west side of Ilam Road, commencing at the intersection with Riccarton Road and extending in a northerly direction for



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- a distance of 27.5 metres, as detailed in Attachment A of the agenda staff report. Note 2 applies.
49. Approve that the stopping of vehicles be prohibited at any time on the east side of Middleton Road, commencing at the intersection with Riccarton Road and extending in a southerly direction for a distance of 60 metres, as detailed in Attachment A of the agenda staff report. Note 2 applies.
  50. Approve that the stopping of vehicles be prohibited at any time on the west side of Middleton Road, commencing at the intersection with Riccarton Road and extending in a southerly direction for a distance of 22 metres, as detailed in Attachment A of the agenda staff report. Note 2 applies.
  51. Approve that the stopping of vehicles be prohibited at any time on the west side of Middleton Road, commencing at a point 36.5 metres south of its intersection with Riccarton Road and extending in a southerly direction for a distance of 45 metres, as detailed in Attachment A of the agenda staff report. Note 2 applies.
  52. Approve that the stopping of vehicles be prohibited at any time on the west side of Field Terrace, commencing at its intersection with Riccarton Road and extending in a southerly direction for a distance of 15 metres, as detailed in Attachment A of the agenda staff report. Note 2 applies.
  53. Approve that the stopping of vehicles be prohibited at any time on the east side of Field Terrace, commencing at its intersection with Riccarton Road and extending in a southerly direction for a distance of 15 metres, as detailed in Attachment A of the agenda staff report. Note 2 applies.
  54. Approve that all road markings on Riccarton Road, commencing at its intersection with Clyde Road and extending in a westerly direction for a distance of 191.5 metres, be revoked.
  55. Approve that all road markings on Riccarton Road, commencing at its intersection with Clyde Road and extending in an easterly direction for a distance of 82 metres, be revoked.
  56. Approve that all existing parking and stopping restrictions on the south side of Riccarton Road, commencing its intersection with Euston Street and extending in an easterly direction for a distance of 12 metres, be revoked.
  57. Approve that all existing parking and stopping restrictions on the north side of Riccarton Road, commencing its intersection with Clyde Road and extending in a westerly direction for a distance of 191.5 metres, be revoked.
  58. Approve the lane markings and road surfacing, on Riccarton Road commencing at its intersection with Clyde Road and extending in a westerly direction for a distance of 191.5 metres, as detailed in Attachment A of the agenda staff report.
  59. Approve the lane markings and road surfacing, on Riccarton Road commencing at its intersection with Clyde Road and extending in an easterly direction for a distance of 82 metres, as detailed in Attachment A of the agenda staff report.
  60. Approve that the stopping of vehicles be prohibited at any time on the south side of Riccarton Road, commencing at the intersection with Euston Street and extending in an easterly direction for a distance of 12 metres, as detailed in Attachment A of the agenda staff report.
  61. Approve that the stopping of vehicles be prohibited at any time on the north side of Riccarton Road, commencing at the intersection with Clyde Road and extending in a westerly direction for a distance of 165.5 metres, as detailed in Attachment A of the agenda staff report.

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62. Approve that a bus parking area be created on the north side of Riccarton Road commencing at a point 165.5 metres east of its intersection with Clyde Road and extending in a westerly direction for a distance of 14 metres, as detailed in Attachment A of the agenda staff report.
63. Approve that the stopping of vehicles be prohibited at any time on the north side of Riccarton Road, commencing at a point 179.5 west of its intersection with Clyde Road and extending in a westerly direction for a distance of 12 metres, as detailed in Attachment A of the agenda staff report.
64. Approve that all road markings on Riccarton Road, commencing at its intersection with Waimairi Road and extending in an easterly direction for a distance of 113 metres, be revoked.
65. Approve the lane markings on Riccarton Road commencing at its intersection with Waimairi Road and extending in a westerly direction for a distance of 113 metres, as detailed in Attachment A of the agenda staff report.

#### 4. Context/Background / Te Horopaki

##### Issue or Opportunity / Ngā take, Ngā Whaihua rānei

- 4.1 This intersection is made up of three roads. Riccarton Road, which is a minor arterial road, is aligned east to west. Ilam Road and Middleton Road, which are the northern and southern approaches respectively, are both designated as collector roads in the Christchurch Transport Strategic Plan.
- 4.2 The project needs to provide for possible future bus priority measures along Riccarton Road and the Nor'West Arc Major Cycleway Route, both of which travel through this intersection. Bus Priority measures on this section of Riccarton Road are currently not funded in the Long Term Plan. The Nor'West Arc Major Cycleway Route project uses Ilam Road and Middleton Road and contributes funding to this project to meet its objectives. The cycleway project is approved and ready to tender once NZ Transport Agency (NZTA) funding has been confirmed.
- 4.3 This intersection is ranked 7<sup>th</sup> out of all Christchurch high risk intersections. The predominant crash types are rear end crashes and right hand against crashes from Riccarton Road into Ilam Road or vice versa.
- 4.4 The project objectives are to:
  - 4.4.1 Reduce the number of fatal and serious injuries at the Ilam/Middleton/Riccarton Roads intersection.
  - 4.4.2 Reduce the number of crashes involving pedestrians or cyclists at the Ilam/Middleton/Riccarton Roads intersection.
  - 4.4.3 Maintain network efficiency for public transport along Riccarton Road.
  - 4.4.4 Integrate with the future bus priority project.
  - 4.4.5 Integrate with the Nor'West Arc Major Cycle Route project.

##### Strategic Alignment / Te Rautaki Tīaroaro

- 4.5 This report supports the [Council's Long Term Plan \(2018 - 2028\)](#):
  - 4.5.1 Activity: Traffic Safety and Efficiency
    - Level of Service: 10.0.6.1 Reduce the number of casualties on the road network. - <=124 (reduce by 5 or more per year)

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**Decision Making Authority / Te Mana Whakatau**

- 4.6 The decision making authority for this report sits with the Community Board and the Council.

**Previous Decisions / Ngā Whakatau o mua**

- 4.7 A seminar was held with the Community Board on 13 November 2018 prior to consultation, to advise the Board of the proposal.
- 4.8 A seminar on the proposed designs and post consultation feedback was presented to the Community Board on 26 June 2019.

**Assessment of Significance and Engagement / Te Aromatawai Whakahirahira**

- 4.9 The decision in this report is of medium significance in relation to the Christchurch City Council's Significance and Engagement Policy.
- 4.10 The level of significance was determined by the number of people affected and/or with an interest, the impact on those people affected (access, route changes), project interdependencies (bus priority, Major Cycle Route requirements), and associated Council reputational cost/risk.

**5. Options Analysis / Ngā Kōwhiringa Tātari**

**Options Considered / Ngā Kōwhiringa Whaiwhakaaro**

- 5.1 The following reasonably practicable options were considered and are assessed in this report. (To be noted Option 1a and 1b options were signal phasing sub options and were excluded due to their impact on network efficiency):
- **Option 1:** As shown in **Appendix E**. Option 1 restricts Middleton Road to left in left out, with Riccarton Road and Ilam Road then forming a T intersection. Bus priority is provided in either direction on Riccarton Road with dedicated lanes. The Major Cycle Route is provided for through a signalised crossing with a shared path on Middleton Road and mono directional separated cycle facilities on Ilam Road.
  - **Option 1c (preferred):** As shown in **Appendix A**. This option includes all the works in Option 1. In addition to the Option 1 proposal Field Terrace is restricted to left in left out at Riccarton Road with the use of an island on Field Terrace. At Clyde Road/Riccarton Road/Wharenui Road intersection a new right hand turn lane is provided into Wharenui Road. The existing right turn bay into Waimairi Road from Riccarton Road has been extended to 48 metres from the existing 30 metres. Three of the four carparks are retained outside 233 Riccarton Road.
  - **Option 2:** As shown in **Appendix F**. This option is primarily the same as Option 1, however only allows a left turn out of Middleton Road, not a left turn into the street.
  - **Option 3:** As shown in **Appendix G**. This option is similar to Option 2, the main differences being that the cycle facility on Ilam Road is a bi directional separated cycle facility, and a left turn slip lane is provided out of Ilam Road.
  - **Option 4:** As shown in **Appendix H**. This option is the similar to Option 3 however does not include the left turn slip lane out of Ilam Road.
  - **Option 5:** The intersection layout is the same as for Option 4 however it provides a split phase for Ilam Road and Middleton Road, with a separated cycle facility being provided on both roads.
- 5.2 The following options were considered but ruled out:



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- **Do-nothing:** The do nothing option maintains the existing intersection with no changes as part of this scheme, however this does not enable safe connections for the Nor'West Arc Major Cycleway users. As previously noted the Nor'West Arc Major Cycleway has been consulted on and approved and is due for construction in late 2020. This option does not address the existing safety concerns.

**Options Descriptions / Ngā Kōwhiringa**

**5.3 Preferred Option: Option 1C**

**5.3.1 Option Description:** Restricts the use of Middleton Road at the intersection by changing access/egress to left in left out, and changing Ilam Road and Middleton Road to a 'T' intersection.

- Middleton Road has been restricted to left in left out. This is self-enforcing with islands on Riccarton Road and within the Middleton Road approach.
- The pinch points in the footpath, where Middleton Road intersects with Riccarton Road have been removed as Middleton Road has been narrowed.
- The left turn slip lane has been removed from Ilam Road into Riccarton Road. The removal of this slip lane improves pedestrian safety and removes the pinch point on the footpath where Ilam Road and Riccarton Road intersect.
- For westbound buses the bus lane will operate as a through lane for cyclists and buses but a left turn lane for vehicles wanting to turn left into Middleton Road after the intersection. This lane will be signed 'left lane left turn only except buses and cyclists'.
- For eastbound buses the left turn lane has been designed to allow the through buses to use it as well, allowing them to jump the queue. This lane will be signed 'left lane left turn only except buses and cyclists'.
- A cycle crossing has been provided connecting a shared path facility on Middleton Road to a mono-directional separated facility on Ilam Road.
- A cycle crossing has been included on Middleton Road to provide a safe crossing facility for cyclists, who need to cross Middleton Road.
- A pedestrian refuge has been added on Middleton Road to replace the signalised crossing which is removed as a result of Middleton Road no longer being part of the main intersection.
- The scheme includes the following features at the intersection of Field Terrace/ Riccarton Road:

Field Terrace is restricted to left in left out at Riccarton Road with the use of an island on Field Terrace. This is shown in Appendix P of the Scheme Assessment Report.

- The scheme includes the following features at the intersection of Clyde Road/ Riccarton Road/Wharenui Road:

The eastern approach right turn lane for Riccarton Road into Clyde Road, has been extended from the existing 15 metres to 55 metres. This has resulted in the removal of two parking spaces on the south side of Riccarton Road.

The western approach has been changed from what is currently a through lane and shared through and right turn lane to a through lane and a dedicated right turn lane. There has also been an additional 44 metres of no stopping restrictions

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provided on the western approach lane, which has resulted in four parking spaces being removed. This allows right turners to queue in their own lane, something which already effectively happens as through vehicles do not tend to queue behind the right turning vehicles.

- The scheme includes the following features at the intersection of Hansons Lane/Riccarton Road/Waimairi Road.
- The right turn bay into Waimairi Road from Riccarton Road has been extended to 48 metres from the existing 30 metres.

5.3.2 **Option Advantages**

- Improve safety for all road users.
- Provides a safe Major Cycle Route connection between Middleton Road and Ilam Road.
- The design allows for future passenger transport corridor improvements on Riccarton Road, particularly for Stage 2 of the Bus Priority which links the PT corridor from Deans Avenue to the Hornby Hub.
- Improves travel times for general traffic.

5.3.3 **Option Disadvantages**

- Restricts access to Middleton Road and Field Terrace, requiring local traffic to take a longer route.
  - Minor delay to passenger transport, until the bus priority stage two project is completed.
  - Requires the removal of 10 carparks including:
    - One space removed from outside 306 Riccarton Road, to the west of Ilam Road.
    - Four parking spaces removed outside 293 and 291 Riccarton Road, east of Field Terrace.
    - One space removed from outside 235 Riccarton Road, outside the Clyde Building (Clyde/Riccarton/Wharenui intersection).
    - Four spaces removed from outside 262–264 Riccarton Road however have been replaced with a loading zone to accommodate school buses for Kirkwood Intermediate School (Clyde/Riccarton/Wharenui intersection).
- Changes to parking locations on Middleton Road, however no change to the total parking numbers when compared to the approved Nor'West Arc MCR.

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**Analysis Criteria / Ngā Paearu Wetekina**

- 5.4 These options have been considered against the objectives of the project in **Appendix D** and is summarised in Table 9. To allow the options to be compared, each of the options has been ranked based on how well they contribute to meeting the objectives. This ranking mechanism is explained in Table 8 below.

**Table 8: Option Assessment Key**

✓✓	Strongly contributes to the desired objectives
✓	Contributes to the desired objective
-	Neutral
x	Detracts from the desired objective
xx	Strongly detracts from the desired objective

**Table 9: Options Assessment Matrix Summary**

Objective	Do Nothing	Option 1	Option 1c Preferred Option	Option 2	Option 4	Option 5
<b>Reduce the number of fatal and serious injuries at the Ilam/Middleton/Riccarton intersection. (The three main crash types have been considered below)</b>						
Right Turn against – Riccarton to Ilam	X	✓✓	✓✓	✓✓	✓✓	x
Right Turn against – Ilam to Riccarton	X	✓✓	✓✓	✓✓	✓✓	✓
Rear end	X	-	-	-	-	x
<b>Reduce the number of crashes involving pedestrians or cyclists at the Ilam/Middleton/Riccarton intersection</b>						
Pedestrians	X	✓	✓	✓	✓	x
Cyclists	X	✓✓	✓✓	-	-	✓✓
<b>Maintain network efficiency for public transport along Riccarton Road.</b>	✓	✓	✓✓	xx	xx	xx
<b>Integrate with the future bus priority project</b>	x	✓✓	✓✓	✓✓	✓✓	x
<b>Integrate with the MCR</b>	x	✓✓	✓✓	✓✓	✓✓	✓✓

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**Options Considerations / Te Whaiwhakaarotanga**

**5.5 Capacity issues**

- 5.5.1 Field Terrace closure – the initial modelling report identified that the additional vehicles trying to 'rat run' through Field Terrace would cause a problem both for Field Terrace residents and with vehicles queuing on Riccarton Road waiting to turn right. The queuing associated with this movement resulted in additional delays to Riccarton Road traffic, as it would overlap with the queue of vehicles waiting to turn right into Ilam Road.
- 5.5.2 Right turn phase included – the modelling also showed that when a right turn phase into Ilam Road was introduced at the intersection with Riccarton Road, this improved overall travel times on the Riccarton Road route as it relieves congestion issues at other signalised intersections where right turning vehicles block the through lane. The restrictions on movements at Middleton Road results in traffic diverting through surrounding intersections. The inclusion of the right turn phase attracts some of them back to this intersection, although on a different approach.

**6. Community Views and Preferences / Ngā mariu ā-Hāpori**

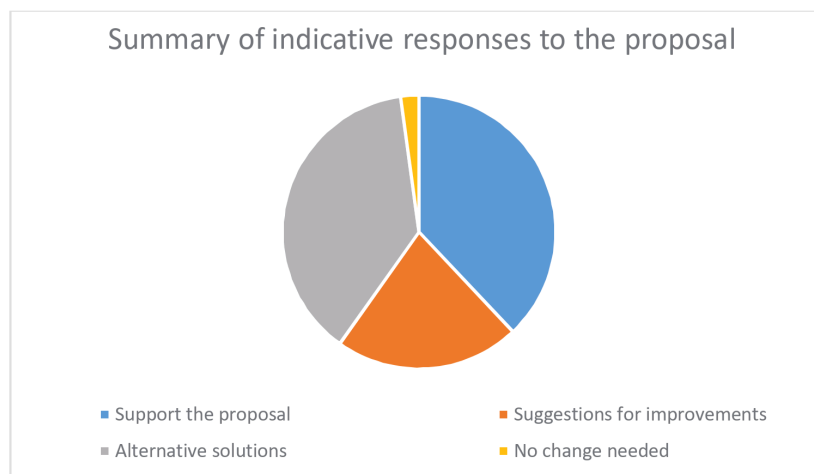
**Consultation process**

- 6.1 Pre-consultation meetings were held with representatives from the University of Canterbury and Ilam, Kirkwood and Middleton Grange Schools, resulting in project team response to specific questions. Police and emergency services were sent the plans for early input. There were no requested changes, and the Police, Fire and Emergency New Zealand and St Johns Ambulance responded with their approval.
- 6.2 Have Your Say consultation on the Council web site was open for community comment from 13 February to 11 March 2019. Approximately 1,400 booklets were hand delivered to the project area and surrounding streets, and approximately 600 posted to owners and stakeholders including libraries and service centres along with an extensive email list.
- 6.3 Members of the project team delivered booklets to key affected businesses at the start of consultation, responding during this period to questions and concerns including site meetings in response to specific concerns.
- 6.4 Two drop-in information meetings, including staff presentations and question and answer sessions, were attended by a total of more than 30 people.
- 6.5 There was a high level of engagement on social media targeting the Riccarton community about this proposal with 115 Facebook likes, 128 comments and 20 shares. Generally, people agreed that something needs to be done to make the intersection safer and nobody suggested it should be left as is. Of the few who had suggestions for alternatives, banning right turns enabling retention of the through route from Middleton to Ilam was the most popular. There were 1,169 views of the Newsline article on the website.

**Overview of feedback**

- 6.6 A binary support/yes no response was not requested or specifically provided for the in the consultation feedback form. Although the feedback gave clear themes and levels of support, analysis and interpretation is indicative only.
- 6.7 One hundred and thirty-seven individuals or groups provided written comment and 52 indicated support for the proposal. Over half of the remaining eighty-two providing comments or suggestions gave alternative solutions, while the rest put forward comments or suggestions to improve the proposal. Three do not think any change is needed at the intersection.

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**Support for the proposal**

- 6.8 Key support comments reinforced the need for safety for all Ilam/Middleton/Riccarton intersection users – including those walking and on bikes (29 submitters). The Canterbury District Health Board and Generation Zero gave strong support to prioritising safe cycling, walking and public transport including the use of road space such as berms. Six submitters questioned the fairness of prioritising cycles over other road users especially drivers including whether the Nor'West Arc Major Cycle Route is viable, while seven specifically indicated support for the cycleway.
- 6.9 The Kirkwood Intermediate School Principal supports the proposal as a safety improvement, requesting a change to the proposed parking removal immediately to the west of the school to allow for bus parking at relevant times. Positive comments were received from Ilam School parents supporting the safety improvements for pedestrians and cyclists at the intersection.
- There was some support for those travelling to local schools, the university or other institutions for the safety improvements brought by the proposal for these people, especially cyclists and pedestrians.

**Key concerns**

- 6.10 Access to local and wider destinations to the north. Ninety-three submitters questioned what would happen to north-bound vehicle traffic that currently travels up Middleton Road into Ilam Road to get to schools, the university, and other destinations.
- 6.11 About two thirds of over 30 references to the university and local schools and other institutions noted concerns about access to these locations and lack of viable routes for these commuters and students.
- 6.12 **Viability of alternative routes – wider network.** A number of questions were raised about the viability of alternative routes including Hansons/Waimairi and Wharenui/Clyde, and how this would affect access for locals as well as the wider community and those travelling to wider destinations.
- 6.13 **Increased localised traffic congestion.** There was particular concern from 25 submitters about how traffic including those travelling from Bush Inn and unable to turn right into Middleton Road will divert to clog local streets such as Auburn Avenue, Suva Street and Field Terrace and nine had specific concerns over loss of access for locals. Middleton Grange School had questions about how Suva Street would be affected given the new cycle lane.



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- 6.14 **Increased wider congestion.** Thirty-six noted that they expect wider congestion and 'log jam' issues in Riccarton Road and intersections especially Wharenui/Clyde and to a lesser extent Hansons/Waimairi.

**Alternative suggestions from submitters**

- 6.15 **Alternative solutions for Ilam/Middleton/Riccarton intersection.** Twenty-nine suggestions for alternative overall solutions for the Ilam/Middleton/Riccarton intersection included solving the problem by banning the right turns to keep the through movement, and resetting the traffic lights to split the phases. Seven submitters suggested acquiring land to straighten the road, and eight asked for assurance that there would be a right turn arrow from Ilam into Riccarton.
- 6.16 **Retain the right turn into Middleton.** Thirty four comments were made about the effects this could have on local congestion and 13 specifically opposed this change.
- 6.17 **Alternative solutions for Clyde/Riccarton/Wharenui.** There were several suggestions to change the through and left turn lanes located between the Clyde Road and Wharenui Road approaches to left turn only, to allow a north-south movement.

**Other suggestions and concerns**

- 6.18 **Field Terrace access concerns – right turn bans.** At least 10 submitters were concerned about the removal of the right turns in and out of the street at the Field Terrace/Riccarton Road intersection.
- 6.19 **Concern that traffic will divert through Field Terrace.** There was also some concern that the changes to the Ilam/Middleton/Riccarton/Field Terrace intersection might encourage more through traffic for those wanting to go north along Ilam Road. This could cause left turning traffic from Field Terrace to build up on Riccarton Road waiting for a right turn into Ilam Road.
- 6.20 **Cycle and pedestrian suggestions.** During the consultation phase a number of informal and several written comments were made questioning the viability of the location of, and priority given to the Major Cycle Route, while six raised concerns about how the layout and route would actually improve the situation for pedestrians and cyclists.
- 6.21 **Parking concerns.** In addition to Kirkwood Intermediate's comments above, another submitter was concerned about the effects on their residential property from parking removal in Riccarton Road near Kirkwood Intermediate School.
- 6.22 Others with parking loss concerns were the building owner and three business owners in opposition to the proposed removal of four parks outside the Clyde Building on the corner of Euston Street and Riccarton Road, and two residents concerned about parking changes in their section of Middleton Road.

**Project team response to key issues and alternative suggestions raised during consultation**

- 6.23 Full submissions (names only) can be viewed in **Attachment B**.
- 6.24 **Access to and viability of alternative routes.** Traffic modelling shows most vehicles that would have previously travelled north via Ilam Road will move to adjacent roads, the majority choosing Wharenui/Clyde or Waimairi/Hansons. Residents along or near Middleton Road or its side roads will have limited options to divert. The routes will depend on the destination, but with no change to how they get to the city centre. (See table below showing current and projected 2031 post intersection improvements for morning and afternoon peaks)
- 6.25 Residents living along Middleton Road or on one of the side roads will have limited options to divert. Preferable routes will depend on the destination or origin of the journey. Here are some examples:

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- For vehicles travelling to city centre, residents could use Lochee Road and Wharenui Road to turn right onto Riccarton Road, or they could use Blenheim Road. There is no change for vehicles returning from the city centre.
  - For vehicles travelling northbound, residents could use either Lochee Road and then the Wharenui Road–Clyde Road corridor, or Suva Street and then the Hansons Lane–Waimairi Road corridor. Returning from the north results in no change, as vehicles can still travel south on Ilam Road through to Middleton Road.
  - For vehicles travelling to the west, residents can continue to left turn out of Middleton Road on to Riccarton Road. Returning from the west they could use Hansons Lane and Suva Street.
- 6.26 **Increased traffic congestion.** To support the proposed Ilam/Middleton/Riccarton Roads intersection improvements, additional changes to the road layout at other intersections are expected to bring an overall reduction in travel time for general traffic on both Riccarton Road and the wider network.
- 6.27 The proposed design also includes changes to the following intersections:
- Field Terrace/Riccarton Road
  - Hansons Lane/Riccarton Road/Waimairi Road
  - Clyde Road/Riccarton Road/Wharenui Road
- 6.28 There will be an increase in traffic using the Clyde Road/Riccarton Road/Wharenui Road intersection as part of this proposal. While the overall level of service at this intersection is not expected to change in the morning peak or during the day, there will be slightly higher volumes in the afternoon peak traffic flow.
- 6.29 A comparison of the existing situation with the proposed option for both current and projected morning (am) and afternoon (pm) peak vehicle numbers is shown in the table below. The expected increase in vehicle numbers is shown in red and the expected decrease in vehicle numbers is shown in green.

Streets included in the traffic modelling		AM Peak			PM Peak		
		Existing vehicles	Option vehicles	Change	Existing vehicles	Option vehicles	Change
Current	Auburn Avenue	5	5	0	10	15	5
	Balgay Street	290	350	60	130	140	10
	Clyde Road	910	950	40	1070	1130	60
	Field Terrace	40	110	70	50	150	100
	Hansons Lane	860	960	100	930	960	30
	Ilam Road	770	630	-140	940	830	-110
	Kirkwood Avenue	90	80	-10	80	80	0
	Lochee Road	150	140	-10	270	360	90
	Middleton Road	750	520	-230	910	750	-160
	Newham Terrace	30	20	-10	20	20	0
	Suva Street (Hansons/Curletts)	140	160	20	170	180	10
	Suva Street (Hansons/Middleton)	170	190	20	240	200	-40
	Waimairi Road	730	750	20	830	840	10
	Wharenui Road	450	550	100	520	660	140



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Streets included in the traffic modelling		AM Peak			PM Peak		
		Existing vehicles	Option vehicles	Change	Existing vehicles	Option vehicles	Change
2031	Auburn Avenue	5	5	0	15	15	0
	Balgay Street	140	160	20	150	160	10
	Clyde Road	1120	1090	-30	1210	1160	-50
	Field Terrace	40	80	40	50	120	70
	Hansons Lane	770	870	100	980	910	-70
	Ilam Road	750	700	-50	980	830	-150
	Kirkwood Avenue	60	60	0	70	70	0
	Lochee Road	150	140	-10	420	310	-110
	Middleton Road	660	350	-310	990	630	-360
	Newham Terrace	20	10	-10	20	20	0
	Suva Street (Hansons/ Curletts)	130	130	0	180	170	-10
	Suva Street (Hansons/ Middleton)	110	120	10	300	210	-90
	Waimairi Road	680	700	20	750	770	20
	Wharenui Road	460	630	170	580	790	210

**Alternative solutions for Ilam/Middleton/Riccarton intersection:**

- 6.30 **Ban right turn movements out of Ilam and Middleton Roads and keep the through movement.** This is not a viable option because:
- 6.30.1 Buses need to turn right and it is difficult to restrict the right turn to buses only.
- 6.30.2 The right turn without a physical restriction could be frequently ignored, and therefore create an unsafe situation.
- 6.30.3 Including a north/south movement would reduce the time that can be allowed for:
- A right turn phase into Ilam Road from Riccarton Road, which improves safety.
  - A cycle crossing which is needed for the Major Cycle Route and cannot run at the same time as the Ilam-Middleton phase.
- 6.31 Overall, the proposed staff solution to retain the right turn allows a significant improvement in Ilam Middleton Riccarton intersection safety. There will be minimal loss of green signal time for Riccarton Road - the main traffic flow consideration at this location.
- 6.32 **Split phasing of the traffic lights.** The proposal to operate Ilam Road and Middleton Road separately is not workable. It is important to note that the through traffic movement from these approaches cannot run at the same time as the cycle movements. This is because there is not enough road space for both cycles and vehicles, and there would be a high risk of conflict.
- 6.33 Five phases would be needed to address the safety concerns:
1. Riccarton Road westbound approach, and a protected right turn into Ilam Road
  2. Riccarton Road
  3. Ilam Road
  4. Middleton Road
  5. Cycles

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- 6.34 This is an inefficient signal phasing cycle with more red time than is ideal, but the key concern is the affect this would have on signal co-ordination along Riccarton Road. With the phasing above, the Council would not be able to keep the light phasing cycle at the Ilam/Middleton/Riccarton intersection to approximately 74 seconds signals which is the timing needed for vehicles on Riccarton Road to get green lights along the corridor.
- 6.35 **Right turning arrows.** As with the split phasing option outlined above, the issue is signal co-ordination and the need to add two new phases (right turning arrows and cycle crossing), which would prevent us from achieving the desired level of co-ordination.
- 6.36 **Line markings.** The proposal aims to improve safety at the intersection for all road users. Line marking could be used for improved guidance through the intersection, but this would not prevent the types of crashes that are typical here. It would also leave an unprotected section in the Nor'West Arc Major Cycleway, which requires a cycle crossing in this location.
- 6.37 **Reduced speed.** Limiting speed would reduce both the severity and the likelihood of a crash, but the changes put forward in this proposal are designed for a more overarching and comprehensive approach to crash reduction by improving the road environment and allowing for the Major Cycle Route.
- 6.38 **Retain the right turn from Riccarton Road into Middleton Road.** Retaining the right turn into Middleton Road would require Middleton Road to be part of the signalised intersection. It is too close to Ilam Road to not be part of the signals if the right turn is there. This would have a detrimental impact on network efficiency and would essentially require either split phasing, which as outlined previously will not work with the signal co-ordination, or into providing right turning arrows, which will provide the same issues.
- 6.39 **Alternative suggestions for Clyde/Riccarton/Wharenui.** Suggestions to change the through and left turn lanes located between the Clyde Road and Wharenui Road approaches to left turn only, to allow a north-south movement are beyond the scope of this project. However, modelling will be done to consider the benefits of this suggestion, along with an independent safety review. This information will be passed on to the network planning team for consideration as a future project, and to the bus priority team for consideration as part of the Bus Priority Stage Two project.

**Project team response to other issues and concerns**

- 6.40 **Retain the right turn out of Field Terrace.** The right turn out of Field Terrace into Riccarton Road has not been included because it would make it easier for vehicles to right turn in from Riccarton Road, against the proposed turning ban. It would also encourage people to use Field Terrace as an alternative route to get to Riccarton Road from Middleton Road.
- 6.41 **Retain the right turn into Field Terrace.** Retaining the right turn into Field Terrace was considered during the options assessment. Unfortunately allowing vehicles to queue to turn into Field Terrace would result in this turning movement blocking access to the right turn lane from Riccarton Road to Ilam Road. This would reduce the efficiency of traffic flow in the network.
- 6.42 **Increased traffic through Field Terrace and congestion from left-turners into Riccarton Road heading right up Ilam Road.** Traffic modelling shows that there will be an increase in traffic on Field Terrace, particularly in the p.m. peak. However this modelling also shows that the impact on the traffic flow on Riccarton Road is minimal and there remains a net benefit to travel times on Riccarton Road for general traffic. The efficiency of the network, and the impact of this movement, will be monitored and if remedial action is required this can be programmed.

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- 6.43 **Cycle and pedestrian concerns/suggestions.** The Nor'West Arc Major Cycle Route has already been consulted on and approved. A substantial section of the cycleway on Ilam Road is existing and relocation to another road corridor is beyond the scope of this project. The proposal will improve pedestrian safety at the intersection by reducing the crossing distance, altering the signal phasing and removing the slip lanes.
- 6.44 **Clyde Building.** Following requests to retain the four parking outside the Clyde Building, changes have been made to the plan layout allowing space to retain three of these car parking spaces.
- 6.45 **Bus parking outside Kirkwood Intermediate School.** This has been addressed through a time-restricted loading zone, which is long enough for a bus to park, between 8am and 4pm only. The space will not be available for parking outside these times, as it would interfere with queuing at the intersection.
- 6.46 **Parking outside residence near Kirkwood.** Unfortunately it is not possible to provide parking in this location, as there needs to be enough space for vehicles to queue for the signalised intersection.
- 6.47 **Parking outside two residences on Middleton Road.** This proposal does not change the number of parking spaces available in this section of Middleton Road from those previously approved, although not yet constructed, as part of the Nor'West Arc Major Cycle Route. However the locations of the parking spaces have changed, as explained below.
- 6.48 The approved Nor'West Arc Major Cycle Route did not include any parking spaces on the west side of Middleton Road, north of number 6 Middleton Road, but four spaces are included on the eastern side north of the access to number 7 Middleton Road.
- 6.49 These four spaces on the west side are removed as part of this proposal, which instead includes four parking spaces in new locations; two on the west side of Middleton Road north of number 6 Middleton Road, and two on the east side south of number 7 Middleton Road.

**Proposed changes to the plan**

- 6.50 After considering all the feedback and responding to key issues as above, the changes made to the plan for consultation resulting in the plan for approval are:
- Three of the four car parks proposed to be removed outside the Clyde Building (233 and 235 Riccarton Road) will be re-instated.
  - Part time parking for buses will be provided outside Kirkwood Intermediate School.

**Information to submitters**

- 6.51 The Community Board has been sent a copy of the full submissions. Submitters have been sent a link to full submissions (names only), a summary of consultation, and how to request to speak to the elected members about their feedback when the Board considers the report.

## 7. Legal Implications / Ngā Hiraunga ā-Ture

- 7.1 There is no legal context, issue or implication relevant to this decision.

## 8. Risks / Ngā tūraru

- 8.1 Options 1, 2, 3, 4 and 5 have various limitations as to the traffic flow and do not effectively manage the safety issues including:
- 8.1.1 Safety issues for the Nor'West Arc MCR and pedestrian users to safely connect from Ilam and Middleton Roads.

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- 8.1.2 Not addressing the previously recorded vehicles crashes at the intersection.
- 8.1.3 Not addressing the three recorded pedestrian crashes and one minor injury car versus cyclist crash.
- 8.1.4 Benefits of reducing bus travel times are not realised.
- 8.1.5 NZTA funding for this project is part of the NZTA application for the Nor'West Arc project, this funding is yet to be confirmed.
- 8.1.6 Details of the risk as outlined in **Appendix C**.

**9. Next Steps / Ngā mahinga ā-muri**

- 9.1 If the Council's approval is received, the design team will proceed with detailed design and tender for the works, with an anticipated start to construction in late 2020.

## 10. Options Matrix / Te Poukapa

		Issue Specific Criteria						
Criteria		Do nothing	Option 1	Option 1C (Preferred)	Option 2	Option 3	Option 4	Option 5
Financial Implications	Cost to Implement	\$0	\$1,301,212	\$1,323,092	\$1,276,861	\$1,522,301	\$1,285,791	\$1,276,836
	Maintenance/Ongoing	\$3,727 This will need to be provided for in the planning of future Long Term Plans.	\$7,752 This will need to be provided for in the planning of future Long Term Plans.	\$7,743 This will need to be provided for in the planning of future Long Term Plans.	\$8,739 This will need to be provided for in the planning of future Long Term Plans.	\$9,506 This will need to be provided for in the planning of future Long Term Plans.	\$9,187 This will need to be provided for in the planning of future Long Term Plans.	\$9,164 This will need to be provided for in the planning of future Long Term Plans.
	Funding Source	N/A	LTP 2018/2028-CPMS 17144 Intersection Safety: Ilam/Middleton/Riccarton (7), budget of \$1,298,614	LTP 2018/2028-CPMS 17144 Intersection Safety: Ilam/Middleton/Riccarton (7), budget of \$1,298,614. This preferred option will receive NZTA funding (verbally approved), as it part of the MCR North West Arc connection. Balance shortfall (between estimates and budget) of \$25k will be provided for under CPMS 23103 - MCR Nor'West Arc - Section 2 - Annex Road/Wigram Road to University	LTP 2018/2028 CPMS 17144 Intersection Safety: Ilam/Middleton/Riccarton (7), budget of \$1,298,614	LTP 2018/2028 CPMS 17144 Intersection Safety: Ilam/Middleton/Riccarton (7), budget of \$1,298,614. Balance shortfall of \$223k cannot be accommodated within the MCR North West Arc project and additional funding would need to be found within the programme or savings within the transport portfolio	LTP 2018/2028 CPMS 17144 Intersection Safety: Ilam/Middleton/Riccarton (7), budget of \$1,298,614	LTP 2018/2028 CPMS 17144 Intersection Safety: Ilam/Middleton/Riccarton (7), budget of \$1,298,614
	Impact on Rates	0.01% reduction in 2021 if remaining capital budget is cancelled.	Nil as both Capex and Opex are covered by current budgets.	Per Option 1	Per Option 1	Nil assuming current budgets within the Transport programme are made available.	Per Option 1	Per Option 1
Criteria 1 - Climate Change Impacts		This option does not provide any reduction in vehicle emissions as it does not provide any transportation alternatives.	This option has limited emission reduction as it does not fully realise cycle, pedestrian and bus priority features at this intersection.	Improving and providing new cycleway infrastructure reduces emissions from vehicles. Bus priority also provides efficient alternative means of transport to vehicles.	This option has limited emission reduction as it does not fully realise cycle, pedestrian and bus priority features at this intersection.	This option has limited emission reduction as it does not fully realise cycle, pedestrian and bus priority features at this intersection.	This option has limited emission reduction as it does not fully realise cycle, pedestrian and bus priority features at this intersection.	This option has limited emission reduction as it does not fully realise cycle, pedestrian and bus priority features at this intersection.
Criteria 2 - Accessibility Impacts		This option does not provide any new pedestrian or cycle improvement and does not address the current safety issues.	This option has limited improvement to the existing pedestrian and cycleway infrastructure.	The new and improved signalised crossing will provide safer access for pedestrians and cyclists to cross the busy intersection.	This option has limited improvements to the existing pedestrian and cycleway infrastructure	This option has limited improvements to the existing pedestrian and cycleway infrastructure than the preferred option.	This option has limited improvements to the existing pedestrian and cycleway infrastructure	This option has limited improvements to the existing pedestrian and cycleway infrastructure than



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				than the preferred option.		than the preferred option.	the preferred option.
<b>Criteria 3 - Health and Safety Impacts</b>	This option does not address any of the existing safety issues for cyclists, pedestrian and vehicles.	This option has limited health and safety improvements, as it has reduced benefits as compared to the preferred option.	The preferred option improves accessibility for the mobility impaired, for pedestrians, cyclist and reduces the current vehicles crashes. The reconstruction of the cycle and pedestrian crossing points will provider safer and controlled access.	This option has limited health and safety improvements, as it has reduced benefits as compared to the preferred option.	This option has limited health and safety improvements, as it has reduced benefits as compared to the preferred option.	This option has limited health and safety improvements, as it has reduced benefits as compared to the preferred option.	This option has limited health and safety improvements, as it has reduced benefits as compared to the preferred option.
<b>Criteria 4 - Future Generation Impacts</b>	This option does not provides long term choices regarding commuting options for the public either cycling, walking or public transport.	This option has limited benefits as the full safety features is not realised as compared to the preferred option 1c.	This option provides long term choices regarding commuting options for the public either cycling, walking or public transport.	This option has limited benefits as the full safety features is not realised as compared to the preferred option 1c.	This option has limited benefits as the full safety features is not realised as compared to the preferred option 1c.	This option has limited benefits as the full safety features is not realised as compared to the preferred option 1c.	This option has limited benefits as the full safety features is not realised as compared to the preferred option 1c.

Statutory Criteria							
Criteria	Do nothing	Option 1	Option 1C	Option 2	Option 3	Option 4	Option 5
<b>Impact on Mana Whenua</b>	This option does not involve a significant decision in relation to ancestral land or a body of water of other elements of intrinsic value.	This option does not involve a significant decision in relation to ancestral land or a body of water of other elements of intrinsic value.	This option does not involve a significant decision in relation to ancestral land or a body of water of other elements of intrinsic value.	This option does not involve a significant decision in relation to ancestral land or a body of water of other elements of intrinsic value.	This option does not involve a significant decision in relation to ancestral land or a body of water of other elements of intrinsic value.	This option does not involve a significant decision in relation to ancestral land or a body of water of other elements of intrinsic value.	This option does not involve a significant decision in relation to ancestral land or a body of water of other elements of intrinsic value.
<b>Alignment to Council Plans and Policies</b>	This option is not consistent with Council's Plans and Policies and does not align with Level of Service: 10.0.6.1 Reduce the number of casualties on the road network. - <=124 (reduce by 5 or more per year).	This option is partially consistent with Council's Plans and Policies, as it does not provide the full range benefits as compared to the preferred option and does not fully align with Level of Service: 10.0.6.1 Reduce the number of casualties on the road network. - <=124 (reduce by 5 or more per year).	This option is consistent with Council's Plans and Policies and aligns with Level of Service: 10.0.6.1 Reduce the number of casualties on the road network. - <=124 (reduce by 5 or more per year).	This option is not consistent with Council's Plans and Policies and does not align with Level of Service: 10.0.6.1 Reduce the number of casualties on the road network. - <=124 (reduce by 5 or more per year).	This option is not consistent with Council's Plans and Policies and does not align with Level of Service: 10.0.6.1 Reduce the number of casualties on the road network. - <=124 (reduce by 5 or more per year).	This option is not consistent with Council's Plans and Policies and does not align with Level of Service: 10.0.6.1 Reduce the number of casualties on the road network. - <=124 (reduce by 5 or more per year).	This option is not consistent with Council's Plans and Policies and does not align with Level of Service: 10.0.6.1 Reduce the number of casualties on the road network. - <=124 (reduce by 5 or more per year).

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## Attachments / Ngā Tāpirihanga

No.	Title	Page
A	Ilam/Middleton/Riccarton Project - Option1C (Preferred, Post Consultation)	
B	Ilam/Middleton/Riccarton Project - Full Submissions	<i>Under separate cover</i>
C	Ilam/Middleton/Riccarton Project - Scheme Assessment Report	<i>Under separate cover</i>
D	Options Assessment Matrix	<i>Under separate cover</i>
E	Ilam/Middleton/Riccarton Project - Option 1	<i>Under separate cover</i>
F	Ilam/Middleton/Riccarton Project - Option 2	<i>Under separate cover</i>
G	Ilam/Middleton/Riccarton Project - Option 3	<i>Under separate cover</i>
H	Ilam/Middleton/Riccarton Project - Option 4	<i>Under separate cover</i>

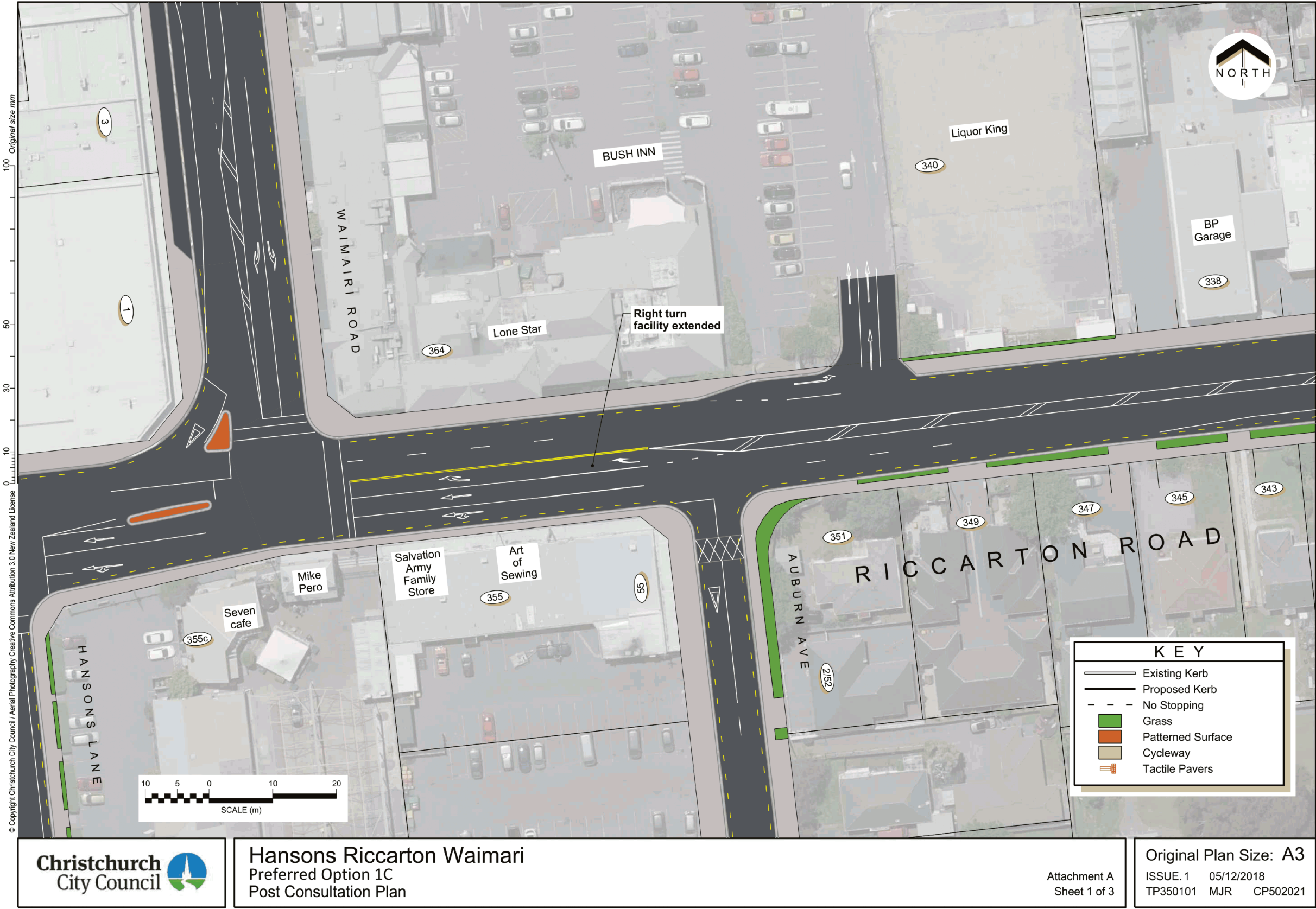
## Confirmation of Statutory Compliance / Te Whakatūtutanga ā-Ture

Compliance with Statutory Decision-making Requirements (ss 76 - 81 Local Government Act 2002).	
(a) This report contains:	
(i) sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages; and	
(ii) adequate consideration of the views and preferences of affected and interested persons bearing in mind any proposed or previous community engagement.	
(b) The information reflects the level of significance of the matters covered by the report, as determined in accordance with the Council's significance and engagement policy.	

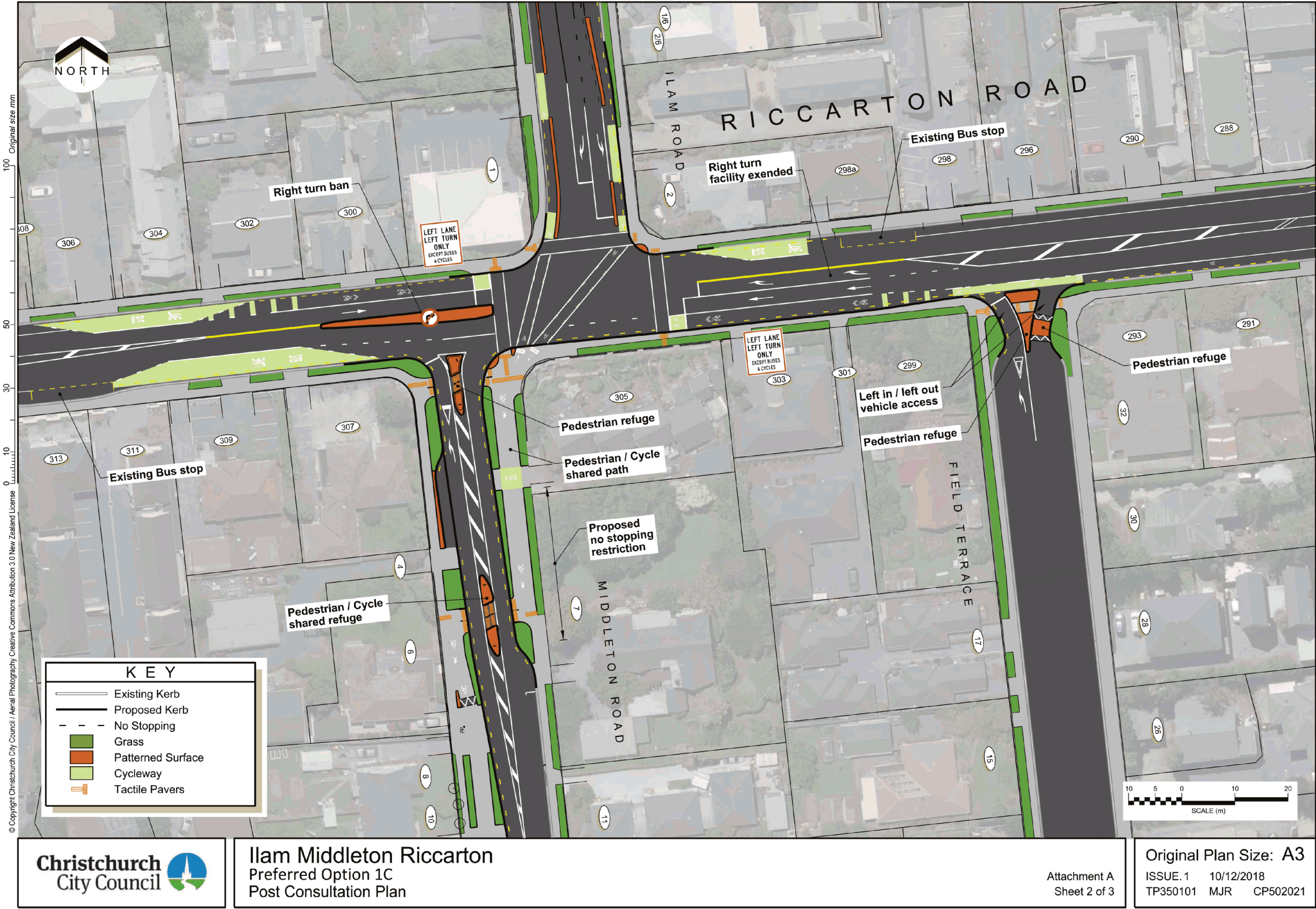
## Signatories / Ngā Kaiwaitohu

<b>Authors</b>	Adrian Thein - Project Manager Philippa Upton - Engagement Advisor William Homewood - Senior Traffic Engineer Sharon O'Neill - Team Leader Project Management Transport
<b>Approved By</b>	Lynette Ellis - Manager Planning and Delivery Transport Peter Langbein - Finance Business Partner Richard Osborne - Head of Transport David Adamson - General Manager City Services

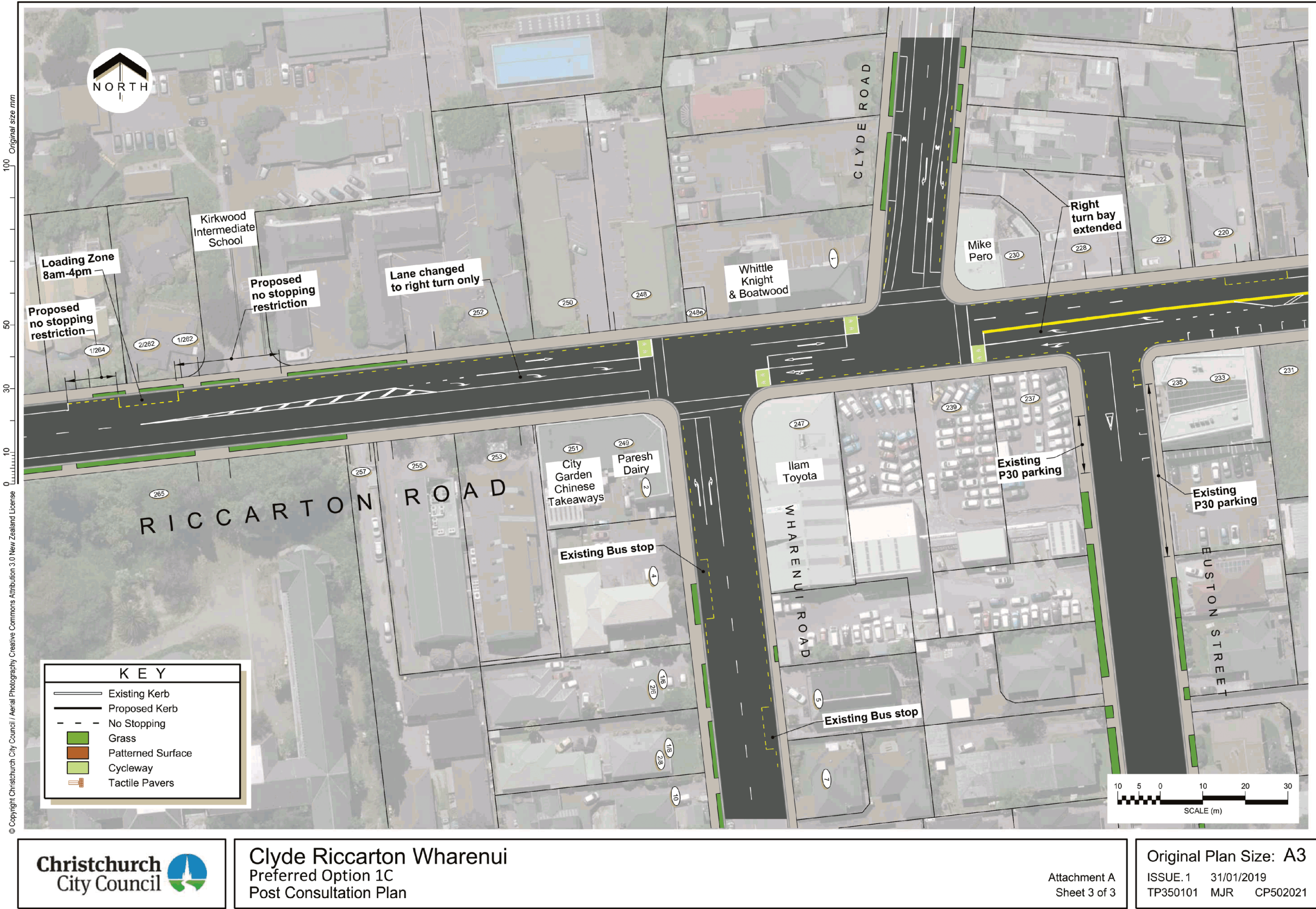












Memos



**Memorandum**

**Date:** 03 June 2020  
**From:** Adrian Thien, Project Manager Transport  
**To:** Mayor and Councillors  
**Cc:** Halswell-Hornby-Riccarton Community Board  
Executive Leadership Team  
**Subject:** **Intersection Safety Project - Ilam Riccarton Middleton Roads**  
**Reference:** 20/694033

**1. Purpose of this Memo**

- 1.1 The purpose of this memo is to provide additional information following Council briefing on this project held on 2 June 2020.

**2. Update**

**Feedback**

- 2.1 At the Waipuna/Halswell-Hornby-Riccarton Community Board of 3 March 2020, Community Board requested staff further investigate options. These are as outlined below. The link to the report and Community Board's comments as per link below.  
[https://christchurch.infocouncil.biz/Open/2020/03/HHRB\\_20200303\\_MIN\\_4456\\_AT\\_WEB.htm](https://christchurch.infocouncil.biz/Open/2020/03/HHRB_20200303_MIN_4456_AT_WEB.htm)
- 2.2 The Community Board concerns were as follows:
- 2.2.1 That the vehicle traffic flow from Middleton Road through to Ilam Road is maintained, noting this is a main route to the University of Canterbury
- 2.2.2 That there be double phasing of the Riccarton Road traffic signals to enable satisfactory public transport flow.
- 2.3 Council also requested clarity on the number of vehicles impacted by the changes. 700 vehicles per day is mentioned in the Community Board resolution.

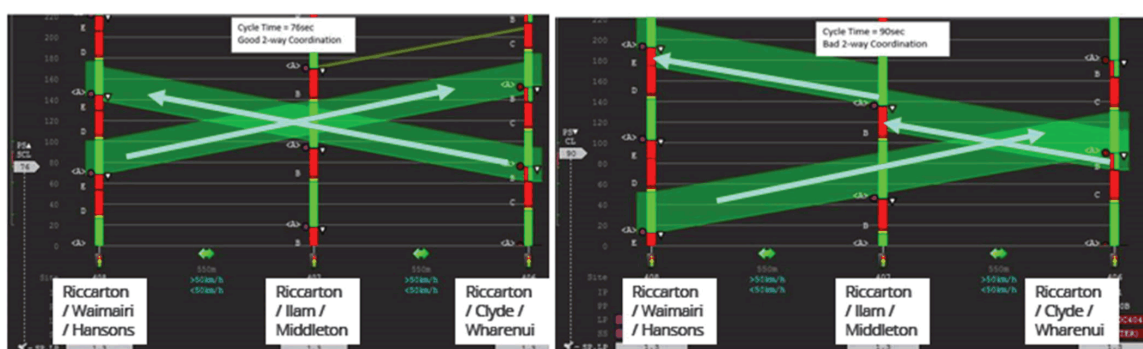
**Background**

- 2.4 The proposed changes at the intersection include:
- 2.4.1 Removal of the northbound movement from Middleton Road to Ilam Road or right into Riccarton Road. Left turn only will be required.
- 2.4.2 No right turn from Riccarton Road (heading east) into Middleton Road.
- 2.4.3 All other movements will remain the same.
- 2.4.4 Other changes to turning movements are proposed at Field Terrace/Riccarton Road where a left in, left out intersection is planned.
- 2.5 It is important to consider the intersection as part of the wider network in the area and not in isolation.
- 2.6 The proposed changes at the intersection will have a net travel time benefit for general traffic both on Riccarton Road and through the wider network. This project improves traffic flow and reduces journey times for general traffic.



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- 2.7 The traffic movement northbound on Middleton Road, which is around 250 vehicles in the peak hour, is easily accommodated on the Waimairi /Hanons Corridor or the Wharenui /Clyde Corridor
- 2.8 Approximately 7,800 vehicles use Middleton Road per day, however only 4,300 of these are northbound movements with the rest being southbound. Of the northbound movements approximately 2/3rds currently go straight through to Ilam Road or turn right onto Middleton which are movements that would be restricted with the proposed design. Therefore, approximately 2,800 vehicles per day will potentially be affected by the proposed changes at the intersection.
- 2.9 Riccarton Road, at the Ilam/Middleton/Riccarton intersection is coordinated for two way traffic flow. This means an eastbound vehicle getting a green light on Riccarton Road at the Hansons/Riccarton/Waimairi intersection will get a green light at the Ilam/Middleton/Riccarton and then at Clyde/Riccarton/Wharenui intersection. This is repeated in the west bound direction. This two-way coordination requires the intersection to have a 76 second signal time (illustrated in diagram A below).
- 2.10 If the signal cycle time increases substantially above 76 seconds (Diagram B below) coordination will only be possible in one direction. This will result in queueing and delay in the uncoordinated direction. Once formed ques can become very difficult to clear.



**Proposed changes (staff proposal)**

- 2.11 Removing through traffic from Middleton Road to Ilam Road results in the following:
  - 2.11.1 It is expected that the "displaced" traffic will easily disperse to the Hansons Road or Wharenui Road corridors. This is approximately 250 vehicle in the peak hour.
  - 2.11.2 Provides for safe pedestrian and cycle crossing facilities at the intersection.
  - 2.11.3 Allows the right turn out of Ilam road into Riccarton Road, heading west – this is a core bus route and needs to be maintained.

**Community Board Proposal**

- 2.12 Retaining the north bound movement of traffic from Middleton Road to Ilam Road (and right into Riccarton Road) and ensure the safety of all users will result in only two or three vehicles being released every traffic signal phase. This will result in substantial delays to vehicle in this route including the bus.
- 2.13 Double cycle traffic signals:
  - 2.13.1 This involves running the cycle crossing in one phase and then the through movement for Ilam Road and Middleton Road in the next phase.

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- 2.13.2 Each of the movements would get served approximately every 160 seconds.
- 2.13.3 This will result in unacceptably high delays to pedestrians, cycles and bus routes and a poor level of service and significant delays to Ilam Road and Middleton Road.
- 2.14 Split phase and double cycle traffic signals
  - 2.14.1 This involves running Riccarton Road and Ilam Road on one phase and then Riccarton Road and Middleton Road on the next.
  - 2.14.2 This results in a poor level of service and significant delays to Ilam Road and Middleton Road and significant delays to bus routes that use Ilam Road, including the Purple line which is a core route.
  - 2.14.3 It will also result in significant risk to cycle safety with the creation of conflict points.

### 3. Summary

- 3.1 The changes proposed by the Community Board will:
  - 3.1.1 Be **less safe** than the proposed solution.
  - 3.1.2 Have a **negative** impact on travel times across the network.
  - 3.1.3 Have a **negative** impact on buses on Ilam Road (core route).

### 4. Next steps

- 4.1 The project report will be presented at the Council meeting of 11 June 2020.
- 4.2 The staff recommendations to the Council provided for matters to be decided by the Council in Part A, and for matters that are delegated to community boards to be decided by the Community Board in Part C.
- 4.3 However, the Community Board did not resolve the matters in Part C as recommended by staff, and did not make a recommendation to the Council in relation to the Part A matters. Instead, the Community Board resolution was a broad recommendation to the Council, and therefore it is open to the Council to accept or not accept that broad recommendation.
- 4.4 It is therefore open to the Council resolve the matters in Part A, and to decide to revoke its delegation to the Community Board solely in relation to the matter of the Ilam Road/Middleton Road/Riccarton Road Intersection – Safety Improvements for the Part C matters. The Council will then be in a position to make the decisions itself (both Part A and Part C). It could reinstate the Board's delegation for this matter after having made those decisions, or decide not to reinstate the Board's delegations in relation to that project if future decisions are required to be made.
- 4.5 The Local Government Act 2002 provides for delegations for the efficiency and effectiveness of the Council, and the Act requires that the Council must consider whether or not to delegate to a community board if the delegation would enable the community board to best achieve its role. However, it is always open to the Council to revoke a delegation made to a delegate and exercise the functions duties and powers so delegated. While this power is not often used, it may appropriate to do so from time to time.

### Attachments

There are no appendices to this report.

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**Signatories / Ngā Kaiwaitohu**

<b>Authors</b>	Adrian Thein - Project Manager Lynette Ellis - Manager Planning and Delivery Transport Samantha Kelly - Team Leader Hearings & Committee Support William Homewood - Senior Traffic Engineer
<b>Approved By</b>	Lynette Ellis - Manager Planning and Delivery Transport David Adamson - General Manager City Services



## 20. 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 listed overleaf.

Reason for passing this resolution: good reason to withhold exists under section 7.

Specific grounds under section 48(1) for the passing of this resolution: Section 48(1)(a)

### 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.”

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 NO.	GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED	SECTION	SUBCLAUSE AND REASON UNDER THE ACT	PLAIN ENGLISH REASON	WHEN REPORTS CAN BE RELEASED
21	PUBLIC EXCLUDED COUNCIL MINUTES - 7 MAY 2020			REFER TO THE PREVIOUS PUBLIC EXCLUDED REASON IN THE AGENDAS FOR THESE MEETINGS.	
22	PUBLIC EXCLUDED COUNCIL MINUTES - 14 MAY 2020			REFER TO THE PREVIOUS PUBLIC EXCLUDED REASON IN THE AGENDAS FOR THESE MEETINGS.	
23	PUBLIC EXCLUDED COUNCIL MINUTES - 28 MAY 2020			REFER TO THE PREVIOUS PUBLIC EXCLUDED REASON IN THE AGENDAS FOR THESE MEETINGS.	
24	CONTRACT EXTENSIONS	S7(2)(B)(II), S7(2)(H)	PREJUDICE COMMERCIAL POSITION, COMMERCIAL ACTIVITIES	COMMERCIAL SENSITIVITIES - COMMUNICATION WILL FIRST NEED TO BE VIA FORMAL CONTRACT NOTIFICATION. THE REPORT DISCUSSES PERFORMANCE ISSUES WHICH MAY PREJUDICE HOW OTHER CLIENTS MAY ENGAGE WITH THE CONTRACTORS BASED ON SPECIFICS INDICATED HERE.	4 JUNE 2025  FIVE YEARS FROM THE DETERMINATION, GIVEN ITS POTENTIAL RELEVANCE AT THE NEXT TENDER OPPORTUNITY.